



## न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)  
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)  
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment  
भारत सरकार/Government of India  
5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364  
5<sup>th</sup> Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364  
Email: [ccpd@nic.in](mailto:ccpd@nic.in); Website: [www.ccdisabilities.nic.in](http://www.ccdisabilities.nic.in)

**Case No.16068/1033/25**

**In the matter of:**

Advika Singh

**...Complainant**

**Versus**

The Director,  
National Institute of Design (NID),  
Ahmadabad

**...Respondent**

### **1. Gist of Complaint**

1.1 Ms. Advika Singh, a person with 50% Locomotor Disability filed a complaint dated 13.04.2025 and submitted that she applied for admission in the course of Bachelor of Design at National Institute of Design, through Design Aptitude Exam 2025, under the General-PwD quota and appeared for the preliminary exam with a valid admit card and a valid disability certificate dated 9 October 2024 issued by the Chief Medical Officer (CMO), Lohardaga, Jharkhand, and UDID card dated 7.12.2024, issued by the Department of Empowerment for Persons with Disabilities.

1.2 The Complainant further submitted that on 1st April 2025, Respondent rejected her candidature, on the grounds that the disability certificate submitted by her was invalid and incorrect. However, as per the Para 5.5 of the Admission Handbook of the NID, the requirement specified for applying in PwBD quota was to furnish a Disability Certificate and/or a UDID card issued by the DEPwD, MSJ&E.

1.3 The Complainant also submitted that she requested the NID Ahmedabad, Admission Cell to reconsider and declare her result, as she fulfilled all eligibility

criteria and she now has a UDID card also and Mains exam is scheduled on 03 May 2025.

## **2. Notice issued to the Respondent:**

A Notice for Reply/comments cum Hearing dated 13.04.2025 was issued to Respondents u/s 75 & 77 of the Rights of Persons with Disabilities Act, 2016, for forwarding their comments on the complaint by 21.04.2025 to this Court and to appear before the Court on 23.04.2025.

## **3. Reply from the Respondent:**

3.1 The Respondent vide his reply dated 21.04.2025 submitted that all the PwD candidates were required to confirm possession of a valid disability certificate and UDID card issued by the DEPwD at the time of filling up of the form and to upload the same. Further, the PwD candidates had to undertake that they understand that no document or Certificate other than above will be considered valid and no representation in this regard will be entertained by the Institute. The Complainant had agreed to all the above conditions to be able to proceed with the filling up of the online application form.

3.2 The Respondent quoted the relevant extract of the Admission Handbook 2025 which provides as under:

*"The benefit of reservation will be given only to those candidates with disability as described by the Government of India under the RPwD Act, 2016. Candidates applying under this category should have a Disability Certificate and/or Unique Disability ID (UDID) issued by the Department of Empowerment of Persons with Disabilities (available at <http://www.swavlambancard.gov.in>). No other certificate or document will be valid and no representations in this regard will be entertained. Such candidates are required to upload the above-mentioned certificate and/or UDID at the time of applying online and must produce the original certificate at the time of physical verification of documents."*

3.3 The Respondent also submitted that the verification of the Category Certificate is conducted after the DAT Prelims. According to the same section, if it is found during verification that the Disability Certificate and/or UDID is not valid, the candidate application is liable to be cancelled under the following conditions:

- (i) If the candidate has availed compensatory time, the services of Scribe, or age relaxation.
- (ii) If the candidate has applied under the PwD Category in GENERAL , GEN (EWS) or OBC (NCL).

3.4 Futher, Respondent quoted from the DEPwD Notification No. S.O. 1736(E) dated 05.05.2021 which states as under:-

*In exercise of powers conferred by sub rule (5) of Rule 18 of the Rights of Persons with Disabilities Rules, 2017, the Central Government hereby appoints 01st day of June 2021 as the date from which the certificate of disability will only be granted on Unique Disability Identity Card Portal, namely, <http://www.swavlambancard.gov.in> by the competent medical authorities as notified by the States and Union Territories."*

3.5 The Respondent submitted that as per the DEPwD Notification mentioned above UDID is the only document admissible as a supporting document to claim rights and benefits meant for PwD.

#### **4. Submission made in Rejoinder:**

4.1 Complainant vide her rejoinder dated 22.04.2025 submitted that there was ambiguity in the handbook regarding whether the certificate must specifically be from the Department of Empowerment for Persons with Disabilities. He also said that it took two months for the Complainant to get her UDID. Eventually, on 07 December 2024, a certificate bearing the same official signature block was issued under that department, a physical copy of which was received on 20.12.2024.

4.2 Representative of Complainant further submits that the candidate should not be penalized for this delay. Both certificates are valid and issued by the same authority.

#### 4. Hearing (I):

A hearing in hybrid mode (online/offline) was conducted on 23.04.2025; the following parties/representatives were present during the hearing:

Sl. No.	Name of the parties /Representatives	Parties	Mode
1.	Col. Rajiv Singh, Father of the Complainant	Complainant	Online
2.	Mr. Rupesh, Dy. Registrar	For Respondent	Online
3.	Mr. Vipul Vinzuda, Admission Council Head	For Respondent	Online

#### 5. Observation and Recommendation:

5.1 At the outset, the representative of the Complainant was asked to submit the grievance in brief. He reiterated the same points as made in the complaint and the rejoinder. The Respondent replied that as per the Government of India Notification dated 5 May 2021, the Disability Certificate is valid only if it is issued by the Department of Empowerment of Persons with Disabilities as a UDID card, which became mandatory since 01.06.2021. Thus, the disability certificate issued by the CMO Lohardaga subsequent to this date was not a valid disability certificate. The Respondent was asked whether they have any other ground to reject the candidature of the Complainant to which their answer was in the negative.

5.2 After hearing both parties, this court observed that the respondent is relying on the word "only" mentioned in the DEPwD Notification vide S.O. 1736 (E) dated 05.05.2021 to suggest that the UDID card is mandatory for any PwD candidate for admission to their institution. However, this Notification was issued by the concerned Ministry under its powers conferred by rule 18 (5) of the RPWD rules 2017. Rule 18(5) doesn't mention the word "only" and doesn't make UDID/online certificate an exclusive certificate. Further, Rule 20 of the said Rules also provides that certificates issued under the repealed Act of 1995 shall also continue to be valid. It is also a matter of fact that all persons with disabilities in the country have not been issued the UDID card so far, and there are still thousands of applications pending in various hospitals for the UDID. As such, the narrow interpretation of the Notification dated 05.05.2021 cannot be accepted as it is against the spirit of the RPwD Act, 2016 and RPwD Rules, 2017.

5.3 For the Respondent's reference and clarity on the instant and all other similarly placed cases, this Court emphasized that the UDID card is a unique document issued by the Central Government for Persons with Disabilities, but it shall not be treated as the sole certificate for disability verification. Disability Certificate issued by the appropriate authority is equally valid and acceptable for identifying and certifying the disability till the 100% saturation of UDID card is achieved.

5.4 Accordingly, the Court recommended the Respondent to permit the Complainant to appear for the Mains Examination scheduled on 03.05.2025 with a positive and supportive approach. Furthermore, the Respondent is advised to submit a copy of the admit card issued to the Complainant to this Court within two (2) days of this order.

5.5 The Complainant vide email dated 25.04.2025 informed that the Admit Card was issued by the NID, Ahmedabad for the NID DAT Examination 2025 scheduled on 03<sup>rd</sup> May 2025. He also attached a copy of the Admit Card.

5.6 This Court wishes to acknowledge and appreciate the positive and timely action in issuing the Admit Card to the Complainant. It is recommended that immediate steps be taken to protect the rights and interest of similarly placed candidates in this and all future examinations.

5.7 In terms of Section 76 of the Act, the respondents are recommended to submit the Action Taken Report on this Order within 3 months from the date of this Order.

5.8 Accordingly, the case is disposed of.



**(S. Govindaraj)**  
Commissioner for Persons with Disabilities