The Academic
International Journal of Multidisciplinary Research

An Online Peer Reviewed / Refereed Journal
Volume 4 | Issue 7 | July 2026
ISSN: 2583-973X (Online), SJIF IF(2026): 5.6
Website: www.theacademic.in

A Critical Review of Regulatory Challenges and Reforms in the Microfinance Sector of Uttar Pradesh

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DOI : https://doi.org/10.5281/zenodo.22048886

ARTICLE DETAILS

Research Paper

Received: 22-06-2026

Accepted: 16-07-2026

Published: 20-08-2026

Keywords:

Microfinance Institutions; NBFC-MFI; RBI Regulation; Uttar Pradesh; Financial Inclusion; Over-Indebtedness;

ABSTRACT

Microfinance institutions always have played a progressive role in extending formal credit to low-income and rural households in Uttar Pradesh (UP), a state consists of large unbanked population which is heavily dependent on informal moneylending. Over the past years, the regulatory system governing MFIs in India has gone through repeated changes , moving from a largely unregulated, NGO-led model to a highly supervised NBFC-MFI framework administered by the Reserve Bank of India (RBI). This review paper analyses the existing literature and regulatory documentation on the evolution of microfinance regulation in India, with particular attention to how these national-level shifts have played out in the specific socio-economic context of Uttar Pradesh. The paper traces the regulatory journey from the Malegam Committee recommendations and the 2011 NBFC-MFI framework, through the 2022 Master Direction that deregulated interest-rate pricing, to the most recent 2025 revision of qualifying-asset norms. It identifies persistent regulatory issues also including the tension between deregulated pricing and borrower protection, uneven household-income assessment practices, gaps in grievance redressal, over-indebtedness risk in underserved districts, and compliance burdens on smaller NBFC-

MFIs and situates these issues within the UP context, where multiple lending, SHG-bank linkage saturation, and limited last-mile regulatory oversight compound the problem. The review concludes by identifying gaps in the existing literature, particularly the shortage of UP-specific empirical studies on the post-2022 regulatory regime, and offers directions for future research and policy attention.

1. Introduction

Microfinance increased in India as a response to the constant failures of formal banking channels to reach the rural and semi-urban poor, particularly women, small entrepreneurs, and agricultural labourers who lacked collateral and credit history. Uttar Pradesh, which is India's most populous state and with a comparatively low density of formal banking penetration relative to its population, has been an important though under-served market for microfinance operations. Self-Help Groups (SHGs) linked to banks, NGO-MFIs, and Non-Banking Financial Company-Microfinance Institutions (NBFC-MFIs) together constitute the delivery architecture through which small, collateral-free credit reaches this population.

The regulatory treatment of this sector has been static. Microfinance in India operated for years in a largely self-regulated environment until the 2010 Andhra Pradesh crisis triggered by aggressive multiple lending, coercive recovery practices, and a wave of borrower suicides forced both state and central regulators to intervene decisively. That episode reshaped the national conversation on microfinance regulation and led, through the Malegam Committee's recommendations, to the creation of a distinct NBFC-MFI category under RBI supervision. Since then, the regulatory framework has continued to evolve, culminating most recently in the RBI's 2022 Master Direction, which deregulated interest-rate pricing and introduced household-income-based loan eligibility, and its 2025 amendment easing qualifying-asset requirements for NBFC-MFIs.

For a state like Uttar Pradesh, these shifts carry particular weight. UP's microfinance market is large, geographically dispersed, and includes districts where borrower financial literacy is low and where past warning signs of over-indebtedness have already been documented alongside those in Bihar and Madhya Pradesh. Understanding how national regulatory change interacts with these state-specific vulnerabilities is essential both for policymakers and for MFIs operating in the region. This paper undertakes a review of the existing regulatory and academic literature to map this interaction and to identify where current knowledge is inadequate.

2. **Objectives of the Review**

- To trace the historical evolution of microfinance regulation in India, from the pre-2010 self-regulated phase to the current RBI-administered framework.
- To examine how the national regulatory framework applies to, and is experienced by, MFIs operating in Uttar Pradesh.
- To identify the principal regulatory issues and tensions affecting the sector — including pricing deregulation, borrower protection, compliance burden, and grievance redressal.
- To highlight gaps in the existing literature specific to Uttar Pradesh and to suggest directions for future research.

3. Research Methodology

This is a descriptive-analytical review paper based on secondary sources. Material was drawn from RBI Master Directions and circulars, committee reports (the Malegam Committee Report, 2011), publications of industry self-regulatory organisations (Microfinance Institutions Network

— MFIN, and Sa-Dhan), peer-reviewed journal articles on Indian microfinance regulation, and reputable financial and policy news sources reporting on regulatory changes through 2025. Sources were selected on the basis of relevance to regulatory issues in Indian microfinance generally and to Uttar Pradesh and comparable under-served states specifically. The review is thematic rather than strictly chronological: literature is organised around recurring regulatory themes pricing and interest rates, borrower assessment, over-indebtedness, compliance and qualifying-asset norms, and grievance redressal rather than presented purely as a timeline. Given the fast-changing nature of RBI's microfinance directions, particular attention was paid to distinguishing older (pre-2022) regulatory provisions from the current regime.

4. Evolution of Microfinance Regulation in India

4.1 The Pre-Crisis, Self-Regulated Phase

Before 2010, microfinance in India operated with minimal statutory oversight. NGO-MFIs and NBFCs providing microloans were not subject to a dedicated regulatory category, and growth in the sector fuelled increasingly by commercial and private-equity capital following the 2008 global financial crisis — outpaced the development of consumer-protection safeguards. This period saw rapid client acquisition, multiple lending to the same borrower by competing MFIs, and, in several regions, aggressive recovery practices.

4.2 The 2010 Andhra Pradesh Crisis and Its National Ripple Effects

The Andhra Pradesh microfinance crisis of 2010 is regarded as the turning point for Indian microfinance regulation. Extensive over-lending led to widespread borrower over-indebtedness, and reports of coercive collection practices were linked to a wave of borrower suicides. The Andhra Pradesh government responded with an emergency ordinance in October 2010 that placed all MFI lending in the state under prior government approval, later formalised as the Andhra Pradesh Micro Finance Institutions (Regulation of Money Lending) Act, 2011. While the crisis was geographically concentrated, it exposed a structural absence of central-level prudential and conduct regulation for microfinance nationally, and it revealed similar early warning signs of over-indebtedness in other large but less-studied states Bihar, Madhya Pradesh, and Uttar Pradesh among them.

4.3 The Malegam Committee and the 2011 NBFC-MFI Framework

RBI constituted the Malegam Committee, whose recommendations formed the basis of a new regulatory category the NBFC-MFI brought under direct RBI supervision through the Master Direction Non-Banking Financial Company Micro Finance Institutions (Reserve Bank) Directions, 2016 (building on the 2011 framework). This period introduced margin caps on interest rates (broadly 10–12% depending on the lender's asset size), restrictions on the number of MFIs a borrower could access, and household-income-based eligibility limits. However, NBFC-MFIs at the time captured only a portion of the market commonly cited at roughly 30% leaving a substantial share of microfinance lending, including bank-linked SHG credit and other NBFCs, outside this specific regulatory net.

4.4 The 2022 Master Direction: Harmonisation and Deregulation

A major regulatory overhaul arrived with the RBI's Master Direction – Reserve Bank of India (Regulatory Framework for Microfinance Loans) Directions, 2022, effective from 1 April 2022. This harmonised regulation across all lender categories banks, small finance banks, and NBFC-MFIs alike rather than applying different rules to different institution types. Its most significant

change was the removal of the interest-rate margin cap; lenders were instead required to adopt board-approved pricing policies, disclose minimum, maximum, and average rates, and ensure pricing was not usurious. The directions also formally defined a microfinance loan as a collateral-free loan to a household with annual income up to ₹3,00,000, and required lenders to adopt a documented policy for assessing household income and total indebtedness before extending credit. Prepayment penalties and loan-linked liens on deposit accounts were prohibited, and non-MFI NBFCs were permitted to extend their microfinance exposure from 10% to 25% of total assets.

4.5 Continuing Recalibration: 2025 and Beyond

The qualifying-asset (QA) threshold for NBFC-MFIs the minimum share of an institution's book that must consist of microfinance loans was itself revised upward to 75% in the 2022 framework, then eased back down to 60% in mid-2025 after industry bodies such as MFIN argued that the stricter threshold was producing technical compliance breaches and limiting institutions' ability to diversify into adjacent products for graduating borrowers. This history illustrates a regulator still actively calibrating the balance between protecting the sector's core mission and giving institutions commercial flexibility a balance with direct consequences for how MFIs price and structure products in states like Uttar Pradesh.

5. The Regulatory Framework as Applied in Uttar Pradesh

Uttar Pradesh does not currently have a state-specific microfinance ordinance comparable to the 2010 Andhra Pradesh law; MFIs operating in the state are governed by the same central RBI framework described above, alongside general moneylending and cooperative society statutes where relevant to non-NBFC entities. This creates a layered regulatory landscape in the state:

- NBFC-MFIs and banks disbursing microfinance loans are governed by the RBI's 2022 Master Direction (as amended in 2025) and the broader Scale Based Regulation framework for NBFCs.
- SHG-Bank Linkage Programme credit a major channel in rural UP is governed separately through NABARD guidelines and priority-sector lending norms applicable to commercial and regional rural banks.
- Cooperative-structure lenders fall under the state's cooperative societies framework, with the state government's Registrar of Cooperative Societies playing a supervisory role distinct from RBI's NBFC oversight.
- Industry self-regulatory organisations MFIN and Sa-Dhan provide an additional, non-statutory layer of code-of-conduct oversight, including a shared credit bureau check intended to curb multiple lending.

This layering means that a borrower in a UP village may simultaneously be a client of an SHG linked to a public-sector bank and of one or more NBFC-MFIs, each governed by a different regulatory lens, and each often unaware of the other's exposure to that borrower a structural gap that regulation has not fully closed.

6. Key Regulatory Issues and Challenges

6.1 Interest-Rate Deregulation Versus Borrower Protection

The removal of the interest-rate margin cap in 2022 was intended to increase competition and allow risk-based pricing. However, this shift creates a specific risk for a state like Uttar Pradesh, where MFI penetration is uneven across districts: in areas with fewer competing lenders, deregulated pricing could allow individual institutions to charge higher rates with limited competitive check, reproducing some of the pricing concerns the earlier cap was designed to prevent. Whether disclosure requirements alone are sufficient consumer protection in low-literacy rural markets remains an open regulatory question.

6.2 Household Income Assessment and the ₹3 Lakh Threshold

The requirement that MFIs independently assess household income and total indebtedness before lending is difficult to implement uniformly in a state with a large informal economy, where households often lack documented income records. Inconsistent application of this assessment across lenders risks perpetuating the very multiple-lending and over-indebtedness problem the rule is meant to prevent, particularly in districts already flagged as showing early over-indebtedness signals.

6.3 Over-Indebtedness and Coercive Recovery Risk

Although Uttar Pradesh did not experience a crisis on the scale of Andhra Pradesh in 2010, contemporaneous assessments identified warning signs of over-indebtedness in UP alongside Bihar and Madhya Pradesh. The structural drivers behind those warning signs dense but uncoordinated MFI presence in pockets of the state, reliance on informal cross-checking rather than robust shared credit bureau data, and pressure on field staff to meet disbursement targets have not been eliminated by the current framework, and remain a live regulatory concern.

6.5 Grievance Redressal and the Missing Middle

While RBI's Banking Ombudsman scheme has recorded a rising share of complaints related to Fair Practices Code violations, awareness of and access to this redressal channel remains limited among rural UP borrowers, many of whom transact in cash and have limited direct interaction with formal grievance mechanisms. Separately, borrowers who graduate beyond the microfinance income threshold but remain unable to access mainstream credit — the so-called 'missing middle' — represent a population for whom neither the microfinance framework nor conventional bank lending is currently well designed.

6.6 Effectiveness of Self-Regulatory Organisations

MFIN and Sa-Dhan play an important role in code-of-conduct enforcement and in maintaining shared borrower credit data intended to prevent multiple lending. However, their effectiveness depends on member compliance and does not extend statutory enforcement power over non-member lenders or informal moneylenders who continue to operate alongside formal MFIs in many UP districts.

7. Research Gaps

- Limited UP-specific empirical research assessing borrower-level outcomes under the post-2022 deregulated pricing regime, as most existing literature on Indian microfinance regulation is either national in scope or focused on Andhra Pradesh and southern states.
- Insufficient district-level data connecting MFI density, SHG-bank linkage saturation, and over-indebtedness indicators specifically within Uttar Pradesh.
- Little independent assessment of how effectively the household-income assessment requirement is actually implemented by lenders operating in the state, as opposed to how it is described in policy documents.
- A shortage of studies evaluating grievance redressal accessibility and outcomes for rural UP microfinance borrowers specifically, as opposed to national complaint statistics.
- Limited research on how the 2025 qualifying-asset relaxation is affecting product diversification and 'missing middle' lending by NBFC-MFIs operating in UP.

8. Conclusion and Policy Recommendations

The regulatory architecture governing microfinance in India has matured considerably since the largely unregulated pre-2010 period, moving through a succession of frameworks aimed at balancing financial inclusion, institutional viability, and borrower protection. For Uttar Pradesh, a state with substantial unmet credit demand and documented historical vulnerability to over-indebtedness, the practical effect of these national-level changes deserves closer, state-specific scrutiny than the existing literature currently provides. This review suggests that policymakers and researchers should prioritise: strengthening shared credit-bureau infrastructure with genuine last-mile reach into UP's rural districts; developing standardised, auditable household-income assessment protocols suited to an informal economy; expanding awareness of and access to grievance redressal mechanisms among rural borrowers; and calibrating compliance requirements in a way that does not disproportionately burden smaller institutions serving the state's harder-to-reach populations. Future empirical research grounded specifically in Uttar Pradesh's districts would meaningfully strengthen the evidence base on which such policy decisions are currently made.

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