

Rights of Persons with Disabilities

The Progress made by the Judiciary

According to Census 2011, 2.1% of India's population is disabled. Though provisions in the law exist to ensure that this minority is not limited by its disability, yet the difference in law and reality is manifold. Let us look at some of the major steps taken towards bridging the gap between the two.

2.1% of India's
population



National Federation of Blind v. Union Public Service Commission and Ors.

MANU/SC/0299/1993

The Supreme Court directed the Central Government & UPSC
*“to permit the visually handicapped (blind and partially-blind)
eligible candidates to compete and write the civil services
examination... in Braille-script or with the help of a Scribe.”*



The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 came into force in 1996

Javed Abidi v. Union of India & Ors.

The Supreme Court observed that:

MANU/SC/0794/1998

*“To create barrier (free) environment for persons with disability & to make special provision for the integration of persons with disabilities into the social mainstream apart from the **protection of rights, provision of medical care, education, training, employment and rehabilitation** are some of the prime objectives of the Act.”*



MANU/SC/0794/1998

The Finance Act, 2003 introduced provisions for deductions for people with disabilities and people with dependents who are disabled.

Sections 80DD and 80U of the Income Tax Act, 1961

*India ratified the **United Nations Convention on the Rights of Persons with Disabilities and Convention on Rights of Persons with Disabilities and its Optional Protocol on 1st October 2007.** This led to the enactment of :*

- **The Rights of Persons with Disabilities Act, 2016**
- **The Mental Healthcare Act, 2017**

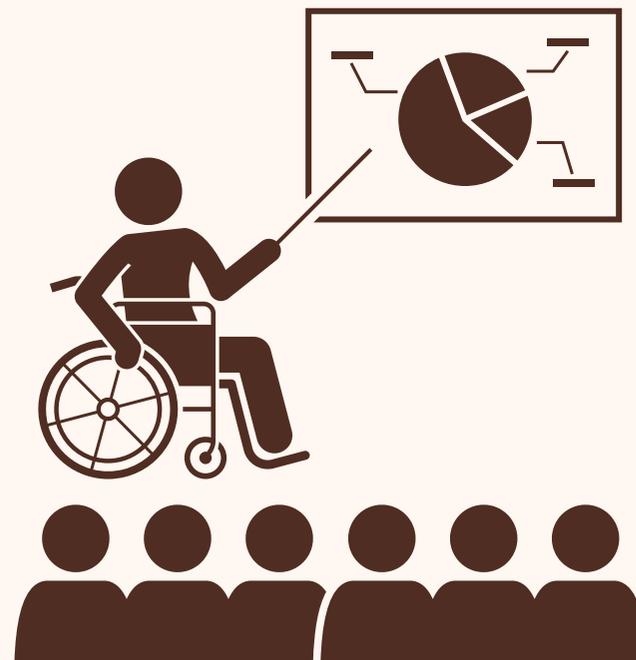


In the case of Rajive Raturi v. Union of India and Others

MANU/SC/1618/2017

The Supreme Court observed that:

*“**Right to dignity**, which is ensured in our Constitutional set up for every citizen **applies with much more vigour in case of persons suffering from disability** and, therefore, it becomes imperative to provide such facilities so that these persons also are ensured level playing field and not only they are able to enjoy life meaningfully, they contribute to the progress of the nation as well.”*



Aseer Jamal v. Union of India and Ors.

MANU/SC/1090/2018

Equal access to Information:

The **Supreme Court** gave direction to ensure **equal access to information** under the **RTI** for **differently-abled & visually-impaired persons**.



Equal access to Justice

Recently, **CJI DY Chandrachud** constituted the **Supreme Court Committee on Accessibility** which shall audit the Supreme Court premises and practices and ensure accessibility in the system for the specially abled

