

Disabled Entitled to Same Benefits as SC/ ST

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The Supreme Court, in a significant decision, confirmed that persons suffering from disabilities are also socially backward and entitled to the same benefits of relaxation as Scheduled Caste/Scheduled Tribe candidates in public employment and education.

Judgement on Benefits to Disabled

A **three-judge Bench** led by Justice Rohinton Nariman **upheld a 2012 judgment of the Delhi High Court** in Anamol Bhandari (minor) through his father/Natural Guardian v. Delhi Technological University in a significant decision.

“In Anamol Bhandari, the **High Court has correctly held that people suffering from disabilities are also socially backward, and are therefore, at the very least, entitled to the same benefits as given to the Scheduled Caste/ Scheduled Tribe candidates,**” the Supreme Court held in the judgment pronounced.

Context of the Case

The decision came on a petition filed by a special needs person against the Government College of Arts, Chandigarh. The **college denied relaxation in minimum qualifying marks** in the Painting and Applied Art course. The college insisted that disabled persons too need to meet the general qualifying standard of 40% in the aptitude test, whereas SC/ST candidates were given a relaxation to 35%.

Setting aside the college decision, the Supreme Court noted that Scheduled Caste/Scheduled Tribe candidates require 35% to pass in the aptitude test, the same shall apply so far as the

disabled are concerned in future.

Justice Nariman's Bench also highlighted the Delhi High Court's words in the Anmol Bhandari case that **new academic courses should be crafted to specifically cater to the needs of intellectually disabled persons.**

"We cannot lose sight of the fact that **intellectually/mentally challenged persons have certain limitations, which are not there in physically challenged persons.** The subject experts would thus be well advised to examine the feasibility of creating a course which caters to the specific needs of such persons. They may also examine increasing the number of seats in the discipline of Painting and Applied Art with a view to accommodating such students," the Supreme Court quoted from the High Court judgment.