



Foreigners Cannot Be Legal Guardians: Delhi HC

Why in News?

The Delhi High Court has ruled that a **foreigner cannot claim the right to be appointed as the legal guardian of a [person with disabilities](#)** or the protection guaranteed under [Part III of the Constitution](#), as available to Indian citizens.

What are Major Points Related to the Issue?

- The concerned foreigner challenged the validity of certain rules and regulations prescribed by the **National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Rules, 2001**, allow only Indian citizens to be guardian of a person
- The [High Court](#) ruled that the Act does not specify the essential qualifications that a guardian must possess, leaving it to be determined by rules and regulations that may be framed.
- However, the High Court **directed the Local Level Committee to examine and evaluate the circumstances.**
- The Committee may consider the appointment of an Indian citizen as a statutory guardian.

What are Fundamental Rights Available for Only Indian Citizens?

- **Article 15:** This article prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth.
- **Article 16:** This article guarantees equality of opportunity in matters of public employment.
 - It ensures that **no citizen shall be discriminated against on the grounds of religion, race, caste, sex, descent, place of birth, or residence.**
- **Article 19:** This article provides for six freedoms, namely, **freedom of speech and expression, assembly, association, movement, residence, and profession.**
- **Article 29:** This article protects the interests of minority groups by ensuring that they have the **right to conserve their distinct language, script, and culture.**
- **Article 30:** This article provides minority communities with the **right to establish and administer educational institutions of their choice.**

UPSC Civil Services Examination, Previous Year Question (PYQ)

Q1. Other than the Fundamental Rights, which of the following parts of the Constitution of India reflect/ reflects the principles and provisions of the Universal Declaration of Human Rights (1948)? (2020)

1. Preamble
2. Directive Principles of State Policy
3. Fundamental Duties

Select the correct answer using the code given below:

(a) 1 and 2 only

- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

Ans: (d)

Q2. What is the position of the Right to Property in India? (2021)

- (a) Legal right available to citizens only
- (b) Legal right available to any person
- (c) Fundamental Right available to citizens only
- (d) Neither Fundamental Right nor legal right

Ans: (b)

[Source: IE](#)

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