



Disabled are Entitled to Same Benefits of SC/ST quota: SC

Why in News

Recently, the [Supreme Court of India](#) observed 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**.

Key Points

▪ Background:

- The decision came on a petition filed by Aryan Raj, a special needs person, against a **Punjab and Haryana High Court order**.
- Raj was denied relaxation in minimum qualifying marks in the Painting and Applied Art course in the Government College of Arts, Chandigarh.
- 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%.

▪ Upheld Delhi High Court Judgement:

- In the **Anmol Bhandari v. Delhi Technological University case** (2012), the Delhi High Court 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.
- **New academic courses** should be designed to specifically cater to the needs of **intellectually disabled persons**.
 - The Court observed the fact that intellectually/mentally challenged persons have certain limitations, which are not there in physically challenged persons.

▪ Benefits to Scheduled Caste/Scheduled Tribe:

- **Article 15 (4)** empowers the State to make special provision for the advancement of the SCs and the STs. E.g. providing fee concession in admission to any educational institution, building hostels for SCs/STs.
- **Article 15 (5)** empowers the State to reserve seats for SCs and the STs in admission to educational institutions including private educational institutions, whether aided or unaided by the State.
 - However, it excludes minority educational institutions referred to in [Article 30 \(1\)](#).
- [Article 16 \(4\)](#) empowers the State to make provisions for the reservation of appointments or posts in favour of [SCs/STs](#).

Initiatives for Disabled in India

- Rights of Person with Disabilities Act, 2016.
 - Under this, persons with disabilities are **provided reservation of seats in government higher educational institutions** (not less than 5%) and government jobs (not less than

4%).

- Accessible India Campaign.
- DeenDayal Disabled Rehabilitation Scheme.
- Assistance to Disabled Persons for Purchase/fitting of Aids and Appliances (ADIP).
- National Fellowship for Students with Disabilities (RGMF).
- Schemes of the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

Source: TH

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