

# FOR EQUAL TREATMENT: THE HINDU EDITORIAL ON THE SUPREME COURT EXTENDING BENEFITS TO THE DISABLED

Relevant for: Developmental Issues | Topic: Rights & Welfare of Persons with Disability including Mentally Ill People - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

In holding that people suffering from disability are [entitled to the same benefits and relaxations as candidates belonging to the Scheduled Castes](#), the Supreme Court has recognised the travails of the disabled in accessing education or employment, regardless of their social status. Even though drawn from all sections of society, those suffering from the several categories of disability recognised by law have always been an under-privileged and under-represented section, a fact noticed in official studies in the past. Recently, the top court ruled that the Delhi High Court had correctly decided in 2012 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 Castes/Scheduled Tribes candidates”. Therefore, it took the view that when SC/ST candidates get a relaxation of a certain percentage of marks to qualify for admission, the same relaxation shall apply to disabled candidates too. In the 2012 case before the High Court, a university had allowed a 10% concession in the minimum eligibility requirement for SC/ST candidates, and 5% concession for disabled applicants. The High Court ruled against this differential treatment, terming it discriminatory. The larger principle behind this was that without imparting proper education to those suffering from disabilities, “there cannot be any meaningful enforcement of their rights” both under the Constitution and the then prevailing 1995 legislation on providing equal opportunities to the disabled and protecting their rights. It can only be more applicable, now that a fresh law that aims for a greater transformative effect, the Rights of Persons with Disabilities Act, 2016, is in place.

A counterpoint to the idea of eliminating the distinction between the disabled and the Scheduled Castes and Scheduled Tribes may arise from those questioning the attempt to equate physical or mental disability with the social disability and experience of untouchability suffered by marginalised sections for centuries. For instance, the social background of disabled persons from a traditionally privileged community may have given them an advantage over those suffering from historical social disability. However, this may not always be the case. The Delhi High Court had cited the abysmally low literacy and employment rates among persons with disabilities. Educational indicators captured in the 2001 Census showed that illiteracy among the disabled was much higher than the general population figure. The share of disabled children out of school was quite higher than other major social categories. The 2001 Census put the illiteracy rate among the disabled at 51%. There was similar evidence of their inadequate representation in employment too. The 2016 law sought to address this by raising the quota for the disabled from 3% to 5% and envisaging incentives for the private sector to hire them too. It is vital that this is fully given effect to so that this significant segment of the population is not left out of social and economic advancement.

You have reached your limit for free articles this month.

To get full access, please subscribe.

Already have an account ? [Sign in](#)

Start your 14 days trial now. [Sign Up](#)

Find mobile-friendly version of articles from the day's newspaper in one easy-to-read list.

Move smoothly between articles as our pages load instantly.

Enjoy reading as many articles as you wish without any limitations.

A one-stop-shop for seeing the latest updates, and managing your preferences.

A select list of articles that match your interests and tastes.

We brief you on the latest and most important developments, three times a day.

\*Our Digital Subscription plans do not currently include the e-paper, crossword, iPhone, iPad mobile applications and print. Our plans enhance your reading experience.

Dear reader,

We have been keeping you up-to-date with information on the developments in India and the world that have a bearing on our health and wellbeing, our lives and livelihoods, during these difficult times. To enable wide dissemination of news that is in public interest, we have increased the number of articles that can be read free, and extended free trial periods. However, we have a request for those who can afford to subscribe: please do. As we fight disinformation and misinformation, and keep pace with the happenings, we need to commit greater resources to news gathering operations. We promise to deliver quality journalism that stays away from vested interest and political propaganda.

Dear subscriber,

Thank you!

Your support for our journalism is invaluable. It's a support for truth and fairness in journalism. It has helped us keep pace with events and happenings.

The Hindu has always stood for journalism that is in the public interest. At this difficult time, it becomes even more important that we have access to information that has a bearing on our health and well-being, our lives, and livelihoods. As a subscriber, you are not only a beneficiary of our work but also its enabler.

We also reiterate here the promise that our team of reporters, copy editors, fact-checkers, designers, and photographers will deliver quality journalism that stays away from vested interest and political propaganda.

Suresh Nambath

Please enter a valid email address.

From the abrogation of the special status of Jammu and Kashmir, to the landmark Ayodhya verdict, 2019 proved to be an eventful year.

Subscribe to The Hindu now and get unlimited access.

Already have an account? [Sign In](#)

Start your 14 days trial now [Sign Up](#)

You can support quality journalism by turning off ad blocker or purchase a subscription for unlimited access to The Hindu.

[Sign up for a 30 day free trial.](#)

**END**

Downloaded from **crackIAS.com**

© **Zuccess App** by crackIAS.com

CrackIAS.com