

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:2324
ANSWERED ON:09.08.2010
PERSONS WITH DISABILITIES ACT, 1995
Aaron Rashid Shri J.M.

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Hon'ble Supreme Court in its recent order has held that the provision on non-discrimination under the Persons with Disabilities (equal Opportunities, Protection of Right and Full Participation) act, 1995 will not apply to private employers, individuals, partnerships, proprietary concerns or companies (other than Government companies) or un-aided schools;
- (b) if so, the response of the Government thereto;
- (c) whether the Government proposes to provide benefits of said Act to the employees working in Limited Companies and un-aided schools on humanitarian grounds, and
- (d) if so, the steps proposed to be taken in this regard?

Answer

MINISTER OF STATE OF SOCIAL JUSTICE AND EMPOWERMENT(D. NAPOLEON)

- (a) In Civil Appeal No. 1886 of 2007 with Civil Appeal No. 1858 of 2007 the Hon'ble Supreme Court has held that the ' Establishment' as defined under Section 2 (k) of the Persons with Disabilities (Equal Opportunities, Protection of Right & full Participation) Act, 1995 does not apply to private employers.
- (b) No further action arises out of the judgment of the Hon'ble Supreme Court in the above case.
- (c) and (d) No such proposal is under consideration.