

REVISED

ITEM NO.24

COURT NO.13

SECTION IV

**S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS**

Miscellaneous Application No. 378/2025 in C.A. No. 14333/2024

ANMOL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

([TO BE TAKEN UP AT 2:00 P.M.]

IA No. 220153/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 220152/2025 - INTERVENTION/IMPLEADMENT)

Date : 21-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE ARUN PALLI

By Courts Motion

For Petitioner(s) :

Mr. Atif Inam, AOR

For Respondent(s) :

No.1-UOI

Mr. Vikramjit Banerjee, A.S.G.

Ms. Madhulika Upadhyay, AOR

Mr. Raghav Sharma, Adv.

Mr. Nachiketa Joshi, Adv.

Mr. Ayush Anand, Adv.

Ms. Astha Singh, Adv.

Ms. Aaditya Shankar Dixit, Adv.

For respondent No.3-NTA

Ms. Pankhuri Shrivastava, Adv.

Mr. Rajeev Sharma, Adv.

Ms. Neelam Sharma, AOR

Mr. Mukul, Adv.

For respondent No.4-NMC

Mr. Gaurav Sharrma, Sr. Adv.

Mr. Prateek Bhatia, AOR

Mr. Dhawal Mohan, Adv.

For respondent No.6

Mr. Krishna Kant Dubey, Adv.
Mr. Varun Chugh, Adv.
Mr. Bhuvan Kapoor, Adv.
Mr. Shreekant Neelappa Terdal, AOR

For Applicant(s)

in IA 220152/2025

Mr. Senthil Jagadeesan, Sr. Adv.
Mr. Punit Agarwal, Adv.
Mr. Rishit V., Adv.
Ms. Niharika Shukla, Adv.
Mr. Sajal Jain, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. Senthil Jagadeesan, learned senior counsel appearing for the intervenor (IA No.220152/2025) and Mr. Gaurav Sharrma, learned senior counsel appearing for the respondent-National Medical Commission (NMC).
2. Learned senior counsel for the respondent-NMC submits that the Guidelines on Assessment of Persons with Benchmark Disabilities (PvBD) For Admission to MBBS Course, 2026 (for short, "the Guidelines") which had gone for vetting, have been duly vetted and now it is in the process of being sent to the Director General, Health Services (DGHS). Learned senior counsel assures the Court that the Guidelines will be included in the prospectus of NEET Under Graduate Brochure for 2026-2027 which is likely to be issued very shortly. Learned senior counsel also submits that the Guidelines for Under Graduate will also be uploaded on the website.

3. Mr. Senthil Jagadeesan, learned senior counsel drawing attention to page 4 paragraph 10 of the additional affidavit dated 14th July, 2027 of the respondent No.1-Union of India submits that admittedly as of now only 33 notified Disability Assessment Boards are available. The affidavit states that is is proposed to be increased to 43. Learned senior counsel points out that as per the judgment of this Court, there should be minimum of one Disability Assessment Board in each State and each Union Territory. The affidavit of the Union of India is not clear on this aspect of the matter.

4. Let a better affidavit be filed by the respondent No.1-UOI setting out the correct position and also explaining whether the direction of this Court has been complied with.

5. Learned senior counsel for the intervenor further points out that under the directions of this Court each Disability Assessment Board must include a doctor or health professional with disability. Drawing attention to page 5 para 13 of the affidavit of the union of India dated 14th July, 2026, learned senior counsel submits that all that is set out is that steps are being taken. The matter pertains to the rights of individuals under the Rights of Persons with Disabilities Act, 2016 and also about enforcement of the orders of this Court. By the next date of hearing, the Union of India will set out the

composition of each Disability Assessment Board and ensure that there is in each of the Board a doctor or health professional with disability.

6. On the aspect of training and sensitization of members of the Disability Assessment Boards, as directed by this Court in its judgment in *Om Rathore v. Director General of Health Services and Others*¹, the affidavit is completely silent. The Union of India by the next date of hearing will explain and set out their stand on this aspect of the matter.

7. Learned senior counsel submits that with regard to the constitution of Appellate Body, the direction in *Onkar Ramchandra Gond v. Union of India & Ors.*² is to constitute Appellate Body at the level of the Director General of Health Services to hear challenges. What is suggested is that conclusion of one Disability Assessment Board be reviewed laterally by another Disability Assessment Board. This is not the purport of the judgment. The idea was to provide a higher hierarchy. The respondent No.1-Union of India to explain in its affidavit as to why no steps have been taken in this regard.

8. Learned senior counsel further points out that the judgments of this Court have directed constitution of enabling units at Medical Colleges to act as points of

1. 2024 SCC OnLine SC 3130

2. 2024 SCC OnLine SC 2860

contact for persons with disabilities seeking clinical accommodations and to inform students of the same. The affidavit is completely silent on this aspect.

9. The matter pertains to the Rights of Persons with Disabilities Act, 2016 and it is a very serious matter. The respondent No.1-Union of India is directed to bestow its highest attention and file a detailed affidavit so that the directions of this Court are complied with and are operational for the Academic Year 2026-2027 itself.

10. List the matter on 28th July, 2026 at 2.00 p.m.

(ANITA MALHOTRA)
DEPUTY REGISTRAR

(MANOJ KUMAR)
COURT MASTER

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