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Foreword

Disability often acts as a formidable barrier, denying individuals access to public opportunities due to societal biases that perceive disability as a limitation. Even when the State endeavours to create and provide opportunities to persons with disabilities, essential accommodations may be missing, hindering the effective utilisation of opportunities. Moreover, individuals with disabilities as a result of ingrained ableism often encounter doubts about their capabilities. This perpetuates a cycle of exclusion and limits their full participation in society. The Rights of Persons with Disabilities Act of 2016 is a transformative beneficial legislation which gives effect to the right to non-discrimination on the grounds of disability and mandates the State to create opportunities for persons with disabilities in education and employment and provide other social security benefits. This provides a comprehensive framework recognising and addressing the multifaceted nature of disabilities, emphasising the importance of tailored support.

This special issue goes beyond a cursory examination of the intersection between the law and persons with disabilities, meticulously dissecting recent legal developments and providing an in-depth analysis of the practical application of the Act. Recent cases have broadened the scope of disability rights, with a specific emphasis on acknowledging the right to reasonable accommodation for a range of disabilities including mental disabilities. The essays in this issue cover diverse topics, ranging from



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the anti-discrimination facet of disability jurisprudence to the comparative analysis of the right of reasonable accommodation, inclusive education for persons with disabilities, and criminal adjudication, with a specific focus on the insanity doctrine. This comprehensive coverage makes a substantial contribution to disability jurisprudence, particularly considering the perception of these areas as niche and largely unexplored.

The issue not only highlights legal progress but also underscores the critical gap in the literature in this area. It emphasises the need for a more comprehensive exploration of this intersection between disability rights and other facets to inform future legal developments. This exploration will not only deepen our understanding of disability rights but will also shed light on overlooked aspects. By delving into nuanced discussions on both visible and invisible disabilities – the latter being conditions not immediately apparent but equally impactful – we collectively advocate for a legal system that not only acknowledges the rights of individuals with disabilities but actively fosters an environment where their diverse perspectives are not only recognised but also valued and celebrated.

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