



## Foreigners Cannot Be Legal Guardians: Delhi HC

### Why in News?

The Delhi High Court has ruled that a **foreigner cannot claim the right to be appointed as the legal guardian of a [person with disabilities](#)** or the protection guaranteed under [Part III of the Constitution](#), as available to Indian citizens.

### What are Major Points Related to the Issue?

- The concerned foreigner challenged the validity of certain rules and regulations prescribed by the **National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Rules, 2001**, allow only Indian citizens to be guardian of a person
- The [High Court](#) ruled that the Act does not specify the essential qualifications that a guardian must possess, leaving it to be determined by rules and regulations that may be framed.
- However, the High Court **directed the Local Level Committee to examine and evaluate the circumstances.**
- The Committee may consider the appointment of an Indian citizen as a statutory guardian.

### What are Fundamental Rights Available for Only Indian Citizens?

- **Article 15:** This article prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth.
- **Article 16:** This article guarantees equality of opportunity in matters of public employment.
  - It ensures that **no citizen shall be discriminated against on the grounds of religion, race, caste, sex, descent, place of birth, or residence.**
- **Article 19:** This article provides for six freedoms, namely, **freedom of speech and expression, assembly, association, movement, residence, and profession.**
- **Article 29:** This article protects the interests of minority groups by ensuring that they have the **right to conserve their distinct language, script, and culture.**
- **Article 30:** This article provides minority communities with the **right to establish and administer educational institutions of their choice.**

### UPSC Civil Services Examination, Previous Year Question (PYQ)

**Q1. Other than the Fundamental Rights, which of the following parts of the Constitution of India reflect/ reflects the principles and provisions of the Universal Declaration of Human Rights (1948)? (2020)**

1. Preamble
2. Directive Principles of State Policy
3. Fundamental Duties

**Select the correct answer using the code given below:**

**(a)** 1 and 2 only

- (b) 2 only
- (c) 1 and 3 only
- (d) 1, 2 and 3

**Ans: (d)**

**Q2. What is the position of the Right to Property in India? (2021)**

- (a) Legal right available to citizens only
- (b) Legal right available to any person
- (c) Fundamental Right available to citizens only
- (d) Neither Fundamental Right nor legal right

**Ans: (b)**

[Source: IE](#)

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