

Ravi Agrawal v. Union of India and Another

Writ Petition (Civil) No. 1107 of 2017

[2019] 1 SCR 8 | 2019-01-03

Whether the Court should require amendment of section 80DD and LIC's Jeevan Aadhar policy so that benefits could be paid for a dependant with disability during the subscriber's lifetime, including on the parent or guardian reaching age 55 or 58, rather than only after the subscriber's death.

80DD(1)(b) | 80DD(2)(a)

Three-judge bench | A. K. Sikri, J. | Ashok Bhushan, J. | S. Abdul Nazeer, J.

Assessment years: See the source-scope notes; no year inferred.

Historical section 80DD condition; later change separately checked

The 2019 judgment urged reconsideration but did not order a lifetime policy payout or itself amend section 80DD. The separately checked order of 20 August 2024 records the later prospective amendment effective 1 April 2023 and declines retrospective rewriting of the older policies before it. Do not present the historical death condition or the 2019 exhortation as a complete statement of present scheme entitlements.

[paragraphs 4-7 / PDF pages 5, 6, 7 / later judgment](#); [paragraphs 7-11; date / PDF pages 7, 8, 9, 10 / later judgment](#)

01 FACTS OF THE CASE

Ravi Agrawal filed an Article 32 public-interest petition concerning dependants with disabilities whose parents had taken LIC's Jeevan Aadhar policy (Table 114). The historical section 80DD scheme gave a deduction for qualifying payments or deposits, subject to an approved scheme providing annuity or lump-sum support after the subscriber's death. The policy had no maturity claim even when all premiums had been paid; its terms referred to the circular dated 24 January 2008 stating that the dependant could not receive the benefit while the proposer or life assured survived (paragraphs 1-5).

The petitioner argued that comparison with other life policies disclosed unequal treatment under Article 14. He had approached IRDA in August 2014 and the Chief Commissioner for Persons with Disabilities, who advised reconsideration with the relevant disability authorities and National Trust. After a further grievance in October 2015 produced no response, the petitioner sought amendment of the statute and policy, lifetime payment after the guardian reached 55 or 58, and simplified arrangements for payment after death (paragraphs 6-9).

The Union defended the scheme's distinct protective object: resources set aside during the caregiver's lifetime would maintain the dependant after that caregiver's death. LIC stated that its condition followed the CBDT-approved norm. The respondents relied on the 1998 amalgamation of the former sections 80DD and 80DDA and the associated explanatory memorandum (paragraphs 10-13).

Source: [reported judgment / paragraphs 1-13 / PDF pages 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 / judgment](#)

02 DISCUSSION BY THE HON'BLE COURT

The Court treated section 80DD as a targeted tax incentive to encourage parents or guardians to make regular provision for dependants with disabilities. The deduction was conditional; paying every premium did not displace the statutory payment event or turn this whole-life arrangement into an ordinary maturity policy. Its particular object was to protect the dependant after the parent's or guardian's death, on the premise that the caregiver would provide support while alive (paragraphs 15-17).

The formal relief sought an amendment rather than invalidation of the statute. The Court could test constitutionality but could not direct Parliament to legislate in a specified manner. Addressing the discrimination argument pleaded in the petition, it accepted the respondents' reasonable-classification justification and rational connection to the protective object. It referred to Kamla Palace, Lawrence Singh Ingty and Nallamilli Rami Reddi on reasonable classification and the latitude allowed in fiscal legislation (paragraphs 18-21).

The Court nevertheless recognised genuine hardship where an elderly or retired caregiver remained alive but could no longer earn or meet the dependant's needs, despite having paid the premiums in full. Those circumstances warranted legislative consideration. Recognising hardship did not itself authorise a payout contrary to the statutory and policy terms (paragraphs 22-23).

The historical death condition is in section 80DD(2)(a), as the statute reproduced in paragraph 2 and the express identification in paragraph 3 show. Paragraph 16's reference to section 80DD(2)(b) is a source inconsistency: clause (b) concerns nomination. The note does not reproduce that clause label as the substantive holding.

Source: [reported judgment / paragraphs 15-23 / PDF pages 13, 14, 15, 16, 17 / judgment](#); [official signed judgment / paragraphs 16-18; death-condition clause reference / PDF pages 13, 14 / judgment](#)

03 JUDICIAL DECISION

The writ petition was disposed of by urging the Union of India to reconsider the provision, taking account of the matters highlighted, and explore suitable amendments. The Court did not direct Parliament to enact the requested wording, order LIC to pay benefits during a subscriber's lifetime, or grant an individual deduction or refund (paragraph 23 read with paragraphs 18 and 22).

Source: [reported judgment / paragraphs 18; 22-23 / PDF pages 14, 16, 17 / judgment](#); [official signed judgment / paragraphs 23 / PDF pages 17 / judgment](#)

04 OUTCOME / IN WHOSE FAVOUR

In whose favour: Respondents on the requested compulsory amendment and immediate lifetime-payment relief; petitioner's hardship concerns referred for legislative reconsideration

Writ petition disposed of with an exhortation to the Union to re-examine section 80DD and explore amendments

Historical policy/classification issue decided; no individual tax assessment or policy entitlement quantified

This 2019 decision did not amend section 80DD or itself create lifetime-payment rights. The specifically checked 2024 order and its account of the later amendment must be read separately.

Source: [official signed judgment / paragraphs 22-23; signatures/date / PDF pages 17 / judgment](#)

05 AKHB REVIEW POINT

Distinguish the tax deduction, the policy's payment event and the remedy the Court actually granted. Completion of premiums did not, under the historical scheme considered, establish a maturity claim. The Court's recognition of hardship and invitation to reconsider legislation should not be presented as an enforceable direction to make the requested payout.

For later use, read the 2019 and 2024 decisions together. The 2024 order records a prospective statutory relaxation effective 1 April 2023, but refuses to apply it retrospectively to the pre-2014 policies discussed. Check the exact policy, subscription date, approved terms and governing statutory version; the 2019 death-condition analysis alone is not a statement of present entitlement. No present product advice or automatic 2025 Act carryover is supplied.

Source: [reported judgment / paragraphs 2-5; 18; 22-23 / PDF pages 5, 6, 8, 14, 16, 17 / judgment](#); [bounded later judicial source / paragraphs 4-5; 7-11 / PDF pages 5, 7, 8, 9, 10 / later judgment](#)

ADDITIONAL STATUTORY CONTEXT, NOT SEPARATE HOLDINGS

80DD(1)(a); 80DD(2)(b); 80DD(3); 80DDA

OTHER PROVISIONS CONSIDERED

Constitution of India: Articles 14 and 32; Finance (No. 2) Act, 1998: historical amalgamation of sections 80DD and 80DDA, discussed in paragraphs 10-12

PROVISION-SPECIFIC SCOPE

1.

Act: Income-tax Act, 1961

Section: 80DD(1)(b); 80DD(2)(a)

Role: principal deduction and scheme condition

Basis: Qualifying insurance provision and the historical death-trigger condition.

2.

Act: Income-tax Act, 1961

Section: 80DD(2)(b); 80DD(3); 80DDA

Role: context

Basis: Nomination, predeceasing dependant and historical statutory consolidation; no independent payout or recapture dispute decided.

JUDICIAL AUTHORSHIP AND SEPARATE OPINIONS

A. K. Sikri, J.

ACT IDENTIFIED IN THE REVIEWED SOURCE

Income-tax Act, 1961

SPECIFIED RELATED DECISIONS AND THEIR LIMITS

1.

Relationship: later related policy challenge and amendment considered

Earlier case id: sc-2019-01-03-ravi-agrawal

Later case id: sc-2024-08-20-ravi-agrawal

Later decision date: 2024-08-20

Source url: [Open cited source](#)

Verified effect: The later order expressly refers to the 3 January 2019 judgment and reproduces the Finance Act 2022 amendment effective 1 April 2023: an additional payment event at age sixty or more when scheme payments/deposits have been discontinued. It declines retrospective application to the pre-2014 policies discussed and disposes of the later petition. This is neither a reversal of the 2019 disposition nor a current-policy entitlement certificate.

Pinpoints

1.

Source url: [Open cited source](#)

Pdf pages: 5; 6; 7

Paragraphs: 4-7

Source role: later judgment

2.

Source url: [Open cited source](#)

Pdf pages: 7; 8; 9; 10

Paragraphs: 7-11; date

Source role: later judgment

Scope: Only this identified 2019/2024 relationship and the amendment as reproduced in the later order were checked. No comprehensive later-treatment or statutory audit; the separate contempt order was not retrieved.

SOURCE & VERIFICATION

[Hon'ble Supreme Court source PDF \(official signed judgment\)](#)

Identified source rendition: 17 PDF pages; SHA-256

248bb06f34ed470198e55a0df33fe415dad75da1f2bb86a29d2b04682bb93c3f. Original bytes preserved.

Cover, selected substantive passages and disposition/signatures visually checked. The complete reported judicial text was read; this separate rendition was not independently reread in full.

Open cited source rendition

Paragraph 16 cites section 80DD(2)(b), but reproduced section 80DD(2)(a) and paragraph 3 identify the death condition; the discrepancy exists in both renditions.

The exact operative language urges reconsideration and exploration of amendments. It does not compel Parliament to amend or LIC to pay.

The petitioner's personal identifier and personal medical detail are unnecessary to the legal analysis and are not reproduced in this note; original source PDFs remain unchanged.

Historical deduction amounts, policy age limits and premium terms are not restated as current compliance or product guidance.

The 2024 order's paragraph 9 contains an internally inconsistent contempt-order date/case-year reference; that separate contempt order has not been independently verified and is not used to enlarge the bounded link.

SCR citation verified on the reported cover. No neutral citation inferred from catalogue metadata.

Public-interest policy challenge; no individual assessment year, deduction computation or tax demand was adjudicated.

STATUTORY SCOPE

Historical section 80DD(1)-(3), particularly section 80DD(2)(a), as reproduced in the 3 January 2019 judgment. The subsequent 2022 amendment and 20 August 2024 order are addressed only in the separate bounded related-decision check.

No automatic Income-tax Act, 2025 crosswalk or comprehensive later-law/current compliance certification.

LATER TREATMENT

Source checked 2026-10-04. Subsequent appeals, review proceedings, stays, reversals and later judicial treatment have not been comprehensively checked. A separately identified bounded later link does not constitute a citator or current-law certificate.

IDENTIFIED SOURCE LINKS

official signed judgment - PDF pages: 17

SHA-256: 248bb06f34ed470198e55a0df33fe415dad75da1f2bb86a29d2b04682bb93c3f

reported judgment - PDF pages: 17

SHA-256: 53208dc0d6fc9474c77689e9f2f6d4dde94ae146a19987d7963627fcc189a163

bounded later judicial source - PDF pages: 10

SHA-256: 4710a2c8ed4a67f614cff3c85a4719726c1a4876aa3aeecd328f476ca10acdee

Related note: Ravi Agrawal v. Union of India & Another

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AI-assisted research checked against the identified source. Extraction, interpretation or omission errors remain possible. Source review does not mean independent approval by a practising professional. Verify every material statement against the complete original judgment.

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