

Ravi Agrawal v. Union of India & Another

Writ Petition (Civil) No. 706 of 2020

2024 INSC 648; [2024] 8 S.C.R. 788 | 2024-08-20

Whether the Finance Act 2022 relaxation to section 80DD could be extended retrospectively to pre-2014 Jeevan Adhar policies so subscribers could obtain the amended lifetime-payment benefit after attaining age 60.

80DD(2)(a) | 80DD(3A)

Two-judge bench | B. V. Nagarathna, J. | Nongmeikapam Kotiswar Singh, J.

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

01 FACTS OF THE CASE

Ravi Agrawal brought a public-interest writ petition concerning insurance provision for dependants with disabilities and follow-up to the Court's earlier order of 3 January 2019. During the proceeding Parliament amended section 80DD through the Finance Act, 2022, effective 1 April 2023. In addition to payment following the subscriber's death, the amended scheme condition permitted payment for the dependant's benefit after the individual or HUF member attained age 60 or more and payments or deposits to the scheme had been discontinued. The petitioner sought retrospective availability of that amendment for existing policies taken before 2014, stating that the policies in question had been discontinued in that year, with an option for subscribers to use the new benefit. The respondents opposed altering crystallised policy terms after premiums had been paid on those terms.

Source: [official signed order / paragraphs Opening paragraph; 3-6 / PDF pages 1, 2, 3, 4, 5, 6, 7 / judgment; reported rendition / paragraphs Opening paragraph; 3-6 / PDF pages 2, 3, 4, 5, 6, 7 / judgment](#)

02 DISCUSSION BY THE HON'BLE COURT

The Court recognised that the amendment had addressed the petitioner's concerns to an extent. It nevertheless declined to apply it retrospectively to the pre-2014 policies in question. Jeevan Adhar's object was to secure support for the dependant after the caregiver's death. Permitting departure from the old policy arrangement during the subscriber's lifetime at age 60 would, in the Court's assessment, undermine that protective purpose and the beneficiary's interests (paragraph 7).

The Court also treated an insurance policy as a commercial contract with defined terms whose fundamental basis could not be removed by retrospective application of the amendment. Subscribers would already have availed the section 80DD benefit when subscribing. It referred to disposal of the earlier contempt proceeding following the prospective amendment and considered the disability-rights instruments and enactments identified in the order (paragraphs 8-10). This is a refusal to rewrite the older contractual arrangements through retrospective operation, not a denial of the prospective amendment or a finding on every current scheme's eligibility.

Source: [official signed order / paragraphs 7-10 / PDF pages 7, 8, 9 / judgment](#); [reported rendition / paragraphs 7-10 / PDF pages 7, 8 / judgment](#)

03 JUDICIAL DECISION

The requested retrospective application was not granted. The Court declined to take a different view for the stated reasons and disposed of the writ petition. It did not order LIC to amend the pre-2014 policy terms, grant an individual tax deduction or refund, or announce a new effective date for the statutory amendment.

Source: [official signed order / paragraphs 8; 11 / PDF pages 8, 9, 10 / judgment](#); [reported rendition / paragraphs 8; 11 / PDF pages 8 / judgment](#)

04 OUTCOME / IN WHOSE FAVOUR

In whose favour: Respondents on the request for retrospective application

Writ petition disposed of; retrospective extension to the old policies refused

Retrospective-operation request decided; no individual assessment or policy payout computed

The result concerns the amendment and pre-2014 policies discussed. The operative wording is disposed of, not a separately ordered allowance of every original prayer or a quantified monetary award.

Source: [official signed order / paragraphs 7-8; 11 / PDF pages 7, 8, 9, 10 / judgment](#); [reported rendition / paragraphs 7-8; 11 / PDF pages 7, 8 / judgment](#)

05 AKHB REVIEW POINT

Read the policy terms and statutory amendment separately. The prospective section 80DD relaxation does not, by this order, rewrite older Jeevan Adhar contracts. Check the exact scheme, subscription date, applicable approved terms, beneficiary protection and governing statutory version before advising on payment or deduction. Do not reduce the holding to a general prohibition on every payment during a caregiver's lifetime: the Court reproduced and recognised the prospective amendment. The note provides no current product recommendation, payout entitlement or 2025 Act carryover.

Source: [official signed order / paragraphs 4-8 / PDF pages 3, 4, 5, 6, 7, 8, 9 / judgment](#); [reported rendition / paragraphs 4-8 / PDF pages 4, 5, 6, 7, 8 / judgment](#)

ADDITIONAL STATUTORY CONTEXT, NOT SEPARATE HOLDINGS

80DD(1); 80DD(3); 80DD(4)

OTHER PROVISIONS CONSIDERED

Finance Act, 2022: section 21; Constitution of India: Articles 32 and 142

SOURCE & VERIFICATION

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

Identified source rendition: 10 PDF pages; SHA-256

4710a2c8ed4a67f614cff3c85a4719726c1a4876aa3aeecd328f476ca10acdee. Original bytes preserved.

[Open cited source rendition](#)

The original prayer quoted in the source prints section 88DD; the statutory quotation, issue and reasoning consistently concern section 80DD. No separate 88DD holding is created.

Paragraph 9 refers to an order dated 10 February 2023 in Contempt Petition 408/2024. Both renditions contain this date/case-year inconsistency; the earlier order was not independently obtained and its exact identifier is not silently corrected.

The decision date is 20 August 2024 as signed, not the 31 August 2024 digital-signature timestamp on the original cover.

The full reported judicial material is an order; no individual author is identified. The neutral citation is visibly printed in both renditions.

The judgment does not resolve every original RTI/CIC-related prayer through a separately reasoned direction; the public note is confined to the retrospective section 80DD issue actually reasoned.

The quoted statutory deduction figures are not reproduced as current compliance advice; no assessment year or personal disability details are inferred.

Public-interest challenge concerning policy terms and retrospective application of an amendment; no individual assessment year is adjudicated.

STATUTORY SCOPE

Historical section 80DD and Finance Act 2022 amendment as reproduced by the Court, including stated 1 April 2023 commencement

No independent current scheme/product audit or mapping to the Income-tax Act, 2025.

LATER TREATMENT

Source checked 2026-10-04. Subsequent appeals, review proceedings, stays, reversals and later judicial treatment have not been comprehensively checked. This note is not a citator status certificate.

IDENTIFIED SOURCE LINKS

[official signed order - PDF pages: 10](#)

SHA-256: 4710a2c8ed4a67f614cff3c85a4719726c1a4876aa3aeecd328f476ca10acdee

[reported rendition - PDF pages: 8](#)

SHA-256: 3a6b97cc48fe1dcebc6a9e23054d5aa9b4161c9bdd055f7be0b846987eb57f2a

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