

# पुणे विद्यापीठ

दूरध्वनी क्र. : २५६०११८९/९०  
फॅक्स क्र. : ०२०-२५६९७३८८  
संकेतस्थळ : www.unipune.ac.in



आरक्षण कक्ष  
गणेशखिंड, पुणे - ४११००७.  
ई-मेल: arakshan\_ar@unipune.ac.in

संदर्भ क्र. आरक्षण/ओ-२२/५२५

दिनांक : २१/०४/२०१४

प्रति,  
मा.प्राचार्य/मा.संचालक,  
पुणे विद्यापीठ संलग्नीत सर्व महाविद्यालये/मान्यताप्राप्त संस्था.

विषय:- अपंग व्यक्तीसाठी आरक्षण ठेवण्याबाबत.  
संदर्भ:- विद्यापीठ अनुदान आयोगाचे पत्र क्रमांक- एफ. ६-३/२०१४ (एससीटी),  
दिनांक- १४ मार्च, २०१४

महोदय/महोदया,

विद्यापीठ अनुदान आयोगाचे संदर्भीय पत्र सोबत जोडलेले आहे. सदर पत्रासोबत खालीलप्रमाणे पत्रांच्या प्रती जोडलेल्या आहेत.

1. F. No. 18-11/2014-U1(A), Dt-23.01.2014
2. F. No. C-30019/1/2013-CDN, Dt-19.12.2013
3. No.36012/24/2009-Estt(Res), Dt-03.12.2013
4. No.36035/3/2004-Estt(Res), Dt-29.12.2005
5. No.36035/1/2012-Estt(Res), Dt-29.11.2013

याबाबत आपणास कळविण्यात येते की, विद्यापीठ अनुदान आयोगाने त्यांच्या पत्रासोबत जोडलेल्या केंद्र शासनाच्या परिपत्रकामध्ये विहित केलेल्या मार्गदर्शक सूचना अंमलात आणाव्यात व याबाबत शासनाने वेळोवेळी निर्गमित केलेल्या आदेशांची काटेकोरपणे अंमलबजावणी करण्यात यावी, ही विनंती.

कळावे,

आपला विश्वासु,

  
२१/०४/१४  
उपकुलसचिव  
(आरक्षण कक्ष)

सोबत:- वरीलप्रमाणे

2012/934

2122

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4-888 000

617

2/04/2014



UNIVERSITY GRANTS COMMISSION  
35-FEROZSHAH ROAD  
NEW DELHI-110 001

कार्यवाही कार्यालय  
1 APR 2014  
आवक क्र. 261  
पुणे वि. पीठ, पुणे-७.

No.F. 6-3/2014 (SCT)

March, 2014

①

The Registrar,  
University of Pune  
Pune,  
Maharashtra - 411 007.

भा. कुलसचिव कार्यालय  
पुणे विश्वविद्यालय, पुणे-७.  
आवक क्र.-आर/१३२  
दिनांक - 29/03/2014  
जारीक दिनांक - 01/04/14  
विभाग -

88 law officer

Sub : Reservation for persons with disabilities -Computation of reservation -  
Implementation of the judgement of the Hon'ble Supreme Court in the  
matter of Union of India & Anr. Vs. National Federation of Blind & Ors. -  
regarding.

Sir/Madam,

Please find enclosed herewith a copies of letter No. 18-11/2014-U1 (A)  
dated 23.01.2014, OM No. C-30019/1/2013-CDN dated 19<sup>th</sup> December, 2013;  
DOP1's OM No. 36012/24/2009-Extt (Res) dated 3<sup>rd</sup> December, 2013 and OM No.  
36035/1/2013-Estt. (Res) dated 29.11.2013 on the above subject for compliance and  
strict implementation under intimation to University Grants Commission,  
Bahadurshah Zafar Marg, New Delhi - 110002.

This may be treated as MOST URGENT.

Yours faithfully,

(Kanta Kumari)  
Deputy Secretary

officer

Encl.- As above

2014

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S.No. 1 (FC) 11/2014-U1  
7/2/2014

F.No. 18-11/2014-U1(A)

(2)

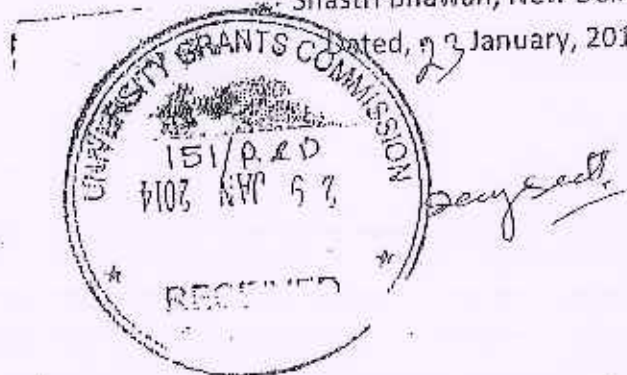
Government of India  
Ministry of Human Resource Development  
Department of Higher Education

Shastri Bhawan, New Delhi,

Dated, 23 January, 2014

To

The Secretary,  
University Grants Commission,  
Bahardur Shah Zafar Marg,  
New Delhi.



Subject: Reservation for persons with disabilities-Computation of reservation-implementation of the judgement of the Hon'ble Supreme Court in the matter of Union of India & Anr. Vs. National Federation of Blind & Ors. - regarding.

Sir,

I am directed to forward herewith a copy of OM No C-30019/1/2013-CDN dated 19<sup>th</sup> December, 2013 received from CDN Section alongwith a copy each of DOPT's OM No 36012/24/2009-Estt (Res) dated 3<sup>rd</sup> December 2013 and OM No. 36035/1/2013-Estt. (Res) dated 29.11.2013 on the above subject for compliance - *strict implementation in*

Sent Through e. offices  
Secretary Sectt. 4210  
Date 30/1/14

Encl: As above.

Yours faithfully,

*Sanyal*

(Sandeep Jain)

Under Secretary to the Govt. of India

Ph: 23385293

*J5 (SCT)*

*on file*

*[Signature]*  
29/1/14

*[Signature]*  
05/02/14

*DSC (SCT)*

*[Signature]*  
27/1/14  
SOESCT

S.No. 1(R)

F. No. C-30019/1/2013-CDN  
Government of India  
Ministry of Human Resource Development  
(Department of Higher Education)  
CDN Section  
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New Delhi, the 19<sup>th</sup> December, 2013

**Subject: Reservation for persons with disabilities-Computation of reservation-implementation of the judgment of the Hon' ble Supreme Court in the matter of Union of India & Anr. Vs. National Federation of Blind & Ors. -regarding.**

The undersigned is directed to forward a copy each of DoPT O.M. No. 36012/24/2009-Estt. (Res) dated 3<sup>rd</sup> December, 2013 on the subject mentioned above and O.M. No. 36035/1/2012-Estt (Res) dated 29<sup>th</sup> November, 2013, revised forms for Disability Certificate, for compliance and proper strict implementation of reservation for person with Disability.

*Chaitanya*  
(Chaitanya Sharma)  
Section Officer (CDN)  
PH: 011-23387980

*Dts (Sec)*

*23/12/13*

Encl: As above

D/o HE

1. AS (T) 148415/2013
2. JS & FA 148415(1)/2013
3. JS (CU&L) 148415(2)/2013
4. JS (TEL) 148415(3)/2013
5. JS (A) 148415(4)/2013
6. JS (P) 148415(5)/2013
7. JS (ICC) 148415(6)/2013
- ✓ 8. JS (HE) 148415(7)/2013
9. EA (HE) 148415(8)/2013
10. DDG (Stat.) 148415(9)/2013
11. CCA 148415(10)/2013

*US(O/GC) 23/12*

*23/12*

D/o SE&L

1. AS(SE) 148415(11)/2013
2. AS(EE-1) 148415(12)/2013
3. JS(SE-I) 148415(13)/2013
4. JS(SE-II) 148415(14)/2013
5. JS(MDM) 148415(15)/2013
6. EA(SE&L) 148415(16)/2013
7. US(EE-I) 148415(17)/2013

*23/11/14*  
*SO (OTA)*  
*Pr. forwarded to O.G.*  
*for compliance.*

*21/11/2013*

Copy to:

NIC along with a copy of enclosures for uploading on e-office 148415(10)/2013

*S. H. Agarwal*



IMMEDIATE/COURT MATTER

No.36012/24/2009-Estt(Res)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training

(4)

North Block, New Delhi.  
Dated the 3<sup>rd</sup> December 2013

OFFICE MEMORANDUM

Subject: Reservation for persons with disabilities- Computation of reservation- implementation of the judgement of Hon'ble Supreme Court in the matter of Union of India & Anr. Vs. National Federation of Blind & Ors.

The undersigned is directed to refer to this Department's OM No.35035/3/2004-Estt.(Res) dated 29.12.2005, a copy of which is enclosed for ready reference, through which this Department had issued consolidated instructions regarding reservation for persons with disabilities. The instructions were in consonance with the provisions of the Persons with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act, 1995.

2. Para 13 of the Office Memorandum of 29.12.2005 provides that reservation for persons with disabilities in case of direct recruitment as well as promotion for Group C and Group D posts shall be computed on the basis of total number of vacancies occurring in Group C and Group D posts as the case may be in the establishment although the recruitment of the persons with disabilities would only be in the posts identified suitable for them. Para 14 of the said O.M. provides that Reservation for persons with disabilities in Group 'A' posts shall be computed on the basis of vacancies occurring in direct recruitment quota in all the identified Group 'A' posts in the establishment. The same method of computation applies for Group 'B' posts.

3. The Hon'ble Supreme Court in its judgement dated 8.10.2013 in the matter of Civil Appeal No.9096 of 2013 (arising out of SLP (Civil) No 7541 of 2009) titled Union of India & Anr. Vs. National Federation of Blind & Ors. has, inter-alia, held:

"Thus, after thoughtful consideration, we are of the view that the computation of reservation for persons with disabilities has to be computed in case of Group A, B, C and D posts in an identical manner viz. "computing 3% reservation on total number of vacancies in the cadre strength" which is the intention of the legislature."

*CPM*  
4  
19/12  
- consulted  
SR

*Singh, D/o Higher Education*



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4. The Hon'ble Supreme Court has, inter alia, directed that the following action be taken in order to ensure proper implementation of the reservation quota for the disabled and to protect their rights:-

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(i) to issue an appropriate order modifying the O.M. dated 29.12.2005 and the subsequent O.Ms. consistent with this Court's Order within three months from the date of passing of the judgment.

(ii) the "appropriate Government" to compute the number of vacancies available in all the "establishments" and further identify the posts for disabled persons within a period of three months from today and implement the same without default.

(iii) the DoPT shall issue instructions to all the departments/public sector undertakings/Government companies declaring that the non observance of the scheme of reservation for persons with disabilities should be considered as an act of non-obedience and Nodal Officer in department/public sector undertakings/Government companies, responsible for the proper strict implementation of reservation for person with disabilities, be departmentally proceeded against for the default.

5. Keeping in view the directions of the Hon'ble Supreme Court Para 14 of the OM dated 29.12.2005 is modified to the following extent:

"Reservation for persons with disabilities in Group 'A' or Group 'B' posts shall be computed on the basis of total number of vacancies occurring in direct recruitment quota in all the Group A posts or Group 'B' posts respectively, in the cadre."

6. Other provisions of the OM viz. quantum of reservation, horizontality of reservation, effecting reservation and maintenance of rosters etc. would remain the same.

7. All the Ministries/Departments/Organisations of the Government of India are requested to compute the number of vacancies available in all the cadres under their control including attached offices, subordinate offices, public sector undertakings, Government companies, cantonment Board etc. in the aforesaid manner and further identify the posts for disabled persons within a period of three months from the date of the judgement of the Hon'ble Supreme Court (i.e. 8.10.2013) and implement the same without default.

8. This is for strict compliance in accordance with the directions of the Hon'ble Supreme Court in respect of all the Ministries/Departments including their Public Sector Undertakings/Government companies, Cantonment Boards etc. Non-observance of the provisions of reservation for persons with disabilities shall be considered as an act of disobedience and the Nodal Officer concerned in Department/Public Sector Undertaking/Government company, responsible for the

proper strict implementation of reservation for person with disabilities, be departmentally proceeded against for the default.

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G. Srinivasan

(G. Srinivasan)

Deputy Secretary to the Government of India

Tel.No.23093074

To

- (i) The Secretary, All the Ministries/Departments of the Government of India
- (ii) The Secretary, Department of Financial Services (Banking and Insurance Division), New Delhi
- (iii) The Secretary, Department of Public Enterprises, New Delhi
- (iv) The Secretary, Railway Board, Rail Bhavan, New Delhi.
- (v) Union Public Service Commission, Supreme Court of India, Election Commission of India, Lok Sabha Secretariat, Rajya Sabha Secretariat, Cabinet Secretariat, Prime Minister's Office, Planning Commission
- (vi) The Secretary, Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.
- (vii) Office of the Chief Commissioner of Disabilities, Sarojini House, 6 Bhagwan Das Road, New Delhi-110001.
- (viii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (ix) All officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all the attached/subordinate offices of this Ministry.
- (x) Information and Facilitation Centre, North Block, New Delhi - 25 copies.

Copy to Chief Secretaries of all States/Union Territories - for information

Copy to Director (NIC), DOP&T- with a request to place this on the website of this Ministry for information of all concerned.



New Delhi, Dated the 29<sup>th</sup> December, 2005

OFFICE MEMORANDUM

Subject- Reservation for the Persons with Disabilities.

With a view to consolidating the existing instructions, bringing them in line with the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 and clarifying certain issues including procedural matters, the following instructions are issued with regard to reservation for persons with disabilities (physically handicapped persons) in posts and services under the Government of India. These instructions shall supercede all previous instructions issued on the subject so far.

2. QUANTUM OF RESERVATION

- (i) Three percent of the vacancies in case of direct recruitment to Group A, B, C and D posts shall be reserved for persons with disabilities of which one per cent each shall be reserved for persons suffering from (i) blindness or low vision, (ii) hearing impairment and (iii) locomotor disability or cerebral palsy in the posts identified for each disability;
- (ii) Three percent of the vacancies in case of promotion to Group D, and Group C posts in which the element of direct recruitment, if any, does not exceed 75%, shall be reserved for persons with disabilities of which one per cent each shall be reserved for persons suffering from (i) blindness or low vision, (ii) hearing impairment and (iii) locomotor disability or cerebral palsy in the posts identified for each disability.

3. EXEMPTION FROM RESERVATION : If any Department / Ministry considers it necessary to exempt any establishment partly or fully from the provision of reservation for persons with disabilities, it may make a reference to the Ministry of Social Justice and Empowerment giving full justification for the proposal. The grant of exemption shall be considered by an Inter-Departmental Committee set up by the Ministry of Social Justice and Empowerment.



4. IDENTIFICATION OF JOBS / POSTS: The Ministry of Social Justice and Empowerment have identified the jobs / posts suitable to be held by persons with disabilities and the physical requirement for all such jobs / posts vide their notification no. 16-25/99.N.II dated 31.5.2001. The jobs / posts given in Annexure II of the said notification as amended from time to time shall be used to give effect to 3 per cent reservation to the persons with disabilities. It may, however, be noted that:

- (a) The nomenclature used for any job / post shall mean and include nomenclature used for other comparable jobs / posts having identical functions.
- (b) The list of jobs / posts notified by the Ministry of Social Justice & Empowerment is not exhaustive. The concerned Ministries / Departments shall have the discretion to identify jobs / posts in addition to the jobs / posts already identified by the Ministry of Social Justice & Empowerment. However, no Ministry / Department / Establishment shall exclude any identified job / post from the purview of reservation at its own discretion.
- (c) If a job / post identified for persons with disabilities is shifted from one group or grade to another group or grade due to change in the pay-scale or otherwise, the job / post shall remain identified.

5. RESERVATION IN POSTS IDENTIFIED FOR ONE OR TWO CATEGORIES: If a post is identified suitable only for one category of disability, reservation in that post shall be given to persons with that disability only. Reservation of 3% shall not be reduced in such cases and total reservation in the post will be given to persons suffering from the disability for which it has been identified. Likewise in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories of disabilities equally, as far as possible. It shall, however, be ensured that reservation in different posts in the establishment is distributed in such a way that the persons of three categories of disabilities, as far as possible, get equal representation.

6. APPOINTMENT AGAINST UNRESERVED VACANCIES: In the posts which are identified suitable for persons with disabilities, a person with disability cannot be denied the right to compete for appointment against an unreserved vacancy. Thus a person with disability can be appointed against an unreserved vacancy, provided the post is identified suitable for persons with disability of the relevant category.

7. ADJUSTMENT OF CANDIDATES SELECTED ON THEIR OWN MERIT: Persons with disabilities selected on their own merit without relaxed



standards alongwith other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with disabilities which will thus comprise physically handicapped candidates who are lower in merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standards. It will apply in case of direct recruitment as well as promotion, wherever reservation for persons with disabilities is admissible.

8. DEFINITIONS OF DISABILITIES : Definitions of categories of disabilities for the purpose of this Office Memorandum are given below:

(i)(a) Blindness: "Blindness" refers to a condition where a person suffers from any of the following conditions, namely:-

- (i) total absence of sight; or
- (ii) visual acuity not exceeding 6/60 or 20/200(snellen) in the better eye with correcting lenses; or
- (iii) limitation of the field of vision subtending an angle of 20 degree or worse;

(b) Low vision: "Person with low vision" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device.

(ii) Hearing Impairment:- "Hearing Impairment" means loss of sixty decibels or more in the better ear in the conversational range of frequencies.

(iii)(a) Locomotor disability : "Locomotor disability" means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy.

(b) Cerebral Palsy :- "Cerebral Palsy" means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development.

(c) All the cases of orthopaedically handicapped persons would be covered under the category of "locomotor disability or cerebral palsy."

9. DEGREE OF DISABILITY FOR RESERVATION : Only such



persons would be eligible for reservation in services / posts who suffer from not less than 40 per cent of relevant disability. A person who wants to avail of benefit of reservation would have to submit a Disability Certificate issued by a competent authority in the format given in Annexure I.

10. COMPETENT AUTHORITY TO ISSUE DISABILITY

CERTIFICATE :- The competent authority to issue Disability Certificate shall be a Medical Board duly constituted by the Central or a State Government. The Central / State Government may constitute Medical Board(s) consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor / cerebral / visual / hearing disability, as the case may be.

11. The Medical Board shall, after due examination, give a permanent disability certificate in cases of such permanent disabilities where there are no chances of variation in the degree of disability. The Medical Board shall indicate the period of validity of the certificate, in cases where there are chances of variation in the degree of disability. No refusal of disability certificate shall be made unless an opportunity is given to the applicant of being heard. On representation by the applicant, the Medical Board may review its decision having regard to all the facts and circumstances of the case and pass such orders in the matter as it thinks fit.

12. At the time of initial appointment and promotion against a vacancy reserved for persons with disability, the appointing authority shall ensure that the candidate is eligible to get the benefit of reservation.

13. COMPUTATION OF RESERVATION: Reservation for persons with disabilities in case of Group C and Group D posts shall be computed on the basis of total number of vacancies occurring in all Group C or Group D posts, as the case may be, in the establishment, although the recruitment of the persons with disabilities would only be in the posts identified suitable for them. The number of vacancies to be reserved for the persons with disabilities in case of direct recruitment to Group 'C' posts in an establishment shall be computed by taking into account the total number of vacancies arising in Group 'C' posts for being filled by direct recruitment in a recruitment year both in the identified and non-identified posts under the establishment. The same procedure shall apply for Group 'D' posts. Similarly, all vacancies in promotion quota shall be taken into account while computing reservation in promotion in Group 'C' and Group 'D' posts. Since reservation is limited to identified posts only and number of vacancies reserved is computed on the basis of total vacancies (in identified posts as well as unidentified posts), it is possible that number of persons appointed by reservation in an identified post may exceed 3 per cent.



(11)

14. Reservation for persons with disabilities in Group 'A' posts shall be computed on the basis of vacancies occurring in direct recruitment quota in all the identified Group 'A' posts in the establishment. The same method of computation applies for Group 'B' posts.

15. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS:

(a) All establishments shall maintain separate 100 point reservation roster registers in the format given in Annexure II for determining / effecting reservation for the disabled - one each for Group 'A' posts filled by direct recruitment, Group 'B' posts filled by direct recruitment, Group 'C' posts filled by direct recruitment, Group 'C' posts filled by promotion, Group 'D' posts filled by direct recruitment and Group 'D' posts filled by promotion.

(b) Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into three blocks, comprising the following points:

1<sup>st</sup> Block - point No.1 to point No.33.

2<sup>nd</sup> Block - point No. 34 to point No.66

3<sup>rd</sup> Block - point No.67 to point No.100.

(c) Points 1, 34 and 67 of the roster shall be earmarked reserved for persons with disabilities - one point for each of the three categories of disabilities. The head of the establishment shall decide the categories of disabilities for which the points 1, 34 and 67 will be reserved keeping in view all relevant facts.

(d) All the vacancies in Group C posts falling in direct recruitment quota arising in the establishment shall be entered in the relevant roster register. If the post falling at point no. 1 is not identified for the disabled or the head of the establishment considers it desirable not to fill it up by a disabled person or it is not possible to fill up that post by the disabled for any other reason, one of the vacancies falling at any of the points from 2 to 33 shall be treated as reserved for the disabled and filled as such. Likewise a vacancy falling at any of the points from 34 to 66 or from 67 to 100 shall be filled by the disabled. The purpose of keeping points 1, 34 and 67 as reserved is to fill up the first available suitable vacancy from 1 to 33, first available suitable vacancy from 34 to 66 and first available suitable vacancy from 67 to 100 by persons with disabilities.

(e) There is a possibility that none of the vacancies from 1 to 33 is suitable for any category of the disabled. In that case two vacancies from 34 to 66 shall be filled as reserved for persons with disabilities. If the vacancies from 34 to 66 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 67 to 100. This means that if no vacancy can be reserved in a particular block, it shall be carried into the next block.



14. Reservation for persons with disabilities in Group 'A' posts shall be computed on the basis of vacancies occurring in direct recruitment quota in all the identified Group 'A' posts in the establishment. The same method of computation applies for Group 'B' posts.

15. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS.

(a) All establishments shall maintain separate 100 point reservation roster registers in the format given in Annexure II for determining / effecting reservation for the disabled - one each for Group 'A' posts filled by direct recruitment, Group 'B' posts filled by direct recruitment, Group 'C' posts filled by direct recruitment, Group 'C' posts filled by promotion, Group 'D' posts filled by direct recruitment and Group 'D' posts filled by promotion.

(b) Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into three blocks, comprising the following points:

- 1<sup>st</sup> Block - point No.1 to point No.33
- 2<sup>nd</sup> Block - point No. 34 to point No.66
- 3<sup>rd</sup> Block - point No.67 to point No.100

(c) Points 1, 34 and 67 of the roster shall be earmarked reserved for persons with disabilities - one point for each of the three categories of disabilities. The head of the establishment shall decide the categories of disabilities for which the points 1, 34 and 67 will be reserved keeping in view all relevant facts.

(d) All the vacancies in Group C posts falling in direct recruitment quota arising in the establishment shall be entered in the relevant roster register. If the post falling at point no. 1 is not identified for the disabled or the head of the establishment considers it desirable not to fill it up by a disabled person or it is not possible to fill up that post by the disabled for any other reason, one of the vacancies falling at any of the points from 2 to 33 shall be treated as reserved for the disabled and filled as such. Likewise a vacancy falling at any of the points from 34 to 66 or from 67 to 100 shall be filled by the disabled. The purpose of keeping points 1, 34 and 67 as reserved is to fill up the first available suitable vacancy from 1 to 33, first available suitable vacancy from 34 to 66 and first available suitable vacancy from 67 to 100 by persons with disabilities.

(e) There is a possibility that none of the vacancies from 1 to 33 is suitable for any category of the disabled. In that case two vacancies from 34 to 66 shall be filled as reserved for persons with disabilities. If the vacancies from 34 to 66 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 67 to 100. This means that if no vacancy can be reserved in a particular block, it shall be carried into the next block.



(f) After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

(g) If the number of vacancies in a year is such as to cover only one block or two, discretion as to which category of the disabled should be accommodated first shall vest in the head of the establishment, who shall decide on the basis of the nature of the post, the level of representation of the specific disabled category in the concerned grade/post etc.

(h) A separate roster shall be maintained for group C posts filled by promotion and procedure as explained above shall be followed for giving reservation to persons with disabilities. Likewise two separate rosters shall be maintained for Group D posts, one for the posts filled by direct recruitment and another for posts filled by promotion.

(i) Reservation in group A and group B posts is determined on the basis of vacancies in the identified posts only. Separate rosters for Group A posts and Group B posts in the establishment shall be maintained. In the rosters maintained for Group A and Group B posts, all vacancies of direct recruitment arising in identified posts shall be entered and reservation shall be effected the same way as explained above.

16. INTER SE EXCHANGE AND CARRY FORWARD OF RESERVATION IN CASE OF DIRECT RECRUITMENT:

(a) Reservation for each of the three categories of persons with disabilities shall be made separately. But if the nature of vacancies in an establishment is such that a person of a specific category of disability cannot be employed, the vacancies may be interchanged among the three categories with the approval of the Ministry of Social Justice & Empowerment and reservation may be determined and vacancies filled accordingly.

(b) If any vacancy reserved for any category of disability cannot be filled due to non-availability of a suitable person with that disability or for any other sufficient reason, such vacancy shall not be filled and shall be carried forward as a 'backlog reserved vacancy' to the subsequent recruitment year.

(c) In the subsequent recruitment year, the 'backlog reserved vacancy' shall be treated as reserved for the category of disability for which it was kept reserved in the initial year of recruitment. However, if a suitable person with that disability is not available, it may be filled by interchange among the three categories of disabilities. In case no suitable person with disability is available for filling up the post in the subsequent year also, the employer may fill up the vacancy by appointment of a person other than a person with disability. If the



vacancy is filled by a person with disability of the category for which it was reserved or by a person of other category of disability by inter se exchange in the subsequent recruitment year, it will be treated to have been filled by reservation. But if the vacancy is filled by a person other than a person with disability in the subsequent recruitment year, reservation shall be carried forward for a further period upto two recruitment years whereafter the reservation shall lapse. In these two subsequent years, if situation so arises, the procedure for filling up the reserved vacancy shall be the same as followed in the first subsequent recruitment year.

17. In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the disabled candidates shall first be counted against the additional quota brought forward from previous years, if any, in their chronological order. If candidates are not available for all the vacancies, the older carried forward reservation would be filled first and the relatively later carried forward reservation would be further carried forward.

18. CONSIDERATION ZONE, INTERSE EXCHANGE AND CARRY FORWARD OF RESERVATION IN CASE OF PROMOTION

(a) While filling up the reserved vacancies by promotion by selection, the disabled candidates who are within the normal zone of consideration shall be considered for promotion. Where adequate number of disabled candidates of the appropriate category of handicap are not available within the normal zone, the zone of consideration may be extended to five times the number of vacancies and the persons with disabilities falling within the extended zone may be considered. In the event of non availability of candidates even in the extended zone, the reservation can be exchanged so that post can be filled by a person with other category of disability, if possible. If it is not possible to fill up the post by reservation, the post may be filled by a person other than a person with disability and the reservation shall be carried forward for upto three subsequent recruitment years, whereafter it shall lapse.

(b) In posts filled by promotion by non-selection, the eligible candidates with disabilities shall be considered for promotion against the reserved vacancies and in case no eligible candidate of the appropriate category of disability is available, the vacancy can be exchanged with other categories of disabilities identified for it. If it is not possible to fill up the post by reservation even by exchange, the reservation shall be carried forward for upto three subsequent recruitment years whereafter it shall lapse.

19. HORIZONTALITY OF RESERVATION FOR PERSONS WITH DISABILITIES: Reservation for backward classes of citizens (SCs, STs and OBCs) is called vertical reservation and the reservation for categories such



as persons with disabilities and ex-servicemen is called horizontal reservation. Horizontal reservation cuts across vertical reservation (in what is called interlocking reservation) and persons selected against the quota for persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/General candidates depending upon the category to which they belong in the roster meant for reservation of SCs/STs/OBCs. To illustrate; if in a given year there are two vacancies reserved for the persons with disabilities and out of two persons with disabilities appointed, one belongs to a Scheduled Caste and the other to general category then the disabled SC candidate shall be adjusted against the SC point in the reservation roster and the general candidate against unreserved point in the relevant reservation roster. In case none of the vacancies falls on point reserved for the SCs, the disabled candidate belonging to SC shall be adjusted in future against the next available vacancy reserved for SCs.

20. Since the persons with disabilities have to be placed in the appropriate category viz. SC/ST/OBC/ General in the roster meant for reservation of SCs/STs/OBCs, the application form for the post should require the candidates applying under the quota reserved for persons with disabilities to indicate whether they belong to SC/ST/OBC or General category.

21. RELAXATION IN AGE LIMIT :

- (i) Upper age limit for persons with disabilities shall be relaxable (a) by ten years (15 years for SCs/STs and 13 years for OBCs) in case of direct recruitment to Group 'C' and Group 'D' posts; (b) by 5 years (10 years for SCs/STs and 8 years for OBCs) in case of direct recruitment to Group 'A' and Group 'B' posts where recruitment is made otherwise than through open competitive examination; and (c) by 10 years (15 years for SCs/STs and 13 years for OBCs) in case of direct recruitment to Group A and Group B posts through open competitive examination.
- (ii) Relaxation in age limit shall be applicable irrespective of the fact whether the post is reserved or not, provided the post is identified suitable for persons with disabilities.

22. RELAXATION OF STANDARD OF SUITABILITY: If sufficient number of persons with disabilities are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them provided they are not found unfit for such post or posts. Thus, to the extent the number of vacancies reserved for persons with disabilities cannot be filled on the basis of general standards, candidates belonging to this category may be taken by relaxing the standards to make up



the deficiency in the reserved quota subject to the fitness of these candidates for appointment to the post / posts in question.

23. MEDICAL EXAMINATION: As per Rule 10 of the Fundamental Rules, every new entrant to Government Service on initial appointment is required to produce a medical certificate of fitness issued by a competent authority. In case of medical examination of a person with disability for appointment to a post identified as suitable to be held by a person suffering from a particular kind of disability, the concerned Medical Officer or Board shall be informed beforehand that the post is identified suitable to be held by persons with disability of the relevant category and the candidate shall then be examined medically keeping this fact in view.

24. EXEMPTION FROM PAYMENT OF EXAMINATION FEE AND APPLICATION FEE: Persons with disabilities shall be exempt from payment of application fee and examination fee, prescribed in respect of competitive examinations held by the Staff Selection Commission, the Union Public Service Commission etc. for recruitment to various posts. This exemption shall be available only to such persons who would otherwise be eligible for appointment to the post on the basis of standards of medical fitness prescribed for that post (including any concession specifically extended to the disabled persons) and who enclose with the application form, necessary certificate from a competent authority in support of their claim of disability.

25. NOTICE OF VACANCIES: In order to ensure that persons with disabilities get a fair opportunity in consideration for appointment to an identified post the following points shall be kept in view while sending the requisition notice to the Employment Exchange, the SSC, the UPSC etc. and while advertising the vacancies:-

- (i) Number of vacancies reserved for SCs/STs/OBCs/Ex-Servicemen. Persons suffering from Blindness or Low Vision/Persons suffering from Hearing Impairment/Persons suffering from Locomotor Disability or Cerebral Palsy should be indicated clearly.
- (ii) In case of vacancies in posts identified suitable to be held by persons with disability, it shall be indicated that the post is identified for persons with disabilities suffering from blindness or low vision; hearing impairment; and/or locomotor disability or cerebral palsy, as the case may be, and that the persons with disabilities belonging to the category/categories for which the post is identified shall be allowed to apply even if no vacancies are reserved for them. Such candidates will be considered for selection for appointment to the post by general standards of merit.
- (iii) In case of vacancies in posts identified suitable for persons with disabilities, irrespective of whether any vacancies are reserved or



- (iv) not, the categories of disabilities viz blindness or low vision, hearing impairment and locomotor disability or cerebral palsy, for which the post is identified suitable alongwith functional classification and physical requirements for performing the duties attached to the post shall be indicated clearly.
- (v) It shall also be indicated that persons suffering from not less than 40% of the relevant disability shall alone be eligible for the benefit of reservation.

26. CERTIFICATE BY REQUISITIONING AUTHORITY : In order to ensure proper implementation of the provisions of reservation for persons with disabilities, the requisitioning authority while sending the requisition to the UPSC, SSC etc. for filling up of posts shall furnish the following certificate to the recruiting agency:-

"It is certified that the requirements of the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 and the policy relating to reservation for persons with disabilities has been taken care of while sending this requisition. The vacancies reported in this requisition fall at points no. .... of cycle no. .... of 100 point reservation roster out of which ..... number of vacancies are reserved for persons with disabilities."

27. ANNUAL REPORTS REGARDING REPRESENTATION OF PERSONS WITH DISABILITIES :

- (i) Soon after the first of January of every year, each appointing authority shall send to its administrative Ministry/Department:-
- (a) PWD Report-I in the prescribed proforma (Annexure III) showing the total number of employees, total number of employees in the posts which have been identified suitable for persons with disabilities and number of employees suffering from blindness or low vision, hearing impairment, and locomotor disability or cerebral palsy as on the 1<sup>st</sup> January of the year, and
- (b) PWD Report-II in the prescribed proforma (Annexure IV) showing the number of vacancies reserved for persons suffering from blindness or low vision, hearing impairment, and locomotor disability or cerebral palsy and number of such persons actually appointed during the preceding calendar year.
- (ii) The administrative Ministry/Department shall scrutinize the information received from all appointing authorities under it and send consolidated PWD Report-I and PWD Report- II in prescribed proforma in respect of the Ministry/Department including information in respect of all attached and



subordinate offices under its control to the Department of Personnel and Training by the 31<sup>st</sup> March of each year.

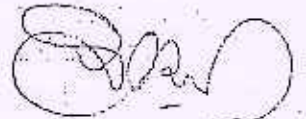
(iii) The following points may be kept in view while sending the reports to the Department of Personnel & Training:-

- (a) The reports sent to the DOPT should not include information in respect of public sector undertakings, statutory, semi-Government and autonomous bodies. Statutory, semi-Government and autonomous bodies shall furnish consolidated information in the prescribed proforma to the administrative Ministry/Department concerned who may scrutinize, monitor and maintain it at their own level. The Department of Public Enterprises may collect similar information in respect of all public sector undertakings.
- (b) The attached/subordinate offices shall send information to their administrative Ministry/Department only and shall not send it direct to this Department.
- (c) The figures in respect of persons with disabilities shall include persons appointed by reservation as well as appointed otherwise.
- (d) The PWD Report I relates to persons and not to posts. Therefore, while furnishing this report the posts vacant etc. should not be taken into account. In this report persons on deputation should be included in the establishment of the borrowing Ministry/Department/Office and not in the parent establishment. Persons permanent in one grade but officiating or holding temporary appointment in the higher grade shall be included in the figures relating to the Class of service to which the higher grade belongs.

28. LIAISON OFFICER FOR PERSONS WITH DISABILITIES : Liaison Officers appointed to look after reservation matters for SCs/STs shall also work as Liaison Officers for reservation matters relating to persons with disabilities and shall ensure compliance of these instructions.



29. All the Ministries/Departments are requested to bring the above instructions to the notice of all appointing authorities under their control.



(K.G. Verma)

Deputy Secretary to the Govt. of India

To

- (i) All Ministries/Departments of the Govt. of India.
- (ii) Department of Economic Affairs (Banking Division), New Delhi
- (iii) Department of Economic Affairs (Insurance Division), New Delhi
- (iv) Department of Public Enterprises, New Delhi
- (v) Railway Board.
- (vi) Public Service Commission/Supreme Court of India/ Election Commission/Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/ Prime Minister's Office/Planning Commission.
- (vii) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi
- (viii) Office of the Chief Commissioner for Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi - 110 001
- (ix) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (x) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
- (xi) Information and Facilitation Centre, DOPT, North Block, New Delhi.
- (xii) 200 spare copies for Estt(Res)Desk.



NAME & ADDRESS OF THE INSTITUTE / HOSPITAL

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Certificate No. \_\_\_\_\_ Date \_\_\_\_\_

DISABILITY CERTIFICATE

Recent Photograph of the candidate showing the disability duly attested by the Chairperson of the Medical Board.

This is certified that Shri / Smt / Kum \_\_\_\_\_ son/wife/daughter of Shri \_\_\_\_\_ age \_\_\_\_\_ sex \_\_\_\_\_ identification mark(s) \_\_\_\_\_ is suffering from permanent disability of following category:

A. Locomotor or cerebral palsy:

- (i) BL-Both legs affected but not arms.
- (ii) BA-Both arms affected (a) Impaired reach (b) Weakness of grip
- (iii) BLA-Both legs and both arms affected
- (iv) OL-One leg affected (right or left) (a) Impaired reach (b) Weakness of grip (c) Ataxic
- (v) OA-One arm affected (a) Impaired reach (b) Weakness of grip (c) Ataxic
- (vi) BH-Stiff back and hips (Cannot sit or stoop)
- (vii) MW-Muscular weakness and limited physical endurance.

B. Blindness or Low Vision:

- (i) B-Blind
- (ii) PB-Partially Blind



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C. Hearing impairment:

- (i) D-Deaf
- (ii) PD-Partially Deaf

(Delete the category whichever is not applicable)

2. This condition is progressive / non-progressive / likely to improve / not likely to improve. Re-assessment of this case is not recommended / is recommended after a period of \_\_\_\_\_ years \_\_\_\_\_ months.\*

3. Percentage of disability in his/her case is ..... percent.

4. Sh./Smt./Kum.....meets the following physical requirements for discharge of his/her duties:-

- |  |        |
|--|--------|
| (i) F-can perform work by manipulating with fingers. | Yes/No |
| (ii) PP-can perform work by pulling and pushing.     | Yes/No |
| (iii) L-can perform work by lifting.                 | Yes/No |
| (iv) KC-can perform work by kneeling and crouching.  | Yes/No |
| (v) B-can perform work by bending.                   | Yes/No |
| (vi) S-can perform work by sitting.                  | Yes/No |
| (vii) ST-can perform work by standing.               | Yes/No |
| (viii) W-can perform work by walking.                | Yes/No |
| (ix) SF-can perform work by seeing.                  | Yes/No |
| (x) H-can perform work by hearing/speaking.          | Yes/No |
| (xi) RW-can perform work by reading and writing.     | Yes/No |

(Dr. \_\_\_\_\_)  
Member  
Medical Board

(Dr. \_\_\_\_\_)  
Member  
Medical Board

(Dr. \_\_\_\_\_)  
Chairperson  
Medical Board

Countersigned by the  
Medical Superintendent / CMO/Head of  
Hospital (with seal)

\*Strike out which is not applicable.



ANNEXURE - II  
RESERVATION ROSTER FOR PERSONS WITH DISABILITIES

(21)

(1) Year of Recruitment	(2) Cycle No. and Point No.	(3) Name of Post	(4) Whether identified suitable for Persons with Disabilities suffering from			(7) Unreserved or Reserved *	(8) Name of person appointed and date of appointment	(9) Whether the person appointed is VH/HH/OH or None **	(10) Remarks, if any
			(4) VI	(5) HH	(6) OH				

\* If identified reserved, write VI/HH/OH, as the case may be, otherwise write UR  
 \*\* Write VH, HH, OH or None, as the case may be.  
 \*\*\* VH, HH, OH stand for visually handicapped, Hearing Handicapped and Orthopaedically Handicapped.



ANNEXURE III

PWD Report I

ANNUAL STATEMENT SHOWING THE REPRESENTATION OF THE PERSONS  
WITH DISABILITIES IN SERVICES  
(As on 1<sup>ST</sup> January of the year)

MINISTRY / DEPARTMENT  
ATTACHED / SUBORDINATE OFFICE:

Group	Number of Employees				
	Total	In Identified posts	VH	HH	OH
1	2	3	4	5	6
Group A					
Group B					
Group C					
Group D					
Total					

Note: (i) VH stands for Visually Handicapped (persons suffering from blindness or low vision)  
(ii) HH stands for Hearing Handicapped (persons suffering from hearing impairment)  
(iii) OH stands for Orthopaedically Handicapped (persons suffering from locomotor disability or cerebral palsy)



ANNEXURE IV

FWD REPORT

STATEMENT SHOWING THE NUMBER OF PERSONS WITH DISABILITIES APPOINTED DURING THE YEAR  
(for the Year 2011-12)

MINISTRY / DEPARTMENT  
ATTACHED / SUBORDINATE OFFICE

GROUP	DIRECT RECRUITMENT					PROMOTION										
	No. of vacancies reserved					No. of Appointments Made										
	VH	HH	OH	Total	In Identified Posts	VH	HH	OH	Total	In Identified Posts	VH	HH	OH	Total		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
Group A									NIL	NIL	NIL					
Group B									NIL	NIL	NIL					
Group C																
Group D																

Note: (i) VH stands for Visually Handicapped (persons suffering from blindness or low vision)  
 (ii) HH stands for Hearing Handicapped (persons suffering from hearing impairment)  
 (iii) OH stands for Orthopedically Handicapped (persons suffering from locomotor disability or cerebral palsy)  
 (iv) There is no reservation for persons with disabilities in case of promotion in Group A and B posts. However, persons with disabilities can be promoted to such posts, provided the concerned post is identified suitable for persons with disabilities.



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No.36035/1/2012-Estt.(Res)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel and Training  
\*\*\*\*

North Block, New Delhi  
Dated the 29<sup>th</sup> November, 2013

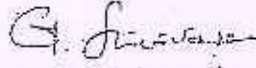
**OFFICE MEMORANDUM**

Sub: Reservation for Persons with Disabilities-revised forms for Disability Certificates.

The undersigned is directed to refer to this Department's O.M. No. 36035/3/2004-Estt.(Res) dated 29.12.2005 circulating consolidated instructions relating to Reservation for the Persons with Disabilities.

2. Ministry of Social Justice and Empowerment vide their Notification No. G.S.R. 2 (E) dated 30.12.2009 has issued rules to amend the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996. Rules 3 to 6 (Chapter II) of the said Notification dated 30.12.2009 have prescribed various Forms of Disability Certificate.
3. Keeping in view the amended Rules for Disability Certificates issued by the Ministry of Social Justice and Empowerment vide Notification dated 30.12.2009, paras 9, 10 and 11 of this Department's O.M. No. 36035/3/2004-Estt.(Res) dated 29.12.2005 relating to issue of Disability Certificate stands withdrawn.
4. All the Ministries/Departments are now requested to comply with the instructions contained in Rules 3 to 6 of Chapter II relating to Disability Certificate as per Ministry of Social Justice and Empowerment's Notification No. G.S.R. 2 (E) dated 30.12.2009 (copy enclosed for ready reference).
5. All the Ministries/Departments are also requested to bring the above instructions to the notice of all appointing authorities under their control.

Encl: As above

  
(G. Srinivasan)  
Deputy Secretary to the Govt. of India  
Tele: 2309 3074

To

1. All Ministries/Departments of the Govt. of India.
2. Railway Board
3. Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office, Planning Commission.
4. Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.
5. Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.

*Dr. M. K. Mishra*



6. Office of the Chief Commissioner for Persons with Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi.
7. Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
8. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate officers of this Ministry.
9. Information and Facilitation Centre, Department of Personnel and Training, North Block, New Delhi.
10. NIC, DoPT, North Block – for uploading the O.M. on the website in OMs & Orders>> Estt(Reservation)>>Persons with Disabilities.

(20)

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT  
NOTIFICATION

New Delhi, the 30th December, 2009

G.S.R. 2 (E).—In exercise of the powers conferred by sub-sections (1) and (2) of Section 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), the Central Government hereby makes the following rules to amend the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996, namely:—

1. (1) These rules may be called the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Amendment Rules, 2009.
  - (2) They shall come into force from the date of their publication in the Official Gazette.
2. In the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996, -
- (i) for rule 2, the following rule shall be substituted, namely:-

**"2. Definitions.-**

- (1) In these rules unless the context otherwise requires,—
  - (a) "Act" means the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996);



- (b) "certificate" or "disability certificate" means a certificate issued in pursuance of clause (t) of section 2 of the Act;
- (c) "multiple disabilities" means a combination of two or more disabilities as defined in clause (i) of section 2 of the Act;
- (d) "Form" means a form appended to these rules.

(2) Words and expressions defined in the Act but not defined in these rules, shall have the meanings respectively assigned to them in the Act."

(ii) for CHAPTER II, the following Chapter shall be substituted, namely :-

**"CHAPTER II  
DISABILITY CERTIFICATE**

**3. Application for issue of disability certificate -**

- (1) A person with disability desirous of getting a certificate in his favour shall submit an application in Form 1, and the application shall be accompanied by -
- (a) proof of residence, and
- (b) two recent passport size photographs.
- (2) The application shall be submitted to -
- (i) a medical authority competent to issue such a certificate in the district of the applicant's residence as mentioned in the proof of residence submitted by him with the application, or
- (ii) the concerned medical authority in a government hospital where he may be undergoing or may have undergone treatment in connection with his disability :

Provided that where a person with disability is a minor or suffering from mental retardation or any other disability which renders him unfit or unable to make such an application himself, the application on his behalf may be made by his legal guardian.

4. **Issue of disability certificate -**

- (1) On receipt of an application under rule 3, the medical authority shall, after satisfying himself that the applicant is a person with disability as defined in sub-clause (t) of section 2 of the Act, issue a disability certificate in his favour in Form II, Form III or Form IV as applicable.
- (2) The certificate shall be issued as far as possible, within a week from the date of receipt of the application by the medical authority, but in any case, not later than one month from such date.
- (3) The medical authority shall, after due examination, -
  - (i) give a permanent disability certificate in cases where there are no chances of variation, over time, in the degree of disability, and
  - (ii) shall indicate the period of validity in the certificate, in cases where there is any chance of variation, over time, in the degree of disability.
- (4) If an applicant is found ineligible for issue of disability certificate, the medical authority shall explain to him the reasons for rejection of his application, and shall also convey the reasons to him in writing.
- (5) A copy of every disability certificate issued under these rules by a medical authority other than the Chief Medical Officer shall be simultaneously sent by such medical authority to the Chief Medical Officer of the District.



**5. Review of a decision regarding issue of, or refusal to issue, a disability certificate -**

- (1) Any applicant for a disability certificate, who is aggrieved by the nature of a certificate issued to him, or by refusal to issue such a certificate in his favour, as the case may be, may represent against such a decision to the medical authority as specified for the purpose by the appropriate Government:

Provided that where a person with disability is a minor or suffering from mental retardation or any other disability which renders him unfit or unable to make such an application himself, the application on his behalf may be made by his legal guardian.

- (2) The application for review shall be accompanied by a copy of the certificate or letter of rejection being appealed against.
- (3) On receipt of an application for review, the medical authority shall, after giving the appellant an opportunity of being heard, pass such orders on it as it may deem appropriate.
- (4) An application for review shall, as far as possible, be disposed of within a fortnight from the date of its receipt, but in any case, not later than one month from such date.

**6. Certificate issued under rule 4 to be generally valid for all purposes.-**

A certificate issued under rule 4 shall render a person eligible to apply for facilities, concessions and benefits admissible under schemes of the Government and of Non-Governmental Organizations funded by the Government, subject to such conditions as may be specified in relevant schemes or instructions of Government, etc., as the case may be.";

(iii) for rule 43, the following rules shall be substituted, namely:-

**"43. Qualification for appointment of Chief Commissioner -**

In order to be eligible for the appointment as Chief Commissioner, a person must satisfy the following conditions, namely:-

- (i) he should have special knowledge or practical experience in respect of matters relating to rehabilitation of persons with disabilities;
- (ii) he should not have attained the age of sixty years on the 1<sup>st</sup> January of the year in which the last date for receipt of applications, as specified in the advertisement issued under sub-rule(1) of rule 43 A, falls;
- (iii) if he is in service under the Central Government or a State Government, he shall seek retirement from such service before his appointment to the post; and
- (iv) he must possess the following educational qualification and experience, namely

**(A) Educational qualifications.-**

- (i) Essential: Graduate from a recognised university.
- (ii) Desirable: Recognised degree/diploma in Social Work/ Law/ Management/ Human Rights/ Rehabilitation/ Education of Disabled Persons.

**(B) Experience.-**

Should have at least twenty-five years experience in one or more of the following types of organizations at specified levels:-

- (a) In a Group 'A' level post in Central/State Government /Public Sector Undertaking/Semi Government or Autonomous Bodies dealing with disability related matters and/or social sector (health/education/poverty alleviation/ women and child development); or
- (b) A senior level functionary in a registered national or international level voluntary organisation working in the field of disability/social development; or



- (c) Senior Executive position in a leading private sector organisation, involved in social work and in charge of handling social development activities of the organization:

Provided that out of the total twenty-five years experience mentioned above, at least three years of experience in the recent past should have been in the field of empowerment of persons with disabilities.

**43A. Mode of appointment of the Chief Commissioner -**

- (1) About six months before the post of Chief Commissioner is due to fall vacant, an advertisement shall be published in at least two national level dailies each in English and Hindi inviting applications for the post from eligible candidates fulfilling the criteria mentioned in rule 43.
- (2) A Search-cum-Selection Committee shall be constituted to recommend a panel of three suitable candidates for the post of the Chief Commissioner.
- (3) Composition of the Committee will be governed by relevant instructions issued by the Department of Personnel and Training from time to time.
- (4) The panel recommended by the Committee may consist of persons from amongst those who have applied in response to the advertisement mentioned in sub-rule (1) above, as well as other eligible persons whom the Committee may consider suitable.
- (5) The Central Government shall appoint one of the candidates recommended by the Search-cum-Selection Committee as the Chief Commissioner.

**43B. Term of the Chief Commissioner -**

- (1) The Chief Commissioner shall be appointed on full-time basis for a period of three years from the date on which he assumes office, or till he attains the age of sixty-five years, whichever is earlier.

- (2) A person may serve as Chief Commissioner for a maximum of two terms, subject to the upper age limit of sixty-five years.

**43C. Salary and allowances of the Chief Commissioner -**

- (1) The salary and allowances of the Chief Commissioner shall be the salary and allowances as admissible to a Secretary to the Government of India.
- (2) Where a Chief Commissioner, being a retired Government Servant or a retired employee of any institution or autonomous body funded by the Government, is in receipt of pension in respect of such previous service, the salary admissible to him under these rules shall be reduced by the amount of the pension, and if he had received in lieu of a portion of the pension, the commuted value thereof, by the amount of such commuted portion of the pension.

**43D. Other terms and conditions of service of the Chief Commissioner -**

- (1) **Leave -**  
The Chief Commissioner shall be entitled to such leave as is admissible to Government servants under the Central Civil Service (Leave) Rules, 1972.
- (2) **Leave Travel Concession -**  
The Chief Commissioner shall be entitled to such Leave Travel Concession as is admissible to Group 'A' officers under Central Civil Service (LTC) Rules, 1988.
- (3) **Medical Benefits -**  
The Chief Commissioner shall be entitled to such medical benefits as is admissible to Group 'A' officers under the Central Government Health Scheme (CGHS).



**43E. Resignation and removal —**

- (1) The Chief Commissioner may, by notice in writing, under his hand, addressed to the Central Government, resign his post.
- (2) The Central Government shall remove a person from the office of the Chief Commissioner, if he -
- becomes an undischarged insolvent;
  - engages during his term of office in any paid employment or activity outside the duties of his office;
  - gets convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude;
  - is in the opinion of the Central Government, unfit to continue in office by reason of infirmity of mind or body or serious default in the performance of his functions as laid down in the Act;
  - without obtaining leave of absence from the Central Government, remains absent from duty for a consecutive period of 15 days or more; or
  - has, in the opinion of the Central Government, so abused the position of the Chief Commissioner as to render his continuance in office detrimental to the interest of persons with disability;

Provided that no person shall be removed under this rule except after following the procedure, mutatis mutandis, prescribed for removal of a Group 'A' employee of the Central Government.

- (3) The Central Government may suspend a Chief Commissioner, in respect of whom proceedings for removal have been commenced in accordance with sub-rule (2), pending conclusion of such proceedings.

**43F. Residuary provision -**

Conditions of service of a Chief Commissioner in respect of which no express provision has been made in these rules shall be determined by the rules and orders for the time being applicable to a Secretary to the Government of India,“;

(iv) after rule 45 and before FORM DPER-I, the following Forms shall be inserted, namely:-

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**"Form-I"**  
**APPLICATION FOR OBTAINING DISABILITY CERTIFICATE BY PERSONS**  
**WITH DISABILITIES**  
(See rule 3)

1. Name .....  
(Surname) (First name) (Middle name)

2. Father's name ..... Mother's name .....

3. Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(date) (month) (year)

4. Age at the time of application: \_\_\_\_ years

5. Sex: ..... Male/Female

6. Address :

(a) Permanent address  
.....  
.....

(b) Current Address (i.e. for communication)  
.....  
.....

(c) Period since when residing at current  
address: -----

7. Educational Status (Pl. tick as applicable)
- (I) Post Graduate
  - (II) Graduate
  - (III) Diploma
  - (IV) Higher Secondary
  - (V) High School
  - (VI) Middle
  - (VII) Primary
  - (VIII) Illiterate

8. Occupation -----

9. Identification marks (i) ..... (ii) .....

10. Nature of disability: locomotor/hearing/visual/mental/others

11. Period since when disabled: From Birth/Since year-----



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12. (i) Did you ever apply for issue of a disability certificate in the past--- YES/NO  
 (ii) If yes, details:  
 (a) Authority to whom and district in which applied-----  
 (b) Result of application-----

13. Have you ever been issued a disability certificate in the past? If yes, please enclose a true copy.

Declaration: I hereby declare that all particulars stated above are true to the best of my knowledge and belief, and no material information has been concealed or misstated. I further, state that if any inaccuracy is detected in the application, I shall be liable to forfeiture of any benefits derived and other action as per law.

(Signature or left thumb impression of person with disability, or of his/her legal guardian in case of persons with mental retardation, autism, cerebral palsy and multiple disabilities)

Date:

Place:

Enc:

1. Proof of residence (Please tick as applicable)
- (a) ration card,
  - (b) voter identity card,
  - (c) driving license,
  - (d) bank passbook,
  - (e) PAN card,
  - (f) passport,
  - (g) telephone, electricity, water and any other utility bill indicating the address of the applicant,
  - (h) a certificate of residence issued by a Panchayat, municipality, cantonment board, any gazetted officer, or the concerned Patwari or Head Master of a Govt. school,
  - (i) In case of an inmate of a residential institution for persons with disabilities, destitute, mentally ill, etc., a certificate of residence from the head of such institution.
2. Two recent passport size photographs

(For office use only)

Date:

Place:

Signature of issuing authority

Stamp

## Form-II

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## Disability Certificate

(In cases of amputation or complete permanent paralysis of limbs  
and in cases of blindness)

(See rule 4)

(NAME AND ADDRESS OF THE MEDICAL AUTHORITY ISSUING THE  
CERTIFICATE)Recent PP size  
Attested  
Photograph  
(Showing face  
only) of the person  
with disability

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

This is to certify that I have carefully examined  
Shri/Smt./Kum. \_\_\_\_\_

son/wife/daughter of Shri \_\_\_\_\_

Date of Birth \_\_\_\_\_ Age \_\_\_\_\_ years, male/female \_\_\_\_\_

(DD / MM / YY)

Registration No. \_\_\_\_\_ permanent resident of House

No. \_\_\_\_\_ Ward/Village/ Street \_\_\_\_\_ Post

Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_

whose photograph is affixed above, and am satisfied that :

(A) he/she is a case of:

- locomotor disability
- blindness

(Please tick as applicable)

(B) the diagnosis in his/her case is.....



(A) He/ She has .....%(in figure)..... percent  
 (in words) permanent physical impairment/blindness in relation to his/her .....  
 (part of body) as per guidelines (to be specified).

2. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate

(Signature and Seal of Authorised Signatory of notified Medical Authority)

Signature/Thumb  
 Impression of the  
 person in whose  
 favour disability  
 certificate is  
 issued.

## Form-III

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**Disability Certificate**  
**(In case of multiple disabilities)**  
**(NAME AND ADDRESS OF THE MEDICAL AUTHORITY ISSUING THE**  
**CERTIFICATE)**  
**(See rule 4)**

Recent PP size Attested Photograph (Showing face only) of the person with disability
---

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

This is to certify that we have carefully examined  
 Shri/Smt./Kum. \_\_\_\_\_ /son/wife/  
 daughter of Shri \_\_\_\_\_

Date of Birth \_\_\_\_\_ Age \_\_\_\_\_ years, male/female \_\_\_\_\_  
 (DD) (MM) (YY)

Registration No. \_\_\_\_\_ permanent resident of House  
 No. \_\_\_\_\_ Ward/Village/Street \_\_\_\_\_

Post Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_

whose photograph is affixed above, and are satisfied that :

(A) He/she is a Case of **Multiple Disability**. His/her extent of permanent physical impairment/disability has been evaluated as per guidelines (to be specified) for the disabilities ticked below, and shown against the relevant disability in the table below:



S. No.	Disability	Affected Part of Body	Diagnosis	Permanent physical impairment/mental disability (in %)
1	Locomotor disability	@		
2	Low vision	#		
3	Blindness	Both Eyes		
4	Hearing impairment	£		
5	Mental retardation	X		
6	Mental-illness	X		

(B) In the light of the above, his /her over all permanent physical impairment as per guidelines(to be specified), is as follows:-

In figures:- \_\_\_\_\_ percent -

In words:- \_\_\_\_\_ percent

2. This condition is progressive/ non-progressive/ likely to improve/ not likely to improve.

3. Reassessment of disability is :

(i) not necessary,

Or

(ii) is recommended/ after \_\_\_\_\_ years \_\_\_\_\_ months, and therefore this certificate shall be valid till \_\_\_\_\_

(DD)

(MM)

(YY)

- @ e.g. Left/Right/both arms/legs
- # e.g. Single eye/both eyes
- E e.g. Left/Right/both ears

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4. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate

5. Signature and seal of the Medical Authority.

--	--	--

Name and seal of Member

Name and seal of Member

Name and seal of the  
Chairperson

Signature/ Thumb  
impression of the  
person in whose  
favour disability  
certificate is  
issued.



## Form-IV

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Disability Certificate  
(In cases other than those mentioned in Forms II and III)

(NAME AND ADDRESS OF THE MEDICAL AUTHORITY ISSUING THE  
CERTIFICATE)  
(See rule 4)

Recent Attested Photograph (Showing only) person disability	PP of the	size face the with
---	-----------------	-----------------------------

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

This is to certify that I have carefully examined  
Shri/Smt./Kum. \_\_\_\_\_ son/

wife/daughter of Shri \_\_\_\_\_  
Date of Birth \_\_\_\_\_ Age \_\_\_\_\_ years, male/female

(DD) (MM) (YY)

Registration No. \_\_\_\_\_ permanent resident of House

No. \_\_\_\_\_ Ward/Village/ Street \_\_\_\_\_ Post

Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_

whose photograph is affixed above, and am satisfied that he/she is a case  
of \_\_\_\_\_ disability. His/her extent of percentage physical  
impairment/disability has been evaluated as per guidelines (to be specified) and is  
shown against the relevant disability in the table below:-

S. No.	Disability	Affected Part of Body	Diagnosis	Permanent physical impairment/mental disability (in %)
1	Locomotor disability	@		
2	Low vision	#		
3	Blindness	Both Eyes		
4	Hearing Impairment	£		
5	Mental retardation	X		
6	Mental illness	X		

(Please strike out the disabilities which are not applicable.)

2. The above condition is progressive/ non-progressive/ likely to improve/ not likely to improve.

3. Reassessment of disability is :

(i) not necessary;

Or

(ii) is recommended/ after \_\_\_\_\_ years \_\_\_\_\_ months, and therefore this certificate shall be valid till \_\_\_\_\_

(DD)

(MM)

(YY)

@ e.g. Left/Right/both arms/legs

# e.g. Single eye/both eyes

£ e.g. Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-



Nature of Document	Date of issue	Details of authority issuing certificate

(Authorised Signatory of notified Medical Authority)  
(Name and Seal)

Countersigned

(Countersignature and seal of the CMO/Medical Superintendent/Head of Government Hospital, in case the certificate is issued by a medical authority who is not a government servant (with seal))

Signature/Thumb impression of the person in whose favour disability certificate is issued

Note: In case this certificate is issued by a medical authority who is not a government servant, it shall be valid only if countersigned by the Chief Medical Officer of the District.

Note: The principal rules were published in the Gazette of India vide notification number S.O. 908(E), dated the 31<sup>st</sup> December, 1996.

Form 1

**Intimation of Rejection of Application for Disability Certificate  
(See rule 4)**

No. \_\_\_\_\_

Dated : \_\_\_\_\_

To,

(Name and address of applicant  
for Disability Certificate)

Sub.: Rejection of Application for Disability Certificate

Sir / Madam,

Please refer to your application dated \_\_\_\_\_ for issue of a Disability Certificate for the following disability:

\_\_\_\_\_

2. Pursuant to the above application, you have been examined by the undersigned/ Medical Board on \_\_\_\_\_, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a disability certificate in your favour:

- (i)
- (ii)
- (iii)

3. In case you are aggrieved by the rejection of your application, you may represent to \_\_\_\_\_, requesting for review of this decision.

Yours faithfully,

(Authorised Signatory of the notified Medical Authority)  
(Name and Seal)



PART II

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Intimation of Rejection of Application for Disability Certificate  
(See rule 4)

No. \_\_\_\_\_

Dated: \_\_\_\_\_

To,

(Name and address of applicant  
for Disability Certificate)

Subj.: Rejection of Application for Disability Certificate

Sir / Madam,

Please refer to your application dated \_\_\_\_\_ for issue of a Disability Certificate for the following disability:

\_\_\_\_\_

2. Pursuant to the above application, you have been examined by the undersigned/ Medical Board on \_\_\_\_\_, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a disability certificate in your favour:

- (i) \_\_\_\_\_
- (ii) \_\_\_\_\_
- (iii) \_\_\_\_\_

3. In case you are aggrieved by the rejection of your application, you may represent to \_\_\_\_\_, requesting for review of this decision.

Yours faithfully,

(Authorised Signatory of the notified Medical Authority)  
(Name and Seal)

[F. No. 16-02/2007-DD, III]

Dr. ARBIND PRASAD, Jr. Secy.

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Form 10

Intimation of Rejection of Application for Disability Certificate  
(See rule 4)

Dated: \_\_\_\_\_

No. \_\_\_\_\_

To,

(Name and address of applicant  
for Disability Certificate)

Subj: Rejection of Application for Disability Certificate

Sir / Madam,

Please refer to your application dated \_\_\_\_\_ for issue of a Disability Certificate for the following disability:

2. Pursuant to the above application, you have been examined by the undersigned Medical Board on \_\_\_\_\_, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a disability certificate in your favour:

- (i) \_\_\_\_\_
- (ii) \_\_\_\_\_
- (iii) \_\_\_\_\_

3. In case you are aggrieved by the rejection of your application, you may represent to \_\_\_\_\_ requesting for review of this decision.

Yours faithfully,

(Authorised Signatory of the notified Medical Authority)  
(Name and Seal)

[F. No. 16-02/2007-DD. III]  
Dr. ARBIND PRASAD, Jt. Secy.