

MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT
[Department of Empowerment of Persons with Disabilities (Divyangjan)]
NOTIFICATION

New Delhi, the 4th January, 2021

No. 38-16/2020-DD-III.—Whereas Section 33 of the repealed Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (hereinafter, after referred as repealed Act) provided for reservation of not less than 3% for persons with disabilities in the three categories namely, (i) locomotor disability including cerebral palsy, (ii) visual impairment (low vision & blindness) and (iii) hearing impairment.

2. And whereas, section 32 of the repealed Act mandated the appropriate Government to identify posts to be reserved for persons with disabilities and review such list at periodic interval not exceeding three years.

3. And whereas, in pursuance of the above provisions of the repealed Act, the Central Government last notified the list of posts suitable for persons with disabilities through notification No. 16-15/2010-DD-III dated 29th July, 2013.

4. And whereas, the Ministry of Social Justice and Empowerment, Government of India, in pursuance of the provisions of sections 32 and 33 of the repealed Act (since repealed on 15.06.2017) had constituted an Expert Committee on the 19th November, 2015 under the chairpersonship of the Secretary, Department of Empowerment of Persons with Disabilities to review the list of Central Government posts identified suitable for Persons with Disabilities. Copy of the said order is at **Annexure-A**.

5. And whereas, the Expert Committee met on the 9th December, 2015 and decided that one Sub-Committee should be constituted for each of the category of disabilities which are provided reservation under section 33 of the said repealed Act and accordingly, following three Sub-Committees were constituted, namely:—

- i. Sub-Committee for locomotor disability
- ii. Sub-Committee for hearing impaired
- iii. Sub-Committee for visually impaired

6. And whereas, the Central Government notified the Rights of Persons with Disabilities Act, 2016 (hereinafter referred as “the Act”) which inter-alia under sub-section (1) of section 34 extended the benefit of reservation to persons with benchmark disabilities in the new category of (i) autism, specific learning disability, mental illness and intellectual disabilities and (ii) multiple disabilities amongst the various categories mentioned in the said section of the Act.

7. And whereas, Section 33 of the said Act mandates the appropriate Government to constitute expert committee for identification of posts suitable for persons with benchmark disabilities and accordingly, following two sub-committees were further constituted to take care of identification of posts suitable for new categories included under the Act, namely; (i) Sub-Committee for autism, intellectual disabilities, specific learning disability and mental illness, and (ii) Sub-Committee for multiple disabilities.

8. And whereas, all the Sub-Committees reviewed the posts notified through notification No.16-15/2010-DD-III dated the 29th July 2013, and submitted their reports and the Expert Committee considered the reports of the Sub-Committees in its meeting held on 19th November 2019, finalized its recommendations and submitted its report to the Central Government for consideration.

9. Now, therefore, in exercise of powers conferred upon section 33 of the said Act and based on the recommendations of the Expert Committee, the Central Government hereby notifies the gist of the report, which is at **Annexure-B** and the list of Central Government posts in Group A, B, C and D identified suitable for persons with benchmark disabilities which is at **Annexure-C** for information and further necessary action by all cadre controlling authorities in the Central Government.

10. The said list supersedes the list of posts for Groups ‘A’, ‘B’, ‘C’ and ‘D’ notified through notification No. 16-15/2010-DD-III dated 29th July, 2013.

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- Note 1:** Persons with benchmark disabilities require aids and assistive devices to overcome their difficulties. The aids and assistive devices may be provided to persons with benchmark disabilities on their appointment keeping in view their requirement as per the instructions of DoPT issued from time to time.
- Note 2:** The list of posts being notified is only indicative and not an exhaustive list. If a post is not mentioned in the list, it is not to be construed that it has been exempted. Central Ministries, Departments, Autonomous Bodies, Public Sector Undertakings may further supplement the list by adding to the list of posts identified for respective category of disability.
- Note 3:** If a post is already held by a person with benchmark disability, it shall be deemed to have been identified for that category of benchmark disability.
- Note 4:** If a post is identified in the feeder grade, all the posts in the promotional grade should also stand identified.
- Note 5:** If a post having identical nature and place of job with respect to any identified post, the post should be construed to be identified even if the post has a different nomenclature and/or is placed in a different group.
- Note 6:** This list will be the principal list in respect of the posts identified suitable for persons with benchmark disabilities. However, in case a list of post is separately identified by any Central Government establishment, the list having wider range of identified categories (i.e. having more sub-categories under each category) would prevail.
- Note 7:** In case a post is identified suitable for more than one sub-category under a broad category, individual Central Ministries or Departments or Public Sector Undertakings or Autonomous Bodies should conduct recruitment for all the sub-categories and cannot suo-moto choose one particular sub-category for appointment.
- Note 8:** It is for the Central Ministries or Departments or Public Sector Undertakings or Autonomous Bodies to verify the authenticity of the certificate of disability and examine suitability of the candidate in terms of functional requirements before appointment against any identified post.
- Note 9:** In the event of discrepancies in the English and Hindi versions of this Notification, English version shall prevail over the Hindi version.

Dr. PRABODH SETH, Jt. Secy.

Annexure-A

No. 34-07/2015-DD-III

Government of India

Ministry of social justice and empowerment

(Department of Empowerment of Persons with Disabilities)

New Delhi, the 19th November, 2015

OFFICE MEMORANDUM

Sub:- Constitution of Expert Committee to review the list of posts identified suitable for persons with Disabilities & convening the 1st meeting of the Committee

It has been decided with the approval of Competent Authority to constitute an Expert Committee to review the lists of posts identified suitable for persons with disabilities notified by the Ministry vide notification No. 16-15/2010-DD.III dated 29th July, 2013 with the following compositions and terms of reference:—

1. Composition

- | | | |
|----|---|----------------------------------|
| I | Secretary, Department of Empowerment of Persons with Disabilities | - Chairperson |
| II | Representatives, not below the rank of Joint Secretary from the following Ministries/Departments of Govt. of India:-
(i) Department of Personnel & Training, North Block New Delhi
(ii) M/o Health & Family Welfare, Nirman Bhawan, New Delhi | - Member
- Member
- Member |

	(iii) Department of Public Enterprises	- Member
	(iv) M/o Social Justice & Empowerment, Disability Division	- Member
III	Representatives not below the rank of Joint Secretary of the Ministry/Department concerned in respect of which identification of jobs and related matters are to be reviewed	- Member
IV	Director General of Employment & Training, M/o Labor & Employment	- Member
V	Head of the Department, PMR, Safdarjung Hospital	- Member
VI	Representatives of NIs on Each Disability	- Member
	(i) Director, National Institute for Visually Handicapped, Dehradun	- Member
	(ii) Director, Ali Yaver Jung National Institute for Hearing Handicapped, Mumbai	- Member
	(iii) Director, Pandit Deendayal Upadhyaya Institute for Physically Handicapped, Delhi	- Member
VII	Representatives of Non-Governmental Organizations:-	
	(i) Ms. Shivani Gupta	- Member
	(ii) Shri S. K. Rungta	- Member
	(iii) Shri Alok Kejriwal	- Member

2. Terms of Reference

- (a) To look into the suitability of various posts for certain category of disabilities which were earlier not identified suitable taking into consideration the development in technology.
 - (b) The Committee shall give due weight and consideration to the determination of the Chief Commissioner for Persons with Disabilities and the report furnished to the Central Government, Ministry of Social Justice & Empowerment;
 - (c) The Committee may co opt any other member.
 - (d) TA/DA to the Non Official members may be paid by the Pandit Deendayal Upadhyaya Institute for Physically Handicapped, New Delhi as per rules.
 - (e) The meeting of the Committee may be held at any place as decided by Chairman of the Committee.
 - (f) The Committee will submit its reports within a period of 6 months.
3. Director, Pandit Deendayal Upadhyaya Institute for Physically Handicapped will be the Member Secretary. Pt. Deendayal Upadhyaya Institute for Physically Handicapped will provide Secretarial assistance for the Committee.
 4. The first meeting of the Expert Committee will be held under the Chairmanship of Secretary, (DEPwD) on **09/12/2015** at **10 AM** in the Conference Room, Department of Empowerment of Persons with Disabilities, CGO Complex, New Delhi-03.
 5. The members of the Expert Committee are requested to make it convenient to attend the above meeting on **09/12/2015**.

D. K. PANDA, Under Secy.

Annexure – B

GIST OF THE REPORT OF THE EXPERT COMMITTEE FINALISED ON 19TH NOVEMBER, 2019 TO IDENTIFY AND/OR REVIEW THE POSTS IN GROUP A,B,C & D TO BE RESERVED FOR THE PERSONS WITH BENCHMARK DISABILITIES IN CENTRAL MINISTRIES, DEPARTMENTS, PUBLIC SECTOR UNDERTAKINGS AND AUTONOMOUS BODIES.

The Expert Committee, after extensive deliberations on the Central Government list of posts identified and reviewed by the five Sub-Committees and considering the response from different stakeholders, recommended a detailed list of Group A,B,C, and D posts to be reserved for persons with benchmark disabilities.

2. Other recommendations of the Expert Committee are as under:

- (i) Since the new categories of intellectual disability, mental illness, specific learning disability have been included for the purpose of reservation, instead of “Physical Requirement”, the term “Functional Requirement” of the post may be used.
- (ii) Footnotes mentioned in the notification dated 29.07.2013 may be modified as under:-

Note 1: Persons with benchmark disabilities require aids and assistive devices to overcome their difficulties. The aids and assistive devices may be provided to persons with benchmark disabilities on their appointment keeping in view their requirement as per the instructions of DoPT issued from time to time.

Note 2: The list of posts being notified is only indicative and not an exhaustive list. If a post is not mentioned in the list, it is not to be construed that it has been exempted. Ministries, Departments, Autonomous Bodies, Public Sector Undertakings may further supplement the list by adding to the list of posts identified for respective category of disability.

Note 3: If a post is already held by a person with benchmark disability, it shall be deemed to have been identified for that category of benchmark disability.

Note 4: If a post is identified in the feeder grade, all the posts in the promotional grade should also stand identified.

Note 5: If a post having identical nature and place of job with respect to any identified post, the post should be construed to be identified even if the post has a different nomenclature and/or placed in a different group.

Note 6: This list will be the principal list in respect of the posts identified suitable for persons with benchmark disabilities. However, in case a list of post is separately identified by any Central Government establishment, the list having wider range of identified categories (i.e. having more sub-categories under each category) would prevail.

Note 7: In case a post is identified suitable for more than one sub-category under a broad category, individual Ministries or Departments or Public Sector Undertakings or Autonomous Bodies should conduct recruitment for all the sub-categories and cannot *suo-moto* choose one particular sub-category for appointment.

Note 8: It is for the Central Ministries or Departments or Public Sector Undertakings or Autonomous Bodies to verify the authenticity of the certificate of disability and examine suitability of the candidate in terms of functional requirements before appointment against any identified post.

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