

CHAPTER XXII

PHYSICALLY HANDICAPPED PERSONS

1. *Quantum of reservation of posts.*—It has been decided that the reservations in Group 'C' and 'D' posts/services to be filled by direct recruitment for the physically handicapped persons listed below should be made to the extent indicated against each :

Category of the handicapped	Percentage of reservation
(1) The Blind	1%
(2) The Deaf	1%
(3) The Orthopaedically handicapped	1%

2. *Definition of the categories of handicapped persons.*—The categorisation of the physically handicapped persons for purposes of reservations in employment will be on the basis of the following definition :—

The Blind.—The blind are those who suffer from either of the following conditions :—

- (a) Total absence of sight;
- (b) Visual acuity not exceeding 6/60 or 20/200 (Snellen) in the better eye with correcting lenses;
- (c) Limitation of the field of vision subtending an angle of 20 degrees or worse.

The Deaf.—The deaf are those in whom the sense of hearing is non-functional for ordinary purposes of life. They do not hear, understand sounds at all even with amplified speech. The cases included in this category will be those having hearing loss of more than 90 decibels in the better ear (profound impairment) or total loss of hearing in both ears.

The Orthopaedically Handicapped.—The orthopaedically handicapped are those who have a physical defect of deformity which causes an interference with the normal functioning of the bones, muscles and joints.

3. The reservation of posts should be made separately for each of the aforesaid three categories of the physically handicapped persons but provision may be made for inter se exchange of vacancies if candidates belonging to a category of persons are not available or if the nature of vacancies in an office is such that a given category of persons cannot be employed. If, in any year, the vacancies reserved for these categories are not filled, the reservations should be carried over for a period of upto three subsequent recruitment years. In order to implement these reservation orders, the jobs which can be performed by various categories of physically handicapped persons without loss of productivity, should be identified by the Ministries/Departments concerned.

4. Where a Department consider that it is not possible to provide for the physically handicapped to the extent of the reservations in view of the nature of duties expected to be performed by the employees in any particular Department, that Department could be partly or fully exempted from the reservation orders. The grant of such exemption shall be decided by an inter-Departmental Committee to be set up by the Ministry of Welfare, on which Ministry of Welfare, Department of Personnel and Training, Department of Health and the administrative Department concerned would be represented.

5. In the categories of jobs which are identified by the Ministries/Departments as being particularly suitable for handicapped persons, other things being equal, preference should be given

to handicapped persons for such jobs even in excess of the quota reserved for them in accordance with the instructions contained in paragraph 1 above.

[DP & AR OM No. 39016/6/77-Estt(C), dt. 4th Nov. 1977.]

[DP & AR OM No. 39016/20/80-Estt(C), dt. 30th Dec., 1980.]

Identification of jobs.—In order to implement the reservations orders, it was required that jobs which can be performed by various categories of physically handicapped persons without loss of productivity, should be identified by the Ministries/Departments.

2. As per the information collected from various Ministries/Departments, the Occupational Information Unit of the Director General Employment and Training has prepared a consolidated list of jobs in Groups C and D posts suitable for each of the categories, i.e. the blind, the deaf and the Orthopaedically handicapped. The list of such jobs is circulated to all the Ministries/Departments for information and guidance.

[DP & AR OM No. 39016/24/80-Estt(C), dt. the 8th December, 1980.]

Maintenance of roster for reservation and carry forward of unfilled vacancies.—It has been decided that a continuous account of the vacancies arising in Group C and Group D posts from year to year may be kept.

2. As already provided in O.M. dated the 4th November, 1977, *inter se* exchange of vacancies is permissible if candidates belonging to a particular category of persons are not available or if the nature of vacancies in an office is such that a given category of person cannot be employed.

3. It has been decided that the reservations should be carried over for a period of up to three recruitment years instead of two years as at present. Any recruitment of physically handicapped candidates will first be counted against the additional quota brought forward from previous year, if any, in their chronological order. If such candidates are not available for all the vacancies, the older vacancies carried forward should be filled first and the comparatively later vacancies carried forward should further be carried forward.

[DP & AR OM No. 39016/20/80-Estt.(C), dated the 30th December, 1980.]

Manner for computing 3% reservation of posts for the physically handicapped.—The question whether the 3% reservation for the physically handicapped is to be computed on the basis of vacancies occurring only in the Group 'C' and Group 'D' posts respectively which have been identified as suitable for the physically handicapped persons or on the basis of the total vacancies occurring in all Group 'C' and Group 'D' posts respectively has been reconsidered in the context of the need for speedy rehabilitation of the physically handicapped. It has now been decided that with effect from 1-1-1986, the 3% reservation for the physically handicapped in Group 'C' and Group 'D' posts shall be computed on the basis of total number of vacancies occurring in all Group 'C' and Group 'D' posts respectively under each Head of Department in a Ministry/Department/Office, although the recruitment of the handicapped would be only in the posts identified to be suitable for them, subject to the overall ceiling of 50% reservation in that post as laid down by the Supreme Court.

2. As 3% reservation shall now have to be computed on the basis of vacancies occurring in both the identified and non-identified Group 'C' and Group 'D' posts, and since there are no reserved points for the physically handicapped in the roster for non-identified posts, the instructions laid down in D.O.P & A.R. Office Memorandum No. 39016/20/80-Estt.(C), dated the 27th March, 1981, O.M. No. 36035/14/83-Estt.(SCT), dated the 20th January, 1984 and O.M. No. 36035/4/84-Estt. (SCT), dated the 10th September, 1984 for effecting and carrying forward the reservation for various categories of physically handicapped, through fixed points on the rosters, shall be deemed to have been withdrawn with immediate effect. Consequently, the 3% reservation for the physically handicapped shall now be computed in the manner laid down as under.

3. In the beginning of each year, every appointing authority shall assess the number of vacancies, actual as well as anticipated for making direct recruitment to the various posts/services

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under its administrative control. These vacancies shall be plotted on the separate rosters being maintained for different grades/cadres in each office of the appointing authority for giving effect to reservation for Scheduled Castes/Tribes. In the case of such vacancies occurring in posts identified as suitable for one or more of the categories of the handicapped, the appointing authority shall also work out the number of vacancies which could be reserved for the physically handicapped, after accommodating fresh and the carried forward reservation of Scheduled Castes/Tribes, within the 50% ceiling as laid down by the Supreme Court. This exercise shall be completed within the month of January itself and the appointing authority shall send a report to the Head of the Department by 31st January, of each year intimating the following details about the vacancies available with it :—

- (i) total number of vacancies available and required to be filled by direct recruitment, specifying (a) name of the post; and (b) Group to which it belongs (Group 'C' or 'D');
- (ii) whether the post has been identified as suitable for the physically handicapped and if so, for which sub-categories; and
- (iii) in case of identified posts, the number of vacancies out of (i) above, which could be reserved for the physically handicapped after adjusting the fresh and carried forward reservations for S.C./S.T. within the 50% ceiling.

If after this exercise in January, more vacancies come up during the recruitment year, they will also be reported to the Head of the Department by each appointing authority as and when they occur so that the latter is in a position to reassess the computation of the reservation required to be made for the physically handicapped on a macro-basis. If it is less on account of some anticipated vacancies not materialising, that also may likewise be reported to the Head of the Department so as to enable him to make necessary adjustment at his level.

4. All Heads of Departments shall maintain a separate 100 point register for this purpose, in which each cycle of 100 points shall be divided into three Blocks, comprising the following points :—

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| 1st Block | — Point No. 1 to point No. 33 |
| 2nd Block | — Point No. 34 to point No. 67 |
| 3rd Block | — Point No. 68 to point No. 100 |

All vacancies so reported by the different appointing authorities will be entered in this Register for each group of posts (Group 'C' or 'D'). The account shall be maintained on year to year basis separately for Group 'C' and Group 'D' posts/services and will be closed on the 31st December of each year. For each Block of vacancies, there shall be reserved one vacancy for the physically handicapped in post/grade identified as suitable for one or more of the categories of the physically handicapped. After computing all the vacancies and determining the reservation for the handicapped, blockwise, in the manner indicated above, the Head of Department will be required to distribute these reserved vacancies for the handicapped among different appointing authorities in the light of availability of vacancies in the identified categories under the various appointing authorities. Care should also be taken that 3% reservation for physically handicapped is, as far as possible, distributed equally among the three sub-categories, i.e. the Blind, the Deaf and the Orthopaedically handicapped, consistent with the appropriate identification. If the number of vacancies is such as to cover only one block or two, discretion as to which category of the handicapped should be accommodated first should vest in the Head of the Department, who should decide on the basis of the nature of the post, the level of representation of the specific handicapped category in the concerned grade/post etc. In the event of the reservation not being utilised in the same block in which it fell due, it shall be carried forward to the next block or blocks as the case may be in the same year. In such exigencies where the reservation could not be utilised in any of the blocks during the year, the same shall be carried forward in the subsequent three recruitment years at the end of which the reservation shall be deemed to have lapsed. Mutual

exchange in the event of non-availability of specific handicapped category would be permissible according to the instructions contained in DOP&T O.M., No. 39016/6/77-Estt.(C), dated 4-11-1977 and O.M. No. 39016/20/80-Estt(C), dated 30-12-1980.

5. After the reservation for the physically handicapped has been computed in the above manner, the Head of the Department shall inform the appointing authority of the specific category of handicapped who should be appointed in an identified post or grade, against the total distributed vacancies for each appointing authority. The appointing authority shall take on all the vacancies in the respective 40 point/100 point rosters being maintained for effecting reservation for Scheduled Castes/Scheduled Tribes for posts under its control. In the rosters for the posts identified as suitable for the physically handicapped, and in which vacancies are proposed to be reserved for this category as per the computation made and intimated by the Head of the Department, such number of vacancies to that extent required shall be reserved for the physically handicapped after adjusting the fresh and carry forward reservation for S.Cs./S.Ts. but subject to the overall 50% ceiling as laid down by the Supreme Court.

6. After the appointment has been made against such a reserved vacancy for handicapped, the appointing authority shall furnish a compliance report to the Head of the Deptt. to facilitate the latter in assessing the quantum of carry forward as indicated in para 4 above in case of non-availability for physically handicapped candidates to fill up the vacancies reserved for them. In case, any of the reserved vacancies for physically handicapped is filled by the appointment of a person from any of the sub-categories, the reservation would be declared to have been utilised in pursuance of the principle of *inter se* exchange.

7. For the year 1986 the procedure laid down in the previous paragraphs may be followed immediately as if the assessment of vacancies is being made in the beginning of 1986 taking into account the vacancies including those which have arisen in 1986 and already filled up. The appointments of the handicapped persons already made in accordance with the roster points as per instructions existing prior to the issue of this OM may be adjusted against vacancies to be reserved for physically handicapped persons on the basis of the instructions contained in this OM. After such adjustments the appointing authorities may be intimated the details of the vacancies to be filled up as per instructions contained in para 5 of this OM.

Age limit for Blind, Deaf-Mute and Orthopaedically handicapped persons relaxed upto 10 years.—It has now been decided, in partial modification of the provisions of the OM No. 4/3/68-Estt(D), dated the 15th April, 1969, that for purposes of appointment to Group C and Group D posts, filled through the Employment Exchanges, the upper age limit in the case of Blind, Deaf-Mute and Orthopaedically handicapped persons shall be relaxed upto 10 years.

[DP&AR OM No. 15012/6/77-Estt(D), dt. 28th January 1978.]

It has also been decided to extend the age concession of 10 years in favour of handicapped persons to recruitment to posts filled through the Staff Selection Commission.

[DP&T OM No. 15012/6/77-Estt(D), dt. 18-7-78.]

It is clarified that the physically handicapped persons belonging to Scheduled Caste/Scheduled Tribe will be eligible for age relaxation of five years over and above the age relaxation of five years admissible to them as Scheduled Caste/Scheduled Tribe candidates.

[DP&T OM No. 4/3/68-Estt(D), dt. 7-1-76.]

Exemption from Typing qualification

It has been decided that such of the physically handicapped persons who are otherwise qualified to hold clerical posts and who are certified as being unable to type by the Medical Board attached to Special Employment Exchange for the Handicapped (or by a Civil Surgeon where there is no such Board) should be exempted from the typing qualifications. Accordingly, while retaining the typing qualification in the recruitment rules for the posts of Lower Division Clerk, a

provision should be made therein that this qualification will not apply in the case of such of the handicapped persons as mentioned above.

[Ministry of Home Affairs (now Department of Personnel & Trg) OM No. 15/3/61-Estt.(D), dated 23rd December, 1961.]

Physically handicapped persons exempted from payment of Examination fee and Application fee.—It has been decided that the physically handicapped persons will be exempted from the payment of application and examination fee prescribed in respect of competitive examinations held by the Staff Selection Commission and Union Public Service Commission for recruitment to various Group 'C' and 'B' (Non-gazetted) posts and also posts pertaining to the above categories which are filled through recruitment by selection. This exemption will, however, be available to only those handicapped persons who would otherwise be eligible for appointment to the post on the basis of the standards of medical fitness prescribed for that post (including any concessions specifically extended to the physically handicapped) and who enclose with the application form, necessary certificate from a Government Hospital/Medical Board in support of his claim for being handicapped.

[DOP&T O.M. No. 39022/1/85-Estt.(B), dated the 3rd December, 1985.]

Vocational Rehabilitation Centres should also be informed of the vacancies.—As per existing instructions of the Government all the vacancies in Group 'C' and Group 'D' posts irrespective of their nature and duration are not only to be notified to the Employment Exchange but are also to be filled through that agency, unless filled through UPSC/SSC etc. Recently the Prime Minister has expressed concern over the unsatisfactory employment situation of the physically handicapped persons particularly the blind despite reservation orders and concessions granted to them. Accordingly it has been decided by the Ministry of Labour to fix a target of 50 placements per month for both the special employment exchanges for the physically handicapped persons, Vocational Rehabilitation Centres for the physically handicapped. It is, therefore, requested that all the appointing authorities may be instructed to endorse a copy of their requisition sent to the employment exchange/special employment exchange to the nearest Vocational Rehabilitation Centres for physically handicapped for nominating suitable handicapped persons.

[DP&AR OM No. 14016/1/81-Estt.(D), dated the 9th February, 1981.]

Medical examination of handicapped persons on first entry in Government service.—On nomination of the physically handicapped persons by the Employment Exchanges for appointment against posts under the Government, they should not be subjected to the usual medical examination on first appointment in Government service, but the question of their appointment should be decided on the basis of the reports of the Medical Board attached to the Special Employment Exchanges for the Physically Handicapped. These need not be examined by the Medical Board at the time of their registration with the Employment Exchanges, but they should be sent for medical examination to the Medical Board attached to the Special Employment Exchanges after they have actually been selected for a particular post.

[M.H.A. O.M. No. 5/1/60-Estt.(D), dated the 28th June, 1960. 5/1/62-Estt.(D), dated the 31st July, 1967; 5/1/66-Estt.(D), dated the 12th October, 1966 and 8th December, 1967.]

Employment of blind persons—Special instructions.—On the basis of returns received in the Ministry of Social & Women's Welfare, it has been observed that there has not been any significant progress in the implementation of the reservation orders in respect of all the categories of the handicapped, and the category of the Blind, in particular, resulting in disillusionment among them, particularly in the latter. It has also been brought to the notice that certain traditional prejudices still persist among some of the employing authorities who perhaps labour, under the impression that the handicapped persons are necessarily less productive than the able-bodied. That it is not so always is borne out by studies in this regard. Given the requisite technological support in the posts that have been identified to be fit to be held by the handicapped persons, they have proved

themselves equal to the job-requirements. There has, therefore, to be a change in the attitude towards the handicapped section of society which reassures and generates confidence in them.

All Ministries/Departments are, therefore, requested to impress upon all the appointing authorities to rise above such prejudice, if any, and ensure employment of blind persons against identified reserved vacancies in public service.

[Deptt. of Personnel & Trg. OM No. 36035/5/85-Estt(SCT) dated the 25th July, 1985.]

Employment to the Blind—Instructions have been issued that

- (1) as far as possible the entire work of recaning of chairs in Government of India offices should be done by the blind persons. For this purpose vocational Rehabilitation Centres and the Special Employment Exchanges for the physically handicapped may be contacted by the various Departments; and
- (2) where the volume of work is such which may justify a full-time Chair Recaner, the question of creation of posts in suitable scale may be considered in consultation with Finance in accordance with the normal procedure.

[DP&T OM No. 39016/27/80-Estt(C)-II, dated 9-1-81.]

In consultation with the Ministry of Welfare the following steps to ensure employment of blind persons in the work of recaning of chairs brought to the notice of the Ministries/Departments etc. :

The entire work of recaning of chairs in Government of India Offices should not be entrusted to any one except a blind person. When chairs are caned through an approved contractor appointed by the CPWD, it may be ensured that the contractor employs only blind persons and the officer-in-charge should verify and certify that the contractor has got the work done through blind persons only. In case blind chair recaners are not available either with the contractor, Vocational Rehabilitation Centres or the Special Employment Exchanges for handicapped persons or through the Supervisor of the approved institutions for the welfare of blinds, the recaning work may be entrusted to other than blind persons, of course, through the blind approved contractors/institutions of blind persons, with specific approval of the Liaison Officer of the Ministry/Department. It will be the duty of the Liaison Officers to ensure with personal efforts that the work is carried out only through blind persons and permission to carry out such jobs to other than blind persons employed by blind contractor is accorded sparingly in emergent circumstances and non-pendable nature of jobs only.

[DP&T OM No. 36035/24/83-Estt(SCT), dated 1-9-84.]

Relaxation of standards in selection of physically handicapped persons against reserved vacancies.

The existing orders provided that if sufficient number of Scheduled Caste and Scheduled Tribe candidates are not available on the basis of general standard to fill all the vacancies reserved for them, candidates belonging to these communities are allowed to be selected under the relaxed standard of selection to make up the deficiency in the reserved quota, subject to the fitness of these candidates for appointment to the post in question. It has been decided that this concession should be extended to physically handicapped persons.

[DP&T O.M. No. 14016/3/85-Estt(D) dated 4-9-1985.]

Identification of jobs for the physically handicapped persons

A sub-Committee constituted by the Ministry of Welfare has made in-depth study of the various jobs in Groups C and D done in Government Offices as well as public sector undertakings and identified 1,100 titles out of 3,000 titles listed in the National Classification of occupations as suitable for the physically handicapped persons. A copy of the report of the Committee

was circulated to all the Ministries/Departments with the request that the list of jobs identified by the Committee was by no means exhaustive and that the Ministries/Departments may have to further supplement this.

[DP&T O.M. No. 36035/5/84-Estt.(SCT), dated 28-2-86.]

With a view to effecting optimum utilisation of potentialities of physically handicapped which constitute a significant section of the population in the country, the Ministry of Welfare constituted a Standing Committee for identification of jobs for the physically handicapped in the Central Government Service and Public Sector Undertakings. This Committee made in-depth study of the various jobs done in Government offices and the Public Sector Undertakings. The Committee in its Report identified 420 jobs in Group 'A' and Group 'B' posts/Services suitable for the physically handicapped persons along with the physical recruitments and functional classifications of disabilities indicating also what jobs can be held by each category of disabled people and with what disability. It has also been decided that in respect of identified posts which can be held by the physically handicapped persons preference will be given in the matter of recruitment to those posts. These instructions were circulated to all Ministries/Departments with the request that they can further supplement the list based on their knowledge of job recruitments, essential qualifications etc.

[DP&T O.M. No. 36034/4/86-Estt(SCT), dated 25-11-86.]