

No.1/1/2017-3DC/ 1588894/1

GOVERNMENT OF PUNJAB
DEPARTMENT OF SOCIAL SECURITY AND WOMEN AND CHILD DEVELOPMENT
(Disability Cell)

The 3 October, 2019

To

1. All the Heads of Departments;
2. All Commissioners of Divisions;
3. All Deputy Commissioners;
4. Registrar General, Punjab and Haryana High Court;
5. All District and Sessions Judges;
6. All the Heads of Boards and Corporations;
7. Chairman, Punjab Public Service Commission;
8. Chairman, State Services Selection Board, Punjab.

Subject: - Instructions regarding four percent reservation under section 34 of the Rights of Persons with Disabilities Act, 2016.

1. In supersession of the Government of Punjab, Department of Social Security, Women and Child Development (Disability Cell), issued vide I.D. No. 9/23/2015-3DC/506 dated the 24th June, 2015 and No.1/1/2017-3DC/1543557/1, dated the 6th August, 2019, the following instructions are hereby issued for the management of reservation in direct recruitment and in promotion for the persons with disabilities as defined in clause (r) of section 2 readwith the Schedule appended to the Rights of Persons with Disabilities Act, 2016 (Central Act No.49 of 2016), in the Services in the Government of Punjab (i.e. in Group-'A', Group-'B', Group-'C' and Group-'D' Services, respectively), in the following manner, namely: -

DISABILITY-WISE PERCENTAGE IN SERVICES

Serial No.	Type of disability (See Schedule appended to the Rights of Persons with Disabilities Act, 2016)	Percentage
1	Blindness and Low-vision;	One percent
2	Deaf and Hard of hearing;	One percent
3	Locomotor disability (including Cerebral palsy, Leprosy cured, Dwarfism, Acid attack victims and Muscular dystrophy);	One percent

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4	Intellectual disability (including Autism and Specific learning disability), and Mental illness; OR Multiple disabilities specified in Serial No. 1 to 4 above, including deaf-blindness.	One percent
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NOTE-1: - The reservation in Services specified under these instructions, shall be applicable in all modes of recruitments done in the State of Punjab including the Services filled under Contract Basis or by Out-sourcing.

Note-2: - "Service" for the purposes of these instructions', Service means a post or vacancy in Group-'A', Group- 'B', Group-'C' or Group-'D' Service, as the case may be, being filled up from amongst the persons with disabilities specified above.

Note-3: - "Percentage" for the purposes of these instructions, the percentage means the Service to be offered shall be in the running Roster of hundred vacancies arising in the cadre strength in Group-'A', Group-'B', Group-'C' or Group-'D' Service, as the case may be.

2. **Exemption from reservation.** - If any department considers it necessary to exempt any establishment (in part or fully, as the case may be), from the provision of reservation for persons with disabilities being given under these instructions as per provisions of the said Act, it may make a reference to this department, giving necessary justification for the said purpose. The question of grant of exemption or not to such department shall be considered by an Inter-Departmental Committee, constituted by this department for such matters, in due course as per the fixed norms.

The aforesaid Committee shall consist of the following, namely: -

INTER-DEPARTMENTAL COMMITTEE		
Serial No.	Designation of the officer	
1	Principal Secretary to Government of Punjab, Department of Social Security, women and Child Development;	Chairperson
2	<u>Administrative Secretary</u> of the concerned department;	Member
3	Commissioner for the persons with disabilities; and	Member
4	Director, Social Security, women and Child Development.	Member Secretary

3. **Identification of posts.** - The Government of India, Ministry of Social Justice and Empowerment has identified the services suitable to be offered to the persons with disabilities and the physical requirements for such services has been notified by it vide Notification No. 16-16/2010-DD-III, dated the

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29th July, 2013. This list of identification for different disabilities can be visited at www.socialjustice.nic.in. The Government of Punjab has adopted the above list of services to be offered to the persons with disabilities as identified by the Government of India vide its notification referred to above vide order No. 3/39/2014-3Dis.Br./972-980, dated the 10th July, 2014.

However, the competent authority in respective department in the State, may identify the posts to be filled up from amongst the persons suffering from the disability i.e. Leprosy cured, Dwarfism, Acid attack victims and Muscular dystrophy in clauses (3) and (4), referred to in Para 1, subject however, to the following conditions namely: -

- (a) the nomenclature used for any service shall mean and include nomenclature used for other, identical service with identical functions;
- (b) in case the service notified by the Government of India, Ministry of Social Justice and Empowerment, is not identical with any of the Service in the State of Punjab, in that case the concerned department, shall have the discretion, to identify a Service in consultation with this department or with the Government of India, as the case may be.

No department in the State of Punjab, shall exclude any such unidentified Service, from the purview of the reservation in its own discretion; and

- (c) In case a Service with particular disability is changed from one Group of Service, to another Group or Grade, due to variation in pay scale of such Service or otherwise, such Service, shall remain identified accordingly, to be filled from amongst those persons with such disability, till such post is created in the relevant Group by the State Government.

5. Reservation in posts identified for one or two categories. - If a Service is identified as suitable for type of disability, in that case, the reservation in that Service shall be given to the persons with that disability only. The reservation of four percent shall not be reduced in such cases and the total reservation in the said Service, shall be given to the persons suffering from the said disability, for which it

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has been identified. Where a Service is identified as suitable for two types of disabilities, in that case the reservation shall be distributed between the persons with those types of disabilities in equal proportion, so far as it is possible. It shall, however, be ensured that the reservation in different Services in a particular department shall be distributed in such a manner that the persons of all types of disabilities as specified in Para 1 above, subject however, to fulfilling the conditions as specified in Para 8, in order to give equal representation to such persons.

6. Appointment against unreserved services. – There is no bar for a person with any disability specified in Para 1, to compete for appointment against an unreserved Service (i.e. the other than the Service, which is identified as suitable for persons with disabilities), provided such Service is identified as suitable for the persons so appointed.

7. Adjustment of candidates selected on their own merit. - Persons with disabilities selected on their own merit without availing the reservation under these instructions, shall not be adjusted against the reserved vacancy. The reserved vacancies shall be filled up only from amongst the eligible persons with disabilities as specified in these instructions. No person appointed as per the provision made in Para 6, shall make a claim for promotion against any reserved Service under these instructions.

8. Quantum of disability for reservation. - The quantum of disability as specified in the Table given in Para 1, shall not be less than forty percent, subject, however to produce a Disability Certificate from the competent authority.

At the time of making appointment to the service under these instructions or in the case of promotion in the service for the persons with disability (s), the appointing authority shall ensure that such candidate falls within the consideration zone for availing the benefit under these instructions.

9. Computation of reservation. - Reservation for persons with disabilities in case of Group 'A', 'B', 'C' or 'D' Services, shall be computed on the basis of total number of vacancies available in a cadre in any department, from amongst the persons with disabilities on the Service identified as suitable for them. The number of vacancies to be reserved for the persons with disabilities for direct recruitment to Group 'A'

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posts in any department, shall be computed by taking in to account the total number of vacancies arising in Group 'A', for being filled by direct recruitment in a recruitment year in any department, which shall apply *mutatis mutandi* to Group 'B', 'C', and 'D' Services. Similar criteria, shall apply in promotion cases also in the said Services.

10. Maintenance of reservation. – (1) For giving proper effect to reservation under these instructions, all departments in the State, shall maintain a separate 100 Point Vacancy Roster Registers as specified in Annexure-I, separately for Group 'A', Group 'B', Group 'C' or Group 'D' Service, for direct recruitment as well as for promotion. Each Department shall ensure that the vacancy Roster Register is duly got checked and verified from this department, before making any direct appointment or promotion, as the case may be. The aforesaid Registers, for each Service, shall be divided in four blocks, as follows: -

- 1st Block — Point No. 1 to 25;
- 2nd Block — Point No. 26 to 50;
- 3rd Block — Point No. 51 to 75; and
- 4th Block — Point No. 76 to 100.

Means a vacancy at point 11, 40, 71 and 90 for Groups 'A' and 'B' and point 10, 40, 70 and 90 for Groups 'C' and 'D', shall be earmarked for person with disability as specified in Para 1. The competent authority in each department shall make appointments in the above manner.

(2) In Group- 'A' Service, in case Point No. 11 is not identified for the persons with disabilities OR the competent authority in any department considers it desirable not to fill that point from amongst the persons with disability OR it is not possible to fill up that post from this category for any administrative reason, in that case, a post falling at points from 12 to 25, shall be treated as reserved for the person with disability, and the same shall be filled up accordingly. Similarly the vacancy falling at any of the points from 26 to 50, OR from 51 to 75, OR from 76 to 100, shall be filled by person with disability, in the above manner, in addition to the vacancy already ear marked in the respective block referred to above.

(3) It may further be clarified that in case none of the vacancies given at Points 12 to 25, is suitable for a person with disability, then two vacancies from Points 26 to 50, shall be treated as are reserved for persons with disabilities (i.e. one vacancy being carried forward from the first block and the other vacancy already meant for the second block). Similarly in case the vacancies from 26 to 50 are

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again not found suitable for the said category, in that case three vacancies, shall be treated as reserved in the points starting from 51 to 75. In case the vacancies from Point 51 to 75 are also not found suitable for a person with disability, then four vacancies shall be filled up in the fourth block starting from points 76 to 100. If no vacancy can be filled up in a particular block it shall be carried into the next block.

(4) After all the 100 points of the vacancy roster are filled up then the roster shall re-start from Point 1 onwards.

(5) In case the number of vacancies in a year could cover only one block or two blocks referred to above, then it shall be the discretion of the competent authority in a department, who shall decide to fill particular Service, on the basis of the nature of the post while making an appointment or promotion, as the case may be, from amongst the person with disability with a specific type referred in the Table above.

(6) The manner for filling up the Service in Group-'A' in clauses (2) to (5) above, shall be followed in other Services i.e. Group 'B', Group 'C' and Group 'D, as the case may be.

11. Consideration zone, interchange and carry forwarding a point in direct recruitment. – (1) The reservation under these instructions shall be made category wise for each disability specified in the Table above. In case in a department, the nature of Service is such that a person of a specific type of disability cannot be appointed, in that case the vacancies may be interchanged from one type of disability to the other with the approval of this department.

(2) 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.

(3) In case a vacancy carried forward, is not filled up in the subsequent recruitment year, the same shall further be carried forward to the next recruitment year. However, if a suitable person with such disability is not available for appointment, it may be filled by interchanging such vacancy with other type of disability.

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(4) In case a vacancy is filled up from amongst the person other than the person with disability in the second recruitment year, then the reservation shall be carried forward as a backlog vacancy for another period of two recruitment years. In case such vacancy could not be filled up even in the extended period, then the reservation under these instructions shall stand lapsed.

(5) In the next recruitment years, if situation so arises, the procedure for filling up the reserved vacancy for the persons with disabilities, shall be remain the same as specified above.

12. Consideration zone, interchange and carry forwarding a point in promotion. – (1) A reserved vacancy shall be filled up by promotion by selection, from amongst the person with disability, who falls within the consideration zone. In case the number of the person with disability of the relevant type of disability is not available within the consideration zone, then the zone of consideration for filling up such vacancy may be extended five times the number of vacancies and the persons with disabilities falling within the extended zone may be considered for promotion. In case no suitable candidate is found available in the extended consideration zone also, then the reservation may be interchanged to fill up the vacancy from amongst the person with other type of disability.

(2) In case it is not possible to fill up the vacancy from amongst the person with disability, then the same may be filled up by promoting a person other than a person with disability and the reservation under these instructions, shall be carried forward for three years, where after it shall stand lapsed if it is not filled up in the extended period.

13. Protection of reservation for persons with disability. - In order to protect the lapse of reservation to the minimum possible, any recruitment of the persons with disabilities, shall be counted first against any additional quota brought forward from the previous years, in their chronological order, if any. If candidates are not available for all the vacancies for persons with disability, then the older carried forward point shall be filled up in the first instance and the point carried forward at a later stage, shall further be carried forward.

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14. Horizontal reservation for Persons with disabilities. – (1) Reservation for Scheduled Castes, Scheduled Tribes, Backward Classes or Other Backward Classes, is called Vertical Reservation and the reservation for the Persons with disabilities and Ex-Servicemen, is called Horizontal Reservation. Horizontal Reservation cuts across Vertical Reservation or is called interlocking reservation, and persons selected against the quota for persons with disabilities have to be placed in the appropriate category (i.e. Scheduled Castes, Scheduled Tribes, Backward Classes, Other Backward Classes or General Category), depending upon the category to which he belongs to, in the Roster Register.

(2) To illustrate, if in a given year there are two vacancies reserved for the persons with disabilities and out of two persons with disability are appointed, one belongs to a Scheduled Caste and other to General Category, then the Scheduled Caste candidate with disability, shall be adjusted against the Scheduled Caste point in the Roster Register and the General Category candidate with disability, shall be adjust against General Category point in the said Register. In case none of the vacancies falls on the point reserved for the Scheduled Castes, the candidate under the category of disability belonging to Scheduled Caste, shall be adjusted in future against the next available vacancy reserved for Scheduled Caste category.

15. Identification of the caste of persons with disability. - Since the persons with disability have to be placed in the appropriate category i.e. Scheduled Castes, Scheduled Tribes, Backward Classes, Other Backward Classes or General Category, in the roster meant for the said categories. A candidate applying for a vacancy meant for persons with disability shall clearly indicate in the application form as to which caste they belong to i.e. Scheduled Castes, Scheduled Tribes, Backward Classes, Other Backward Classes or General Category, as the case may be.

16. Medical examination. - Each new entrant to Government Service on his initial appointment is required to produce a 'Disability Certificate' issued by a competent authority. In case of medical examination of a person with disability for appointment to a post identified as suitable for a person suffering from a type of disability, the concerned Medical Officer or the Medical Board, shall be informed beforehand by such candidate that the post is identified as suitable for relevant type

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of person with disability, and the candidate shall then be examined medically accordingly, by such Officer or Board, as the case may be.

These instructions shall come into force with immediate effect.

Dated, Chandigarh the
1st October, 2019

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RAJI P. SHRIVASTAVA
Principal Secretary to Government of Punjab
Department of Social Security, Women and
Child Development

No.1/1/2017-3DC/1588894/2 Dated, Chandigarh, the 3/10/2019
A copy is forwarded to the following for information and necessary
action:-

1. All The Special Chief Secretaries, Punjab;
2. All The Additional Chief Secretaries, Punjab;
3. All The Principal Secretaries, Punjab;
4. All The Financial Commissioners and Administrative Secretaries, Punjab;
5. State Commissioner for the persons with disability, Punjab;
6. Chief Commissioner for Persons with Disability, Government of India, New Delhi.

Rajiv Bal
Deputy Secretary Social Security
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ANNEXURE

RESERVATION ROSTER FOR PERSONS WITH DISABILITIES

Year of Recruitment	Cycle No.	Point No.	Name of Posts	Identifies suitable for persons with benchmark disabilities covered under the following respective categories.				Unreserved or Reserved	Name of the person appointed and date of appointment	Whether the person appointed as per serial no. 5,6,7 or 8 of the annexure or No/not	Remarks, if any
1	2	3	4	5	6	7	8	9	10	11	12
				1 (Visual)	2 (Hearing)	3 (Locomotor)	4 (Intellectual or Multiple)				

1. Respective categories as specified in the table given in Para 1.
2. If the post is reserved than write 1,2,3 or 4 as given in serial no. 5,6,7 and 8 above.
3. In case if a person is appointed under a reserved categories specified in 5,6,7 and 8 than write specific category , if not than write No.

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