

**GOVERNMENT OF INDIA
SOCIAL JUSTICE AND EMPOWERMENT
LOK SABHA**

UNSTARRED QUESTION NO:6426
ANSWERED ON:07.05.2013
RESERVATION FOR PHYSICALLY HANDICAPPED PERSONS
Singh Baba Shri K.C.

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) the nature of physical disabilities considered under the reservation quota for the purpose of admission in educational institutes and providing jobs;
- (b) whether the quota for the disabled is being filled up regularly;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether there is any proposal to increase the percentage of quota for the disabled; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT (SHR1 P. BALRAM NAIK)

(a) Section 2 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) (PwD) Act, 1995 stipulates 'Disability' means-

- (i) Blindness;
- (ii) Low vision;
- (iii) Leprosy-cured;
- (iv) Hearing impairment;
- (v) Loco motor disability;
- (vi) Mental retardation;
- (vii) Mental illness;

As per Section 2 (t) of the PwD Act. persons with disability means a person suffering from not less than forty percent (40 percent) of any disability as certified by a medical authority.

(b) and (c) As per Section 33 of the PwD Act. 1995, every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three percent for persons or class of persons with disability of which one per cent, each shall be reserved for persons suffering from-

(i) Blindness or low vision;

(ii) Hearing impairment;

(iii) Loco motor disability or cerebral palsy, in the posts identified for each disability: Provided that the appropriate Government may, having regard to the type of work carried on in any department or establishment, by notification subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this section. As per Section 39 of the PwD Act, 1995, all Government educational institutions and other educational institutions receiving aid from the Government, shall reserve not less than three percent seat for persons with disabilities.

Government has issued instructions that such persons should be provided reservation in all Groups of identified posts in the matter of direct recruitment and in Group 'C' and 'D' posts identified in the matter of promotion. Vide O.M. dated 26th December, 2012, Government has issued instructions to ensure that Persons with Disabilities (PwDs) get a fair opportunity in consideration for appointment to an identified post

(d) and (e) The Government has finalized a Draft Rights of Persons with Disabilities Bill proposing reservation of not less than 5% of the posts for the PwDs.