

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

UNSTARRED QUESTION NO:858  
ANSWERED ON:10.12.2013  
RESERVATION TO DISABLED  
Virendra Kumar Shri

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

- (a) whether the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1996 provides a minimum 3% reservations to the disabled;
- (b) if so, whether the said provisions have not been implemented so far and the Supreme Court has recently asked the Union as well as State Governments to implement three per cent reservation to these categories of persons rejecting the quota breaching 50 per cent cap on reservations;
- (c) if so, the details thereof; and
- (d) the steps taken/being taken by the Union Government in consultation with the State Governments to implement the quota and give benefits to disabled persons in the Government jobs?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRI P. BALRAM NAIK)

(a) As per Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three per cent 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.

(b) to (c) The Hon'ble Supreme Court in its judgment dated 18.10.2013 in the matter of SLP (7541 of 2009) titled Union of India & Anr. Vs. National Federation of the Blind & Ors has, inter alia, held 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.

The Hon'ble Supreme Court has also directed to modify the O.M. 29.12.2005 issued by Department of Personnel and Training consistent with its order.

(d) In pursuance with order of the Hon'ble Supreme Court, Department of Personnel and Training has issued an O.M. dated 3.12.2013 requesting all concerned to take necessary action for implementing the order. The State Government/Union Territories have also been appraised by Department of Personnel and training in this regard.