



OFFICIAL GAZETTE

GOVERNMENT OF GOA

EXTRAORDINARY No. 2

GOVERNMENT OF GOA

Department of Social Welfare

Directorate of Social Welfare

Addendum

5-10-94-SWD/Vol.I/3513

Ref.:-Notification No. 5-10-94-SWD/Vol. I dt. 20-2-1998.

In Government Notification referred above the following Annexure 'A' 'B' and 'C' quoted under Rule 3, 4 and 35 respectively are to be added and published for information of the public.

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Director of Social Welfare/Ex. Officio Jt. Secretary (SW).

Panaji, 25th January, 1999.

ANNEXURE-A

Guideline for evaluation of various Disabilities

APPENDIX-I

Visual Impairment disability Categories bases on its severity and proposed disability percentages

All with corrections			
Better eye	Worse eye	Percentage impairment	
Category 0	6/9—6/18	6/24 to 6/36	20%

All with corrections			
	Better eye	Worse eye	Percentage impairment
Category I	6/18—6/36	6/60 to Nil	40%
Category II	6/60—4/60 or field of vision 110-20	3/60 to Nil	75%
-do- III	3/60 to 1/60 or Field of vision 100	F. C. at 1 ft to Nil	100%
-do- IV	F. C. at 1 ft. to Nil or Field of vision 100	F. C. at 1 ft. to Nil	100%
One eyed persons	6/6	F. C. at 1 ft. to Nil	30%

The method of evaluation shall be the same as recommended in hand book of Medical examination.

Impairment of 20% - 40% or less may only be entitled to aids and appliances.

APPENDIX- II

A. Recommendations about the Categories and the Tests Required

I. Recommended classification

S. No.	Category	Type of impairment	DB level and/or	Speech discrimination	Percentage of impairment
1.	I.	Mild Hearing impairment	dB 26 to 40 dB in better ear	80 to 100% in better ear	Less than 40%

S. No.	Category	Type of impairment	DB level and/or	Speech discrimination	Percentage of impairment
2.	II.	Moderate hearing Impairment	41 to 55 dB in better ear	50 to 80% better ear	40% -50%
3.	III.	Severe hearing Impairment	56 to 70 Hearing Impairment in better ear	40 to 50%	50 to 75%
4.	IV.	(a) Total deafness	No hearing	No discrimination	100%
		(b) Near total deafness	91 dB and above in better ear	—do—	100%
		(c) Profound hearing Impairment	71 to 90 dB	Less than 40% in better ear	75% -100%

(Pure tone average of hearing in 500, 1000 and 2000 Hz by air conduction should be taken as basis for consideration as per the test recommendations) Further it should be noted that

- (a) When there is only an island of hearing present in one or two frequencies in better ear, it should be considered as total loss of hearing.
- (b) Wherever there is no response (NR) at any of the 3 frequencies (500, 1000, 2000 Hz), it should be considered as equivalent to 130 dB loss for the purposes of classification of disability and in arriving at the average. This is based on the fact that maximum intensity limits in most of the Audiometers is 110 db's and some audiometers has additional facilities for +20 dB for testing.

II: Recommendations about the categories of disability (Hearing Impairment—Physical aspect only -Test recommended).

- (a) Pure tone audiometry (ISOR 382-1970 at present is being used as Audiometric Standard in most of the audiometers. Hence the audiometers used in testing should be accordingly calibrated). Three frequency averages at 500, 1000 and 2000 Hz by Air Conditions (A. C.), will be used for categorization.
- (b) Wherever possible the pure tone audiometric result should be supplemented by the Speech discrimination score—Tested at Sensation level (S. L.) i.e. the speech discriminations test is conducted at-dB above the patient's hearing threshold. The stimuli used be either phonetically balance words (Pb) of the particular language or its equivalent material. At present only a few Indian languages have standard speech material for testing. Hence wherever the standardised test material is not

available, either standardised Indian English Test could be made use of, with English knowing population or equivalent material to Pb, be used.

- (c) Wherever children are tested and pure tone audiometry becomes not possible free field testing should be employed.

B. Suggestions of the Facilities to be Offered to the Disabled for Rehabilitation

- Category I. No special benefits.
- Category II. Considered for Hearing Aids at free or concessional costs only.
- Category III. Hearing aids free of cost or at concessionary rates. Job reservation—benefit of special Employment Exchange.
- Scholarships at School: Single language formula.
- Category IV. Hearing Aids—Facilities of reservation special employment exchange, Special facilities in schools like Scholarship, Hearing aids- Exemption from 3 language formula (to study in recommended single language).

It is felt that for consideration of admission under special category for courses conducted by institutions like Indian Institute of Technology (IIT), Industrial Training Institute (ITI) and others, categories 1 & 2 only should be considered for reservation of seats, provided they fulfill the other educational stipulations for the course.

We have considered the different type of hearing affection i.e. conductive VS Sensory neural, and agree that the disability will be judged by the conditions prevalent in the patient at the time of referral and examination. In case of failure of surgery or other therapeutic interventions, the patient will be considered and categorized on the basis of the recommended tests.

APPENDIX-III

1. Guidelines for Evaluation of Various Disabilities

(i) Locomotor Disability

1.1 UPPER LIMB

1. The estimation of permanent impairment depends upon the measurement of functional impairment, and is not expression of a personal opinion.
2. The estimation and measurement must be made when the clinical condition is fixed and unchangeable.
3. The upper extremity is divided into two component parts the arm component and the hand component.

4. Measurement of the loss of function of arm component consists in measuring the loss of motion muscle strength and co-ordinated activities.

5. Measurement of the loss of function of hand component consists in determining the Prehension, Sensation & Strength. For estimation of Prehension Opposition, lateral pinch, cylindrical grasp, spherical grasp and hook grasp have to be assessed as shown in the column of "prehension component" in the proforma.

6. The impairment of the entire extremity depends on the combination of the functional impairment of both components.

Arm Component

Total value of arm component is 90%.

Principles of Evaluation of range of motion of joints:

1. The value of maximum R. O. M. in the arm component is 90%.
2. Each of the three joints of the arm is weighted equally (30%).

Example

A fracture of the right shoulder joint may affect range of motion so that active abduction is 90%. The left shoulder exhibits a range of active abduction of 180%. Hence there is loss of 50% of abduction movement of the right shoulder. The percentage loss of arm component in the shoulder is 50×0.30 or 15% loss of motion for the arm component.

If more than one joint is involved, same method is applied, and the losses in each of the affected joints are added. Say,

Loss of abduction of the shoulder = 60%

Loss of extension of the wrist = 40%

Then, Loss of range of motion for the arm = $(60 \times 0.30) + (40 \times 0.30)$ = 30%

Principles of Evaluation of Strength of muscles

1. Strength of muscles can be tested by manual testing like 0-5 grading.

2. Manual muscle gradings can be given percentages like

0.	—	100%
1.	—	80%
2.	—	60%
3.	—	40%
4.	—	20%
5.	—	0%

3. The mean percentage of muscle strength loss is multiplied by 0.30.

4. If there has been a loss of muscle strength of more than one joint, the values are added as has been described for loss of range of motion.

Principles of Evaluation of co-ordinated activities

1. The total value for co-ordinated activities is 90%.
2. Ten different co-ordinated activities are to be tested as given in the Proforma.
3. Each activity has a value of 9%.

Combining values for the Arm Component

1. The value of loss of function of arm component is obtained by combining the values of range of movement, muscle strength & co-ordinated activities, using the combining formula

$$a = \frac{b(90-a)}{90}$$

where a = higher value
& b = lower value

Example

Let us assume that an individual with a fracture of the right shoulder joint has in addition to 16.5% of motion his arm, 8.3% loss of strength of muscles, and 5% loss of co-ordination. We combine these values as :

$$\begin{array}{rcl} \text{Range of motion : } 16.5 & & 8.3(90-16.5) \\ & & 16.5 \quad \dots \quad = 23.3\% \\ \text{Strength of Muscles : } 8.3\% & & 90 \\ & & 5(90-23.3) \\ \text{Co-ordination: } 5\% & & 23.3+ \quad \dots \quad = 27.0\% \\ & & 90 \end{array}$$

So total value of arm component = 27.0%.

Hand Component

Total value of hand component is 90%.

The functional impairment of hand is expressed as loss of prehension, loss of sensation, loss of strength.

Principles of Evaluation of Prehension.

Total value of Prehension is 30%. It includes :

- (A) Opposition (8%). Tested against Index finger (2%), Middle finger (2%), Ring finger (2%) & Little finger (2%)
- (B) Lateral Pinch (5%). Tested by asking the patient to hold a key.
- (C) Cylindrical Grasp (6%). Tested for
 - (a) Large object of 4 inch size (3%)
 - (b) Small object of 1 inch size (3%)
- (D) Spherical Grasp (6%). Tested for
 - (a) Large object 4 inch size (3%)
 - (b) Small object 1 inch size (3%)
- (E) Hook Grasp (5%). Tested by asking the patient to lift a bag

Principles of Evaluation of Sensations

Total value of sensation is 30%. It includes.

1. Radial side of thumb (4.8%)
2. Ulnar side of thumb (1.2%)
3. Radial side of each finger (4.8%)
4. Ulnar side of each finger (1.2%)

Principles of Evaluation of Strength

Total value of strength is 30%. It includes:

1. Grip Strength (20%)
2. Pinch Strength (10%)

Strength will be tested with hand dynamo-meter or by clinical method (Grip Method).

10% additional weightage to be given to the following factors :

1. Infection
2. Deformity
3. Malalignment
4. Contractures
5. Abnormal Mobility
6. Dominant Extremity (4%)

Combining values of the hand component

The final value of loss of function of hand component is obtained by summing up values of loss of prehension sensation and strength.

Combining Values for the Extremity

Values of impairment of arm component and impairment of hand component are combined by using the combining formula.

Example

$$\begin{array}{rcl} \text{Impairment of the arm} & = & 27.0\% \\ \text{Impairment of the hand} & = & 64\% \end{array} \quad \begin{array}{rcl} 27(90-64) & & \\ 64 & - & 90 \\ \hline & & 71.8\% \end{array}$$

Guidelines for Evaluation of Permanent Physical Impairment in Lower Limbs

The lower extremity is divided into two component and Stability component.

Mobility Component

Total value of mobility component is 90%. It includes range of movement and muscle strength.

Principles of Evaluation of Range of Movement

1. The value of maximum range of movement in the mobility component is 90%.
2. Each of the three joints i. e. hip, knee, foot-ankle component, is weighted equally-0.30.

Example

A fracture of the right hip joint may affect range of motion so that active abduction is 27°. The left hip exhibits a range of active abduction of 54°. Hence, there is loss of 50% of abduction movement of the right hip. The percentage loss of mobility component in the hip is 50×0.30 or 15% loss of motion for the mobility component.

If more than one joint is involved, same method is applied and the losses in each of the affected joints are added.

For Example:—

$$\text{Loss of abduction of the hip} = 60\%$$

$$\text{Loss of extension of the knee} = 40\%$$

$$\text{Loss of range of motion for mobility component} = (60 \times 0.30) + (40 \times 0.30) = 30\%.$$

Principles of Evaluation of Muscle Strength

1. The value for maximum muscle strength in the leg is 90%.
2. Strength of muscles can be tested by manual testing like 0-5 grading.
3. Manual muscles gradings can be given percentages like

Grade 0	=	100%
Grade 1	=	80%
Grade 2	=	60%
Grade 3	=	40%
Grade 4	=	20%
Grade 5	=	0%

4. Mean percentage of muscle strength loss is multiplied by 0.30.

5. If there has been a loss of muscle strength of more than one joint, the values are added as has been described for loss of range of motion.

Combining Values for the Mobility Component

Let us assume that the individual with a fracture of the right hip joint has in addition to 16% loss of motion, 8% loss of strength of muscles.

Combining Values	$8(90-16)$
Motion 16%	$16 + \dots = 22.6\%$
Strength 8%	90
Where	$a = \text{higher value}$ $b = \text{lower value}$

Stability Component

1. Total value of stability component is 90%.
2. It is tested by 2 methods.

- (i) Based on scale method.
- (ii) Based on clinical method.

Three different readings (in kilograms) are taken measuring the total body weight (W). Scale 'A' reading and scale 'B' read.

Guidelines for Evaluation of Permanent Physical Impairment in Amputees

Basic Guidelines

1. In case of multiple amputees, if the total sum of percentage permanent physical impairment is above 100%, it should be taken as 100%.
2. Amputation at any level with uncorrectable inability to wear and use prosthesis, should be given 100% permanent physical impairment.
3. In case of amputation in more than one limb percentage of each limb is counted and another 10% will be added, but when only toes or fingers are involved only another 5% will be added.
4. Any complication in form of stiffness, neuroma, infection etc. has to be given a total of 10% additional weightage.
5. Dominant upper limb has been given 4% extra percentage.

Upper Limb Amputations

Percent Permanent Physical Impairment and loss of physical function of each limb	
1. Fore-quarter amputation	100%
2. Shoulder disarticulation	90%
3. Above Elbow upto upper 1/3 of arm	85%
4. Above Elbow upto lower 1/3 of arm	80%
5. Elbow disarticulation	75%
6. Below Elbow upto upper 1/3 of forearm	70%
7. Below Elbow upto lower 1/3 of forearm	65%
8. Wrist disarticulation	60%
9. Hand through carpal bones	55%
10. Thumb through C. M. or through 1st MC Joint	30%
11. Thumb disarticulation through metacarpophalangeal Joint or through proximal phalanx	25%
12. Thumb disarticulation through inter phalangeal Joint or through distal phalanx.	15%

13. Amputation through proximal phalanx or disarticulation through MP joint. Index Finger (15%) Middle Finger (5%) Ring Finger (3%) Little Finger (2%)

14. Amputation through middle phalanx or disarticulation through PIP joint. 10% 4% 2% 1%

15. Amputation through distal phalanx or disarticulation through DIP joint. 5% 2% 1% 1%

Lower Limb Amputations

1. Hind quarter	100%
2. Hip disarticulation	90%
3. Above knee upto upper 1/3 of thigh	85%
4. Above knee upto lower 1/3 of thigh	80%
5. Through knee	75%
6. B.K. upto 8 cm	70%
7. B.K. upto lower 1/3 of leg	60%
8. Through Ankle	55%
9. Syme's	50%
10. Upto mid-foot	40%
11. Upto fore-foot	30%
12. All toes	20%
13. Loss of first toe	10%
14. Loss of second toe	5%
15. Loss of third toe	4%
16. Loss of fourth toe	3%
17. Loss of fifth toe	2%

APPENDIX IV

Guidelines for Evaluation of Speech Disability

Speech Disability	Disability Rate
Mild	25%
Moderate	50%
Severe	75%
Very Severe	100%

Tested by a 100 word text Ability to read (in educated), comprehend when read out, answer question on text clearly and ability to write a synopsis (in educated).

ANNEXURE—V APPENDIX V

Mental Disorders

Source: Glossary and guide to their classification. A publication by W.H.O.

“MENTAL RETARDATION” : A condition of arrested or incomplete development of mind which is especially characterized by subnormality of intelligence. The coding should be made on the

individual's current level of functioning without regard to its nature of causation—such as psychosis, cultural deprivation, Down's syndrome etc. where there is a specific cognitive handicap such as in speech—the four digit coding should be based on assessments of cognition outside the area of specific handicap. The assessment of intellectual level should be based on whatever information is available, including clinical evidence, adaptive behaviour and psychometric findings. The IQ levels given are based on a test with a mean of 100 and a standard deviation of 15—such as the Wechsler scales. They are provided only as a guide and should not be applied rigidly. Mental retardation often involves psychiatric disturbances and may often develop as a result of some physical disease or injury. In these cases, an additional code or codes should be used to identify the associated condition, psychiatric or physical. The impairment and Handicap codes should also be consulted.

(b) *Mild Mental Retardation*

Feeble-minded	Moron
High Grade defect	IQ 50-70
Mild mental subnormality	

(c) *Other Specified Mental Retardation*

(i) Moderate mental retardation	Moderate mental sub-normality
Imbecile	
IQ 35-49	
(ii) Severe mental retardation	Severe mental sub-normality
IQ 20-34	
(iii) Profound mental retardation	Profound mental sub-normality
Idiocy	
IQ under 20	

(d) *Unspecified Mental Retardation*

Mental deficiency NOS Mental subnormality NOS.

ANNEXURE-B

Department of Public Health

Notification

13/140/87/PHD

Government is pleased to constitute two separate Medical Boards for Handicapped persons one at Asilo Hospital, Mapusa in North Goa and the other in the Hospicio Hospital at Margao in South Goa as follows:-

I. *Medical Board for Handicapped persons for North Goa.*

1. Head of Asilo Hospital, Mapusa	Chairman
(as Chief Medical Officer)	
2. Ophthalmologist, Asilo Hospital, Mapusa	Member
3. E.N.T. Surgeon, Asilo Hospital, Mapusa.	Member

4. Orthopaedic Surgeon, Asilo Hospital, Member
Mapusa.

5. Sr. Psychiatrist, Asilo Hospital, Member
Mapusa.

II. *Medical Board for Handicapped Persons for South Goa.*

1. Head of Hospicio Hospital, Margao	Chairman (as Chief Medical Officer)
2. Ophthalmologist, Hospicio Hospital, Margao.	Member
3. E.N.T. Surgeon, Hospicio Hospital, Margao.	Member
4. Orthopaedic Surgeon, Hospicio Hospital, Margao.	Member
5. Sr. Psychiatrist, Hospicio Hospital, Margao.	Member

By order and in the name of the Governor of Goa.

Sd/- (L. J. Menezes Pais), Under Secretary (Health).

Panaji, 20th July, 1988.

APPENDIX-I

ANNEXURE 'C'

G.I., Dept. of Per. & A.R., O.M. No. 3909/6/77-Estt. (SCT),
dated 4-11-1977.

Subject:— Reservation of posts for the physically handicapped persons in Groups 'C' & 'D' posts/services under the Central Government.

The undersigned is directed to say that the question of reservation of posts in the Civil Services for the physically handicapped persons has been under consideration of the Government for some time. While the number of persons physically handicapped in various ways is considerable, the question under consideration has been confined for the purposes of employment of the blind, the deaf and the orthopaedically handicapped persons. The President is now pleased to decide that the reservations in Groups 'C' and 'D' posts/services for the physically handicapped persons listed below should be made to the extent indicated against each:

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

2. The categorisation of the physically handicapped persons for purposes of reservations in employment will on the basis of definition furnished in the Annexure attached to this Office Memorandum.

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 up to two 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 considers 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 Department of Social Welfare, on which the Department of Social Welfare, Department of Personnel and AR, 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.

6. The Ministry of Finance, etc., are requested to bring the contents of this OM to the notice of the offices under their administrative control for implementation of these orders.

7. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor-General of India.

ANNEXURE

Definitions of the categories of the handicapped for purposes of reservation in employment

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 more than 90 dec.bels in the better ear (profound impairment) or total loss of hearing in both ears.

THE ORTHOPAEDICALLY HANDICAPPED:

Orthopaedically handicapped, who have a minimum of 40% of physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

[O.M. No. 36035/5/88-Estt. (SCT), dated 4-5-1990]

APPENDIX-II

G.I., Dept. of Per. & A. R. O. M. NO. 36035/14/83-Estt. (SCT), dated 20-1-1984

Subject:— Reservation for handicapped persons — Further clarifications—Regarding.

The undersigned is directed to refer to the Ministry of Home Affairs, Department of Personnel and Administrative Reforms, O. M. No. 39016/6/77-Estt. (C), dated 4-11-1977 (*copy enclosed*), and to say that various aspects relating to the reservation for handicapped persons were discussed in the meeting of the Central Advisory Committee organised by the Ministry of Social Welfare. It emerged from the meeting that the following points are not free from doubt resulting into different practices being followed by the Ministries/Departments:—

- (i) Whether reservation for physically handicapped persons is to be provided in vacancies or in posts?
- (ii) Whether reservation which could not be provided in the exempted categories will be accommodated in the category of posts where reservation applies?
- (iii) Whether reservation applies only to identified posts?
- (iv) Whether reservation applies to Group "C" and Group "D" posts taken as a whole or separately to each category of posts?

2. The matter has been carefully considered and clarification on the above points *seriatim* is as under—

- (i) The present scheme of reservation of 3% for Handicapped persons is based on occurrence of vacancies from time to time and not on the total number of posts in a particular category. This is the basic philosophy on which the reservation scheme for SC/ST also is based and which equally applies in case of reservation for physically handicapped persons.
- (ii) The posts which have exempted from the purview of reservation scheme in terms of para. 4 of this Department's O.M. No. 39016/6/77-Estt. (C), dated 4-11-1977, will have to be excluded, therefore, reservation orders will not be

applicable to exempted categories of posts. Hence the question of computing 3% of vacancies in exempted category and adjusting it to the category where reservation orders apply does not arise.

- (iii) Reservation of 3% for physically handicapped persons will be applicable to those posts which have been identified for being suitable to be held by all or any category of physically handicapped persons. Though 1% each can be identified as being suitable for only one category of handicapped persons, the remaining percentage reserved for other category of handicapped persons can be exchanged in favour of the category for whom the posts have been found to be suitable. For example, if a particular post is suitable for the orthopaedically handicapped person only, then 3% of the vacancies could be reserved for physically handicapped persons belonging to orthopaedically handicapped category by exchanging percentage of reservation provided for the other two categories of handicapped persons, i.e., the blind and the deaf.
- (iv) Reservation for the physically handicapped persons was to be provided in the same manner as is being provided to SC/ST because the points for the physically handicapped persons have been fixed in the same roster which is being maintained for the purpose of providing reservations for SC/ST. Therefore, reservation for the physically handicapped will also have to be provided separately in each category of posts within Group 'C' and 'D' separately. The logical corollary of principle is that the roster should be maintained for each category of posts within Group 'C' and Group 'D' posts in a Ministry or Department.

3. It may be mentioned that the points for the physically handicapped persons have been provided only in the 100-point roster which is generally followed for Group "C" and Group "D" posts because they normally attract local and regional population. But in the case of the Union Territory of Delhi, orders provide for the maintenance of a 40-point roster which is based on All India percentage. There may be other appointing authorities outside the Union Territory of Delhi where recruitment to Group "C" and Group "D" posts is being made through 40-point roster. Since, 3% reservation for the physically handicapped cannot be provided in a 40-point roster which has only 40 points, there has to be six points out of 200 points in five cycles of 40-point roster, thus making 3%. Taking this principle into account, six points in five cycles of 40-point roster should be fixed in the following manner:-

First Cycle: 3rd and 37th points; Second Cycle: 30th point; Third Cycle: 23rd point; Fourth Cycle: 18th point (17th point being reserved for Scheduled Tribes; Fifth Cycle: 10th point.

4. Ministry of Finance, etc., are requested to bring the contents of this OM to the notice of all attached and subordinate offices under them for their guidance.

APPENDIX-III

G.I., Dept. of Per. & Trg., O.M. No. 36035/17/85-Est. (SCT),
dated 1-4-1986

Subject:— Reservation for the physically handicapped persons in Group 'C' and Group 'D' posts/services under the Central Government

The undersigned is directed to refer to the Department of Personnel and AF, Office Memorandum No. 39016/6/77-Est. (C), dated 4-11-1977, read with O.M. No. 36035/14/83-Est. (SCT), dated 20-1-1984, on the subject mentioned above and to say that 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 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 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 this Department's Office Memorandum No. 39016/20/80-Est. (C), dated the 27th March, 1981; O.M. No. 36035/14/83-Est. (CST), dated the 20th January, 1984; and O.M. No. 36035/4/84-Est. (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 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 reservations 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) Groups to which it belongs (Group "C" or "D");
- (ii) whether the post has been identified as suitable for the physically handicapped and if so, 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 SC/ST 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 macrobasis. 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:—

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 the 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 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 this Department's O. M. No. 39016/6/77-Est.(C), dated 4-11-1977 and O. M. No. 39016/20/80-Est. (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 SCs/STs 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 Department to facilitate the latter in assessing the quantum of carry forward as indicated in para. 4 above in case of non-availability of 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 deemed 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 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.

8. Ministry of Finance, etc. are requested to bring the above instructions to the notice of all the Heads of Departments and appointing authorities under their control for necessary compliance and also ensure that the reservation as provided in the above manner, is effectively monitored to cut down on all possible delays.

APPENDIX IV

**G.I., Dept. of Per. & Trg., O.M. No. F. 36035/16/91-Estt.
(SCT), dated 20-9-1994**

Subject:— Revised procedure for filling up the vacancies in respect of physically handicapped persons in Groups 'C' and 'D' posts.

The undersigned is directed to refer to the Department of Personnel and Training, O.M.No. 26035/17/85-Estt., dated 1-4-1986, on the subject mentioned above and to state that the Government had under consideration the method of effecting the 3% reservation for physically handicapped persons in the light of the judgment of the Supreme Court in *Indira Sawhney case* (W.P.No. 930 of 1990). The Court has held that reservation for SC/ST/OBCs may be called vertical reservation and the reservation for physically handicapped persons as horizontal reservation. Horizontal reservations cut across vertical reservation (in what is called inter-locking reservation) and the persons selected against the physically handicapped quota have to be placed in the appropriate category; if he belongs to SC category he will be placed in that quota by making necessary adjustment and similarly if he belongs to open competition (OC) category he will be placed in that category by making necessary adjustment. Even after providing for these horizontal reservations, the percentage of reservation in favour of backward class of citizens should remain the same.

2. In the light of the above said observations of the Supreme Court, it has been decided that the physically handicapped persons selected under the reservation provided for them should be placed in the appropriate category, viz. SC/ST/OBC/General Category depending upon the category to which they belong. For example, if in a given year there are 200 Group 'C' vacancies, the reservation for SCs will be 30, for STs it will be 15, for OBCs it will be 54 and for General category it will be 101. The vacancies reserved for physically handicapped will be calculated as per the instructions on the subject contained in OM, dated 1-4-1986. Suppose the vacancies for the physically handicapped in that year come to 6 and of the physically handicapped candidates selected, 1 belongs to the SC category, then the physically handicapped SC candidate will be adjusted against the 30 SC vacancies, the one physically handicapped ST candidate will be adjusted against the 15 ST vacancies and the 2 physically handicapped, OBC and General category candidates against the 54 OBC and 101 General category vacancies respectively. The roster points will be filled up accordingly. The vacancies reserved for the physically handicapped should be indicated along with the other vacancies so that the physically handicapped candidates can also apply along with the others.

All the Ministers/Departments are requested to bring the instructions to the notice of all the Heads of Department and appointing authorities under their control for necessary compliance.