



## **SPECIAL RECRUITMENT DRIVE FOR PWD MOST IMMEDIATE TIME BOUND**

**No.36038/2/2008-Estt. (Res.) Government of India**

**Ministry of Personnel, Public Grievances and Pensions Department of Personnel and Training**

North Block, New Delhi

Dated the 27<sup>th</sup> November, 2009

### **OFFICE MEMORANDUM**

**Subject:** Special Recruitment Drive to fill up the backlog reserved vacancies for Persons with Disabilities.

1. The undersigned is directed to invite attention to this Department's OM of even number dated 10<sup>th</sup> December, 2008 whereby a Special Recruitment Drive was launched to fill up the backlog reserved vacancies of the persons with disabilities. The OM stipulated that reservation and backlog reserved vacancies would be determined on the basis of vacancies arising in the establishment in accordance with the instructions contained in this Department's O.M. No. 36035/3/2004-Estt(Res) dated 29.12.2005. However, the High Court of Delhi in W.P.(C) No.15828/2006[National Federation of the Blind Vs. UOI & Ors] held that reservation to persons with disabilities should be calculated on the basis of the strength of the establishment and passed orders for computing the quota and backlog of reservation as per their directions. This Department, subsequently filed a Special Leave Petition (No. 7541 / 2009 ) in the Supreme Court challenging the order of the Hon'ble High Court, and without prejudice to the outcome of SLP, issued OM No. 36012/23/2009-Estt.(Res.) dated 4.5.2009 requesting all the Ministries / Departments etc. to implement the order of the High Court. Since the principles on the basis of which the Special Recruitment Drive dated 10.12.2008 was launched were not in line with the orders of the High Court, the Drive could not be continued after the decision of the High Court.
2. The Supreme Court vide their interim order dated 6.11.2009 in SLP No.7541/2009 (Union of India & Others Vs. National Federation of Blind) stayed the directions of the High Court and reaffirmed the interim order passed by it on 31.8.2009 whereby the Union of India was directed to file a detailed status report regarding the extent to which the posts had been identified and filled up and also indicating the steps taken to fill up the vacancies that had arisen after the commencement of the 1996 Act. Pending final decision of the Supreme Court, reservation for persons with disabilities shall now be determined and implemented in accordance with this Department's O.M. dated 29.12.2005.

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3. Keeping all aspects in view, it has been decided to launch a fresh Special Recruitment Drive to fill up the backlog reserved vacancies of persons with disabilities existing as on 15.11.2009 according to the following schedule:-

Sl. No	Action	Target Date
1.	Ministries / Departments may issue instructions to all appointing authorities under their charge.	By 4.12.2009
2.	Ministries / Departments may collect information about backlog reserved vacancies as on 15.11.2009.	By 31.12.2009
3.	Ministries/Departments/Appointing Authorities may report vacancies to the UPSC/SSC/ concerned Recruiting Agency.	By 31.1.2010
4.	UPSC/SSC/Recruiting Agency may advertise the vacancies.	By 28.2.2010
5.	UPSC/SSC/Recruiting Agency may receive applications / nominations.	By 15.4.2010
6.	UPSC/SSC/ Recruiting Agency may hold Interviews/tests.	By 31.5.2010
7.	UPSC/SSC/Recruiting Agency may communicate information about the selected candidates to the concerned Ministry/Department/Office	By 25.6.2010
8.	Ministry / Department / Appointing Authority may issue offers of appointment to the selected candidates	By 15.7.2010

4. The following points would make the meaning of the "backlog reserved vacancies of persons with disabilities" clear, which should be kept in view while determining the backlog:-
- If any vacancy earmarked reserved for any category of disability in the initial year of recruitment cannot be filled due to non-availability of a suitable person with that disability or for any other sufficient reason, such vacancy is left unfilled and is treated as a 'backlog reserved vacancy' in the subsequent recruitment year. Further details in this regard may be seen in this Department's O.M. NO. 36035/3/2004-Estt(Res) dated 29.12.2005.
  - Prior to the issue of the O.M. dated 29.12.2005, if in any year, suitable physically handicapped candidates were not available to fill up a reserved vacancy, the vacancy was filled by another category candidate and reservation was carried forward for a period of up to three recruitment years. During that period, in the event of non-availability of suitable persons

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with disability, the reserved vacancies were not kept unfilled. Nevertheless, it is possible that some Ministries/Departments/ establishments might have kept some vacancies earmarked reserved for the persons with disability unfilled due to non availability of persons with disability. If such vacancies exist, these will be treated as backlog reserved vacancies for the purpose of the Drive.

5. It is important to note that the Government has to file a report in the Supreme Court in terms of the interim order dated 31.8.2009 referred to in para 2 above. All the Ministries/Departments are, therefore, requested to scrupulously monitor the Drive and review its progress from time to time. The Liaison Officer in the Ministry / Department should keep a vigil on the progress of Drive in the Ministry / Department and all its attached offices / subordinate offices / public sector undertakings / autonomous bodies etc. If he finds any problem in the matter, he may bring it to the notice of the Secretary of the concerned Ministry / Department who may in turn issue necessary instructions.
6. The Ministries / Departments should collect information from all the appointing authorities under them and send the following reports to this Department:

S. No.	Details of Report	PROFORMA
1.	Progress Report in respect of filling up of backlog vacancies in the Ministries/ Departments/Attached/ Subordinate Offices.	Proforma I
2.	Progress Report in respect of filling up of backlog vacancies in the Autonomous Bodies.	Proforma II
3.	Progress Report in respect of filling up of backlog vacancies in the Public Sector Undertakings.	Proforma III

7. It is expected that a large number of the backlog vacancies would be filled up by 15.2.2010 and remaining by 30.3.2010. If any vacancy still remains unfilled, it should be filled up latest by 15.7.2010. In order to enable this Department to assess the progress of the Drive, the above referred reports should be sent to this Department three times - first by **15.2.2010**, second by **30.3.2010** indicating the progress made up to these dates and final report by **31.7.2010**.
8. The Attached Offices/Subordinate Offices/Autonomous Bodies/Public Sector Undertakings should not send the report direct to this Department. They should send the information to their administrative Ministry/Department which will consolidate the information and send such consolidated information to this Department.

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9. It is also emphasized that while filling up the current vacancies, instructions about reservation for persons with disabilities contained in this Department's O.M. dated 29.12.2005 should be strictly followed.

10. Hindi version will follow.

(K.G. Verma)

Director

Tel. No.2309 2158

## To

1. Secretaries of all the Ministries/Departments.
2. Liaison Officers for SCs, STs, OBCs and Persons with Disabilities in all the Ministries / Departments.
3. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
4. Department of Economic Affairs, New Delhi.
5. Department of Financial Services, New Delhi.
6. Department of Public Enterprises, New Delhi.
7. Railway Board.
8. Union Public Service Commission/Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission/Staff Selection Commission
9. DoPT, CS Division- DS(CS.I/DS-CSII)
10. Office of Chief Commissioner for Persons with Disabilities.
11. File No. 36012/23/2009-Estt(Res)

**PROFORMA-I****SPECIAL RECRUITMENT DRIVE 2009-2010 PROGRESS REPORT****(Consolidated information in respect of Ministry/Department/Attached/Subordinate Offices)**

	DIRECT RECRUITMENT		PROMOTION	
	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled
(1)	(2)	(3)	(4)	(5)
GROUP A	-	-	NIL*	NIL*
GROUP B	-	-	NIL*	NIL*
GROUP C	-	-	-	-
GROUP D	-	-	-	-
Total	-	-	-	-

**Note:- There is no reservation for persons with disability in promotion in Group A and Group B Posts.**



## PROFORMA-II

### SPECIAL RECRUITMENT DRIVE 2009-2010 PROGRESS REPORT (Consolidated information in respect of Autonomous Bodies)

	DIRECT RECRUITMENT WITMENT		PROMOTION	
	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled
(1)	(2)	(3)	(4)	(5)
GROUP A or EQUIVALENT	-	-	NIL*	NIL*
GROUP B or EQUIVALENT	-	-	NIL*	NIL*
GROUP C or EQUIVALENT	-	-	-	-
GROUP D or EQUIVALENT	-	-	-	-
Total	-	-	-	-

**Note:- There is no reservation for persons with disability in promotion in Group A and Group B Posts.**

## PROFORMA-III

### SPECIAL RECRUITMENT DRIVE 2009-2010 PROGRESS REPORT (Consolidated information in respect of Public Sector Undertakings)

	DIRECT RECRUITMENT		PROMOTION	
	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled	No. of Backlog vacancies Identified (as on 15.11.2009)	No. of Backlog Vacancies Filled
(1)	(2)	(3)	(4)	(5)
GROUP A or EQUIVALENT	-	-	NIL*	NIL*
GROUP B or EQUIVALENT	-	-	NIL*	NIL*
GROUP C or EQUIVALENT	-	-	-	-
GROUP D or EQUIVALENT	-	-	-	-
Total	-	-	-	-

**Note: - There is no reservation for persons with disability in promotion in Group A and Group B Posts.**