

No. 18-25/2024-Policy
Government of India
Ministry of Social Justice and Empowerment
Department of Empowerment of Persons with Disabilities (Divyangjan)

5th Floor, B Wing, Pt. Deendayal Antodaya Bhawan,
CGO Complex, Lodhi Road New Delhi-110003
Dated: 17th December, 2025

Office Memorandum

Subject: Clarification regarding eligibility of Persons with Benchmark Disabilities for reservation in recruitment.

The undersigned is directed to refer to a representation from Sh. Himshikhar Deka dated 19.11.25 and this Department's OM No. P-13013/57/2023-Policy dated 20.01.2025 (copy enclosed), to DoPT, clarifying that candidates with disabilities which are progressive, non-progressive or not likely to improve, as defined under the RPwD Act, 2016, shall be considered equivalent to "Permanent Disability" for the purpose of disability certification in terms of RPwD Amendment Rules, 2024 and may be considered for the benefit of reservation under Section 34 of the RPwD Act 2016. Further, the certificates having the condition prescribed as "likely to improve" to be issued temporary disability certificate and may not be considered eligible for reservation.

2. It is to be noted that, PwBD candidates with disabilities that are progressive, non-progressive or not likely to improve may not be denied reservation merely on the ground that their disability certificate indicates the disability as "temporary". Therefore, if the recruiting body receives such disability certificates being "temporary" in nature but having conditions other than "likely to improve", the certificates not to be outrightly rejected, and candidates be advised to get them re-assessed under RPwD Amendment Rules 2024.

3. Further, to effectively address the issues raised in the petition, while publishing the advertisements, all Ministries/ Departments and Establishments under its control are requested to ensure specifying the following so that candidates do not face undue hardship while applying for the examination:

- i. That the disability conditions falling under the category "likely to improve" under temporary disability category, are not eligible for reservation.
- ii. That the conditions i.e. "progressive, non-progressive or not likely to improve" are to be treated eligible for reservation.

Encl: As above

(Debala Bhattacharjee)
Under Secretary to the Govt. of India
(Email: debala.joarder@gov.in)

To,

The Secretary, all Ministries/Departments, Government of the India
(As per standard list)

Copy to:

Sh. Himshikhar Deka,
Chandmari, Kamrup, Guwahati.
E-mail: himshikhar.99@gmail.com

कार्यालय ज्ञापन / OFFICE MEMORANDUM

Subject: Clarification with respect to reservation to PWBD in Direct Recruitment on the basis of Temporary Disability Certificate-reg;

The undersigned is directed to refer to DoPT's OM dated 20.12.2024 on the subject to furnish the comments of DEPWD regarding the grant of benefit of reservation/age relaxation in direct recruitment to PWBDs on the basis of temporary disability certificate:

- (i) Under section 34 of the RPwD Act 2016, persons with benchmark disability i.e. 40% and above are eligible for the benefits of reservation in r/o four specific categories of disabilities. The Section does not make any reference to the nature of the disability certificate. As per the recently revised RPWD (Amendment) Rules, 2024 issued vide Notification dated 16.10.2024, the medical authority shall, after due examination-
- issue a permanent Disability certificate in cases where there are no chances of improvement over time in the degree of disability; or
 - issue a certificate of disability Card indicating the period of validity, in cases where there is any chance of improvement over time in the degree of disability.

This implies that the cases of disabilities that are progressive/non-progressive/non-likely to improve, as were specified in the RPwD Rules, 2017, are now covered under the "permanent disability" category. Further, as per DoPT's guidelines, temporary certificates are not eligible for reservation benefits in promotion. Since reservation benefits are not being granted in the "promotion", the same ground should also apply for appointment through direct recruitment.


In view of this, henceforth, for any appointment the temporary certificates of disability i.e. certificates with specific validity period, where there is any chance of improvement over time in the degree of disability may not be accepted as eligible for getting reservation benefits for PwBDs, under Section 34 of RPwD Act 2016 in rio Direct Recruitment as well as Promotions.

P.T.O .

- (ii) As per Section 34(3) of the RPWD Act 2016, the appropriate Government may, by notification, provide for such relaxation of upper age limit for employment of persons with benchmark disability, as it thinks fit.

Subsequent to the issuance of RPWD (Amendment) Rules, 2024 dated 16.10.2024, the matter of age-relaxation has been re-examined and it is opined that age relaxation, though is not linked with reservation, both of them (age relaxation and reservation) are relief offered to applicants in disadvantageous position. Therefore, both these benefits may be treated equally, i.e., these may be made available to the persons with permanent disability only.

2. This issues with the approval of the Competent Authority.

 20.11.2025.

(Debala Bhattacharjee)

अवर सचिव, भारत सरकार / Under Secretary to the Govt of India

दूरभाष/Tel: 2436-6027

D/o Personnel and Training

[Shri Ajay Kumar Sinha, Under Secretary]

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