पूर्व रेलवे
हावड़ा मंडल

“ सशक्त ”

A document on Divyangjan Matters

सुगम्य भारत अभियान
सुगम्य भारत – सशक्त भारत
Department of Empowerment of Persons with Disabilities
Ministry of Social Justice & Empowerment



An initiative by Personnel Department, Howrah

Index | अनुक्रमणिका

1. Preface | प्रस्तावना - Page 4 | पृष्ठ 4
2. Railway's Commitment to Divyangjan | दिव्यांगजन के प्रति रेलवे की प्रतिबद्धता - Page 8 | पृष्ठ 8
3. International Law on Disability | दिव्यांगता पर अंतरराष्ट्रीय कानून - Page 9 | पृष्ठ 9
4. National Act/Policy/Rules on Disability | दिव्यांगता पर राष्ट्रीय अधिनियम/नीति/नियम - Page 10 | पृष्ठ 10
5. Persons with Benchmark Disability | बेंचमार्क दिव्यांगजन - Page 11 | पृष्ठ 11
6. Person with Disability | दिव्यांग व्यक्ति - Page 12 | पृष्ठ 12
7. Certificate of Disability | दिव्यांगता प्रमाण पत्र - Page 13 | पृष्ठ 13
8. Reservation in Direct Recruitment | सीधी भर्ती में आरक्षण - Page 14 | पृष्ठ 14
9. Reservation in Promotion | पदोन्नति में आरक्षण - Page 15 | पृष्ठ 15
10. Relaxation in Minimum Qualifying Marks | न्यूनतम योग्यता अंकों में छूट - Page 16 | पृष्ठ 16
11. Exemption from Reservation | आरक्षण से छूट - Page 17 | पृष्ठ 17
12. Maintenance of Roster Register | रोस्टर रजिस्टर का रखरखाव - Page 18 | पृष्ठ 18
13. Age Relaxation | आयु में छूट - Page 19 | पृष्ठ 19
14. Exam Fee Exemption | परीक्षा शुल्क में छूट - Page 20 | पृष्ठ 20
15. Scribe Facility | लेखक (स्क्राइब) सुविधा - Page 21 | पृष्ठ 21
16. Type Test Exemption | टाइपिंग परीक्षा से छूट - Page 22 | पृष्ठ 22
17. Adjustment against Unreserved Vacancies | अनारक्षित रिक्तियों के विरुद्ध समायोजन - Page 23 | पृष्ठ 23
18. Relaxation of Standard of Suitability | उपयुक्तता मानकों में छूट - Page 24 | पृष्ठ 24
19. Posting/Transfer of PwDs | दिव्यांगजन की तैनाती/स्थानांतरण - Page 25 | पृष्ठ 25
20. Interse Exchange & Carry Forward of Reservation in Direct Recruitment | सीधी भर्ती में पारस्परिक अदला-बदली एवं आरक्षण का आगे ले जाना - Page 26 | पृष्ठ 26

Index | अनुक्रमणिका

21. Zone of Consideration & Carry Forward of Reservation in Promotion | पदोन्नति में विचार क्षेत्र एवं आरक्षण का आगे ले जाना - Page 27-28 | पृष्ठ 27-28
22. Posting of Staff with Disabled Children | दिव्यांग बच्चों वाले कर्मचारियों की तैनाती - Page 29 | पृष्ठ 29
23. Allotment of Quarters | आवास आवंटन - Page 30 | पृष्ठ 30
24. Computation of Reserved Vacancies | आरक्षित रिक्तियों की गणना - Page 31 | पृष्ठ 31
25. Horizontal Roster | क्षैतिज रोस्टर - Page 32 | पृष्ठ 32
26. Other Benefits | अन्य लाभ - Page 33-34 | पृष्ठ 33-34
27. Concession Facilities Provided by Railways | रेलवे द्वारा दी जाने वाली रियायतें - Page 35 | पृष्ठ 35
28. Liaison Officer for PwBDs | दिव्यांगजन के लिए संपर्क अधिकारी - Page 36 | पृष्ठ 36
29. Central Government Departments for PwDs | दिव्यांगजन से संबंधित केंद्रीय सरकारी विभाग - Page 37 | पृष्ठ 37
30. Maintenance of Complaint Register | शिकायत रजिस्टर का रखरखाव - Page 38 | पृष्ठ 38
31. Grievance Redressal Mechanism | शिकायत निवारण तंत्र - Page 39 | पृष्ठ 39
32. Record Maintenance by Establishments | संस्थानों द्वारा रिकॉर्ड प्रबंधन - Page 40 | पृष्ठ 40
33. Equal Opportunity Policy | समान अवसर नीति - Page 41 | पृष्ठ 41
34. Legal Provisions & Rules Related to PwDs | दिव्यांगजन से संबंधित कानूनी धाराएं एवं नियम - Page 42-57 | पृष्ठ 42-27
35. Type of total disability 21 as per schedule of RPWD Act-2017 | आरपीडब्ल्यूडी अधिनियम-2017 की अनुसूची के अनुसार कुल विकलांगता का प्रकार 21 Page 58-59 | पृष्ठ 58-59
36. Snaps of Training Conducted in Howrah Division | हावड़ा मंडल में आयोजित प्रशिक्षण की तस्वीरें Page 60 | पृष्ठ 60
37. Frequently Asked Questions (FAQs) | अक्सर पूछे जाने वाले प्रश्न (एफएक्यू) - Page 61-74 | पृष्ठ 61-74

प्रस्तावना



श्री संजीव कुमार, मंडल रेल प्रबंधक/हावड़ा

प्रिय दिव्यांगजन,

यह दस्तावेज़ आपको और आपकी यात्रा को समर्पित है, जो एक ऐसी दुनिया की ओर ले जाती है, जो शारीरिक चुनौतियों के बावजूद सभी व्यक्तियों को गले लगाती है और उन्हें सशक्त बनाती है। वर्ष 2015 में शुरू किए गए भारत सरकार के 'सुगम्य भारत अभियान' का उद्देश्य ऐसा माहौल बनाना था, जहाँ विकलांग व्यक्ति सम्मान, समानता और स्वतंत्रता के साथ रह सकें। देश के परिवहन नेटवर्क के अभिन्न अंग के रूप में भारतीय रेलवे ने इस दृष्टिकोण को पूरे मन से अपनाया है तथा आपकी यात्रा को सुगम, सुविधाजनक और सुलभता को सुनिश्चित करने में महत्वपूर्ण प्रगति की है।

हम समझते हैं कि यात्रा अक्सर एक चुनौती हो सकती है, लेकिन इस दस्तावेज़ में उल्लिखित पहलों के साथ, हमने बाधाओं को दूर करने का काम किया है, जिससे आपको एक ऐसी यात्रा मिल सके जो आपकी ज़रूरतों का सम्मान करती हो। विशेष रूप से डिज़ाइन किए गए कोच से लेकर विशेष आरक्षण प्रणाली तक, व्हीलचेयर सेवाओं से लेकर बैटरी से चलने वाले वाहनों तक, हमने आपकी सुविधा और स्वतंत्रता को पूरा करने के लिए यात्रा के लिए फिर से कल्पना की है। हमारी प्रतिबद्धता आरक्षित कोटा, रियायती किराए और स्टेशनों पर सहायता तक आसान पहुँच जैसी सुविधाओं में परिलक्षित होती है।
हमारे दिव्यांगजन नागरिकों और कर्मचारियों को उनके अधिकारों, अवसरों के बारे में जागरूक होना चाहिए। यह दस्तावेज़ परीक्षा, प्रशिक्षण, आरक्षण आदि के संबंध में प्रावधानों और दिशा-निर्देशों की रुप रेखा तैयार करने का एक प्रयास है।
इससे उन्हें आगे बढ़ने और विकसित भारत के भावी नेता बनने में मदद मिलेगी।

हार्दिक शुभकामनाएं,

Preface



Sri. Sanjeev Kumar,
DRM/Howrah

Dear Divyangjan,

This document is dedicated to you and your journey towards a world that embraces and empowers all individuals, regardless of physical challenges. The Indian Government's 'Accessible India Campaign,' launched in 2015, sought to create an environment where persons with disabilities can live with dignity, equality, and freedom. Indian Railways, as an integral part of the nation's transportation network, has wholeheartedly embraced this vision, making significant strides in ensuring your travel experience is smooth, convenient, and accessible.

We understand that travel can often be a challenge, but with the initiatives outlined in this document, we have worked to remove barriers, providing you with a journey that respects your needs. From specially designed coaches to exclusive reservation systems, from wheelchair services to battery-operated vehicles, we have reimagined travel to cater to your comfort and independence. Our commitment is reflected in facilities like reserved quotas, concessional fares, and easy access to assistance at stations.

Our Divyangjan Citizens & Employees must be aware of their rights, opportunities. This document is an attempt to outline the provisions & guidelines with respect to the exams, training, reservation etc.

This will enable them to rise up the ladder and be the future leaders of Vikshit Bharat.

Warm regards,



प्रस्तावना



श्री. हर्ष कुमार गर्ग, वरिष्ठ मंकाधि/हावड़ा

प्रिय सभी,

हम बड़े गर्व और सम्मान के साथ आप सभी को संबोधित कर रहे हैं, जो हमारे संगठन के अमूल्य योगदानकर्ता हैं। आपका समर्पण, लचीलापन और अद्वितीय दृष्टिकोण हमारी वृद्धि और सफलता के लिए अभिन्न अंग हैं। यह दस्तावेज़ आपके लिए एक समावेशी और सशक्त कार्यस्थल को बढ़ावा देने के लिए हमारी अटूट प्रतिबद्धता की पुष्टि करने के लिए सोच-समझकर तैयार किया गया है।

वर्ष 2016 के आरपीडब्ल्यूडी अधिनियम, यूएनसीआरपीडी और सुलभ भारत अभियान सहित राष्ट्रीय और अंतर्राष्ट्रीय दिशानिर्देशों से आकर्षित होकर, हमारा लक्ष्य यह सुनिश्चित करना है कि प्रत्येक नीति और रूपरेखा आपकी भलाई और पेशेवर विकास के लिए हमारे समर्पण को दर्शाती है। इन उपायों में भर्ती और पदोन्नति में आरक्षण, सुविधाओं तक पहुँच और शिकायत निवारण के प्रावधान शामिल हैं, जो सभी बाधाओं को दूर करने और समानता को बढ़ावा देने के लिए डिज़ाइन किए गए हैं।

हम एक ऐसा वातावरण बनाने के महत्व को समझते हैं जहाँ आप मूल्यवान और समर्थित महसूस करते हैं। यह संसाधन केवल एक मार्गदर्शक नहीं है बल्कि यह सुनिश्चित करने की प्रतिज्ञा है कि आपकी ज़रूरतों को प्राथमिकता दी जाए, आपके योगदान के लिए समारोह आयोजित किया जाए जिससे आपकी क्षमता का पूरी तरह से एहसास हो। साथ मिलकर, हम विविधता और समावेश के सिद्धांतों को बनाए रखने का प्रयास करते हैं जो हमारे संगठन को मजबूत बनाते हैं।

हमें प्रेरित करने और उत्कृष्टता के प्रति आपकी अटूट प्रतिबद्धता के लिए धन्यवाद। आइए हम एक ऐसे भविष्य का निर्माण जारी रखें जहाँ हर व्यक्ति सफल हो सके चाहे उनकी क्षमता कुछ भी हो।

हार्दिक शुभकामनाएँ,

हर्ष कुमार गर्ग

Preface



Sri. Harsh Kumar Garg,
Sr.DPO/Howrah

Dear All,

It is with great pride and respect that we address you, the invaluable contributors to our organization. Your dedication, resilience, and unique perspectives are integral to our growth and success. This document has been thoughtfully crafted to affirm our unwavering commitment to fostering an inclusive and empowering workplace for you.

Drawing from National and International guidelines, including the RPWD Act of 2016, the UNCRPD, and the Accessible India Campaign, we aim to ensure that every policy and framework reflects our dedication to your well-being and professional development. These measures include reservations in recruitment and promotion, access to facilities, and provisions for grievance redressal, all designed to eliminate barriers and promote equity.

We recognize the importance of creating an environment where you feel valued and supported. This resource is not just a guide but a pledge to ensure that your needs are prioritized, your contributions are celebrated, and your potential is fully realized. Together, we strive to uphold the principles of diversity and inclusion that make our organization stronger.

Thank you for inspiring us and for your unwavering commitment to excellence. Let us continue building a future where every individual can thrive, irrespective of their abilities.

Warm regards,

दिव्यांगजनों के प्रति रेलवे की प्रतिबद्धता
Railway's Commitment to Divyangjan



भारतीय रेलवे, भारत सरकार के "सुगम्य भारत मिशन" या "सुगम्य भारत अभियान" के हिस्से के रूप में अपने रेलवे स्टेशनों और ट्रेनों को दिव्यांगजनों के लिए सुलभ बनाने के लिए प्रतिबद्ध है।

Indian Railways is committed to make its Railway stations and trains accessible for Persons with Disabilities (Divyangjan) as part of "***Sugamya Bharat Mission***" or "***Accessible India Campaign***" of Government of India.

दिव्यांगजनों के लिए अंतर्राष्ट्रीय कानून
International Law on Disability

यूएनसीआरपीडी "दिव्यांगजनों के अधिकारों पर संयुक्त राष्ट्र कन्वेंशन" को संयुक्त राष्ट्र द्वारा 13 दिसंबर 2006 को अपनाया गया था और इसके बाद हमारे देश भारत ने यूएनसीआरपीडी पर हस्ताक्षर किए और बाद में 1 अक्टूबर 2007 को इसे मंजूरी दी गई।

UNCRPD "**United Nation Convention on the Rights of Persons with Disabilities**" was adopted by the United Nation on 13th December 2006 and further our Country India was signed the UNCRPD and subsequently ratified on 1st October 2007.



दिव्यांगजन पर राष्ट्रीय अधिनियम/नीति/नियम
National Act/Policy/Rules on Disability

ए . दिव्यांगजन अधिकार अधिनियम-1995- दिव्यांगजन अधिकार अधिनियम-1995 को भारत के राष्ट्रपति ने 1 जनवरी 1996 को मंजूरी दी थी और इसे 7 फरवरी 1996 से लागू किया गया।

बी. आर.पी.डब्लू.डी. अधिनियम-2016- आर.पी.डब्लू.डी. अधिनियम-2016 दिसंबर 2016 में संसद द्वारा पारित किया गया तथा 27 दिसंबर 2016 को भारत के राष्ट्रपति द्वारा इस पर हस्ताक्षर किया गया तथा 19 अप्रैल 2017 को इसे इसे लागू किया गया।

सी. दिव्यांगजनों के लिए राष्ट्रीय नीति 2006- दिव्यांगजनों के लिए फरवरी - 2006 से राष्ट्रीय नीति लागू की गई।

डी. आरपीडब्ल्यूडी नियम-2017- दिनांक 15 जून 2017 को आरपीडब्ल्यूडी नियम-2017 अधिसूचित।

A. **PWD Act-1995-** The PWD Act-1995 approved by the President of India on 1st January 1996 and the same is implemented from 7th February 1996.

B. **RPWD Act-2016-** The RPWD Act-2016 passed by the Parliament in the month of December 2016 and same is signed by the president of India on 27th December 2016 and further it is implemented w.e.f 19th April 2017.

C. **National policy for the persons with disability 2006-** National Policy for the persons with disabilities implemented from February-2006.

D. **RPWD Rules-2017-** RPWD Rules-2017 notify on 15th June 2017.

बेंचमार्क दिव्यांगजन
Persons with Benchmark Disability

आरपीडब्ल्यूडी अधिनियम-2017 की धारा 2 (आर) के अनुसार- "बेंचमार्क दिव्यांगजन " का अर्थ है निर्दिष्ट दिव्यांगता का 40% से कम नहीं होना, जहां निर्दिष्ट दिव्यांगता को मापने योग्य शर्तों में परिभाषित नहीं किया गया है

और

इसमें दिव्यांगजन शामिल हैं, जहां निर्दिष्ट दिव्यांगता को मापने योग्य शर्तों में परिभाषित किया गया है, जैसा कि प्रमाणन प्राधिकारी द्वारा प्रमाणित किया गया है।

As per section 2 (r) of RPWD Act-2017-“Persons with benchmark disability" means a person with not less than 40% of a specified disability where specified disability has not been defined in measurable terms

&

includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority.

दिव्यांगजन
Person with Disability

आरपीडब्ल्यूडी अधिनियम-2017 की धारा 2 (एस) के अनुसार, आरपीडब्ल्यूडी का तात्पर्य दीर्घकालिक शारीरिक, मानसिक, बौद्धिक या संवेदी क्षति से है, जो बातचीत करने में बाधा डालता है और दूसरों के साथ समान रूप से समाज में उनकी पूर्ण और प्रभावी भागीदारी में बाधा डालता है।

As per section 2 (s) of RPWD Act-2017 means a person with long term physical mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others.

दिव्यांगता प्रमाणपत्र
Certificate of Disability

जो व्यक्ति आरक्षण का लाभ लेना चाहता है, उसे सक्षम प्राधिकारी द्वारा जारी दिव्यांगता प्रमाण पत्र प्रस्तुत करना होगा।

A person who wants to avail the benefit of reservation will have to submit **a certificate** of disability issued by a Competent Authority.





सीधी भर्ती में आरक्षण
Reservation in Direct Recruitment

भारत सरकार द्वारा वर्ष 1977 में पहली बार सीधी भर्ती में 3% आरक्षण प्रदान किया गया था तथा आरपीडब्ल्यूडी अधिनियम-2016 के लागू होने के बाद सीधी भर्ती में 4% आरक्षण लागू किया गया है।

First time 3% Reservation in Direct recruitment has been provided by the Government of India in 1977 and **4% reservation in direct recruitment** has been implemented after implementation of RPWD Act-2016



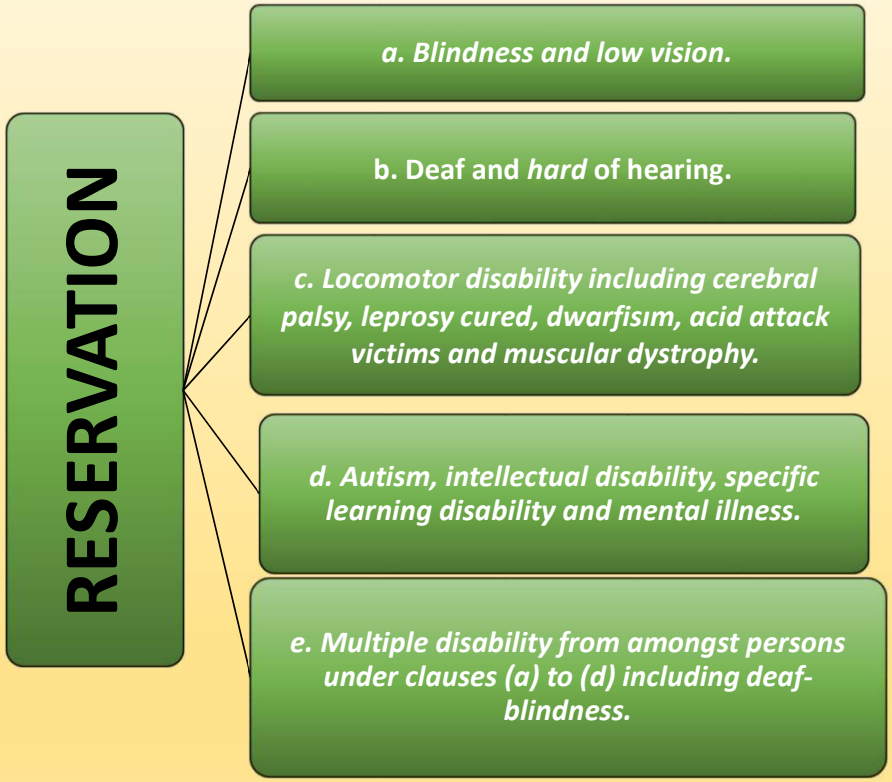
पदोन्नति में आरक्षण
Reservation in Promotion

20.11.1989 से ग्रुप "डी" से "सी" तथा ग्रुप "सी" के साथ पदोन्नति में 3% आरक्षण लागू किया गया है तथा उसके पश्चात 17.05.2022 से सभी ग्रुप में पदोन्नति में 4% आरक्षण लागू किया गया है।

प्रत्येक दिव्यांगता के लिए निर्धारित पदों के विरुद्ध, क्रमशः खंड (ए), (बी) और (सी) के तहत पीडब्ल्यूबीडी के लिए 1% तथा नीचे दिए गए खंड (डी) और (ई) के तहत संयुक्त रूप से एक प्रतिशत आरक्षित किया जाएगा, अन्यथा जब तक कि वर्तमान प्रावधानों के तहत बाहर न रखा गया हो ।

3% Reservation in promotion has been implemented w.e.f. 20.11.1989 with in Group "D" to "C" and with Group "C" and after that 4% reservation in promotion has been implemented w.e.f 17.05.2022 in all Groups.

Against the posts identified for each disability, 1% each shall be reserved for PwBDs under clauses (a), (b) and (c) respectively, and one percent combined, under clauses (d) and (e) below, unless otherwise excluded under the existing provisions:



न्यूनतम अर्हता अंकों में छूट
Relaxation in minimum qualifying marks

सीधी भर्ती के समय, उनके लिए आरक्षित रिक्तियों के विरुद्ध दिव्यांग उम्मीदवारों की कमी की स्थिति में, समुदाय के लिए निर्धारित न्यूनतम अर्हता अंकों में 2% तक की छूट दी जाती है।

Relaxation of up to **2% marks in the minimum qualifying marks** prescribed for the community is allowed at the time of direct recruitment, in case of shortage of PWD candidates against vacancies reserved for them.



आरक्षण से छूट
Exemption from Reservation

यदि केंद्र सरकार का कोई मंत्रालय/विभाग किसी प्रतिष्ठान या किसी संवर्ग या संवर्गों को दिव्यांगजनों के लिए सीधी भर्ती या पदोन्नति में आरक्षण के प्रावधानों से पूरी तरह या आंशिक रूप से छूट देना आवश्यक समझता है, तो उसे प्रस्ताव का पूरा औचित्य बताते हुए दिव्यांगजन सशक्तिकरण विभाग को संदर्भ देना होगा। दिव्यांगजन सशक्तिकरण विभाग, किसी भी सरकारी प्रतिष्ठान में किए जाने वाले कार्य के प्रकार को ध्यान में रखते हुए, मुख्य दिव्यांगजन आयुक्त (सीसीपीडी) के परामर्श से अधिसूचना द्वारा किसी प्रतिष्ठान या किसी संवर्ग को दिव्यांगजनों के लिए आरक्षण के प्रावधानों से पूरी तरह या आंशिक रूप से छूट दे सकता है। ऐसा करते समय, दिव्यांगजन सशक्तिकरण विभाग द्वारा जारी और समय-समय पर संशोधित, दिनांक 4 जनवरी 2021 की अधिसूचना संख्या-38-16/2020-डीडी.II के तहत नोट 1 से 9 को कृपया ध्यान में रखा जाए।

If any ***Ministry/Department*** in the ***Central Government*** considers it necessary to exempt any establishment or any cadre or cadres fully or partly from the provisions of reservation in direct recruitment or promotion for PwBDs, it shall make reference to the DEPwD, giving full justification for the proposal. The DEPwD, having regard to the type of work carried out in any Government establishment, by notification, in consultation with the Chief Commissioner for Persons with Disabilities (CCPD), may exempt any Establishment or any cadre(s), fully or partly, from the provisions of reservation for PwBDs. While doing so, Notes 1 to 9 under the Notification No-38-16/2020-DD.II, dated the 4th January 2021, issued and as modified from time to time by the DEPwD, may kindly be kept in view.

रोस्टर रजिस्टर का रख-रखाव
Maintenance of Roster Register

- प्रत्येक सरकारी प्रतिष्ठान सीधी भर्ती के साथ-साथ पदोन्नति के मामले में, संवर्गवार और समूहवार, पृथक 100- प्वाइंट रिक्ति-आधारित आरक्षण रोस्टर/रजिस्टर बनाए रखेगा।

- Every Government establishment shall maintain, cadre-wise and group-wise, a separate 100-point vacancy-based reservation roster/register in case of direct recruitment as well as in case of promotion.

- रोस्टर के प्वाइंट 1, 26, 51 और 76 को दिव्यांग व्यक्तियों के लिए निर्धारित किया जाएगा। यदि प्वाइंट संख्या 1 पर आने वाली रिक्ति दिव्यांग व्यक्तियों के लिए पहचानी नहीं जाती है, या यदि विभागाध्यक्ष को लगता है कि किसी अन्य कारण से दिव्यांग व्यि यों द्वारा उस पद को भरना संभव नहीं है, जिसे लिखित रूप में दर्ज किया जाना चाहिए, तो 2 से 25 तक के किसी भी प्वाइंट पर आने वाली रिक्तियों में से एक को दिव्यांग व्यक्तियों के लिए आरक्षित माना जाएगा और दोनों मामलों में उसी तरह भरा जाएगा (प्रत्यक्ष/पदोन्नति)।

- Points 1, 26, 51 & 76 of the roster shall be earmarked for PwBDs. If the vacancy falling at point no.- 1 is not identified for PwBD, or if the Head of the Department feels that it is not possible to fill up that post by the PwBDs for any other reason, to be recorded in writing, one of the vacancies falling at any of the points from 2 to 25 shall be treated as reserved for the PwBD and filled, as such in both cases (Direct/Promotion).

- रोस्टर के सभी 100 प्वाइंट सम्मिलित हो जाने के बाद, 100 प्वाइंटों का एक नया चक्र शुरू होगा।

- After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

आयु में छूट
Age Relaxation

सीधी भर्ती के समय दिव्यांग व्यक्तियों को अधिकतम 10 से 15 वर्ष की आयु में छूट प्रदान की गई है।

Maximum **10 to 15 years age relaxation** has been provided to PwBDs at the time of direct recruitment.

Age Relaxation

- 10 वर्ष Years — दिव्यांगजनों के लिए(पीडब्ल्यूडी) अनारक्षित Persons With Disabilities (PWD) UR
- 13 वर्ष Years — दिव्यांगजन अन्य पिछड़ा वर्ग- गैर क्रीमी लेयर PWD OBC-Non Creamy Layer
- 15 वर्ष Years — दिव्यांगजन अनुसूचित जाति/अनुसूचित जन-जाति PWD SC/ST

परीक्षा शुल्क में छूट
Exam fee Exemption

सीधी भर्ती के समय दिव्यांगजनों के लिए परीक्षा शुल्क में छूट दी गई है।

Examination fee has been **exempted** for PwBDs at the time of direct recruitment.



लिखने वाले (स्क्राइब) की सुविधा
Scribe Facility

उन दिव्यांग व्यक्तियों को स्क्राइब सुविधा प्रदान की गई है जो सीधी भर्ती के समय तथा पदोन्नति के मामले में स्वतंत्र रूप से अपना पेपर लिखने में सक्षम नहीं हैं।

Scribe facility has been provided to PwBDs those who are not be able to write his/her paper independently at the time of direct recruitment as well as in case of promotion.





टंकण जाँच में छूट
Type test Exemption

जो दिव्यांगजन टंकण करने में सक्षम नहीं हैं, उन्हें सक्षम चिकित्सा प्राधिकारियों की सिफारिश पर टंकण जाँच से छूट दी जाती है।

PwBDs those who are not be able to type are exempted from type test on the recommendation of ***Competent Medical Authorities***.



अनारक्षित रिक्तियों के विरुद्ध समायोजन
Adjustment against Unreserved Vacancies

ए. यदि पद दिव्यांग उम्मीदवार के लिए निर्धारित है तो वह अनारक्षित रिक्ति पर प्रतिस्पर्धा कर सकता है।

a. If the post is identified for PwBD candidate he may compete on unreserved vacancy.

बी. यदि किसी दिव्यांग उम्मीदवार को अन्य उम्मीदवारों के साथ बिना छूट वाले मानदंडों के साथ चुना जाता है, तो उसे आरक्षित रिक्तियों में समायोजित नहीं किया जाएगा।

b. If a PwBD candidate selected without relaxed standards along with other candidates will not be adjusted against the reserved vacancies.

उपरोक्त प्रावधान सीधी भर्ती के साथ-साथ पदोन्नति में आरक्षण के मामले में भी लागू किया गया है।

Above provision is implemented in case of direct recruitment as well as in case of reservation in promotion.

उपयुक्तता के मानक में छूट
Relaxation of standard of Suitability

- यदि सामान्य मानक के आधार पर उनके लिए आरक्षित सभी रिक्तियों को भरने के लिए बेंचमार्क विकलांगता वाले अभ्यर्थी पर्याप्त संख्या में उपलब्ध नहीं हैं, तो शेष रिक्तियों को भरने के लिए इस श्रेणी के अभ्यर्थियों को छूट मानक पर चुना जा सकता है।

- If sufficient number of candidates with benchmark disabilities are not available on the basis of the general standard to fill all the vacancies reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies.

- सभी बेंचमार्क दिव्यांग उम्मीदवारों के लिए समान छूट वाला मानक लागू किया जाना चाहिए, चाहे वे अनारक्षित/एससी/एसटी/ओबीसी से संबंधित हों। किसी भी श्रेणी के किसी भी उम्मीदवार के पक्ष में मानकों में कोई और छूट नहीं दी जाएगी या स्वीकार्य नहीं होगी।

- Same relaxed standard should be applied for all the candidates with benchmark disabilities whether they belong to unreserved/SC/ST/OBC. No further relaxation of standards will be considered or admissible in favour of any candidate from any category whatsoever.

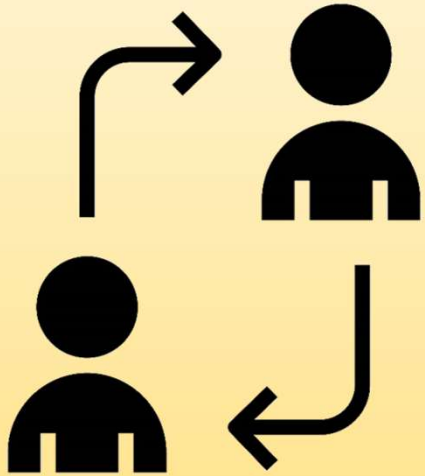
- उपरोक्त प्रावधान सीधी भर्ती के साथ-साथ पदोन्नति में आरक्षण के मामले में भी लागू किया गया है।

- Above provision is implemented in case of direct recruitment as well as in case of reservation in promotion.

दिव्यांगजनों की तैनाती/स्थानान्तरण
Posting/Transfer of PwDs

- जिन दिव्यांगजनो को गैर-राजपत्रित पदों पर भर्ती किया गया है, उन्हें यथासंभव प्रशासनिक बाधाओं के अधीन, उनके मूल निवास स्थान के निकट तैनाती दी जा सकती है।
- दिव्यांग कर्मचारियों द्वारा उनके मूल निवास स्थान पर या उसके निकट स्थानांतरण के अनुरोध को भी प्राथमिकता दी जा सकती है।
- दिव्यांगजनों को रोटेशनल स्थानान्तरण नीति/स्थानांतरण से छूट दी जा सकती है और उन्हें उसी नौकरी में बने रहने की अनुमति दी जा सकती है, जहाँ उन्होंने वांछित प्रदर्शन हासिल किया होगा।
- प्रशासनिक बाधाओं के अधीन पदोन्नति के समय तैनाती स्थल पर दिव्यांगजनों को वरीयता दी जा सकती है। (आरबीई संख्या 23/1992 और बोर्ड का पत्र दिनांक 11/8/2015)।

- Physically handicapped person who has been recruited to Non-Gazetted posts may be given posting, as far as possible, subject to administrative constraints, near their native places within the region.
- Requests from physically handicapped employees for request transfer to or near their native places may also be given preference.
- Persons with disabilities may be exempted from the rotational transfer policy/transfer and be allowed to continue in the same job, where they would have achieved the desired performance.
- Preference in place of posting at the time of promotion may be given to the persons with disability subject to the administrative constraints. (RBE No. 23/1992 and Board's letter dated 11/8/2015).



सीधी भर्ती के मामले में आरक्षण का पारस्परिक आदान-प्रदान और आगे ले जाना
Interse exchange and Carry forward of reservation in case of Direct Recruitment

ए) जहां किसी भर्ती वर्ष में बेंचमार्क दिव्यांग व्यक्ति की अनुपलब्धता के कारण या किसी अन्य पर्याप्त कारण से कोई रिक्ति नहीं भरी जा सकती है, ऐसी रिक्ति को अगले भर्ती वर्ष में आगे ले जाया जाएगा।

बी) यदि अगले भर्ती वर्ष में भी बेंचमार्क उपयुक्त दिव्यांग व्यक्ति उपलब्ध नहीं है, तो इसे पहले दिव्यांगता की चार श्रेणियों के बीच आदान-प्रदान द्वारा भरा जा सकता है।

सी) केवल तभी जब उस वर्ष में पद के लिए बेंचमार्क कोई दिव्यांग व्यक्ति उपलब्ध नहीं है, तो नियोक्ता बेंचमार्क कोई दिव्यांग व्यक्ति के अलावा किसी अन्य व्यक्ति की नियुक्ति करके रिक्ति को भरेगा।

डी) यदि रिक्ति को बाद के भर्ती वर्ष में बेंचमार्क दिव्यांग व्यक्ति के अलावा किसी अन्य व्यक्ति द्वारा भरा जाता है, तो आरक्षण को दो भर्ती वर्षों तक की अवधि के लिए आगे बढ़ाया जाएगा चाहे आरक्षण समाप्त हो जाए।

a. Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitability of a suitable persons with benchmark disability or for any other sufficient reason, such vacancy shall be carried forward in succeeding recruitment year.

b. If in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the four categories of disabilities.

c. Only when there is no person with benchmark disability available for the post in that year, the employer shall fill up vacancy by appointment of a person, other than a person with benchmark disability.

d. If the vacancy is filled by a person other than a person with benchmark disability in the subsequent recruitment year, reservation shall be carried forward for a further period upto two recruitment years whether the reservation shall lapse.

पदोन्नति के मामले में आरक्षण संबंधी विचार करने का क्षेत्र तथा पारस्परिक विनिमय और आगे बढ़ाना
Zone of consideration, Interse exchange and carry forward of reservation in case of promotion

ए) क्या पद चयन द्वारा भरा जाता है:
ए) पदोन्नति के तहत चयन द्वारा आरक्षित रिक्तियों को भरते समय, उन दिव्यांग उम्मीदवारों का पदोन्नति के लिए विचार किया जाएगा, जो विचार के सामान्य क्षेत्र में हैं।
बी) यदि सामान्य क्षेत्र में संबंधित श्रेणी की पर्याप्त संख्या में दिव्यांग उम्मीदवार उपलब्ध नहीं हैं, तो विचार के क्षेत्र को रिक्तियों की संख्या के पांच गुना तक बढ़ाया जा सकता है और विस्तृत क्षेत्र में आने वाले दिव्यांग उम्मीदवारों का पदोन्नति के लिए विचार किया जा सकता है।
सी) विस्तृत क्षेत्र में भी उम्मीदवारों की अनुपलब्धता की स्थिति में, रिक्ति को नहीं भरा जाएगा और अगले वर्ष के लिए आगे बढ़ाया जाएगा।
डी) यदि अगले भर्ती वर्ष में भी बेंचमार्क कोई उपयुक्त दिव्यांग व्यक्ति उपलब्ध नहीं है, तो इसे पहले दिव्यांगता की चार श्रेणियों के बीच आदान-प्रदान द्वारा भरा जा सकता है।
ई) केवल तभी जब उस वर्ष पद के लिए बेंचमार्क कोई दिव्यांग व्यक्ति उपलब्ध नहीं है यदि रिक्ति को आगामी भर्ती वर्ष में बेंचमार्क दिव्यांग व्यक्ति के अलावा किसी अन्य व्यक्ति द्वारा भरा जाता है, तो आरक्षण को दो भर्ती वर्षों तक आगे बढ़ाया जाएगा, चाहे आरक्षण समाप्त हो जाए।
एफ) यदि रिक्ति को आगामी भर्ती वर्ष में बेंचमार्क दिव्यांग व्यक्ति के अलावा किसी अन्य व्यक्ति द्वारा भरा जाता है, तो आरक्षण को दो भर्ती वर्षों तक आगे बढ़ाया जाएगा, चाहे आरक्षण समाप्त हो जाए।

A. Whether post is filled by ***Selection***:
a. While filling up the reserved vacancies by promotion by selection, those PwBD candidates who are within the normal zone of consideration shall be considered for promotion.
b. If adequate number of PwBD candidates of the respective category are not available within the normal zone, **the zone of consideration may be extended to five times the number of vacancies** and the PwBD candidate falling within the extended zone may be considered for promotion.
c. In the event of non-availability of candidates even in the extended zone, the **vacancy shall not be filled and be carried forward to the subsequent year**.
d. If in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the four categories of disabilities.
e. Only when there is no person with benchmark disability available for the post in that year, the employer shall fill up vacancy by appointment of a person, other than a person with benchmark disability.
f. If the vacancy is filled by a person other than a person with benchmark disability in the subsequent recruitment year, reservation shall be carried forward for a further period upto two recruitment years whether the reservation shall lapse.

पदोन्नति के मामले में आरक्षण संबंधी विचार करने का क्षेत्र तथा पारस्परिक विनिमय और आगे बढ़ाना
Zone of consideration, Interse exchange and carry forward of reservation in case of promotion

बी) क्या पद गैर-चयन द्वारा भरा जाता है:
ए) गैर-चयन द्वारा पदोन्नति के लिए आरक्षित रिक्तियों को भरते समय उन दिव्यांग उम्मीदवारों को जो विचार करने के सामान्य क्षेत्र में हैं, उनकी पदोन्नति पर विचार किया जाएगा।
बी) यदि विचार करने के सामान्य क्षेत्र में संबंधित दिव्यांग श्रेणी का कोई पात्र उम्मीदवार उपलब्ध नहीं है, तो आवश्यक सीमा तक संबंधित श्रेणी के अतिरिक्त दिव्यांग उम्मीदवारों पर वरिष्ठता सूची में जाकर विचार किया जाएगा, बशर्ते कि वे पात्र हों, और उनके लिए पद निर्धारित की गई हो ।
सी) विस्तारित क्षेत्र में भी पदोन्नति के लिए दिव्यांग उम्मीदवारों की अनुपलब्धता की स्थिति में, रिक्ति को भरा नहीं जाएगा और इसे आगे बढ़ाया जाएगा। बाद के वर्ष में, यदि संबंधित श्रेणी का दिव्यांग व्यक्ति उपलब्ध नहीं है, तो इसके लिए निर्धारित की गई दिव्यांगता की अन्य श्रेणियों के साथ इसका अदला-बदली किया जा सकता है।
डी) यदि प्रत्येक अदला-बदली के पश्चात् आरक्षण द्वारा रिक्त स्थान को भरना संभव न हो तो आरक्षण को अगले दो लगातार वर्षों के लिए बढाया जाएगा, तत्पश्चात् यह समाप्त हो जाएगा।

B. Whether post is filled by ***Non-Selection***:

a. While filling up the reserved vacancies by promotion by non-selection, those PwBD candidates who are within the normal zone of consideration, shall be considered for promotion.
b. In case no eligible candidates of the respective category of disability is available in the normal zone of consideration, additional PwBD candidates of respective category to the extent required shall be considered by going down the seniority list, provided they are eligible, and that the post is identified for them.
c. In the event of non-availability of PwBD candidates for promotion even in the extended zone, the vacancy shall not be filled and shall be carried forward. In the subsequent year, if PwBD of respective category is not available, the same can be exchanged with other categories of disabilities identified for it.
d. If it is not possible for fill up the vacancy by reservation after every exchange, the reservation shall be carried forward for two subsequent recruitment years, where-after it shall lapse.

ऐसे कर्मचारियों की तैनाती जिनके बच्चे श्रवण बाधित या बहु विकलांगता वाले हैं
Posting of staff who have children with hearing impairment or multiple disabilities

ऐसे दिव्यांग बच्चों को एक ही भाषा में सीखने के अवसर मिल सकता है, क्योंकि ये बच्चे अपने माता-पिता के एक राज्य से दूसरे राज्य में स्थानांतरित होने के परिणामस्वरूप एक से अधिक भाषाओं में अपने विषयों को सीखने में सक्षम नहीं होते हैं।

यह देखते हुए कि श्रवण बाधित या बहु विकलांगता वाले बच्चों की चिकित्सा देखभाल और शिक्षा की सुविधाएं सभी स्टेशनों पर उपलब्ध नहीं हो सकती हैं, श्रवण बाधित या बहु विकलांगता से पीड़ित बच्चे के माता-पिता के ऐसे अनुरोधों पर यथासंभव सहानुभूतिपूर्वक विचार किया जा सकता है। हालांकि, जहां यह संभव नहीं हो सकता है, ऐसे रेलवे कर्मचारी को यथासंभव उसी राज्य में समायोजित करने का प्रयास किया जा सकता है। (आरबीई संख्या 75/2000)।

Such disabled children may have opportunities of learning in one single language, as these children cannot cope up with learning their subjects in more than one language, as a result of transfer of their parents from one State to another.

Considering that facilities for medical care and education of children with hearing impairment or multiple disability may not be available at all Stations, such requests from the parents of a child suffering from hearing impairment or multiple disability, may as far as possible, be considered sympathetically. Where, however, this may not be possible, efforts may be made to accommodate such a Railway servant in the same State to the extent possible. (RBE No. 75/2000).



आवासो का आवंटन
Allotment of Quarters

विशेष योजनाओं के तहत रेलवे में नियुक्त दिव्यांग व्यक्तियों के अनुरोधों को भी उनकी दिव्यांगता की उपाधि को ध्यान में रखते हुए प्रत्येक मामले की योग्यता के आधार पर आउट ऑफ टर्न रजिस्टर में पंजीकरण के लिए स्वीकार किया जाना चाहिए। (बोर्ड का पत्र संख्या ई(जी)92 क्यूआर 1-20 दिनांक 19/01/1993)

Requests from the handicapped persons appointed on the Railways under special schemes should also be entertained for registration in the out of turn register on merits of each case, with due regard to the degree of their disability. (Board's letter No. E(G)92 QR 1-20 dated 19/01/1993)



दिव्यांगजनों के लिए आरक्षित की जाने वाली रिक्तियों की संख्या की गणना
Computation of number of vacancies to be reserved for PwBDs

बेंचमार्क दिव्यांगजनों के लिए आरक्षित किए जाने वाले पदों की संख्या की गणना स्थापना के संबंधित समूह में संवर्ग क्षमता में रिक्तियों की कुल संख्या के आधार पर की जाएगी, हालांकि बेंचमार्क दिव्यांगजनों की भर्ती केवल उनके लिए उपयुक्त पहचाने गए पदों की श्रेणी के विपरीत ही की जाएगी।

The number of posts to be reserved for persons with benchmark disabilities **shall be computed on the basis of total number of vacancies in the cadre strength** in respective group in the establishment, although the recruitment of persons with benchmark disabilities would only be against the category of posts identified suitable for them.



क्षैतिज रोस्टर
Horizontal Roster

पिछड़े वर्गों (एससी, एसटी और ओबीसी) के नागरिकों के लिए आरक्षण को ऊर्ध्वाधर आरक्षण कहा जाता है और बेंचमार्क दिव्यांगजन जैसी श्रेणियों के लिए आरक्षण को क्षैतिज आरक्षण कहा जाता है।

क्षैतिज आरक्षण ऊर्ध्वाधर आरक्षण में कटौती करता है और बेंचमार्क दिव्यांग व्यक्तियों हेतु कोटे के तहत चुने गए व्यक्तियों को उचित श्रेणी में रखा जाना चाहिए जैसे कि एससी/एसटी/ओबीसी/अनारक्षित, जो इस बात पर निर्भर करता है कि वे एससी/एसटी/ओबीसी के आरक्षण के रोस्टर में किस श्रेणी से संबंधित हैं।

Reservation for backward classes of citizens (SCs, STs and OBCs) is called ***Vertical Reservation*** and the reservation for categories such as person with benchmark disabilities is called ***Horizontal Reservation***.

Horizontal reservation cut across vertical reservation and persons selected against the quota for persons with benchmark disabilities have to place in the appropriate category viz. SC/ST/OBC/Unreserved depending upon the category to which they belong in the roster meant of reservation of SC/ST/OBC.

अन्य लाभ
Other Benefits

1. **डबल परिवहन भत्ता:** दिव्यांग कर्मचारियों को सामान्य कर्मचारी की तुलना में डबल परिवहन भत्ता और न्यूनतम रु. 2250/- प्लस डीए स्वीकार्य है।
2. **4 दिन अतिरिक्त आकस्मिक अवकाश:** एक कैलेंडर वर्ष में दिव्यांग कर्मचारी 4 अतिरिक्त आकस्मिक अवकाश पाने के हकदार हैं।
3. **10 दिन विशेष आकस्मिक अवकाश**: दिव्यांग कर्मचारियों के सशक्तिकरण के संबंध में को बैठक, सेमिनार, कार्यशाला, प्रशिक्षण आदि में भाग लेने/उपस्थित होने के लिए 10 दिन का विशेष आकस्मिक अवकाश स्वीकृत किया जा सकता है।
4. **शिशु देखभाल भत्ता:** दिव्यांग महिलाएं 3000/- रुपये प्रति माह की दर से शिशु देखभाल भत्ता पाने की हकदार हैं जो बच्चे के जन्म की तारीख से दो साल तक देय होगा। यह विशेष भत्ता अधिकतम दो सबसे बड़े जीवित बच्चों के लिए देय होगा और संशोधित वेतन संरचना पर डीए में 50% की वृद्धि होने पर स्वतः रूप से 25% की वृद्धि होगी।
5. **सहयात्री सुविधा सहित सुविधा पास:** दिव्यांग कर्मचारी, सक्षम चिकित्सा प्राधिकारी की सिफारिश पर, जो दिव्यांग कर्मचारी के पक्ष में सहयात्री आवश्यक प्रमाण-पत्र जारी करता है जो रेल में यात्रा करते समय सहयात्री सुविधा सहित सुविधा पास के हकदार होते हैं।

1. ***Double transport allowance***: Disabled employees entitled of double transport allowance as compare to normal employee and minimum Rs. 2250/- plus DA as admissible.
2. ***4 days extra Casual leave:*** Disabled employees are entitle to get the 4 extra Casual leave in a calendar year.
3. ***10 days Special Casual leave:*** 10 Day's special casual leave may be sanction to disabled employees to participate/attend the meeting, seminar. Workshop, training etc. regarding empowerment of disabled people,
4. ***Child care allowance :*** Women with disability are entitled to get the child care allowance at the rate of Rs. 3000/- per month which shall be payable from the date of birth of child to two years. This special allowance shall be payable for a maximum of two eldest surviving children and would be automatically raised by 25% every time the DA on revised pay structure goes up by 50%.
5. ***Privilege Pass with companion facility:*** Disabled employees are entitle of Privilege Pass with Companion facility in same class at the time of traveling in Rail on the recommendation of Competent Medical authority who issue Companion Requirement Certificate in favour of disabled employee.

अन्य लाभ
Other Benefits

6. आयकर छूट: सरकार द्वारा दिव्यांग कर्मचारियों को धारा 80 के अंतर्गत निम्नलिखित कर छूट प्रदान की गई है:
(ए) 40% से 80% से कम दिव्यांगता वाले दिव्यांग व्यक्तियों को 75000/- रुपये
(बी) 80% और उससे अधिक दिव्यांगता वाले दिव्यांग व्यक्तियों को 125000/- रुपये।

7. कर्मचारी लाभ निधि (एसबीएफ): शारीरिक/मानसिक रूप से दिव्यांग रेलवे कर्मचारियों और उनके बच्चों के व्यावसायिक कौशल का विकास करना, जिसमें व्हील चेयर, अन्य सहायक उपकरण, विशेष सॉफ्टवेयर आदि की खरीद और कार्यशालाएं, सेमिनार, शिविर आदि का आयोजन शामिल है। विशेष उपकरणों आदि की आवश्यकता वाले कर्मचारियों/बच्चों को प्रति व्यक्ति 50/- रुपये की सहायता।

6. ***Income tax exemption:*** Income Following tax exemption has been provided by the Government under section 80 to disabled employees:

(A) Rs. 75000/- to persons with disability who have disability 40% to below 80%

(B) Rs. 125000/- to person with disability who have disability 80% and above.

7. ***Staff Benefit Fund (SBF)***:

- Developing Occupational skills of physically/mentally challenged railway employees and their wards including purchase of wheel chairs, other aids,special software etc. and organizing workshops, seminars, camps etc.
- Rs. 50/- per capita
- Assistance to employees/wards in need of special equipments etc.

रेलवे द्वारा प्रदान की गई रियायत सुविधाएं
Concession facilities provided by Railways

रेलवे के नियमों के अनुसार, निम्नलिखित श्रेणियों के दिव्यांग व्यक्तियों को रेलवे किराए में रियायत दी जाती है।
As per Railway rules, concession in Railway fares is admissible to the following categories of disabled persons

क्र.सं / Sl. No.	**व्यक्तियों की श्रेणी / Category of persons**	**रियायत का प्रतिशत / Percentage of Concession**
1.	ऑर्थोपेडिक रूप से दिव्यांग / पैराप्लेजिक व्यक्ति जो किसी भी उद्देश्य के लिए अनुरक्षक के साथ या बिना यात्रा नहीं कर सकते हैं। Orthopedically Handicapped / Paraplegic persons who can not travel with or without escort – for any purpose.	i. द्वितीय श्रेणी, स्लीपर, प्रथम एसी चेयर कार और एसी 3 टियर में 75%। 75% in Second, Sleeper, First AC Chair Car and AC 3 tier. ii. प्रथम श्रेणी और एसी 2 टियर में 50%। 50% in First Class and AC 2 tier. iii. राजधानी/शताब्दी गाड़ियों के एसी 3 टियर और एसी चेयर कार में 25%। 25% in AC 3 tier & AC Chair Car of Rajdhani / Shatabdi trains. iv. मासिक सीजन टिकट और त्रैमासिक सीजन टिकट में 50%। 50% in Monthly Season Ticket & Quarterly Season Ticket. v. एक अनुरक्षक भी समान रूप से रियायत के लिए पात्र है। One escort is also eligible for same element of concession.
2.	मानसिक रूप से दिव्यांग व्यक्ति जो किसी भी उद्देश्य के लिए अनुरक्षक के साथ या उसके बिना यात्रा नहीं कर सकते हैं। Mentally retarded persons who cannot travel with or without escort – for any purpose.	
3.	किसी भी उद्देश्य के लिए अकेले या अनुरक्षक के साथ यात्रा कर रहे नेत्रहीन व्यक्ति। Blind persons travelling alone or with an escort – for any purpose.	
4.	किसी भी उद्देश्य से अकेले या किसी अनुरक्षक के साथ यात्रा करते हुए मूक एवं बधिर व्यक्ति (एक ही व्यक्ति में दोनों विकार एक साथ). Deaf & Dumb persons (both afflictions together in the same person) travelling al one or with an escort – for any purpose.	i. द्वितीय, स्लीपर और प्रथम श्रेणी में 50%। 50% in Second, Sleeper and First Class. ii. मासिक सीजन टिकट और त्रैमासिक सीजन टिकट में 50%। 50% in Monthly Season Ticket & Quarterly Season Ticket. iii. एक अनुरक्षक भी समान रूप से रियायत के लिए पात्र है। One escort is also eligible for same element of concession.

दिव्यांगजनों के लिए संपर्क अधिकारी
Liaison Officer for PwBDs

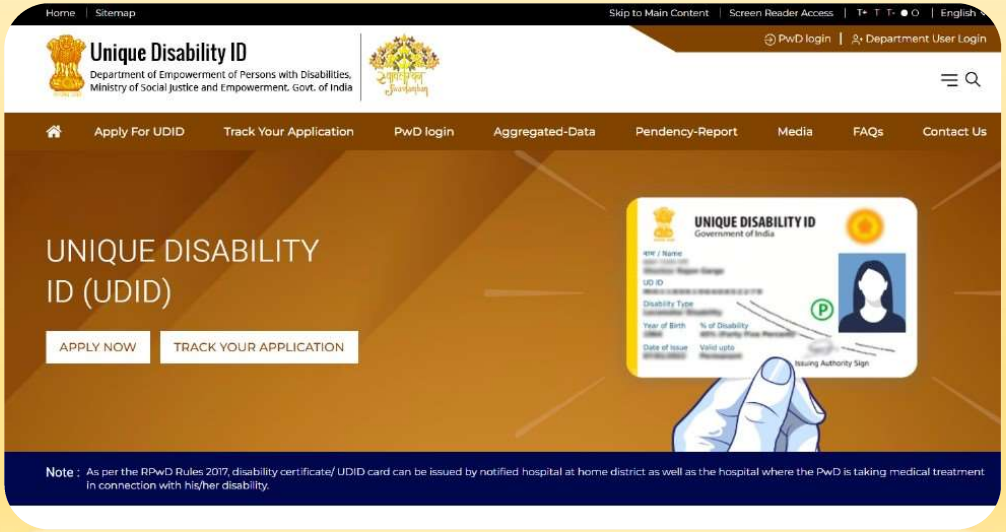
अनुसूचित जातियों/अनुसूचित जन-जातियों के लिए आरक्षण मामलों पर ध्यान देने के लिए नियुक्त संपर्क अधिकारी ही दिव्यांग व्यक्तियों से संबंधित आरक्षण मामलों के लिए संपर्क अधिकारी के रूप में कार्य करेंगे।

Liaison Officers appointed to look after reservation matters for SCs/STs shall also work as Liaison Officers for reservation matters relating to PwBDs.



दिव्यांगजनों से संबंधित कार्य कर रहे केंद्रीय सरकार के विभाग
Central Government Department deals with PwDs:

- **दिव्यांगजन सशक्तिकरण विभाग /** Department of Empowerment of Persons with Disabilities (Divyangjan)
- **सामाजिक न्याय एवं अधिकारिता मंत्रालय, भारत सरकार। वेबसाइट:** www.disabilityaffairs.gov.in/ Ministry of Social Justice & Empowerment, Government of India.
  Website: www.disabilityaffairs.gov.in



सरकारी प्रतिष्ठानों द्वारा शिकायतों के रजिस्टर का रख-रखाव
Maintenance of Register of complaints by the Govt. Establishment

ए. प्रत्येक सरकारी प्रतिष्ठान विभाग के एक वरिष्ठ अधिकारी को शिकायत निवारण अधिकारी के रूप में नियुक्त करेगा।

बी. शिकायत निवारण अधिकारी बेंचमार्क दिव्यांग व्यक्तियों की शिकायतों का एक रजिस्टर बनाए रखेगा, जिसमें निम्नलिखित विवरण होंगे:

I. शिकायत की तिथि
II. शिकायतकर्ता का नाम
III. प्रतिष्ठान या व्यक्ति का नाम जिसके खिलाफ शिकायत की गई है
IV. शिकायत का सार
V. शिकायत निवारण अधिकारी द्वारा निपटान की तिथि, और कोई अन्य जानकारी।
VI. पदोन्नति में भेदभाव से संबंधित किसी भी मामले से व्यथित कोई भी व्यक्ति संबंधित सरकारी प्रतिष्ठान के शिकायत निवारण अधिकारी के पास शिकायत दर्ज करा सकता है।
VII. दर्ज की गई प्रत्येक शिकायत की उसके पंजीकरण के दो महीने के भीतर जांच की जाएगी, और उसके परिणाम या उस पर की गई कार्रवाई की जानकारी शिकायतकर्ता/दिव्यांग व्यक्ति को दी जाएगी।



A. Every Government establishment shall appoint **a senior officer of the Department as the Grievance Redressal Officer**.

B. The Grievance Redressal Officer shall maintain a register of complaints of Persons with Benchmark Disabilities with the following particulars, namely:

   I. Date of complaint
   II. Name of complainant
   III. The name of the establishment or person against whom the complaint is made
   IV. Gist of complaint
   V. Date of disposal by the Grievance Redressal Officer, and any other information.

C. Any person aggrieved with any matter relating to discrimination in promotion, **may file a complaint with the Grievance Redressal Officer** of the respective Government establishment.

D. Every complaint filed, shall be inquired **into within two months** of its registration, and outcome thereof or action taken thereon, shall be communicated to the complainant/PwBD.

शिकायत निवारण तंत्र
Grievance Redressal Mechanism

सरकारी प्रतिष्ठान मुख्य रूप से प्रशासन प्रमुख की अध्यक्षता में एक शिकायत निवारण तंत्र का गठन करेगा और इसमें दिव्यांगता के मामलों में ज्ञान रखने वाले एक दिव्यांग व्यक्ति सहित कम से कम दो कर्मचारी शामिल होंगे। इस प्रकार गठित समिति दिव्यांग व्यक्तियों की शिकायतों को प्राप्त करेगा और उचित समय सीमा के भीतर उनका निवारण करने का प्रयास करेगा।

Government establishment would preferably constitute a ***Grievance Redressal Mechanism headed by the Head of Administration and comprising at least two employees including a PwBD having knowledge in disability matters***. The committee so constitute would receive and try to redress the grievances of persons with disabilities within a reasonable time frame.



Form and Manner of maintain records by the establishment

1. नियम 8 के उप-नियम (3) के अंतर्गत आने वाला प्रत्येक प्रतिष्ठान निम्नलिखित विवरणों का रिकार्ड रखेगा, अर्थात:
   ए. रोजगार प्राप्त दिव्यांग व्यक्तियों की संख्या तथा उनके रोजगार प्राप्त करने की तिथि;
   बी. ऐसे व्यक्तियों की दिव्यांगता की प्रकृति
   सी. ऐसे व्यक्तियों द्वारा किए जा रहे कार्य की प्रकृति
   डी. ऐसे नियोजित दिव्यांग व्यक्ति द्वारा किए जा रहे कार्य की प्रकृति
   ई. ऐसे दिव्यांग व्यक्तियों को प्रदान की जाने वाली सुविधाएं
   एफ. निरीक्षण के लिए मांग किए जाने पर रखे गए रिकार्डों को प्रत्येक प्रतिष्ठान द्वारा प्रस्तुत किया जाएगा।

इन नियमों के अन्तर्गत तथा अधिनियम के अन्तर्गत प्राधिकारियों को ऐसी जानकारी दी जाएगी जो यह पता लगाने के उद्देश्य से आवश्यक हो सकती है कि क्या प्रावधानों का अनुपालन किया गया है।

आरपीडब्ल्यूडी अधिनियम-2016 की धारा-22 और आरपीडब्ल्यूडी नियम-2017 के पैरा संख्या-9 के अनुसार रिकार्डों का रख-रखाव।

1. Every establishment covered under sub-rule (3) of rule 8 maintain records containing the following particulars, namely:
   a. The number of persons with disabilities who are employed and the date from when they are employed;
   b. The nature of disability of such persons
   c. The nature of work being rendered by such persons
   d. The nature of work being rendered by such employed person with disability
   e. The kind of facilities being provided to such persons with disabilities
2. Every establishment shall produce for inspection on demand, records maintained under these rules, to the authorities under this Act and shall such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

Maintenance of records as per section-22 of RPWD Act-2016 & para no-9 of RPWD Rule-2017.

समान अवसर नीति
Equal Opportunity Policy

1. प्रत्येक प्रतिष्ठान को दिव्यांग व्यक्तियों के लिए समान अवसर नीति प्रकाशित करनी होगी।
2. प्रतिष्ठान को अपनी समान अवसर नीति को मुख्यतः अपनी वेबसाइट पर प्रदर्शित करना होगा, अन्यथा अपने परिसर के प्रमुख स्थानों पर प्रदर्शित करना होगा।
3. बीस या अधिक कर्मचारियों वाले निजी प्रतिष्ठान और सरकारी प्रतिष्ठान की समान अवसर नीति में अन्य बातों के साथ-साथ निम्नलिखित शामिल होंगे, अर्थात:

ए. दिव्यांग व्यक्तियों को सुविधा और सुख-सुविधा प्रदान की जाएगी ताकि वे प्रतिष्ठान में अपने कर्तव्यों का प्रभावी ढंग से निर्वहन कर सकें।
बी. प्रतिष्ठान में दिव्यांग व्यक्तियों के लिए उपयुक्त चिन्हित पदों की सूची।
सी. विभिन्न पदों के लिए दिव्यांग व्यक्तियों के चयन का तरीका, भर्ती के बाद और पदोन्नति पूर्व प्रशिक्षण, स्थानांतरण और पदस्थापना में वरीयता, विशेष छुट्टी, आवासीय आवास के आवंटन में वरीयता (यदि कोई हो), और अन्य सुविधाएं।
डी. दिव्यांग व्यक्तियों के लिए सहायक उपकरण, बाधा-मुक्त उपलब्धता और अन्य प्रावधान।
ई. दिव्यांग व्यक्तियों की भर्ती और ऐसे कर्मचारियों के लिए सुविधाओं और सुख-सुविधाओं के प्रावधान पर ध्यान देने के लिए प्रतिष्ठान द्वारा संपर्क अधिकारी की नियुक्ति।

आरपीडब्ल्यूडी अधिनियम-2016 की धारा-21 और आरपीडब्ल्यूडी नियम-2017 के पैरा संख्या 8 के अनुसार समान अवसर नीति तैयार की गई है।



1. Every establishment shall publish, equal opportunity policy for persons with disabilities.
2. The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.
3. The equal opportunity policy of a private establishment having twenty or more employees and the Government establishment shall inter alia, contain the following, namely:
   a. Facility and amenity to be provided to persons with disabilities to enable them to effectively discharge their duties in the establishment.
   b. List of posts identified suitable for persons with disabilities in the establishment.
   c. The manner of selection of persons with disabilities for various posts, post- recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities.
   d. Provision for assistive devices, barrier-free accessibility and other provisions for persons with disabilities.
   e. Appointment of liaison officer by establishment to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

Equal opportunity policy framed as per section- 21 of RPWD Act-2016 & para no- 8 of RPWD Rule-2017.

दिव्यांगों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- **धारा 3(5):** समानता और गैर-भेदभाव - सक्षम सरकार दिव्यांग व्यक्तियों के लिए उचित आवास सुनिश्चित करने के लिए आवश्यक कदम उठाएगी।
- **धारा 6(1):** क्रूरता और अमानवीय व्यवहार से सुरक्षा - सक्षम सरकार दिव्यांग व्यक्तियों को यातना, क्रूर, अमानवीय या अपमानजनक व्यवहार से बचाने के लिए उपाय करेगी।
- **धारा 7(1):** दुर्व्यवहार, हिंसा और शोषण से सुरक्षा सक्षम सरकार दिव्यांग व्यक्तियों को सभी प्रकार के दुर्व्यवहार, हिंसा और शोषण से बचाने के लिए उपाय करेगी और उन्हें रोकने के लिए-

ए) दुर्व्यवहार, हिंसा और शोषण की घटनाओं का संज्ञान लेगी और ऐसी घटनाओं के विरूद्ध उपलब्ध कानूनी उपाय प्रदान करेगी;

बी) ऐसी घटनाओं से बचने के लिए कदम उठाएगी, इसकी रिपोर्टिंग के लिए प्रक्रिया निर्धारित करेगी;

सी) ऐसी घटनाओं के पीड़ितों को बचाने, उनकी सुरक्षा करने और पुनर्वास करने के लिए कदम उठाएगी; और

डी) जनता के बीच जागरूकता पैदा करेगी और जानकारी उपलब्ध कराएगी,



- ***Section 3(5)***: Equality and non-discrimination - the appropriate government shall take necessary steps to ensure reasonable accommodation for persons with disabilities.
- ***Section 6(1):*** Protection from cruelty and inhuman treatment - the appropriate Government shall take measures to protect persons with disabilities from being subjected to torture, cruel, inhuman or degrading treatment.
- ***Section 7(1):*** Protection from abuse, violence and exploitation the appropriate Government shall take measures to protect persons with disabilities from all forms of abuse, violence and exploitation and to prevent the same shall-
  - A. Take cognizance of incidents of abuse, violence and exploitation and provide legal remedies available against such incidents;
  - B. Take steps for avoiding such incidents prescribe the procedure for its reporting;
  - C. Take steps to rescue, protect and rehabilitate victims of such incidents; and
  - D. Create awareness and make available information among the public,

दिव्यांगों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- **धारा 20: रोजगार में भेदभाव न करना**

1. कोई भी सरकारी प्रतिष्ठान रोजगार से संबंधित किसी भी मामले में किसी भी दिव्यांग व्यक्ति के साथ भेदभाव नहीं करेगा: बशर्ते कि सक्षम सरकार किसी भी प्रतिष्ठान में किए जाने वाले कार्य के प्रकार को ध्यान में रखते हुए, अधिसूचना द्वारा और ऐसी शर्तों के अधीन, यदि कोई हो, किसी भी प्रतिष्ठान को इस धारा के प्रावधानों से छूट दे सकती है।
2. प्रत्येक सरकारी प्रतिष्ठान दिव्यांग कर्मचारियों को उचित आवास और उचित बाधा मुक्त और अनुकूल वातावरण प्रदान करेगा।
3. केवल दिव्यांगता के आधार पर किसी व्यक्ति को पदोन्नति से वंचित नहीं किया जाएगा।
4. कोई भी सरकारी प्रतिष्ठान किसी ऐसे कर्मचारी को पद से नहीं हटाएगा या उसके पद में कमी नहीं करेगा, जो अपनी सेवा के दौरान दिव्यांग हो जाता है:

- बशर्ते कि, यदि कोई कर्मचारी दिव्यांग हो जाने के बाद उस पद के लिए उपयुक्त नहीं है, जिस पर वह था, तो उसे उसी वेतनमान और सेवा लाभों के साथ किसी अन्य पद पर स्थानांतरित कर दिया जाएगा:
- इसके अलावा, यदि किसी कर्मचारी को किसी पद के विरुद्ध समायोजित करना संभव नहीं है, तो उसे उपयुक्त पद उपलब्ध होने तक या उसकी सेवानिवृत्ति की आयु प्राप्त करने तक, जो भी पहले हो, किसी अतिरिक्त पद पर रखा जा सकता है।

5. उपयुक्त सरकार दिव्यांग कर्मचारियों की नियुक्ति और स्थानांतरण के लिए नीतियां बना सकती है।

- ***Section 20:*** Non-discrimination in employment-
  1. **No government establishment shall discriminate against any person with disability in any matter relating to employment**: Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment form the provisions of this section.
  2. Every Government establishment shall provide **reasonable accommodation** and **appropriate barrier free and conducive environment** to employees with disability.
  3. **No promotion shall be denied** to person merely on the ground of disability.
  4. No Government establishment shall dispense with or reduce in rank, an employee who acquires a disability during his or her service.
     - Provided that, if an employee after acquiring disability is not suitable for the post he was holding, **shall be shifted to some other post with the same pay scale and service benefits**:
     - Provided further that if it is not possible to adjust the employee against any post**, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.**
  5. The appropriate Government may frame **policies for posting and transfer of employees with disabilities**.



दिव्यांगों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- **धारा 23**: शिकायत निवारण अधिकारी की नियुक्ति

1. प्रत्येक सरकारी प्रतिष्ठान धारा 19 के प्रयोजन के लिए शिकायत निवारण अधिकारी की नियुक्ति करेगा और ऐसे अधिकारी की नियुक्ति के बारे में मुख्य आयुक्त या राज्य आयुक्त को सूचित करेगा।
2. धारा 20 के प्रावधानों के गैर-अनुपालन से पीड़ित कोई भी व्यक्ति शिकायत निवारण अधिकारी के पास शिकायत दर्ज करा सकता है, जो इसकी जांच करेगा और सुधारात्मक कार्रवाई के लिए मामले को प्रतिष्ठान के समक्ष उठाएगा।
3. शिकायत निवारण अधिकारी केन्द्रीय सरकार द्वारा निर्धारित तरीके से शिकायतों का एक रजिस्टर बनाए रखेगा और प्रत्येक शिकायत की जांच उसके पंजीकरण के दो सप्ताह के भीतर करेगा ।
4. यदि पीड़ित व्यक्ति अपनी शिकायत पर की गई कार्रवाई से संतुष्ट नहीं है, तो वह दिव्यांगता पर जिला स्तरीय समिति से संपर्क कर सकता है।

- ***Section 23:*** Appointment of Grievance Redressal Officer –

1. Every Government establishment shall appoint **Grievance Redressal officer for the purpose of section 19 and shall inform the Chief Commissioner or the State Commissioner** as the case may be, about the appointment of such officer.

2. Any person aggrieved with the non-compliance of the provisions of section 20, may file a complaint with the Grievance Redressal Officer, **who shall investigate it and shall take up the matter with establishment** for corrective action.

3. The Grievance Redressal Officer shall maintain a **register of complaints in the manner** as may be prescribed by the Central Government, and **every complaint shall be inquired within two weeks of its registration**.

4. If the aggrieved person is not satisfied with the action taken on his or her complaint, **he or she may approach the District -Level committee on disability**.



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 29: संस्कृति और मनोरंजन-

डी) मनोरंजन केंद्रों और अन्य संगठनों की गतिविधियों को बढ़ावा देना।

ई) स्काउटिंग, नृत्य, कला कक्षाओं, आउटडोर शिविरों और साहसिक गतिविधियों में भागीदारी को सुविधाजनक बनाना।

- ***Section 29:*** Culture and Recreation-

d) Promoting recreation centers, and other association activates.

e) Facilitating participation in **scouting, dancing, art classes, outdoor camps and adventure activities.**



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• धारा 30: खेल गतिविधियाँ-

1. उपयुक्त सरकार दिव्यांगजनों की खेल गतिविधियों में प्रभावी भागीदारी सुनिश्चित करने के लिए उपयोगी उपाय करेगी।
2. खेल प्राधिकरण दिव्यांगजनों के खेलों में भाग लेने के अधिकार को उचित मान्यता देंगे और खेल प्रतिभाओं के प्रोत्साहन और विकास के लिए अपनी योजनाओं और कार्यक्रमों में दिव्यांगजनों को शामिल करने के लिए उचित प्रावधान करेंगे।
3. (एफ) दिव्यांगजनों के लिए दिव्यांगता - निर्धारित खेल आयोजनों को बढ़ावा देना और आयोजित करना तथा ऐसे खेल आयोजनों के विजेताओं और अन्य प्रतिभागियों को पुरस्कार प्रदान करना।

• ***Section 30:*** Sporting activities-

1. The appropriate Government shall take measures to ensure **effective participation in sporting activities of the persons with disabilities**.
2. The sports authorities shall accord due recognition to the right of persons with disabilities to participate in sports and shall make due provisions for the inclusion of persons with disabilities in **their schemes and programmes for the promotion and development of sporting talent**.
3. (F) **Promote and organize disability specific sporting events** for persons with disabilities and also facilitate awards to winners and other participants of such sporting events.



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 32: उच्च शिक्षण संस्थानों में आरक्षण-

  1. सभी सरकारी उच्च शिक्षण संस्थानों और सरकारी सहायता प्राप्त अन्य उच्च शिक्षण संस्थानों में बेंचमार्क दिव्यांगजनों के लिए कम से कम 5% सीटें आरक्षित रखेंगे।
  2. बेंचमार्क दिव्यांगजनों को उच्च शिक्षण संस्थानों में प्रवेश के लिए ऊपरी आयु सीमा में पांच वर्ष की छूट दी जाएगी।

- ***Section 32:*** Reservation in higher education institutions-

  1. All the Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than **5% seats for persons with benchmark disabilities**.
  2. The persons with benchmark disabilities shall be given an **upper age relaxation of five years** for admission in institutions of higher education.



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 33: आरक्षण के लिए पदों का निर्धारण –

1. प्रतिष्ठानों में उन पदों का निर्धारण, जिन्हें धारा 34 के प्रावधानों के अनुसार आरक्षित रिक्तियों के संबंध में बेंचमार्क दिव्यांगता वाले संबंधित श्रेणी के व्यक्तियों द्वारा धारण किया जा सकता है;

2. ऐसे पदों के निर्धारण के लिए बेंचमार्क दिव्यांगजनों के प्रतिनिधित्व के साथ एक विशेषज्ञ समिति का गठन करना; और

3. तीन वर्ष से अधिक के अंतराल पर निर्धारित किए गए पदों की आवधिक समीक्षा करना।



- ***Section 33:*** Identification of posts for reservation -

1. **Identify posts in the establishments** which can be held by respective category of persons with benchmark disabilities in respect of the vacancies reserved in accordance with the provisions of section 34;

2. **Constitute an expert committee** with representation of persons with benchmark disabilities for identification of such posts; and

3. Undertake **periodic review of the identified posts** at an interval not exceeding **three years**.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 35: निजी क्षेत्र में नियोक्ताओं को प्रोत्साहन-

1. समुचित सरकार और स्थानीय प्राधिकारी अपनी आर्थिक क्षमता और विकास की सीमा के तहत निजी क्षेत्र में नियोक्ताओं को यह सुनिश्चित करने के लिए प्रोत्साहन प्रदान करेंगे कि उनके कार्यबल का कम से कम पांच प्रतिशत बेंचमार्क दिव्यांगजनों से बना हो।



- ***Section 35:*** Incentive to employers in private sector-

1. The appropriate Government and the local authorities shall, within the limit of their economic capacity and development, provide incentives to employer in private sector to ensure that **at least five percent of their work force** is composed of persons with benchmark disability.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• धारा 39: जागरूकता अभियान –

1. समुचित सरकार, मुख्य आयुक्त या राज्य आयुक्त के परामर्श से, जैसा भी मामला हो, जागरूकता अभियान और संवेदीकरण कार्यक्रम संचालित करेंगे, प्रोत्साहित करेंगे, समर्थन करेंगे या बढ़ावा देगें ताकि यह सुनिश्चित किया जा सके कि इस अधिनियम के तहत प्रदत्त दिव्यांगजनों के अधिकार संरक्षित हैं।
2. उप-धारा (1) के अंतर्गत निर्दिष्ट कार्यक्रम और अभियान भी निम्नलिखित होंगे:-

ए) समावेशिता, सहिष्णुता, सहानुभूति और विविधता के प्रति सम्मान के मूल्यों को बढ़ावा देना,
बी) दिव्यांगजनों के कौशल, योग्यता और क्षमताओं तथा कार्यबल, श्रम बाजार और व्यावसायिक शुल्क में उनके योगदान की मान्यता को बढ़ावा देना;
सी) पारिवारिक जीवन, रिश्तों, बच्चों को जन्म देने और पालने से संबंधित सभी मामलों में दिव्यांगजनों द्वारा लिए गए निर्णयों के प्रति सम्मान को बढ़ावा देना;
डी) दिव्यांगता की मानवीय स्थिति और दिव्यांगजनों के अधिकारों पर स्कूल, कॉलेज, विश्वविद्यालय और व्यावसायिक प्रशिक्षण स्तर पर (अभिविन्यास) दिशानिर्देश और स्वच्छता प्रदान करना;
ई) नियोक्ताओं, प्रशासकों और सहकर्मियों को दिव्यांगजनों की अक्षम करने वाली स्थितियों और अधिकारों पर अभिविन्यास और संवेदनशीलता प्रदान करना; ई) नियोक्ताओं, प्रशासकों और सहकर्मियों को दिव्यांगजनों की अक्षमता की स्थिति और अधिकारों पर (अभिविन्यास) दिशानिर्देश और संवेदनशीलता प्रदान करना;
एफ) यह सुनिश्चित करना कि दिव्यांगजनों के अधिकारों को विश्वविद्यालय, कॉलेज और स्कूलों के पाठ्यक्रम में शामिल किया जाए।



- ***Section 39:*** Awareness campaigns -

1. The appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, shall **conduct, encourage, support or promote awareness campaigns and sensitization programmes to ensure that rights of the persons with the disabilities** provided under this Act are protected.

2. The programmes and campaigns specified under sub-section (1) shall also,-
   a) Promotes **values of inclusion, tolerance empathy and respect for diversity**,
   b) **Advance recognition of the skills, merits and abilities** of persons with disabilities and of their contributions to the **workforce, labour market and professional fee**;
   c) **Foster respect for the decisions** made by persons with disabilities on all matter related to family life, relationships, bearing and raising children;
   d) **Provide orientation and sanitization** at the school, college, University and profession training level on **the human condition of disability and the rights of persons with disabilities**;
   e) **Provide orientation and sensitization** on disabling conditions and rights of persons with disabilities to **employers, administrators and co-workers**;
   f) Ensure that **the rights of persons with disabilities are included in the curriculum** in University, college and schools.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 74 (1): मुख्य आयुक्त की नियुक्ति-
  केन्द्र सरकार अधिसूचना द्वारा दिव्यांगजनों के लिए एक मुख्य आयुक्त की नियुक्ति कर सकती है।
- धारा 75: मुख्य आयुक्त का कार्य-
  क) स्वप्रेरणा से या अन्यथा, किसी कानून या नीति, कार्यक्रम और प्रक्रियाओं के प्रावधानों की पहचान करना, जो इस अधिनियम के साथ असंगत हैं और आवश्यक सुधारात्मक कदमों की सिफारिश करना;
  ख) स्वप्रेरणा से या अन्यथा, दिव्यांग व्यक्तियों के अधिकारों के वंचन और उन मामलों के संबंध में उनके लिए उपलब्ध सुरक्षा उपायों की जांच करना, जिनके लिए केंद्र सरकार उपयुक्त सरकार है और सुधारात्मक कार्रवाई के लिए उचित प्राधिकारियों के साथ मामले को उठाना;
  ग) दिव्यांग व्यक्तियों के अधिकारों की सुरक्षा के लिए इस अधिनियम या किसी अन्य कानून के तहत या उसके तहत प्रदान किए गए सुरक्षा उपायों की समीक्षा करना और उनके प्रभावी कार्यान्वयन के लिए उपायों की सिफारिश करना;
  घ) दिव्यांग व्यक्तियों के अधिकारों और उनकी सुरक्षा के लिए उपलब्ध सुरक्षा उपायों के बारे में जागरूकता को बढ़ावा देना;
  ङ) इस अधिनियम के प्रावधानों और दिव्यांग व्यक्तियों के लिए बनाई गई योजनाओं, कार्यक्रमों के कार्यान्वयन की निगरानी करना,
  च) ऐसे अन्य कार्य करना, जिन्हें केंद्र सरकार सौंपे।



- ***Section 74 (1):*** Appointment of Chief commissioner-

  The Central Government may, **by notification, appoint a Chief Commissioner** for Persons with Disabilities.

- ***Section 75:*** Function of Chief Commissioner-

  a) **Identify,** suomotu or otherwise, the provisions of any law or policy, programme and procedures, which **are inconsistent with this Act and recommend necessary corrective steps**;
  b) **Inquire,** suomotu or otherwise, **deprivation of rights of persons with disabilities and safeguards** available to them in respect of matters for which the Central Government is the appropriate Government and take up the matter with appropriate authorities for corrective action;
  c) **Review the safeguards** provided by or under this Act or any other law for the time being in force for the protection of rights of persons with disabilities and recommend measures for their effective implementation;
  d) **Promote awareness** if the rights of persons with disabilities and the safeguards available for their protection;
  e) **Monitor implementation** of the provisions of this Act and schemes, programmes meant for persons with disabilities,
  f) **Perform such other functions** as the Central Government may assign.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

- धारा 76: मुख्य आयुक्त की सिफारिश पर समुचित प्राधिकारियों की कार्रवाई

यदि मुख्य आयुक्त धारा 75 के खंड (ख) के अनुसरण में किसी प्राधिकारी को सिफारिश करता है, तो वह प्राधिकारी उस पर आवश्यक कार्रवाई करेगा, तथा सिफारिश प्राप्त होने की तिथि से तीन माह के भीतर की गई कार्रवाई की सूचना मुख्य आयुक्त को देगा;

परन्तु जहां कोई प्राधिकारी सिफारिश स्वीकार नहीं करता है, वहां वह तीन माह की अवधि के भीतर मुख्य आयुक्त को अस्वीकृति के कारण बताएगा, तथा व्यथित व्यक्ति को भी सूचित करेगा।

- ***Section 76:*** Action of appropriate authorities on recommendation of Chief Commissioner

Whether the Chief commissioner makes a recommendation to an authority in pursuance of clause (b) of section 75, that authority **shall take necessary action on** it, and inform the Chief Commissioner of the action taken within **three months** from the date of receipt of the recommendation;

Provided that where an authority does not accept a recommendation, it shall convey reasons for non-acceptance to the Chief Commissioner **within a period of three months, and shall also inform the aggrieved person.**



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• धारा 77: मुख्य आयुक्त की शक्तियाँ-

1. मुख्य आयुक्त को, इस अधिनियम के अधीन अपने कार्यों का निर्वहन करने के लिए, निम्नलिखित मामलों के संबंध में सिविल न्यायालय की वही शक्ति होगी जो सिविल प्रक्रिया संहिता, 1908 के अधीन किसी न्यायालय में वाद टाइप करते समय निहित होती है, अर्थात:-
   क) साक्षियों को बुलाना और उनकी उपस्थिति सुनिश्चित करना;
   ख) किसी भी दस्तावेज की खोज और प्रस्तुति की अपेक्षा करना;
   ग) किसी भी न्यायालय या कार्यालय से किसी भी सार्वजनिक अभिलेख या उसकी प्रतिलिपि की मांग करना;
   घ) शपथपत्र पर साक्ष्य प्राप्त करना; तथा
   ङ) साक्षियों या दस्तावेजों की जांच के लिए कमीशन जारी करना।

2. मुख्य आयुक्त के समक्ष प्रत्येक कार्यवाही भारतीय दंड संहिता की धारा 193 और 228 के अर्थ में न्यायिक कार्यवाही होगी और मुख्य आयुक्त को दंड प्रक्रिया संहिता 1973 की धारा 195 और अध्याय XXVI के प्रयोजनों के लिए सिविल न्यायालय माना जाएगा।

• ***Section 77:*** Power of Chief Commissioner-

1. The Chief Commissioner shall, for the purpose discharging his functions under this Act, have the same power of a civil court as are vested in a court under the Code of Civil Procedure, 1908 while typing a suit, in respect of the following matters, namely:-
   a) Summoning and enforcing the attendance of witnesses;
   b) Requiring the discovery and production of any documents;
   c) Requisitioning any public record or copy thereof from any court or office;
   d) Receiving evidence on affidavits; and
   e) Issuing commissions for the examination of witness or documents.

2. Every proceeding before the Chief Commissioner shall be a judicial proceeding within the meaning of sections 193 and 228 of Indian Panel Code and the Chief Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of Code of criminal Procedure 1973.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• **धारा 89:** अधिनियम या इसके अधीन बनाए गए नियमों या विनियमन के प्रावधानों के उल्लंघन के लिए दंड-

कोई भी व्यक्ति जो इस अधिनियम या इसके अधीन बनाए गए किसी नियम के किसी भी प्रावधान का उल्लंघन करता है, उसे पहले उल्लंघन के लिए जुर्माने से दंडित किया जाएगा जो दस हजार रुपये तक हो सकता है और किसी भी बाद के उल्लंघन के लिए जुर्माने से दंडित किया जाएगा जो पचास हजार रुपये से कम नहीं होगा, लेकिन आरपीडब्ल्यूडी नोटों के अनुसार पांच लाख रुपये तक हो सकता है।



- ***Section 89:*** Punishment for contravention of provisions of Act or rules or regulation made there under-

  Any persons who contravenes any of the provisions of this Act, or of any rule made thereunder shall for first contravention be punishable with fine which may **extend to ten thousand rupees and for any subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees as per RPWD Notes.**

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• **धारा 89:** अधिनियम या इसके अधीन बनाए गए नियमों या विनियमन के प्रावधानों के उल्लंघन के लिए दंड-
कोई भी व्यक्ति जो इस अधिनियम या इसके अधीन बनाए गए किसी नियम के किसी भी प्रावधान का उल्लंघन करता है, उसे पहले उल्लंघन के लिए जुर्माने से दंडित किया जाएगा जो दस हजार रुपये तक हो सकता है और किसी भी बाद के उल्लंघन के लिए जुर्माने से दंडित किया जाएगा जो पचास हजार रुपये से कम नहीं होगा, लेकिन आरपीडब्ल्यूडी नोटों के अनुसार पांच लाख रुपये तक हो सकता है।

- ***Section 91:*** Punishment for fraudulently availing any benefit meant for persons with benchmark disabilities.

  Whoever, fraudulently avails or attempts to avail any benefit meant for person with benchmark disabilities, shall be punishable with imprisonment for a term which **may extend to two years or with fine which may extend to one lakh rupees or with both** as per RPWD Notes.



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• धारा 92: अत्याचार के अपराधों के लिए सजा
क) किसी दिव्यांग व्यक्ति को किसी सार्वजनिक स्थान पर अपमानित करने के इरादे से जानबूझकर अपमानित या डराना;
ख) किसी दिव्यांग व्यक्ति को अपमानित करने या विकलांग महिला की गरिमा को ठेस पहुंचाने के इरादे से उस पर हमला करना या बल का प्रयोग करना,
ग) किसी दिव्यांग व्यक्ति पर वास्तविक प्रभार या नियंत्रण रखते हुए स्वेच्छा से या जानबूझकर उसे भोजन या तरल पदार्थ देने से मना करना,
घ) दिव्यांग बच्चे या महिला की इच्छा पर हावी होने की स्थिति में होना तथा उस स्थिति का उपयोग उसका यौन शोषण करने के लिए करना,
इ) दिव्यांग व्यक्ति के किसी अंग या इंद्रिय या किसी सहायक उपकरण के उपयोग में स्वेच्छा से चोट पहुंचाना, क्षति पहुंचाना या हस्तक्षेप करना,
च) दिव्यांग महिला पर उसकी स्पष्ट सहमति के बिना कोई चिकित्सा प्रक्रिया करना, संचालित करना या करने का निर्देश देना, जिसके कारण गर्भावस्था की समाप्ति हो सकती है या होने की संभावना है, सिवाय उन मामलों को छोड़कर जहां गर्भावस्था की समाप्ति के लिए चिकित्सा प्रक्रिया दिव्यांगता के गंभीर मामले में और पंजीकृत चिकित्सक की राय से और विकलांग महिला के अभिभावक की सहमति से की जाती है, ऐसे मामले में कम से कम छह महीने की कैद और पांच साल तक की सजा हो सकती है और जुर्माना भी हो सकता है।

- ***Section 92:*** Punishment for offences of atrocities

  a) **Intentionally insults or intimidates with intent to humiliate** a person with disability in any place with public view;
  b) **Assaults or uses force** to any person with disability with intent to dishonor him or outrage the modesty of a woman with disability,
  c) **Having the actual charge or control over** a person with disability voluntarily or knowingly denies food or fluids to him or her,
  d) **Being in a position to dominate the will of child or woman** with disability and uses that position to exploit her sexually,
  e) **Voluntarily injures, damages or interferes with the use of any limb or sense or any supporting device** of a person with disability,
  f) **Performs, conducts or directs any medical procedure to performed on a woman with disability** which leads to or is likely to lead to termination of pregnancy without her express consent except in cases where medical procedure for termination of pregnancy is done in severe case of disability and with the opinion of registered medical practitioner and also with the consent of the guardian of the woman with disability, shall be punishable with **imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.**



दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

• धारा 96: अन्य कानूनों के लागू होने पर रोक नहीं है
• इस अधिनियम के प्रावधान आरपीडब्ल्यूडी नोट्स के अनुसार वर्तमान में लागू किसी अन्य कानून के प्रावधानों के अतिरिक्त होंगे, न कि उनके प्रतिकूल।

- ***Section 96:*** Application of other laws not barred

- The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force as per RPWD Notes.

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

विषयः बेंचमार्क विकलांग अभ्यर्थी के लिए पदोन्नति में आरक्षण के संबंध में स्पष्टीकरण।आपका ध्यान रेलवे बोर्ड के दिनांक 01.07.2022 के समसंख्यक पत्र सं. (आरबीई नं. 74/2022) के साथ कार्मिक एवं प्रशिक्षण विभाग के दिनांक 17.05.2022 के का.ज्ञा. सं. 36012/1/2020-स्था. (आरक्षण-11) की ओर आकृष्ट किया जाता है, जिसके द्वारा बेंचमार्क विकलांग अभ्यर्थियों के लिए पदोन्नति में आरक्षण देने के लिए विस्तृत दिशानिर्देश जारी किए गए थे।

पदोघ्रति संबंधी परीक्षाओं में बेंचमार्क विकलांग अभ्यर्थियों के लिए जयन/योग्यता के मानकों में छूट बढ़ाने के संबंध में अभ्यावेदन प्राप्त किए गए हैं। इस संबंध में आपका ध्यान कार्मिक एवं प्रशिक्षण विभाग के दिनांक 17.05.2022 के पूर्वोक्त निर्देशों के पैरा 8.1 एवं 8.2 की ओर आकृष्ट किया जाता है जो चयन में मानकों पर छूट देते है।

उपरोक्त उपबंधों में यह निर्धारित किया गया है कि निर्धारित मानकों के आधार पर पर्याचा विक मानको पर छूट केवल तभी प्रदान की जाएगी जब उपलब्ध नहीं हो। बहरहाल, दी जाने बानी अपेक्षित छूट की सीमा निर्देशों में इंगित नहीं की गई हैं।

मामले की जांच कार्मिक एवं प्रशिक्षण विभाग के परामर्श से की गई है एवं इस संबंध में स्पष्टीकरण निश्रानुसार है-

“यदि अनुसूचित जाति/अनुसूचित जनजाति कोटि से संबंधित उम्मीदवारों के संबंध में विशिष्ट सीमित विभागीय परीक्षा/विभागीय परीक्षा के लिए किसी प्रकार की छूट की सीमा का निर्णय लिया गया है, जहां अनुसूचित जाति/अनुसूचित जनजाति कोटियों से संबंधित उम्मीदवारों की पर्याप्त सं. (इन कोटियों के लिए निर्धारित रिक्तियों के अनुसार) सामान्य प्रक्रिया में परीक्षा उत्तीर्ण नहीं करती है, तो उन मामलों में छूट की सीमा ऐसे बेंचमार्क विकलांग अभ्यर्थी कोटि से संबंधित उम्मीदवारों के लिए बढ़ाई जा सकती है. जो अनुसूचित जाति/अनुसूचित जनजाति कोटि में संबंधित नहीं है। अगर बेंचमार्क विकलांग अभ्यर्थी कोटि का उम्मीदवार अनुसूचित जाति/अनुसूचित जनजाति कोटि से भी है, तब वे या तो अनुसूचित जाति/अनुसूचित जनजाति कोटि या तो बेंचमार्क विकलांग अभ्यर्थी कोटि के उम्मीदवार के रूप में विभागीय परीक्षा के लिए मानक की छूट दी जाएगी न की दोनों में।”

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

Sub: Reservation in Promotion to Persons with Benchmark Disabilities (PwBD).-Clarifications regarding.

Attention is invited to Board's letter of even number dated 01.07.2022 (RBE No.74/2022) along with DoP&T's O.M. No. 36012/1/2020-Estt. (Res.-II dated 17.05.2022 whereby detailed guidelines were issued for providing reservation in promotions to Persons with Benchmark Disabilities.

2. Representations have been received on the subject of extent of relaxation of standards of selection/suitability for PWBD candidates in the promotional exams. Attention in this regard is drawn to Para 8.1 and 8.2 of DoP&T's instructions dated 17.05.2022 ibid which provides for relaxation of standards in selections.

3. It is stipulated in the aforesaid provisions that relaxed standards are to be adopted only in case sufficient PwBD candidates are not available on the basis of prescribed standards. However, the extent of relaxation required to be given has not been indicated in the instructions. The matter has been examined in consultation with DoP&T and clarification in this regard is as under:-

"If any extent of relaxation has been decided for a particular Limited Departmental Examination/Departmental Examination in respect of candidates belonging to SC/ST category, where sufficient number of candidates belonging to SC/ST categories (as per vacancies earmarked for these categories) do not qualify the examination in the normal course, same extent of relaxation can be extended to candidates belonging to those PWBD category, who do not belong to SC/ST category. In case the candidates belonging to PwBD category also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD candidate for seeking relaxation of standard for Departmental Examination but not both."

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

विषयः बेंचमार्क विकलांगता बाले व्यक्तियों का समूह से समूह 'ख' पदों में पदोन्नति में बारक्षम स्पष्टीकरण संबंधी।
संदर्भः कार्मिक एवं प्रशिक्षण विभाग के दिनांक 29.05.2023 के कार्यालय ज्ञापन सं. 36035/1/2023-एस्ट (रिस-22) (प्रति संलग्र)।

बोर्ड के दिनांक 18.08.2022 के समसंख्यक पत्र की बोर भापका ध्यान आकृष्ट किया जाता है जिसके तहत कार्मिक एवं प्रशिक्षण विभाग ने अपने विनांक 17.05.2022 के कार्यालय ज्ञापन सं. 36012/01/2020/एस्ट (रिस.-11) द्वारा बेंचमार्क विकलांगता वाले व्यक्तियों की समूह "ग' से समूह 'ख' पदों में पदोनति में आरक्षण देने संबंधी जारी किए गए अनुदेशों को यथावश्यक परिवर्तन के साथ लागू किया गया है।

2. इस संबंध में, कार्मिक एवं प्रशिक्षण विभाग ने अपने संदर्भाधीन कार्यालय ज्ञापन के तहत स्पष्ट किया है"यदि अनुसूचित जाति/अनुसूचित जनजाति श्रेणी के उम्मीदवारों के संबंध में किसी विशेष सीमित विभागी परीक्षा/विभागीय परीक्षा के लिए किसी सीमा तक छूट का निर्णय लिया गया है, जहां बनुसूचित जाति/अनुसूचित जनजाति श्रेणियों (इन श्रेणियों के लिए निर्धारित रिक्तियों के अनुसार) पर्याप्त संख्या में उम्मीदवार सामान्य अवधि में परीक्षा उत्तीर्ण नहीं करते हैं, तो बेंचमार्क विकलांगता वाले व्यक्तियों की पेशी से संबंधित उम्मीदवारों, जो अनुसूचित जाति/अनुसूचित जनजाति से नहीं हैं, को भी समान छूट दी जा सकती है। यदि बेंचमार्क विकलांगता बाले व्यक्ति की श्रेणी से संबंधित उम्मीदवार अनुसूचित जाति/अनुसूचित जनजाति श्रेणी से भी संबंधित हैं, तो वे विभागीय परीक्षा के लिए मानक छूट प्राप्त करने के लिए अनुसूचित जाति/अनुसूचित जनजाति श्रेणी या बेंचमार्क विकलांगता वाले उम्मीदवार के रूप में विचार करने के पात्र होंगे, किंतु दोनों नहीं।“

3. समूह 'ग' से समूह 'ख' पदों में पदोन्नति में बेंचमार्क विकलांगता वाले व्यक्तियों को उपयुक्ता के मानकों में छूट प्रदान करने के मुद्दे की भी बोर्ड द्वारा जांच की गई है। तदनुसार, यह निर्णय लिया गया है कि यदि निर्धारित मानकों पर बेंचमार्क विकलांगता वाले व्यक्ति उपल्ब्ध नहीं है, तब समूह 'ग' से समूह 'ख' में पदोप्रति के लिए सीमित विभागीय परीक्षा में अनुसूचित जाति/अनुसूचित जनजाति श्रेणी के उम्मीदवारों के लिए निर्धारित छूट बेंचमार्क विकलांगता बाने व्यक्तियों की श्रेणी को भी दी जा सकती है। इसके अतिरिक्त, बेंचमार्क विकलांगता बाने व्यक्ति जो अनुसूचित जाति/अनुसूचित जनजाति श्रेणी में भी संबंधित है उन्हें या तो अनुसूचित जाति/अनुसूचित जनजाति अभवा बेंचमार्क विकलांगता वाले व्यक्तियों में से किसी एक श्रेणी में ही मानक छूट के निए विचार किया जाएगा किंतु दोनों में नहीं।

दिव्यांगजनों से संबंधित धाराएं एवं नियम
Sections & Rules related to Divyang

Sub.: Reservation to Persons with Benchmark Disabilities (PwBDs) in promotion from Group 'C' to Group 'B' posts-clarification regarding.
Ref.: DoP&T's Q.M. No. 36035/1/2023-Estt. (Res.-II)dated 29.05.2023 (copy enclosed),

Attention is invited to Board's letter of even number dated 18.08.2022 whereby instructions issued by DoP&T vide their O.M. No. 30012/01/2020-Estt. (res-11) dated 17.05.2022 for grant of reservation in promotion to PwBDs have been made applicable mutatis mutandis for promotion from Group 'C' to Group "B' posts.

2. In this connection, DoP&T vide their O.M. under reference have clarified "If any extent of relaxation has been decided for a particular Limited Departmental Examination /Departmental Examination in respect of candidates belonging to SC/ST category, where sufficient number of candidates belonging to SC/ST categories (as per vacancies earmarked for these categories) do not qualify the examination in the normal course, same extent of relaxation can be extended to candidates belonging to those PwBD category, who do not belong to SC/ST category. In case the candidates belonging to PwBD category also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD candidate for seeking relaxation of standard for Departmental Examination but not both“

3. The issue of grant of relaxed standards of suitability to PwBDs in promotion from Group 'C' to Group 'B' posts has also been examined by the Board. Accordingly, it has been decided that extent of relaxation provided to SC/ST candidates in Selections and LDCEs for promotion from Group C to Group 'B' posts may also be extended to PwBD candidates, in case sufficient number of PWBD candidates are not available on prescribed standards. Further, in case PwBD candidates also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD category candidate for availing relaxation of standard for Departmental Examination but not both.

आरपीडब्ल्यूडी अधिनियम-2017 की अनुसूची के अनुसार कुल विकलांगता का प्रकार 21

अनुसूची (धारा 2 का खंड (जेडसी) देखें)
निर्दिष्ट विकलांगता

1. शारीरिक विकलांगता

ए. लोकोमोटर दिव्यांगता और इसमें निम्नलिखित शामिल हैं।

ए) कुष्ठ रोग से ठीक हुए व्यक्ति,
बी) सेरेब्रल पाल्सी,
सी) बौनापन,
डी) मस्कुलर डिस्ट्रॉफी,
ई) एसिड अटैक पीड़ित

बी. दृश्य हानि
क.अंधापन,
ख.कम दृष्टि

सी. श्रवण हानि
क.बहरापन,
ख.सुनने में कठिनाई

डी. भाषण और भाषा दिव्यांगता

2. बौद्धिक दिव्यांगता और निम्नलिखित शामिल हैं।
क) विशिष्ट सीखने की अक्षमता
ख) ऑटिज्म स्पेक्ट्रम विकार

3) मानसिक व्यवहार
क) मानसिक बीमारी

4) दिव्यांगता के कारण
क) क्रोनिक न्यूरोलॉजिकल स्थितियां, जैसे:-
i. मल्टीपल स्केलेरोसिस
ii. पार्किंसंस रोग
ख) रक्त विकार
i. हीमोफीलिया
ii. थैलेसीमिया
iii. सिकल सेल रोग

5. बहु दिव्यांगता (उपर्युक्त निर्दिष्ट विकलांगताओं में से एक से अधिक)

6. केंद्र सरकार द्वारा अधिसूचित कोई अन्य श्रेणी।

Type of total disability 21 as per schedule of RPWD Act-2017

THE SCHEDULE(See clause (zc) of section 2)

SPECIFIED DISABILITY

1. Physical Disability

A. Locomotor disability & including the following.
   a) Leprosy cured persons,
   b) Cerebral palsy,
   c) Dwarfism,
   d) Muscular dystrophy,
   e) Acid attack victim

B. Visual impairment
   a) Blindness,
   b) Low-vision

C. Hearing impairment
   a) Deaf,
   b) Hard of hearing

D. Speech and language disability

2. Intellectual disability & including the following.
   a) Specific learning disabilities
   b) Autism spectrum disorder

3. Mental Behavior
   a) Mental illness

4. Disability caused due to
   a) Chronic neurological conditions, such as:-
      i. Multiple Sclerosis
      ii. Parkinson's Disease
   b) Blood Disorder
      i. Hemophilia
      ii. Thalassemia
      iii. Sickle cell disease

5. Multiple disabilities (more than one of the above specified disabilities)
6. Any other category as may be notified by the Central Government.

हावड़ा मंडल में आयोजित प्रशिक्षण की तस्वीरें
Snaps of Training Conducted in Howrah Division













FAQs

1. सुगम्य भारत अभियान क्या है और इसे कब लॉन्च किया गया था?
उत्तर: सुगम्य भारत अभियान, जिसे सुगम्य भारत अभियान के रूप में भी जाना जाता है, 2015 में एक ऐसा वातावरण बनाने के लिए लॉन्च किया गया था जहाँ दिव्यांग व्यक्ति सम्मान, समानता और स्वतंत्रता के साथ रह सकें।

2. " दिव्यांगता मामलों पर पूर्ण दिवसीय संवेदीकरण प्रशिक्षण कार्यक्रम" किसने आयोजित किया?
उत्तर: कार्मिक शाखा, हावड़ा डिवीजन, पूर्वी रेलवे ने प्रशिक्षण कार्यक्रम का आयोजन किया।

3. यूएनसीआरपीडी क्या है और भारत ने इसे कब अनुमोदित किया?
उत्तर: यूएनसीआरपीडी (विकलांग व्यक्तियों के अधिकारों पर संयुक्त राष्ट्र सम्मेलन) दिव्यांग व्यक्तियों के अधिकारों को बढ़ावा देने और उनकी रक्षा करने के लिए एक अंतरराष्ट्रीय संधि है। भारत ने 1 अक्टूबर, 2007 को इसकी पुष्टि की।

4. आरपीडब्ल्यूडी अधिनियम-2017 के अनुसार "बेंचमार्क दिव्यांगता वाले व्यक्ति" को परिभाषित करें?
उत्तर: बेंचमार्क दिव्यांगता वाला व्यक्ति वह व्यक्ति होता है जिसमें सक्षम प्राधिकारी द्वारा प्रमाणित निर्दिष्ट दिव्यांगता का कम से कम 40% होता है।

5. आरपीडब्ल्यूडी अधिनियम-2016 कब लागू किया गया?
उत्तर: आरपीडब्ल्यूडी अधिनियम-2016 19 अप्रैल, 2017 को लागू किया गया था।

6. आरपीडब्ल्यूडी अधिनियम-2016 के तहत पीडब्ल्यूबीडी के लिए सीधी भर्ती में कितने प्रतिशत आरक्षण प्रदान किया गया है?
उत्तर: सीधी भर्ती में 4% आरक्षण।

FAQs

1. What is the Accessible India Campaign, and when was it launched?
Answer: The Accessible India Campaign, also known as the Sugamya Bharat Abhiyan, was launched in 2015 to create an environment where persons with disabilities can live with dignity, equality, and freedom.

2. Who organized the "Full Day Sensitizing Training Programme on Disability Matters"?
Answer: The Personnel Branch, Howrah Division, Eastern Railway, organized the training program.

3. What is the UNCRPD, and when was it ratified by India?
Answer: The UNCRPD (United Nations Convention on the Rights of Persons with Disabilities) is an international treaty to promote and protect the rights of persons with disabilities. India ratified it on October 1, 2007.

4. Define "Persons with Benchmark Disability" as per the RPWD Act-2017.
Answer: A person with benchmark disability is someone with at least 40% of a specified disability, as certified by a competent authority.

5. When was the RPWD Act-2016 implemented?
Answer: The RPWD Act-2016 was implemented on April 19, 2017.

6. What percentage of reservation is provided in direct recruitment for PwBDs under the RPWD Act-2016?
Answer: 4% reservation in direct recruitment.

FAQs

7. दिव्यांग व्यक्तियों के लिए पदोन्नति में 3% आरक्षण पहली बार कब लागू किया गया था?
उत्तर: इसे पहली बार 20 नवंबर, 1989 को लागू किया गया था।

8. पदोन्नति में आरक्षण के लिए पात्र दिव्यांग व्यक्तियों की कौन सी श्रेणियाँ हैं?
उत्तर: अंधापन और कम दृष्टि, बधिर और कम सुनने की क्षमता, लोकोमोटर दिव्यांगता, ऑटिज्म, बौद्धिक दिव्यांगता और मानसिक बीमारी, बहु दिव्यांगता (बधिर-अंधापन सहित)।

9. भर्ती के दौरान दिव्यांग व्यक्तियों के लिए न्यूनतम योग्यता अंकों में क्या छूट है?
उत्तर: न्यूनतम योग्यता अंकों में 2% तक की छूट दी जाती है।

10. सीधी भर्ती के दौरान दिव्यांग व्यक्तियों के लिए आयु में क्या छूट दी जाती है?
उत्तर: अनारक्षित उम्मीदवारों के लिए 10 वर्ष। ओबीसी उम्मीदवारों के लिए 13 वर्ष। एससी/एसटी उम्मीदवारों के लिए 15 वर्ष।

11. दिव्यांग व्यक्तियों के लिए परीक्षा शुल्क में क्या छूट उपलब्ध है?
उत्तर: दिव्यांग व्यक्तियों को परीक्षा शुल्क का भुगतान करने से छूट दी गई है।

12. दिव्यांग कर्मचारियों को परिवहन भत्ता क्या दिया जाता है?
उत्तर: विकलांग कर्मचारी परिवहन भत्ते का दोगुना पाने के हकदार हैं, न्यूनतम ₹2,250 प्लस डीए।

13. दिव्यांग कर्मचारियों के लिए विशेष आकस्मिक अवकाश पात्रता क्या है?
उत्तर: दिव्यांग कर्मचारी सशक्तिकरण से संबंधित गतिविधियों में भाग लेने के लिए 10 दिनों के विशेष आकस्मिक अवकाश के हकदार हैं।

FAQs

7. When was 3% reservation in promotion for PwBDs first implemented?
Answer: It was first implemented on November 20, 1989.

8. What are the categories of disabilities eligible for reservation in promotions?
Answer: Blindness and low vision, Deaf and hard of hearing, Locomotor disability, Autism, Intellectual disability, and mental illness, Multiple disabilities (including deaf-blindness).

9. What is the relaxation in minimum qualifying marks for PwBD candidates during recruitment?
Answer: A relaxation of up to 2% in minimum qualifying marks is allowed.

10. What is the age relaxation provided for PwBDs during direct recruitment?
Answer:10 years for UR candidates.13 years for OBC candidates.15 years for SC/ST candidates.

11. What examination fee concession is available for PwBDs?
Answer: PwBDs are exempted from paying the examination fee.

12. What is the transport allowance provided to disabled employees?
Answer: Disabled employees are entitled to double the transport allowance, with a minimum of ₹2,250 plus DA.

13. What is the special casual leave entitlement for disabled employees?
Answer: Disabled employees are entitled to 10 days of special casual leave for participating in empowerment-related activities.

FAQs

14. दिव्यांग महिलाओं को क्या चाइल्ड केयर भत्ता दिया जाता है?
उत्तर: अधिकतम दो बच्चों के लिए, दो वर्ष की आयु तक चाइल्ड केयर के लिए 3,000 रुपए प्रति माह प्रदान किए जाते हैं।

15. अस्थि विकलांग व्यक्तियों के लिए रेलवे किराए में क्या रियायत है?
उत्तर: द्वितीय, स्लीपर, प्रथम एसी चेयर कार और एसी 3-टियर में 75%। प्रथम श्रेणी और एसी 2-टियर में 50%। राजधानी/शताब्दी ट्रेनों के एसी 3-टियर और चेयर कार में 25%। यही रियायत उनके अनुरक्षक पर भी लागू होती है।

16. परीक्षा के दौरान लिखने में असमर्थ दिव्यांग व्यक्तियों को क्या सुविधा प्रदान की जाती है?
उत्तर: परीक्षा और पदोन्नति के लिए स्क्राइब सुविधा प्रदान की जाती है।

17. क्या दिव्यांग व्यक्तियों को टाइप टेस्ट से छूट दी जाती है?
उत्तर: हाँ, जो दिव्यांग व्यक्ति टाइप नहीं कर सकते, उन्हें सक्षम चिकित्सा अधिकारियों की सिफारिशों के आधार पर टाइप टेस्ट से छूट दी जाती है।

18. दिव्यांग व्यक्तियों को उनके मूल निवास के पास पोस्ट करने के लिए क्या प्रावधान है?
उत्तर: शारीरिक रूप से दिव्यांग व्यक्तियों को प्रशासनिक बाध्यताओं के अधीन, उनके मूल निवास स्थान के निकट नियुक्त किया जा सकता है।

19. क्षैतिज आरक्षण क्या है?
उत्तर: क्षैतिज आरक्षण ऊर्ध्वाधर आरक्षणों को काटता है और बेंचमार्क दिव्यांगता वाले व्यक्तियों के लिए प्रतिनिधित्व सुनिश्चित करने के लिए सभी श्रेणियों (जैसे, एससी/एसटी/ओबीसी/यूआर) पर लागू होता है।

20. क्वार्टरों के आवंटन में पीडब्ल्यूबीडी कर्मचारियों के लिए क्या रियायत है?
उत्तर: पीडब्ल्यूबीडी कर्मचारियों को आउट-ऑफ-टर्न आधार पर क्वार्टरों के आवंटन के लिए पंजीकृत किया जा सकता है।

FAQs

14. What child care allowance is provided to women with disabilities?

Answer: ₹3,000 per month is provided for childcare up to two years of age, for a maximum of two children.

15. What is the concession in railway fares for orthopedically handicapped persons?

Answer:75% in Second, Sleeper, First AC Chair Car, and AC 3-tier.50% in First Class and AC 2-tier.25% in AC 3-tier & Chair Car of Rajdhani/Shatabdi trains. The same concession applies to their escort.

16. What facility is provided to PwBDs who cannot write during exams?

Answer: Scribe facility is provided for exams and promotions.

17. Are PwBDs exempt from type tests?

Answer: Yes, PwBDs who cannot type are exempt from type tests based on recommendations from competent medical authorities.

18. What provision exists for the posting of PwBDs near their native places?

Answer: Physically handicapped persons may be posted near their native places, subject to administrative constraints.

19. What is horizontal reservation?

Answer: Horizontal reservation cuts across vertical reservations and applies to all categories (e.g., SC/ST/OBC/UR) to ensure representation for persons with benchmark disabilities.

20. What is the concession for PwBD employees in allotment of quarters?

Answer: PwBD employees can be registered for allotment of quarters on an out-of-turn basis.

FAQs

21. दिव्यांग व्यक्तियों के लिए निर्धारित लाभों को धोखाधड़ी से प्राप्त करने की सज़ा क्या है?
उत्तर: 2 वर्ष तक कारावास या 1,00,000 रुपए तक जुर्माना या दोनों।

22. दिव्यांग व्यक्तियों के लिए रोजगार में भेदभाव को प्रतिबंधित करने वाला आरपीडब्ल्यूडी अधिनियम का कौन सा खंड है?
उत्तर: धारा 20 दिव्यांग व्यक्तियों के विरुद्ध रोजगार में भेदभाव को प्रतिबंधित करती है।

23. दिव्यांग व्यक्तियों के लिए आरपीडब्ल्यूडी अधिनियम के तहत प्रावधानों के पहले उल्लंघन के लिए दंड क्या है?
उत्तर: 10,000 रुपए तक का जुर्माना।

24. दिव्यांग व्यक्तियों के लिए समान अवसर नीतियों को सुनिश्चित करने वाला आरपीडब्ल्यूडी अधिनियम का कौन सा खंड है?
उत्तर: धारा 21 समान अवसर नीतियों को अनिवार्य बनाती है।

25. दिव्यांग व्यक्तियों के लिए उच्च शिक्षा संस्थानों में आरक्षण का प्रतिशत क्या है?
उत्तर: बेंचमार्क दिव्यांग व्यक्तियों के लिए 5% से कम सीटें आरक्षित नहीं हैं।

26. दिव्यांग व्यक्तियों के लिए शिकायत रजिस्टर बनाए रखने की जिम्मेदारी किसकी है?
उत्तर: शिकायत निवारण अधिकारी के रूप में नामित एक वरिष्ठ अधिकारी।

27. दिव्यांग व्यक्तियों के संबंध में संपर्क अधिकारी की क्या भूमिका है?
उत्तर: संपर्क अधिकारी दिव्यांग व्यक्तियों के लिए आरक्षण मामलों और सुविधाओं की देखरेख करता है।

FAQs

21. What is the punishment for fraudulently availing benefits meant for PwBDs?
Answer: Punishable with imprisonment up to 2 years or a fine up to ₹1,00,000 or both.

22. What section of the RPWD Act prohibits discrimination in employment?
Answer: Section 20 prohibits discrimination in employment against persons with disabilities.

23. What is the penalty for the first contravention of provisions under the RPWD Act?
Answer: A fine up to ₹10,000.

24. What section of the RPWD Act ensures equal opportunity policies for PwBDs?
Answer: Section 21 mandates equal opportunity policies.

25. What is the reservation percentage in higher education institutions for PwBDs?
Answer: Not less than 5% of seats are reserved for persons with benchmark disabilities.

26. Who is responsible for maintaining grievance registers for PwBDs?
Answer: A senior officer designated as the Grievance Redressal Officer.

27. What is the role of the Liaison Officer concerning PwBDs?
Answer: The Liaison Officer oversees reservation matters and facilities for PwBDs.

FAQs

28. आरपीडब्ल्यूडी अधिनियम के तहत जागरूकता अभियान के लिए क्या प्रावधान हैं?
उत्तर: अभियान में समावेशिता, सहिष्णुता, विविधता के प्रति सम्मान और दिव्यांग व्यक्तियों के अधिकारों के बारे में जागरूकता को बढ़ावा देना चाहिए।

29. दिव्यांग व्यक्तियों के लिए मुख्य आयुक्त की नियुक्ति कौन करता है?
उत्तर: केंद्र सरकार मुख्य आयुक्त की नियुक्ति करती है।

30. आरपीडब्ल्यूडी अधिनियम के तहत मुख्य आयुक्त के पास क्या शक्तियाँ हैं?
उत्तर: सिविल कोर्ट के समान शक्तियाँ, जैसे गवाहों को बुलाना और साक्ष्य प्राप्त करना।

31. कौन सी धारा दिव्यांग व्यक्तियों की खेलों में भागीदारी को बढ़ावा देती है?
उत्तर: धारा 30 दिव्यांग व्यक्तियों की भागीदारी और विकलांगता-विशिष्ट खेल आयोजनों के आयोजन को बढ़ावा देती है।

32. कौन सी धारा दिव्यांग व्यक्तियों के लिए सांस्कृतिक और मनोरंजक गतिविधियों को संबोधित करती है?
उत्तर: धारा 29 मनोरंजन केंद्रों और कला और साहसिक गतिविधियों में भागीदारी को प्रोत्साहित करती है।

33. क्या दिव्यांग व्यक्तियों को काम पर रखने वाले निजी नियोक्ताओं को प्रोत्साहन के प्रावधान हैं?
उत्तर: हाँ, धारा 35 यह सुनिश्चित करने के लिए प्रोत्साहन प्रदान करती है कि कार्यबल में कम से कम 5% दिव्यांग व्यक्ति शामिल हों।

34. दिव्यांग व्यक्तियों को क्या शैक्षणिक छूट प्रदान की जाती है?
उत्तर: उच्च शिक्षा संस्थानों में प्रवेश के लिए 5 वर्ष की ऊपरी आयु में छूट दी जाती है।

FAQs

28. What provisions are there for awareness campaigns under the RPWD Act?
Answer: Campaigns must promote inclusion, tolerance, respect for diversity, and awareness of PwBDs' rights.

29. Who appoints the Chief Commissioner for PwBDs?
Answer: The Central Government appoints the Chief Commissioner.

30. What powers does the Chief Commissioner have under the RPWD Act?
Answer: Powers similar to those of a civil court, such as summoning witnesses and receiving evidence.

31. What section promotes the participation of PwBDs in sports?
Answer: Section 30 promotes participation and the organization of disability-specific sporting events.

32. What section addresses cultural and recreational activities for PwBDs?
Answer: Section 29 encourages recreation centers and participation in arts and adventure activities.

33. Are there provisions for incentives to private employers hiring PwBDs?
Answer: Yes, Section 35 provides incentives to ensure at least 5% of the workforce includes PwBDs.

34. What educational relaxation is provided to PwBDs?
Answer: A 5-year upper age relaxation is granted for admission to higher education institutions.

FAQs

35. दिव्यांग व्यक्तियों के लिए चिन्हित पदों की कितनी बार समीक्षा की जानी चाहिए?
उत्तर: कम से कम हर तीन साल में।

36. दिव्यांग व्यक्तियों के लिए कौन सी दिव्यांगता श्रेणियां अधिनियम की अनुसूची के अंतर्गत आती हैं?
उत्तर: शारीरिक, बौद्धिक, मानसिक, तंत्रिका संबंधी, रक्त विकार और बहु दिव्यांगता ।

37. धारा 92 के तहत दिव्यांग व्यक्तियों के खिलाफ अत्याचार की सजा क्या है?
उत्तर: 6 महीने से 5 साल तक की कैद और जुर्माना।

38. रेलवे किराए में अंधे व्यक्तियों के लिए न्यूनतम रियायत क्या है?
उत्तर: द्वितीय, स्लीपर और प्रथम श्रेणी में 50%।

39. आरक्षण लाभ प्राप्त करने के लिए कौन से दस्तावेज़ की आवश्यकता है?
उत्तर: सक्षम प्राधिकारी से दिव्यांगता का प्रमाण पत्र।

40. दिव्यांग व्यक्तियों के लिए शिकायत निवारण की समय-सीमा क्या है?
उत्तर: शिकायतों का समाधान दो महीने के भीतर किया जाना चाहिए।

41. दिव्यांग व्यक्तियों के लिए अधिनियम के प्रावधानों के बाद के उल्लंघन के लिए दंड क्या है?
उत्तर: 50,000 रुपए से 5,00,000 रुपए तक का जुर्माना।

42. धारा 96 के मुख्य प्रावधान क्या हैं?
उत्तर: आरपीडब्ल्यूडी अधिनियम के प्रावधान अन्य कानूनों के अतिरिक्त हैं, न कि उनके उल्लंघन में।

FAQs

35. How often should identified posts for PwBDs be reviewed?
Answer: At least every three years.

36. What disability categories are covered under the RPWD Act's schedule?
Answer: Physical, intellectual, mental, neurological, blood disorders, and multiple disabilities.

37. What is the punishment for atrocities against PwBDs under Section 92?
Answer: Imprisonment of 6 months to 5 years and a fine.

38. What is the minimum concession for blind persons in railway fares?
Answer: 50% in Second, Sleeper, and First Class.

39. What document is required to avail of reservation benefits?
Answer: A certificate of disability from a competent authority.

40. What is the timeline for grievance redressal under the RPWD Act?
Answer: Grievances must be resolved within two months.

41. What is the penalty for a subsequent violation of RPWD Act provisions?
Answer: A fine of ₹50,000 to ₹5,00,000.

42. What are the key provisions of Section 96?
Answer: RPWD Act provisions are in addition to and not in derogation of other laws.

FAQs

43. दिव्यांग व्यक्तियों के लिए दोहरे परिवहन भत्ते की सीमा क्या है?
उत्तर: न्यूनतम 2,250 रुपये प्लस डीए.

44. सार्वजनिक परिवहन का उपयोग करने में असमर्थ दिव्यांग व्यक्तियों के लिए क्या प्रावधान हैं?
उत्तर: साथी सुविधाएँ और अतिरिक्त भत्ते।

45. दिव्यांग कर्मचारियों के लिए स्टाफ लाभ निधि क्या है?
उत्तर: इसमें सहायक सामग्री खरीदना और कार्यशालाओं का आयोजन करना शामिल है, जिसके लिए प्रति व्यक्ति 50 रुपये का आवंटन किया गया है।

46. दिव्यांग महिलाओं पर अनधिकृत चिकित्सा प्रक्रिया करने की सज़ा क्या है?
उत्तर: सज़ा 6 महीने से 5 साल की अवधि के लिए कारावास और जुर्माना है।

47. सरकारी प्रतिष्ठानों में दिव्यांग कर्मचारियों के रिकॉर्ड रखने के लिए क्या प्रावधान हैं?
उत्तर: प्रतिष्ठानों को दिव्यांग कर्मचारियों की संख्या, उनकी विकलांगता, उनके द्वारा किए जाने वाले काम और उन्हें प्रदान की जाने वाली सुविधाओं का रिकॉर्ड रखना चाहिए।

48. ट्रेनों में एस्कॉर्ट के साथ यात्रा करने वाले मानसिक रूप से दिव्यांग व्यक्तियों को मिलने वाली न्यूनतम रियायत क्या है?
उत्तर: सेकंड, स्लीपर, फर्स्ट एसी चेयर कार और एसी 3-टियर क्लास में 75% की छूट।

49. दिव्यांग कर्मचारियों के संबंध में रोटेशनल ट्रांसफर के लिए क्या प्रावधान है?
उत्तर: दिव्यांग व्यक्तियों को रोटेशनल ट्रांसफर से छूट दी जा सकती है और उन्हें उसी नौकरी या स्थान पर बने रहने की अनुमति दी जा सकती है, जहाँ वे वांछित प्रदर्शन हासिल करते हैं।

50. आरपीडब्ल्यूडी अधिनियम की धारा 39 के तहत जागरूकता अभियानों के उद्देश्य क्या हैं?
उत्तर: दिव्यांग व्यक्तियों के कौशल और योगदान की मान्यता को आगे बढ़ाते हुए समावेशिता, सहिष्णुता और विविधता के प्रति सम्मान को बढ़ावा देना।

FAQs

43. What is the double transport allowance threshold for PwBDs?
Answer: Minimum ₹2,250 plus DA.

44. What provisions exist for PwBDs unable to use public transport?
Answer: Companion facilities and additional allowances.

45. What is the staff benefit fund for PwBD employees?
Answer: Includes purchasing aids and organizing workshops, with a per capita allocation of ₹50.

46.What is the punishment for performing unauthorized medical procedures on women with disabilities?
Answer: The punishment is imprisonment for a term of 6 months to 5 years, along with a fine.

47. What provisions exist for maintaining records of PwBD employees in government establishments?
Answer: Establishments must maintain records of the number of PwBD employees, their disabilities, the work they perform, and the facilities provided to them.

48. What is the minimum concession available to mentally retarded persons traveling with an escort on trains?
Answer: A 75% concession in Second, Sleeper, First AC Chair Car, and AC 3-tier classes.

49. What is the provision for rotational transfers concerning employees with disabilities?
Answer: PwBDs may be exempt from rotational transfers and allowed to remain in the same job or location where they achieve the desired performance.

50. What are the objectives of awareness campaigns under Section 39 of the RPWD Act?
Answer: To promote inclusion, tolerance, and respect for diversity while advancing recognition of the skills and contributions of PwBDs.



This document is made under guidance of Sri. Harsh Kumar Garg, Sr.DPO/HWH

&

Prepared by – Sri. Debajyoti Sen, APO-III/HWH
with assistance of Sr.DPO's Confidential APAR Cell/HWH

(14)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(GP)2022/2/20 **New Delhi, dt: 14/11/2022**

The General Manager,
S.E.Railway,
Kolkata.

(Kind attn.: Shri Ravi Kumar, Dy.CPO(G))

Sub.: Reservation in Promotion to the Persons with Benchmark Disabilities (PwBDs)- Promotion from Group 'C' to Group 'B' posts.

Ref.: Board's letter of even number dated 18.08.2022 and S.E.Railway's Letter no.SER-HQ0PERS/212/2022 dated 19.10.2022.

With reference to S.E.Railway's aforementioned letter, it is advised that Reservation to PwBD may be provided in the following categories of Group 'B' posts while carrying out promotions to these posts from Group 'C':

i)Group 'B' posts along with identified physical requirements and functional classification as given in Annexure-I;

ii)Group 'B' Posts identified vide Ministry of Social Justice & Empowerment's notification no.38-16/2020-DD-III dated 4/01/2021 and those Gr.'B' posts where the Gr.C posts included in the said OM form a Feeder cadre for promotion to Group 'B' posts;

iii)those Gr.B posts where the posts identified in Board's letter No.E(NG)II/2017/RC-2/1/Policy dated 27/02/2019 are the feeder Cadre for promotion to Group 'B' posts.

2. With regard to the relaxation as provided for in Para 8.1 of DOP&T's O.M.No.No.36012/1/2020-Estt.(Res.II) dated 17.05.2022, requisite action may please be taken in terms of Para 4(i) of DOP&T's subsequent OM No.36035/02/2017-Estt(Res) dated 27.09.2022 (copy enclosed as Annexure-II).

2.1. Further, the provision contained in Para 10.1. of DOP&T 's OM dt. 17.05.2022 for preparing cadre wise Rosters for promotion of PwBD is quite explicit and doesn't require any elucidation.

M. Saluja 14/11/22

DA:As above

(Meenakshi Saluja)
Dy. Director, Estt.(GP)III
Railway Board
Ph. No. 23303322
E.mail ID- meena.1964@gov.in

Copy to: General Managers, All Indian Railways and Production Units for information and necessary action.

Annexure-1

S.No.	Post	Functional Classification	Physical Requirement
1.	AEN	Locomotor Disability (LD)- One Arm (OA)/One Leg (OL), Leprosy Cured, Acid Attack victims	S, ST, BN, W, SE, MF, C, RW, KC, CL, JU, H
		Hearing impaired (HI(HH))	S,ST,BN,W,SE,MF,C,RW,KC,CL,JU,H (Acceptable with Hearing Aids)
2	AME	LD-OA/OL, Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,KC,CL,JU,H
3	AEE	LD-OA/OL, Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,KC,CL,JU,H
		HI(HH)	S, ST,BN,W, SE,MF,C,RW,KC,CL,JU,H (Acceptable with Hearing Aids)
4	AST E	LD-OA/OL, Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,KC,CL,JU,H
5	AMM	LD-OA/OL, Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,H
		HI(HH)	S, ST,BN,W, SE,MF,C,RW,KC,CL,JU,H (Acceptable with Hearing Aids)
6	AOM & ACM	LD-OA/OL, Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,PP,H
7	AFA	LD-OA/OL/OAL/BL Leprosy Cured, Acid Attack victims	S, ST,BN,W, SE,MF,C,RW,H
		Low Vision (LV)	S, ST,BN,W, SE,MF,C,RW,H
		HI(HH)	S, ST,BN,W, SE,MF,C,RW, H (Acceptable with Hearing Aids)
8	APO	LD-OA/OL (including Leprosy Cured, Acid Attack victims)	S, ST,BN,W, SE,MF,C,RW, H
		LV	S,ST,BN,W,SE,MF,C,RW,KC,CL,JU,H
		HI(HH)	S,ST,BN,W,SE,MF,C,RW,KC,CL,JU,H (Acceptable with Hearing Aids)

FUNCTIONAL REQUIREMENT ABBREVIATIONS USED: S= Sitting, ST= Standing, W=Walking, BN=Bending, L=Lifting, KC= kneeling and crouching, JU=Jumping, CRL-=Crawling, CL=Climbing, PP= Pulling and pushing, MF= Manipulation by fingers, RW= Reading and writing, SE= seeing, H= Hearing, C=Communication,

CATEGORY ABBREVIATIONS USED: B= Blind, LV= Low vision, D=Deaf, HH= Hard of Hearing, OA=One Arm, OL=One Leg, BA=Both Arms, BL=Both Legs, OAL= One Arm and One Leg, BLOW= Both Leg and One Arm, BLA= Both Legs Arms, CP= Cerebral Palsy, LC=Leprosy Cure, DW=Dwarfism, AAV=Acid Attack Victims, MDy= Muscular Dystrophy, ASD= Autism Spectrum Disorder(M= Mild, MoD= Moderate), ID= Intellectual Disability, SLD= Specific Learning Disability, MI= Mental Illness, MD= Multiple Disabilities.

(16)

2684/268

1292247/2022/O/o DDE(GP)-III

E(GP)2022/2/20/PwBD
36012/14/2022-Estt(Res)

1/30217/12/2022

Annexure-II

No.36035/02/2017-Estt(Res)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi.
Dated Sept. 27, 2022

Office Memorandum

Subject: Reservation for Persons with Benchmark Disabilities - Clarification with regard to the concept of own merit.

The undersigned is directed to refer to Para 4.2 of the OM of even number, dated 15.1.2018 and Para 7.2 of OM No. 36012/1/2020-Estt(Res.-II), dated 17.5.2022, which, inter alia, states that the Persons with Benchmark Disability (PwBD) selected without relaxed standard, along with other unreserved candidates, will not be adjusted against the vacancies reserved for them and that the vacancies reserved for PwBDs will be filled up separately from amongst the eligible PwBD candidates who are lower in merit than the last unreserved candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standard.

2. Queries have been received in this Department, from time to time, on the following three aspects: -

i. whether PwBD candidates who have qualified on their own merit without any relaxed standard should be appointed against the vacancies not reserved for PwBDs, i.e., against the unreserved vacancies which will be in addition to the vacancies earmarked for PwBD category candidates;
ii. whether the facility of a scribe availed by a PwBD candidate, along with the compensatory time, shall be treated as relaxed standard; and
iii. whether the disability a PwBD candidate is suffering from, shall be treated as relaxation in medical standard, which will disable him from being treated as own merit category.

3. In this connection, it is also pertinent to mention that this Department had constituted a Committee which deliberated upon the above three aspects, particularly in

respect of Civil Services Examination (CSE), and recommended, inter-alia, the following: -

i. the 'own merit' concept for PwBD category candidates should be implemented in CSE, in accordance with Establishment (Reservation) Division's OM No.36035/2/2017-Estt(Res), dated 15.01.2018.
ii. The facility of scribe, extra-time and relaxation in medical standards available to PwBD category candidates should not be treated as 'relaxed standard'.

4. Accordingly, the following clarifications are issued: -

i. In line with the spirit of the O.M. No.36035/2/2017-Estt(Res.), dated 15.1.2018, and O.M. No.36012/1/2020-Estt(Res-II), dated 17.5.2022 on the subject, the concept of own merit for PwBD shall be implemented in all direct recruitment examinations, including the CSE and promotions, wherever applicable. In other words, PwBD category candidates selected without relaxed standard, along with other unreserved candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities, who are lower in merit than the last unreserved candidate in general merit list, but otherwise found suitable for appointment, if necessary, by relaxed standards.
ii. In accordance with Para 3 of the OM No.29-6/2019-DD-III, dated 10.8.2022, issued by the Department of Empowerment of Persons with Disabilities, the facility of scribe, along with compensatory time shall not be treated as relaxed standard. DoPT, in agreement with this provision, reiterates that the facility of scribe taken by a PwBD candidate, along with compensatory time, shall not be treated as relaxed standard.
iii. In terms of Corrigendum No. 34-02/2015/DD-III(Pt.), dated 08.02.2019, the phrase 'extra time or additional time' is required to be replaced by the phrase 'compensatory time'.
iv. The spirit of the term 'own merit' will get defeated if the

respect of Civil Services Examination (CSE), and recommended, inter-alia, the following: -

i. the 'own merit' concept for PwBD category candidates should be implemented in CSE, in accordance with Establishment (Reservation) Division's OM No.36035/2/2017-Estt(Res), dated 15.01.2018.
ii. The facility of scribe, extra-time and relaxation in medical standards available to PwBD category candidates should not be treated as 'relaxed standard'.

4. Accordingly, the following clarifications are issued: -

i. In line with the spirit of the O.M. No.36035/2/2017-Estt(Res.), dated 15.1.2018, and O.M. No.36012/1/2020-Estt(Res-II), dated 17.5.2022 on the subject, the concept of own merit for PwBD shall be implemented in all direct recruitment examinations, including the CSE and promotions, wherever applicable. In other words, PwBD category candidates selected without relaxed standard, along with other unreserved candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities, who are lower in merit than the last unreserved candidate in general merit list, but otherwise found suitable for appointment, if necessary, by relaxed standards.
ii. In accordance with Para 3 of the OM No.29-6/2019-DD-III, dated 10.8.2022, issued by the Department of Empowerment of Persons with Disabilities, the facility of scribe, along with compensatory time shall not be treated as relaxed standard. DoPT, in agreement with this provision, reiterates that the facility of scribe taken by a PwBD candidate, along with compensatory time, shall not be treated as relaxed standard.
iii. In terms of Corrigendum No. 34-02/2015/DD-III(Pt.), dated 08.02.2019, the phrase 'extra time or additional time' is required to be replaced by the phrase 'compensatory time'.
iv. The spirit of the term 'own merit' will get defeated if the

1292247/2022/O/o DDE(GP)-III

E(GP)2022/2/20/PwBD
36012/14/2022-Estt(Res)

1/3021712/2022

disability a person is suffering from, is treated as relaxed medical standard, as no PwBD will get the benefit of the term 'own merit' as stipulated in the OMs, dated 15.1.2018 and 17.5.2022 in such a scenario. Accordingly, it is clarified that disability of a person, which he is suffering from, shall not be treated as relaxed standard in medical fitness test for the purpose of 'own merit'.

5. All the Ministries/Departments of the Government of India are requested to bring the above instructions to the notice of all the appointing authorities under their control to provide the benefit of 'own merit' to the PwBDs, in accordance with these guidelines.

6. This is being issued after having consultation with the Department of Empowerment of Persons with Disabilities and the Department of Legal Affairs.

7. This issues with the approval of Secretary (P).

(S.P. Pant)
Director (Res-II)
Ph.23093074

To

1. The Secretaries of all the Ministries/Departments of the Government of India.
2. The Secretary, Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi, with a request to issue similar instructions for compliance by Public Sector Banks/Financial Institution/Insurance Companies.
3. The Secretary, Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi, with a request to issue similar instructions for compliance by all Central Public Sector enterprises.
4. The Secretary, Railway Board, Rail Bhavan, New Delhi, (v) The Secretary, President Secretariat, Rashtrapati Bhavan, New Delhi.
5. The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.

(20)

RBE No. 75/2023

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No. E(NG)I-2023/PM1/9 New Delhi, dated 08.06.2023

The General Manager
All Zonal Railways/PUs
(As per standard mailing list)

Sub: Disclosure of marks secured by candidates in the written test held for selection/LDCEs for promotion in erstwhile Group 'D' to Group 'C' and within Group 'C' posts.

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Clarification has been sought by one of the Zonal Railways namely South Eastern Railway whether the marks secured by candidates in the written test for selection/LDCEs for promotions from erstwhile Group 'D' to Group 'C', and within Group 'C' posts, may be furnished to them, since applications are being received from candidates under Right to Information (RTI) Act, 2005 requesting for disclosure of marks obtained by them.

The matter has been examined by the Board and it has been decided that in order to further transparency in selections for promotions, the total marks secured by all the candidates who have been evaluated after qualifying the written examination, and the marks secured in the written test in the case of the remaining candidates, may be notified after finalization of the panel.

Hindi version will follow.

Please acknowledge receipt.

This disposes off S. E. Railways letter No.SER/P-HQ/741/RTI/RDY/707/AA/2022 dated 19.01.2023 & 24.03.2023.

DA: Nil.

Sanjay 08/06/23

(Sanjay Kumar)
Deputy Director Estt.(N)
Railway Board
E-mail: sanjay.kumar6@gov.in
Ph. No. 43658/01123303658

No. E(NG)I-2023/PM1/9 **New Delhi, dated 08.06.2023**

Copy forwarded to:-

1. The General Secretary, AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies).
2. The General Secretary, NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies).

Contd…2/-

(21)

RBE No.133/2023

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No. E(NG)I/2019/PM4/8(E-3417344) New Delhi, dated 04.12.2023

The General Manager (P)
All Zonal Railways & Production Units
(As per standard list)

Sub: Reservation in Promotion to Persons with Benchmark Disabilities (PwBD).- Clarifications regarding.

Attention is invited to Board's letter of even number dated 01.07.2022 (RBE No.74/2022) along with DoP&T's O.M. No. 36012/1/2020-Estt.(Res.-II dated 17.05.2022 whereby detailed guidelines were issued for providing reservation in promotions to Persons with Benchmark Disabilities.

2. Representations have been received on the subject of extent of relaxation of standards of selection/suitability for PwBD candidates in the promotional exams. Attention in this regard is drawn to Para 8.1 and 8.2 of DoP&T's instructions dated 17.05.2022 ibid which provides for relaxation of standards in selections.

3. It is stipulated in the aforesaid provisions that relaxed standards are to be adopted only in case sufficient PwBD candidates are not available on the basis of prescribed standards. However, the extent of relaxation required to be given has not been indicated in the instructions. The matter has been examined in consultation with DoP&T and clarification in this regard is as under:-

> *"If any extent of relaxation has been decided for a particular Limited Departmental Examination/Departmental Examination in respect of candidates belonging to SC/ST category, where sufficient number of candidates belonging to SC/ST categories (as per vacancies earmarked for these categories) do not qualify the examination in the normal course, same extent of relaxation can be extended to candidates belonging to those PWBD category, who do not belong to SC/ST category. In case the candidates belonging to PwBD category also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD candidate for seeking relaxation of standard for Departmental Examination but not both."*

Please acknowledge receipt.

Sanjay 04/12/23

(Sanjay Kumar)
Dy. Director/Estt.(N)
Railway Board
Ph. No. 43658/011-23303658
E-Mail Id - sanjay.kumar6@gov.in

22

RBE No.10/2024

भारत सरकार / GOVERNMENT OF INDIA
रेल मंत्रालय /MINISTRY OF RAILWAYS
रेलवे बोर्ड/(RAILWAY BOARD)

No. E(NG)I/2024/TR/04

New Delhi, Dated : 14 .02.2024

The General Manager (P)
All Zonal Railways/PUs

Sub: Exemption from the routine exercise of transfer/rotational transfer.
Ref: Railway Board's RBE No. 59/2023 and RBE No. 74/2023 dated 24.04.2023 and 08.06.2023 respectively.

*****

Kindly refer to RBE No. 59/2023 and RBE No. 74/2023 (copies enclosed) on the subject mentioned above wherein instructions regarding transfer/posting of physically handicapped Railway servants and government employees who are caregiver of dependent daughter/son/parents/spouse/brother/sister have been reiterated. The Hon'ble Court of Chief Commissioner for Persons With Disabilities in case no 14109/1022/2023 regarding provisions relating to transfer of PwD employees has desired that suitable instructions be issued to all concerned for strict compliance of provisions relating to transfer of PwD employees.

2. Extant instructions on the subject, compiled and issued vide RBE No. 59/2023 and 74/2023, again stands reiterated for strict compliance.

Sanjay 14/2/24

(Sanjay Kumar)
Dy. Director Estt (N)
Railway Board
Ph. No. - 011-23303658
E mail Id- sanjay.kumar6@gov.in

Copy to: Shri Rajesh Aggarwal, The Chief Commissioner for Persons with Disabilities, 5th Floor, NISD Building, Plot No. G-2, Sector-10, Dwarka, New Delhi-110075.

contd....2/-

(23)

RBE No. 59 /2023

भारत सरकार / GOVERNMENT OF INDIA
रेल मंत्रालय /MINISTRY OF RAILWAYS
रेलवे बोर्ड/(RAILWAY BOARD)

No. E(NG)I/2023/TR/15

New Delhi, Dated 24.04.2023

The General Manager (P),
All Zonal Railways/Pus.

Sub: Exemption from the routine exercise of transfer/rotational transfer.
Ref: 1. Board's letter No. E(NG)I-91/TR/13 dated 11.02.1992.
2. Board's letter No. E(NG)I/2014/TR/12 dated 01.08.2014.
3. Board's letter No. E(NG)I-2015/TR/20 dated 10.02.2017.
4. Board's letter No. E(NG)I-2019/TR/1 dated 30.01.2019.

*****

The Hon'ble Court of Chief Commissioner for Persons With Disabilities in case no 13604/1022/2022/R37714 regarding provisions relating to transfer of PwD employees has desired that suitable instructions be issued to all concerned for strict compliance of provisions relating to transfer of PwD employees. In this regard, attention is invited to instructions issued by the Railway Board from time to time for helping disabled Non-Gazetted employees working on Zonal Railways.

2. Attention in this connection is invited to instructions contained in Board's letter No. E(NG)I-91/TR/13 dated 11.02.1992, vide which DOP&T's OM dated 10.05.1990 were circulated for adoption wherein it was provided that candidates recruited on regional basis and who are physically handicapped may be given posting as far as possible, subject to administrative constraints, near their native places within the region. Extant instructions also provide that requests from PwD employees for transfer to or near their native places may also be given preference

3. Further, vide Board's letter No E(NG)I-2015/TR/20 dated 10.02.2017, physically handicapped Railway servants have been exempted from the condition of minimum of five years service required for inter railway transfer requests.

4. Apart from the above, attention in this regard is also drawn to Board's letter No E(NG)I/2014/TR/12 dated 01.08.2014 and E(NG)I-2019/TR/1 dated 30.01.2019 adopting instructions contained in DoP&T's OMs No. 42011/3/2014-Estt(Res) dated 6.6.2014 and No F. No. 42011/3/2014-Estt.(Res) dated 08.10.2018 respectively, providing that government employees who serve as main care giver of dependent daughter/ son/ parents/ spouse/ brother/ sister with specified disability may be exempted from exercise of routine transfer.

5. Ministry of Railways desire that extant instructions on the subject as referred to in the preceding paras may be followed scrupulously. The aforementioned instructions are hereby reiterated for strict compliance.

Sanjay 24/04/23

(Sanjay Kumar)
Dy. Director Estt (N)
Railway Board
Ph. No. - 011-23303658
E mail Id- sanjay.kumar6@gov.in

Mail 25/04/2023

(24)

RBE No.74/2023

भारत सरकार / GOVERNMENT OF INDIA
रेल मंत्रालय /MINISTRY OF RAILWAYS
रेलवे बोर्ड/(RAILWAY BOARD)

No. E(NG)I/2023/TR/15 New Delhi, Dated :08.06.2023

The General Manager (P)
All Zonal Railways/PUs

Sub: Exemption from the routine exercise of transfer/rotational transfer.
Ref: 1. Board's letter No. E(NG)I-91/TR/13 dated 11.02.1992.
2. Board's letter No. E(NG)I/2014/TR/4 dated 06.05.2014.
3. Board's letter No. E(NG)I-2015/TR/20 dated 10.02.2017.
4. Board's letter No. E(NG)I-2019/TR/1 dated 30.01.2019.

*****

Kindly refer to Board's letter of even no. dated 24.04.2023 regarding guidelines for exemption from the routine exercise of transfer/rotational transfer to Persons with Disabilities, wherein instructions on the subject of exemption from the routine exercise of transfer/rotational transfer were reiterated.

2. In continuation of the instructions mentioned therein it is stated that guidelines were issued vide Board's letter no. E(NG)I/2014/TR/4 dated 06.05.2014 forwarding copy of DoPT's OM No. 36035/3/2013-Estt(Res). dated 31.03.2014, para H of which reads as under:-

"As far as possible, the persons with disabilities may be exempted from the rotational transfer policy/transfer and be allowed to continue in the ssame job, where they would have achieved the desired performance. Further, preference in place of posting at the time of transfer/promotion may be given to the persons with disability subject to the administrative constraints.
The practice of considering choice of place of posting in case of persons with disabilities may be continued. To the extent feasible, they may be retained in the same job, where their services could be optimally utilized."

3. The aforementioned provisions are also hereby reiterated for strict compliance.

(Sanjay Kumar)
Dy. Director Estt (N)
Railway Board
Ph. No. - 011-23303658
E mail Id- sanjay.kumar6@gov.in

Copy to: (i) The Chief Commissioner for Persons with Disabilities, 5th Floor, NISD Building, Plot No. G-2, Sector-10, Dwarka, New Delhi-110075

(ii) Shri Sitansu Mohan, Deputy Secretary to Government of India, Ministry of Personnel, Public Grievances & Pension, Department of Personnel & Training, Establishment (Res-II) Section w.r.t to their O.M. No 36035/5/2023-Estt.(Res.II) dt. 23.03.2023

RBE No.06/2024

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड /RAILWAY BOARD)

No. E(NG)I/2019/PM4/8.(E-3417344) New Delhi, Dt. 18 .01.2024

The General Manager (P)
All Zonal Railways & Production Units
(As per standard list)

Sub: Reservation in promotion to Persons with Benchmark Disability (PwBDs)

Ref. i) Board's letter No. E(NG)I/2019/PM4/8 dated 01.07.2022.
ii)DOP&T's OM No. 36012/1/2020-Estt. (Res.-II) dated 28.12.2023.
iii) DOP&T's OM No. 36012/1/2020-Estt. (Res.-II) dated 17.05.2022.
iv) Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD-III dated 04.01.2021
v) Board's letter No. E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

The matter regarding reservation in promotion for Persons with Benchmark Disabilities (PwBDs) had been under litigation before various courts of law for quite some time, and the Hon'ble Supreme Court, in its order, dated 18.07.2023, has directed that "Though it is pointed out that the judgement of this Court of which breach is alleged, has been complied with effect from 15.7.2023, the fact remains that the judgement is of 30.6.2016 directing the respondents to implement the 1995 Act. Therefore, the respondent will have to consider of giving at least notional promotion to those who are eligible from an earlier date."

2. Accordingly, Department of Personnel and Training in consultation with the Department of Legal Affairs have issued detailed instructions vide their OM No. 36012/1/2020-Estt.(Res.-II) dated 28.12.2023 (copy enclosed) for providing notional Promotions to PwDs candidate w.e.f. 30.06.2016, in posts and services of the Central Government, as defined under Section 2(r) of the said Act, notified by the Department of Empowerment of Persons with Disabilities (DEPWD).

3. The matter has been considered by the Board and it has been decided that instructions issued by DOP&T vide their OM under reference may be made applicable mutatis mutandis for grant of notional promotions to the PwD candidates w.e.f. 30.06.2016 in the non gazetted posts of Indian Railways as identified vide Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD III dated 04.01.2021 and Board's letter E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

Sanjay 18/01/24

(Sanjay Kumar)
Dy. Director/Estt.(N)
Railway Board
Ph. No. 43658/011-23303658
E-Mail Id - sanjay.kumar6@gov.in

No. 36012/1/2020-Estt (Res-II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi,
Dated the 28th December, 2023.

OFFICE MEMORANDUM

Subject: Reservation in promotion to Persons with Benchmark Disabilities (PwBDs) regarding.

****

The undersigned is directed to say that the Hon'ble Supreme Court, vide its Judgement dated 30.6.2016, in the WP(C) No.521/2008, titled '*Rajeev Kumar Gupta Vs. UOI*, had directed the Government to extend three percent reservation to PWD in all identified posts in Group A and Group B, irrespective of the mode of filling up of such posts. However, subsequently the Hon'ble Supreme Court, vide its Order dated 3.2.2017, in the Civil Appeal No. 1567/2017 titled '*Siddaraju Vs. State of Karnataka & Ors.*' referred to the prohibition made against reservation in promotion as laid down by the majority in Indra Sawhney & Others v. Union of India & Others (1992) and observed and held that its Judgement dated 30.6.2016 in *Rajeev Kumar Gupta* needed to be considered by a larger Bench. However, the Hon'ble Supreme Court finally disposed of the *Siddaraju* matter vide its Judgement dated 14.1.2020 and held that its Judgement in *Rajeev Kumar Gupta* would bind the Union and State Governments and it must be strictly followed.

2. However, the Union of India needed some clarification with regard to the implementation of the Hon'ble Supreme Court Judgement dated 30.6.2016 and 14.1.2020, and, therefore, Application for Clarification was filed by the UOI before the Hon'ble Supreme Court seeking clarification which *inter alia* included whether the vacancies for promotion for PwDs would be computed only on the basis of the vacancies against the identified posts or against the vacancies in both identified and non-identified posts and whether the judgement dated 14.1.2020 needs to be implemented on the basis of PwD Act, 1995 or RPWD Act, 2016. Hon'ble Supreme Court disposed of this Application for Clarification vide its Order dated 28.9.2021 directing the Government of India to issue instructions regarding reservation in promotion as provided in Section 34 of the RPwD Act, 2016.

3. Proviso to Section 34 of the RPWD Act, 2016 provides that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time. Accordingly, DoPT vide its OM of even number dated 17.5.2022 issued detailed instructions for extending the benefit of reservation in promotion to PwDs up to the lowest rung of Group `A' in posts and services under the

Central Government. This OM is effective with effect from the date of its issue i.e. 17.5.2022.

4. However, in a Contempt Petition (Civil) No.873/2023 filed by Shri S. S. Sundaram against Department of Revenue, the Hon'ble Supreme Court vide its order dated 18.7.2023 has directed "*Though it is pointed out that the judgement of this Court of which breach is alleged, has been complied with effect from 15.7.2023, the fact remains that the judgement is of 30.6.2016 directing the respondents to implement the 1995 Act. Therefore, the respondent will have to consider of giving at least notional promotion to those who are eligible from an earlier date*".

5. The aforesaid directions dated 18.7.2023 of the Hon'ble Supreme Court has been considered in consultation with the Department of Legal Affairs and it has been decided to grant notional promotions to the PwD candidates w.e.f. 30.6.2016 as under:

(i) PwD employees in posts and services of the Central Government, will be considered for grant of the benefit of reservation in promotion up to the lowest rung of Group 'A' on notional basis w.e.f. 30.6.2016 subject to their fulfilment of the eligibility conditions as laid down in the DoPT OM of even number dated 17.5.2022 regarding reservation in promotion to PwDs. However, the extent of reservation in promotion may be in accordance with the relevant provisions contained in the PwD Act 1995 and RPWD Act 2016. Further, this benefit may be extended after holding Review DPC as per the extant instructions issued by DoPT on the subject. In case the PwD employees are found eligible and suitable for promotion from any date subsequent to 30.6.2016, then the benefit of reservation in promotion may be extended to them from the date they become eligible for promotion. This promotion on notional basis includes promotion on seniority quota as well as Departmental Examination/Departmental Competitive Examination. In case of Departmental Examination/Departmental Competitive Examination, which has already been held during the period from 30.6.2016 to 16.5.2022, the eligibility of the PwD candidates may be assessed on the basis of their performance in the said examination. The concerned Administrative Authorities are given discretion to consider holding of special examination for assessing the suitability or eligibility of PwD employees for such Departmental Competitive Examination.

(ii) Any such promotion during the period from 30.6.2016 till the PwD employee actually assumes the charge of the post will be only on notional basis and the actual financial benefit of promotion will be effective to them with effect from the date they actually assume charge of the promoted post, meaning that no financial arrear will be admissible to them for the period from the date on which they get the benefit of notional promotion and the date on which they actually assume or have already assumed the charge of such promoted post.

(iii) Extending the benefit of reservation in promotion to the PwD employees on notional basis between 30.6.2016 and actual assumption of the charge of the

post may affect the inter-se-seniority of the officials in various grades. Due to this, there may be cases in which some officials may have to be placed in a select list/seniority list, subsequent to the year of their existing/present seniority list/select list. This may have a chain effect as it may result in revision in seniority lists in subsequent years in many cases which may cause administrative inconvenience. In order to avoid such situation, supernumerary posts may be created to adjust the lien of such PwD employees with effect from the date on or after 30.6.2016, when they become eligible to get the benefit of reservation in promotion, till the availability of vacancy in which the promotion is to be made or till they vacate the post on their retirement, further promotion etc. whichever is earlier.

(iv) The creation of supernumerary post, as stated above, will be personal to the PwD employee who is given the benefit of reservation in promotion on notional basis and such supernumerary post will stand abolished on the date when such PwD employee is adjusted against available vacancy in the grade in which the promotion is given or when that PwD employee vacates the post on his/her retirement, further promotion etc., whichever is earlier.

(v) Ministries/Departments are advised to undertake an exercise to ascertain the requirement of supernumerary posts required by them and submit the proposal for creation of posts to the Department of Expenditure through DoPT. Such proposal shall contain the proposal in respect of the entire Department/Ministry and the proposal in piecemeal shall not be accepted. A certificate to the effect that the proposal is complete in all respects and the requirement of creation of supernumerary posts has been projected in respect of the entire Department may also be furnished along with the proposal. Further, each proposal shall have the concurrence of the Liaison Officer for PwDs of the Department/Ministry concerned and shall be forwarded with the approval of the Secretary of the Administrative Department/Ministry.

(vi) It is clarified that the benefit of notional promotion, as proposed above, shall not adversely affect those PwD candidates who have already been granted the benefit of reservation in promotion in personam in pursuance of the Orders/judgements of various Courts of Law.

6. This issues with the approval of Department of Expenditure conveyed vide their ID Note No.7(1)/E. Coord.I/2017 Part (V) dated 12.12.2023.

Debabrata

(Debabrata Das)
Under Secretary to the Government of India.

Distribution:

(i) The Secretaries of all Ministries/Departments of the Government of India.

(29)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

RBE No.: 13 /2024

No. E(GP)2022/2/20

New Delhi.: 08 .02.2024

The General Managers,
All Indian Railways and Production Units.

(Kind Attn.: PCPOs/PFAs/Dy. CPO(G)/ Dy. CAO(G))

Sub.: **Reservation to Persons with Benchmark Disabilities (PwBDs) in promotion from Group 'C' to Group 'B' posts – clarification regarding.**

Ref.: **DoP&T's O.M. No. 36035/1/2023-Estt.(Res.-II)dated 29.05.2023 (copy enclosed).**

Attention is invited to Board's letter of even number dated 18.08.2022 whereby instructions issued by DoP&T vide their O.M. No. 36012/01/2020-Estt. (res-II) dated 17.05.2022 for grant of reservation in promotion to PwBDs have been made applicable *mutatis mutandis* for promotion from Group 'C' to Group 'B' posts.

2. In this connection, DoP&T vide their O.M. under reference have clarified:

"If any extent of relaxation has been decided for a particular Limited Departmental Examination / Departmental Examination in respect of candidates belonging to SC/ST category, where sufficient number of candidates belonging to SC/ST categories (as per vacancies earmarked for these categories) do not qualify the examination in the normal course, same extent of relaxation can be extended to candidates belonging to those PwBD category, who do not belong to SC/ST category. In case the candidates belonging to PwBD category also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD candidate for seeking relaxation of standard for Departmental Examination but not both."

3. The issue of grant of relaxed standards of suitability to PwBDs in promotion from Group 'C' to Group 'B' posts has also been examined by the Board. Accordingly, it has been decided that extent of relaxation provided to SC/ST candidates in Selections and LDCEs for promotion from Group 'C' to Group 'B' posts may also be extended to PwBD candidates, in case sufficient number of PwBD candidates are not available on prescribed standards. Further, in case PwBD candidates also belong to SC/ST category, they would be eligible to be considered either as a SC/ST category or PwBD category candidate for availing relaxation of standard for Departmental Examination but not both.

DA. As above.

M. Saluja
08/02/24

(Meenakshi Saluja)
Dy. Director Estt. (GP)III
Railway Board
Ph. No. 23047250
Email-ID. Meena.1964@gov.in

(30)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

RBE No.: 16 /2024

No. E(GP)2022/2/20/PwBD

New Delhi: 14.02.2024

The General Managers,
All Indian Railways and Production Units.

(Kind Attn.: PCPOs/PFAs/Dy. CPO(G)/ Dy. CAO(G))

Sub.: Reservation to Persons with Benchmark Disabilities (PwBDs) in promotion from Group 'C' to Group 'B' posts.

Ref.: Board's letter no.E(GP)2022/2/20/PwBD dt.18.08.2022 and 14.11.2022 & DoP&T's O.M. No. 36012/1/2020-Estt.(Res.-II) dated 28.12.2023.

In terms of Board's letter No. E(NG)I/2019/PM4/8 dated 18.01.2024, the instructions issued by DoP&T vide their O.M. No. 36012/1/2020-Estt.(Res. II) dated 28.12.2023 have been adopted *mutatis mutandis* for grant of notional promotions to PwBD candidates w.e.f. 30.06.2016 in the non-gazetted posts of Indian Railways as identified vide Ministry of Social Justice & Empowerment's notification no. 38-16/2020-DD-III dated 04.01.2021 and Board's letter No. E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

2. The issue of providing notional promotions to PwBDs in promotion from Group 'C' to Group 'B' posts has also been examined by the Board. Accordingly, it has been decided that the instructions issued by DoP&T vide their O.M. dated 28.12.2023 under reference may be made applicable *mutatis mutandis* for grant of notional promotions to PwBDs w.e.f. 30.06.2016 in promotion from Group 'C' to Group 'B' posts.

M. Saluja 14/02/24

(Meenakshi Saluja)
Dy. Director Estt. (GP)III
Railway Board
Ph. No. 23047250
Email-ID. Meena.1964@gov.in

(31)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No 2022/2/20/PwBD

New Delhi, dated: 27.02.2024

The General Manager,
S.E. Railway,
Kolkata.

(Kind attn.: Shri Ravi Kumar, CPO(G)

Sub.: Group 'B' Selection (70%) – Relaxations available to PwBD candidates.

Ref.: SER's letters No. SER/P-HQ/Gaz. Cell/260/I/ACM 70%/2023-24 dated 04.01.2024 and 30.01.2024.

With reference to S.E. Railway's aforementioned letter dated 04.01.2024, it is advised that the applicability of relaxed standards of suitability for Persons with Benchmark Disabilities (PwBDs) in line with relaxation available to SC/ST candidates as clarified vide DOP&T's OM No.36035/1/2023-Estt.(Res-II) dt.29.05.2023 has since been adopted in promotions from Group 'C' to Group 'B' posts vide Board's letter No. E(GP)/2022/20/20 dated 08.02.2024.

2. So far as the date of applicability of these instructions is concerned, herein it is clarified that the guidelines followed for examinations of the current vacancy cycle of 01.01.2023 to 31.12.2024 may be followed for the Selection/LDCE under special drive also as it is a part of Selection and LDCE notified and concluded earlier for the said vacancy cycle. Besides in any case, these instructions shall also have to be followed for modifying the previous panels as in terms of Board's letter of even number dated 14.02.2024, notional promotions to PwBD candidates have to be granted w.e.f. 30.06.2016.

3. Further, as regards applicability of 'Best among Failed' scheme for SC/ST in Selections to PwBD candidates, the instructions contained in Board's aforesaid letter dated 08.02.2024 are quite explicit and need no further elucidation.

M. Saluja
27/02/24

(Meenakshi Saluja)
Dy. Director Estt. (GP)III
Railway Board
Ph. No. 23047250
Email-ID. meena.1964@gov.in

Copy to: General Managers(P), All Indian Railways & PUs for information and necessary action.

Government of India
Ministry of Railways
(Railway Board)

No. A(E)/A3/2024/1/1 **New Delhi, Dt. 29.02.2024**

The General Managers and FA & CAOs,
All Indian Railways & Production Units.
CORE/Allahabad, DG/RDSO, Lucknow
CAO(Rlys), MTP/Mumbai, Chennai, Delhi and Kolkata
New Delhi.
All Zonal Railways.

Corrigendum No.3

Sub: - Computer Based Test (CBT) of Appendix-III (IREM) Examination.
****

Please refer to Board's letter of even number dated 24.0.2.2024 alongwith Annexure on the above subject.

Para 2.2 may be modified and are as under:

The qualifying marks in the individual paper (both objective and subjective) will be 40% (for SC/ST/PwBD it will be 30%). Candidates should obtain an aggregate of 45% in the three objective papers (for SC/ST/PwBD category it will be 35%). Guidelines for persons with benchmark disabilities should be follow as per Board's letter No.E(NG)I/2022/PM4/9 dated 09.12.2022 and policy guidelines issued by Establishment Directorate on this subject from time to time.

Para 3 of Board's letter of even number dated 20.02.2024 may be read as Para 3.1.

29/02/2024

(Rajat Agarwal)
Joint Director Finance (CCA)
Railway Board

Copy to:-

1. D.F.(A), SAO/AO-I,II,III, Appropriation for information.
2. Pay and Accounts Officer, Railway Board, Rail Bhavan New Delhi.
3. AC-II Branch, Railway Board.
4. ERB-IV Branch, Railway Board (in duplicate), for circulation amongst the staff who may be willing to appear in the Examination.

RBE No. 30 /2024

Government of India
Ministry of Railways
(Railway Board)

No. E(GP)2022/1/38 New Delhi, Date 03.04.2024

The General Manager (P),
All Indian Railways/Production Units.

[Kind Attention: PCPOs, PFAs, Dy.CPO(G)s/Dy. CAO(G)s]

Sub: Reservation in Promotion to Persons with Benchmark Disabilities (PwBDs) in the Organised Group-'A' Railway Services and Miscellaneous Services of Indian Railways.

Ref: DoP&T's OM Nos:36012/1/2020-Estt.(Res.II), dated 17.05.2022 and 28.12.2023.

It has been decided that the instructions issued by DoP&T vide their O.M. dated 28.12.2023 under reference may be made applicable *mutatis mutandis* for grant of notional promotions to PwBDs w.e.f. 30.06.2016 in promotion of Group 'B' officers of Indian Railways to Group 'A' posts.

2. Promotion of Railway officers from Group-"B" to Group-"A" posts, on regular basis, is granted at Railway Board's level, in consultation with UPSC, based on the 'All India Integrated Seniority List' for each service/cadre. Therefore, the Zonal Railways/PUs/etc are requested to indicate/furnish the Name(s) of the PwBDs, who are available in the Group 'B' seniority lists (as on 01.04.2016, 01.04.2017, 01.04.2018, 01.01.2019 and 01.01.2020 respectively) of various cadres/miscellaneous cadres, so that their name(s) could be identified in the All India Integrated Seniority Lists of the respective years, for this purpose.

3. While furnishing/indicating the name(s) of the PwBDs, as available in the (Group 'B') seniority lists as mentioned above, it should be clearly mentioned that such persons (PwBDs) possess the **Valid Certificate of Benchmark Disability** to be eligible for the benefit of reservation. Further, as stated in Para-4(4.3) & 12(iv) of DoP&T's OM dated: 17.05.2022, no benefit of reservation shall be given on the basis of temporary certificate of disability.

4. Moreover, as provided in Para-4(4.2) of the *ibid* OM, an employee who acquires disability, after entering into service, will be entitled to get the benefit of reservation in promotion as a PwBD. However, seniority of such employee among the PwBDs will be counted from the date of certification of his/her disability i.e. disability of 40% or more in the categories covered under Section 34(1) of the Rights of Persons with Disabilities Act'2016.

Contd..2/-..

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5. Zonal Railways/PUs are requested to keep the above aspects in view while furnishing the name(s) of PwBDs to Board's office. They are also required to invariably indicate whether such PwBDs belong to SC/ST.

Please acknowledge receipt.

(Rajeev Mishra)
Deputy Director/Estt.(GP)
Railway Board
Tele No. 011-23047248
email: rajeev.mishra1@gov.in

Copy for information to:

1. The Secretary General, Indian Railways Promotee Officers' Federation, Room No. 268, Rail Bhavan, New Delhi.

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To

Sr. DPO
Division:
Railway:
Place:

Sub: - Reservation in promotion to Persons with Benchmark Disability (PwBDs).

Ref: Railway Board Letter No. E(NG)I/2019/PM 4/8i dated 01.07.2022.

With regards, it is submitted that

1. I have been working as …… in the office of ……..
2. I am a person with Bench Mark Disability and my disability percentage is ….
3. It is requested that I may please be granted benefit of Reservation in promotion as per Railway Board Letter No. E(NG)I/2019/PM 4/8i dated 01.07.2022 wherein Board has decided that instructions issued by DOP&T"s OM No. 36012/1/2020-Estt. (Res.-ITI) dated 17.05.2022 may be made applicable mutatis mutandis for grant of reservation in promotion to PwBDs in the non gazetted posts of Indian Railways as identified vide Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD-IIT dated 04.01.2021 and Board's letter E(NG)II/2017/RC-2/ 1/Policy dated 27.02.2019.

Thanking You

Yours Sincerely

Name
Designation
Place of Posting
Mobile No-

IN THE COURT OF CHIEF COMMISSIONER FOR PERSON WITH DISABILITIES (DIVYANJGAN) AT NEW DELHI

(Complain Under PWD-1995/RPWD ACT 2016)

In the matter of:-

A. **Name and address of the Appellants:-**

B. **Name and address of opposite party:-**

C. **Grievance:-**

D. **Facts relating to complaint:-**

E. **Documents in support of the allegations contained in the complaint:-**

F. **Relief sought:-**

G. **Copy of the self-attested Disability certificate:-**

H. **Undertaking regarding the matter is not sub- judice:-**

Under signed have not filed any case in any court of law within the territory of India on the above matter.

प्रार्थी

_____

(37)

जन सूचना अधिकारी,

विषय:- सूचना के अधिकारी अधिनयम- 2005 के तहत सूचना प्रदान करना.

महोदय,

PWD Act-1995, RPWD Act-2016, भारत सरकार एवं रेलवे मंत्रालय के विभिन्न आदेशों के अनुसार विकलांग जनों को 01.01.1996 से 18.04.2017 तक सीधे भर्ती से भरे जाने वाले पदों पर 3% और 19.04.2017 से वर्तमान तिथि तक सीधे भर्ती से भरे जाने वाले पदों पर 4% आरक्षण देने का नियम है, जिसके लिए रोस्टर बनाये जाने है.

उपरोक्त तथ्यों के आलोक में मुझे सूचना के अधिकार अधिनयम-2005 के तहत निम्न जानकारी प्रदान की जाये :-

1. वाणिज्य विभाग के अंतर्गत 01.01.1996 को सीधे भर्ती से भरे जाने वाले वर्ग "ग" और "घ" के पदों के नाम बतायें.
2. वाणिज्य विभाग के अंतर्गत 01.01.2006 को सीधे भर्ती से भरे जाने वाले वर्ग "ग" और "घ" के पदों के नाम बतायें.
3. सीधे भर्ती से भरे जाने वाले उपरोक्त पदों पर विकलांग कर्मचारियों को सीधे भर्ती से भरे जाने वाले पदों पर आरक्षण के नियम का लाभ देने हेतु बनाये गये रोस्टरों (01.01.1996 से वर्तमान तिथि तक) की सत्यापित प्रति प्रदान की जाये.

उपरोक्त जानकारी प्रदान करने के लिए आवश्यक रुपये 10/- का पोस्टल आर्डर संख्या- दिनाँक- लगा रहा हूँ.

धन्यवाद.

जन सूचना अधिकारी,

विषय:- सूचना के अधिकारी अधिनयम-2005 के तहत सूचना प्रदान करना.

महोदय,

महाप्रबंधक/कार्मिक/उत्तर रेलवे के द्वारा पत्र संख्या- 220-E/1893/Court Case/RP Cell दिनाँक- 20.11.2015 एवं 08.02.2016 के द्वारा 20.11.1989 से विकलांग कर्मचारियों को 3% "पदोन्नति में आरक्षण" के नियम को लागू किया गया एवं पी.एस.- 15613 दिनाँक- 14.07.2022 के द्वारा 4% "पदोन्नति में आरक्षण" के नियम को लागू किया गया है.

उपरोक्त तथ्यों के आलोक में मुझे सूचना के अधिकार अधिनयम- 2005 के तहत निम्न जानकारी प्रदान की जाये :-

1. वाणिज्य विभाग के अंतर्गत 01.01.1996 को पदोन्नति से भरे जाने वाले वर्ग "ग" और "घ" के पदों के नाम बतायें.
2. वाणिज्य विभाग के अंतर्गत 01.01.2006 को पदोन्नति से भरे जाने वाले वर्ग "ग" और "घ" के पदों के नाम बतायें.
3. पदोन्नति से भरे जाने वाले उपरोक्त पदों पर विकलांग कर्मचारियों को "पदोन्नति में आरक्षण" के नियम का लाभ देने हेतु बनाये गये रोस्टरों (20.11.1989 से वर्तमान तिथि तक) की सत्यापित प्रतिप्रदान की जाये.

उपरोक्त जानकारी प्रदान करने के लिए आवश्यक रुपये 10/- का पोस्टल आर्डर संख्या- दिनाँक- लगा रहा हूँ.

धन्यवाद.

To,

Chief Public Information Officer,

Sub: - Information sought under RTI Act-2005.

R/Sir,

I want to know the following information under Right to Information Act 2005:-

1. Kindly provide me information regarding the designation of all the posts which are filled by direct recruitment in the Mechanical department since 01.01.1996.
2. Kindly provide me information regarding the designation of all the posts which are filled by direct recruitment in the Mechanical department since 01.01.2006.
3. Kindly provide me photocopy of the vetted roster register made for providing benefit of "Reservation in direct recruitment" to disabled employees on the above posts from 01.01.1996 to till date.

I have deposited fee Rs.10/- under "RIGHT TO INFORMATION ACT-2005" vide Postal order no - Dated- and also agree to pay any other cost if required.

Thanking You.

(40)

To,

Chief Public Information Officer,

Sub: - Information sought under RTI Act-2005.

R/Sir,

Northern Railway has been providing 3% reservation in promotion w.e.f. 20.11.1989 vide their letter no- 220-E/1893/Court Case/RP Cell dated- 20.11.2015 & 08.02.2016 after the judgment of Hon'ble Supreme Court of India & 4% Reservation in promotion w.e.f. 17.05.2022 onword as per P.S.No.-15613 dated – 14.07.2022.

Under the light of the above provisions I want to know the following information under RTI Act-2005:-

1. Kindly provide me information regarding designation of all the posts which are filled by promotion in the Mechanical department since 01.01.1996.
2. Kindly provide me information regarding designation of all the posts which are filled by promotion in the Mechanical department since 01.01.2006.
3. Kindly provide me photocopy of the vetted roster register made for providing benefit of "Reservation in Promotion" to disabled employees on the above posts from 20.11.1989 to till date.

I have deposited fee Rs.10/- under "RIGHT TO INFORMATION ACT-2005" vide Postal No. -
Dated- copy enclosed and also agrees to pay any other cost if required.

Sno	Year of Recruitment	Cycle & Point No	Name of Post	Whether Identified suitable for persons with disabilities suffering from			Reserved/ unreserved	Name of the Person Appointed	Date of Appointment	Whether appointed as VH/HH/OH or None	Remarks, if any	Important remarks
				OH	HH	VH						
1		1/1		YES	YES	YES	Reserved				Backlog carry forward	Backlog clear at Point no-42
2		1/2		YES	YES	YES	Unreserved					
3		1/3		YES	YES	YES	Unreserved					
4		1/4		YES	YES	YES	Unreserved					
5		1/5		YES	YES	YES	Unreserved					
6		1/6		YES	YES	YES	Unreserved					
7		1/7		YES	YES	YES	Unreserved					
8		1/8		YES	YES	YES	Unreserved					
9		1/9		YES	YES	YES	Unreserved					
10		1/10		YES	YES	YES	Unreserved					
11		1/11		YES	YES	YES	Unreserved					
12		1/12		YES	YES	YES	Unreserved					
13		1/13		YES	YES	YES	Unreserved					
14		1/14		YES	YES	YES	Unreserved					
15		1/15		YES	YES	YES	Unreserved					
16		1/16		YES	YES	YES	Unreserved					
17		1/17		YES	YES	YES	Unreserved					
18		1/18		YES	YES	YES	Unreserved					
19		1/19		YES	YES	YES	Unreserved					
20		1/20		YES	YES	YES	Unreserved					
21		1/21		YES	YES	YES	Unreserved					
22		1/22		YES	YES	YES	Unreserved					
23		1/23		YES	YES	YES	Unreserved					
24		1/24		YES	YES	YES	Unreserved					
25		1/25		YES	YES	YES	Unreserved					
26		1/26		YES	YES	YES	Unreserved					
27		1/27		YES	YES	YES	Unreserved					
28		1/28		YES	YES	YES	Unreserved					
29		1/29		YES	YES	YES	Unreserved					
30		1/30		YES	YES	YES	Unreserved					
31		1/31		YES	YES	YES	Unreserved					
32		1/32		YES	YES	YES	Unreserved					
33		1/33		YES	YES	YES	Unreserved					
34		1/34		YES	YES	YES	Reserved				Backlog carry forward	Backlog clear at Point no-105
35		1/35		YES	YES	YES	Unreserved					
36		1/36		YES	YES	YES	Unreserved					
37		1/37		YES	YES	YES	Unreserved					
38		1/38		YES	YES	YES	Unreserved					
39		1/39		YES	YES	YES	Unreserved					
40		1/40		YES	YES	YES	Unreserved					
41		1/41		YES	YES	YES	Unreserved					
42		1/42		YES	YES	YES	Unreserved				PwBD employee appointed against 1st backlog point	
43		1/43		YES	YES	YES	Unreserved					
44		1/44		YES	YES	YES	Unreserved					
45		1/45		YES	YES	YES	Unreserved					
46		1/46		YES	YES	YES	Unreserved					
47		1/47		YES	YES	YES	Unreserved					
48		1/48		YES	YES	YES	Unreserved					
49		1/49		YES	YES	YES	Unreserved					
50		1/50		YES	YES	YES	Unreserved					
51		1/51		YES	YES	YES	Unreserved					
52		1/52		YES	YES	YES	Unreserved					

Sno	Year of Recruitment	Cycle & Point No	Name of Post	Whether Identified suitable for persons with disabilities suffering from			Reserved/ unreserved	Name of the Person Appointed	Date of Appointment	Whether appointed as VH/HH/OH or None	Remarks, if any	Important remarks
				OH	HH	VH						
53		1/53		YES	YES	YES	Unreserved					
54		1/54		YES	YES	YES	Unreserved					
55		1/55		YES	YES	YES	Unreserved					
56		1/56		YES	YES	YES	Unreserved					
57		1/57		YES	YES	YES	Unreserved					
58		1/58		YES	YES	YES	Unreserved					
59		1/59		YES	YES	YES	Unreserved					
60		1/60		YES	YES	YES	Unreserved					
61		1/61		YES	YES	YES	Unreserved					
62		1/62		YES	YES	YES	Unreserved					
63		1/63		YES	YES	YES	Unreserved					
64		1/64		YES	YES	YES	Unreserved					
65		1/65		YES	YES	YES	Unreserved					
66		1/66		YES	YES	YES	Unreserved					
67		1/67		YES	YES	YES	Reserved				Backlog carry forward	
68		1/68		YES	YES	YES	Unreserved					
69		1/69		YES	YES	YES	Unreserved					
70		1/70		YES	YES	YES	Unreserved					
71		1/71		YES	YES	YES	Unreserved					
72		1/72		YES	YES	YES	Unreserved					
73		1/73		YES	YES	YES	Unreserved					
74		1/74		YES	YES	YES	Unreserved					
75		1/75		YES	YES	YES	Unreserved					
76		1/76		YES	YES	YES	Unreserved					
77		1/77		YES	YES	YES	Unreserved					
78		1/78		YES	YES	YES	Unreserved					
79		1/79		YES	YES	YES	Unreserved					
80		1/80		YES	YES	YES	Unreserved					
81		1/81		YES	YES	YES	Unreserved					
82		1/82		YES	YES	YES	Unreserved					
83		1/83		YES	YES	YES	Unreserved					
84		1/84		YES	YES	YES	Unreserved					
85		1/85		YES	YES	YES	Unreserved					
86		1/86		YES	YES	YES	Unreserved					
87		1/87		YES	YES	YES	Unreserved					
88		1/88		YES	YES	YES	Unreserved					
89		1/89		YES	YES	YES	Unreserved					
90		1/90		YES	YES	YES	Unreserved					
91		1/91		YES	YES	YES	Unreserved					
92		1/92		YES	YES	YES	Unreserved					
93		1/93		YES	YES	YES	Unreserved					
94		1/94		YES	YES	YES	Unreserved					
95		1/95		YES	YES	YES	Unreserved					
96		1/96		YES	YES	YES	Unreserved					
97		1/97		YES	YES	YES	Unreserved					
98		1/98		YES	YES	YES	Unreserved					
99		1/99		YES	YES	YES	Unreserved					
100		1/100		YES	YES	YES	Unreserved					
101		2/1		YES	YES	YES	Reserved				Backlog carry forward	
102		2/2		YES	YES	YES	Unreserved					
103		2/3		YES	YES	YES	Unreserved					
104		2/4		YES	YES	YES	Unreserved					

Sno	Year of Recruitment	Cycle & Point No	Name of Post	Whether Identified suitable for persons with disabilities suffering from			Reserved/ unreserved	Name of the Person Appointed	Date of Appointment	Whether appointed as VH/HH/OH or None	Remarks, if any	Important remarks
				OH	HH	VH						
105		2/5		YES	YES	YES	Unreserved				PwBD employee appointed against 2nd backlog point	
106		2/6		YES	YES	YES	Unreserved					
107		2/7		YES	YES	YES	Unreserved					
108		2/8		YES	YES	YES	Unreserved					
109		2/9		YES	YES	YES	Unreserved					
110		2/10		YES	YES	YES	Unreserved					

Sno	Year of Recruitment	Cycle & Point No	Name of Post	Whether identified suitable for persons with					Reserved/ unreserved	Name of the Person Appointed	Date of Appointment	Whether appointed as VH/HH/OH or None	Remarks, if any	Important remarks
				A	B	C	D	E						
1		1		YES	YES	YES		YES	Reserved for PWD				Reserved for PWD	Backlog clear at Point no-42
2		2		YES	YES	YES		YES	Unreserved					
3		3		YES	YES	YES		YES	Unreserved					
4		4		YES	YES	YES		YES	Unreserved					
5		5		YES	YES	YES		YES	Unreserved					
6		6		YES	YES	YES		YES	Unreserved					
7		7		YES	YES	YES		YES	Unreserved					
8		8		YES	YES	YES		YES	Unreserved					
9		9		YES	YES	YES		YES	Unreserved					
10		10		YES	YES	YES		YES	Unreserved					
11		11		YES	YES	YES		YES	Unreserved					
12		12		YES	YES	YES		YES	Unreserved					
13		13		YES	YES	YES		YES	Unreserved					
14		14		YES	YES	YES		YES	Unreserved					
15		15		YES	YES	YES		YES	Unreserved					
16		16		YES	YES	YES		YES	Unreserved					
17		17		YES	YES	YES		YES	Unreserved					
18		18		YES	YES	YES		YES	Unreserved					
19		19		YES	YES	YES		YES	Unreserved					
20		20		YES	YES	YES		YES	Unreserved					
21		21		YES	YES	YES		YES	Unreserved					
22		22		YES	YES	YES		YES	Unreserved					
23		23		YES	YES	YES		YES	Unreserved					
24		24		YES	YES	YES		YES	Unreserved					
25		25		YES	YES	YES		YES	Unreserved					
26		26		YES	YES	YES		YES	Reserved for PWD				Reserved for PWD	
27		27		YES	YES	YES		YES	Unreserved					
28		28		YES	YES	YES		YES	Unreserved					
29		29		YES	YES	YES		YES	Unreserved					
30		30		YES	YES	YES		YES	Unreserved					
31		31		YES	YES	YES		YES	Unreserved					
32		32		YES	YES	YES		YES	Unreserved					
33		33		YES	YES	YES		YES	Unreserved					
34		34		YES	YES	YES		YES	Unreserved					
35		35		YES	YES	YES		YES	Unreserved					
36		36		YES	YES	YES		YES	Unreserved					
37		37		YES	YES	YES		YES	Unreserved					
38		38		YES	YES	YES		YES	Unreserved					
39		39		YES	YES	YES		YES	Unreserved					
40		40		YES	YES	YES		YES	Unreserved					
41		41		YES	YES	YES		YES	Unreserved					
42		42		YES	YES	YES		YES	Unreserved					
43		43		YES	YES	YES		YES	Unreserved					
44		44		YES	YES	YES		YES	Unreserved					
45		45		YES	YES	YES		YES	Unreserved					
46		46		YES	YES	YES		YES	Unreserved					
47		47		YES	YES	YES		YES	Unreserved					
48		48		YES	YES	YES		YES	Unreserved					
49		49		YES	YES	YES		YES	Unreserved					
50		50		YES	YES	YES		YES	Unreserved					
51		51		YES	YES	YES		YES	Reserved for PWD				Reserved for PWD	
52		52		YES	YES	YES		YES	Unreserved					
53		53		YES	YES	YES		YES	Unreserved					
54		54		YES	YES	YES		YES	Unreserved					
55		55		YES	YES	YES		YES	Unreserved					
56		56		YES	YES	YES		YES	Unreserved					
57		57		YES	YES	YES		YES	Unreserved					
58		58		YES	YES	YES		YES	Unreserved					
59		59		YES	YES	YES		YES	Unreserved					
60		60		YES	YES	YES		YES	Unreserved					

61		61		YES	YES	YES		YES	Unreserved					
62		62		YES	YES	YES		YES	Unreserved					
63		63		YES	YES	YES		YES	Unreserved					
64		64		YES	YES	YES		YES	Unreserved					
65		65		YES	YES	YES		YES	Unreserved					
66		66		YES	YES	YES		YES	Unreserved					
67		67		YES	YES	YES		YES	Unreserved					
68		68		YES	YES	YES		YES	Unreserved					
69		69		YES	YES	YES		YES	Unreserved					
70		70		YES	YES	YES		YES	Unreserved					
71		71		YES	YES	YES		YES	Unreserved					
72		72		YES	YES	YES		YES	Unreserved					
73		73		YES	YES	YES		YES	Unreserved					
74		74		YES	YES	YES		YES	Unreserved					
75		75		YES	YES	YES		YES	Unreserved					
76		76		YES	YES	YES		YES	Reserved for PWD				Reserved for PWD	
77		77		YES	YES	YES		YES	Unreserved					
78		78		YES	YES	YES		YES	Unreserved					
79		79		YES	YES	YES		YES	Unreserved					
80		80		YES	YES	YES		YES	Unreserved					
81		81		YES	YES	YES		YES	Unreserved					
82		82		YES	YES	YES		YES	Unreserved					
83		83		YES	YES	YES		YES	Unreserved					
84		84		YES	YES	YES		YES	Unreserved					
85		85		YES	YES	YES		YES	Unreserved					
86		86		YES	YES	YES		YES	Unreserved					
87		87		YES	YES	YES		YES	Unreserved					
88		88		YES	YES	YES		YES	Unreserved					
89		89		YES	YES	YES		YES	Unreserved					
90		90		YES	YES	YES		YES	Unreserved					
91		91		YES	YES	YES		YES	Unreserved					
92		92		YES	YES	YES		YES	Unreserved					
93		93		YES	YES	YES		YES	Unreserved					
94		94		YES	YES	YES		YES	Unreserved					
95		95		YES	YES	YES		YES	Unreserved					
96		96		YES	YES	YES		YES	Unreserved					
97		97		YES	YES	YES		YES	Unreserved					
98		98		YES	YES	YES		YES	Unreserved					
99		99		YES	YES	YES		YES	Unreserved					
100		100		YES	YES	YES		YES	Unreserved					

Dummy Roster Grade Pay- 4600

Sno	Year of Promotion	Cycle & Point No	Name of Post	Whether Identified suitable for persons with					Reserved/ unreserved	Name of the Person Promoted	Date of Promotion	Whether Promoted as VH/HH/OH or None	Remarks, if any	
				OH	HH	VH	D	E						
1	2016	1	COS	Yes	Yes	Yes	NO	Yes	Reserved	Ramabrata Das	01.11.2016	None	Reserved for PwBD but filled by other than PwBD and treated as backlog	Sh. Kamal Kanjilal (VI Category) promoted on w.e.f. 01.11.2016 notional basis as per Railway Board order dated- 18.01.2024.
2	2018	2	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Debashis Roy	09.02.2018	None	Unreserved	
3	2018	3	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Renu Ghosh	09.02.2018	None	Unreserved	
4	2018	4	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sujata Deb	09.02.2018	None	Unreserved	
5	2020	5	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sanjukta Sen	01.02.2020	None	Unreserved	
6	2020	6	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sanu Kr. Bhadra	01.02.2020	None	Unreserved	
7	2020	7	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sisir Kanti Biswas	01.02.2020	None	Unreserved	
8	2020	8	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sudhir Prasad	01.02.2020	None	Unreserved	
9	2020	9	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Rabindra Nath Biswas	01.02.2020	None	Unreserved	
10	2020	10	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Amar Nath Misra	01.02.2020	None	Unreserved	
11	2020	11	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sujata Paul	01.02.2020	None	Unreserved	
12	2020	12	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Ashim Sen Gupta	01.02.2020	None	Unreserved	
13	2020	13	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Birendra Kumar Prasad	01.02.2020	None	Unreserved	
14	2021	14	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Rajendra Nath Murmu	26.03.2021	None	Unreserved	
15	2021	15	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Chandana Biswas	26.03.2021	None	Unreserved	
16	2021	16	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Janadip Maitra	26.03.2021	None	Unreserved	
17	2021	17	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Apurva Mandol	01.06.2021	None	Unreserved	
18	2021	18	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sankar Chandra Hnsda	01.07.2021	None	Unreserved	
19	2021	19	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Amitava Mujhopadhyay	01.09.2021	None	Unreserved	
20	2021	20	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Prasenjit Sadhu	01.10.2021	None	Unreserved	
21	2022	21	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Subhasis Kumar Guha	01.01.2022	None	Unreserved	
22	2022	22	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sanjoy Adhikari	01.01.2022	None	Unreserved	
23	2022	23	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Vijay Kumar Sharma	01.02.2022	None	Unreserved	
24	2022	24	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Bina Biswakarma	19.11.2022	None	Unreserved	
25	2022	25	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Debashis Nandi	19.11.2022	None	Unreserved	
26	2022	26	COS	Yes	Yes	Yes	NO	Yes	Reserved	Partha Protim Singh	19.11.2022	None	Reserved for PwBD but filled by other than PwBD and treated as backlog	Sh. Sunil Kumar Singh (OH Category) promoted on notional basis w.e.f. 19.11.2022 as per Railway Board order dated- 18.01.2024.
27	2022	27	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Tapas Chakraborty	19.11.2022	None	Unreserved	
28	2022	28	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Soumitra De Choudhury	19.11.2022	None	Unreserved	

Sno	Year of Promotion	Cycle & Point No	Name of Post	Whether Identified suitable for persons with					Reserved/ unreserved	Name of the Person Promoted	Date of Promotion	Whether Promoted as VH/HH/OH or None	Remarks, if any
				OH	HH	VH	D	E					
29	2023	29	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Kanchan Mitra	01.01.2023	None	Unreserved
30	2023	30	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Sufal Chandra Biswas	01.01.2023	None	Unreserved
31	2023	31	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Kanika Choudhury	01.03.2023	None	Unreserved
32	2023	32	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Dhabnanjay Routh	27.03.2023	None	Unreserved
33	2023	33	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Kalyani Shaw	23.03.2023	None	Unreserved
34	2023	34	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Madhaw Kr. Singh	01.04.2023	None	Unreserved
35	2023	35	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Gopal Saha	29.12.2023	None	Unreserved
36	2023	36	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Prem Nath Prasad	29.12.2023	None	Unreserved
37	2023	37	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Gour Pada Roy	29.12.2023	None	Unreserved
38	2024	38	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Ruma Chatterjee	01.01.2024	None	Unreserved
39	2024	39	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Ranendu Biswas	01.01.2024	None	Unreserved
40	2024	40	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Lipika Moulic	01.01.2024	None	Unreserved
41	2024	41	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Tapan Kumar Misra	01.01.2024	None	Unreserved
42	2024	42	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Milan Kanti Dey	01.02.2024	None	Unreserved
43	2024	43	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Salil Kr. Dey	01.02.2024	None	Unreserved
44	2024	44	COS	Yes	Yes	Yes	NO	Yes	Unreserved	Prosenjit Sankar	01.04.2024	None	Unreserved

RBE No.06/2024

भारत सरकार/**GOVERNMENT OF INDIA**
रेल मंत्रालय/**MINISTRY OF RAILWAYS**
(रेलवे बोर्ड /**RAILWAY BOARD**)

No. E(NG)I/2019/PM4/8.(E-3417344) **New Delhi, Dt.18.01.2024**

The General Manager (P)
All Zonal Railways & Production Units
(As per standard list)

Sub: Reservation in promotion to Persons with Benchmark Disability (PwBDs)
Ref. i) Board's letter No. E(NG)I/2019/PM4/8 dated 01.07.2022.
ii)DOP&T's OM No. 36012/1/2020-Estt. (Res.-II) dated 28.12.2023.
iii) DOP&T's OM No. 36012/1/2020-Estt. (Res.-II) dated 17.05.2022.
iv) Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD-III dated 04.01.2021
v) Board's letter No. E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

The matter regarding reservation in promotion for Persons with Benchmark Disabilities (PwBDs) had been under litigation before various courts of law for quite some time, and the Hon'ble Supreme Court, in its order, dated 18.07.2023, has directed that "Though it is pointed out that the judgement of this Court of which breach is alleged, has been complied with effect from 15.7.2023, the fact remains that the judgement is of 30.6.2016 directing the respondents to implement the 1995 Act. Therefore, the respondent will have to consider of giving at least notional promotion to those who are eligible from an earlier date."

2. Accordingly, Department of Personnel and Training in consultation with the Department of Legal Affairs have issued detailed instructions vide their OM No. 36012/1/2020-Estt.(Res.-II) dated 28.12.2023 (copy enclosed) for providing notional Promotions to PwDs candidate w.e.f. 30.06.2016, in posts and services of the Central Government, as defined under Section 2(r) of the said Act, notified by the Department of Empowerment of Persons with Disabilities (DEPWD).

3. The matter has been considered by the Board and it has been decided that instructions issued by DOP&T vide their OM under reference may be made applicable mutatis mutandis for grant of notional promotions to the PwD candidates w.e.f. 30.06.2016 in the non gazetted posts of Indian Railways as identified vide Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD III dated 04.01.2021 and Board's letter E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

Sanjay 18/01/24

(Sanjay Kumar)
Dy. Director/Estt.(N)
Railway Board
Ph. No. 43658/011-23303658
E-Mail Id – sanjay.kumar6@gov.in

E(NG)I/2019/PM4/8(E-3417344) **New Delhi, dated, 18.01.2024**

Copy forwarded to:-

1. The General Secretary, AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies).
2. The General Secretary, NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies).
3. All Members/Departmental Council & National Council & Secretary/Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
4. The Secretary General, FROA, Room No.256-A, Rail Bhawan, New Delhi (5 spares).
5. The Secretary General, IRPOF, Room No.268, Rail Bhawan, New Delhi (5 spares).
6. The Secretary, RBSS Group 'A' Officers Association, Rail Bhawan, New Delhi.
7. The Secretary, RBSS Group 'B' Officers Association, Rail Bhawan, New Delhi.
8. The Secretary, Railway Board Ministerial Staff Association, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Group 'D' Employees Association, Rail Bhawan, New Delhi.
10. The Secretary, Railway Board Promotee Officers Association, Room No.341-C, Rail Bhawan, New Delhi.
11. General Secretary, All India SC&ST Railway Employees Association, Rail Bhawan, New Delhi.

for PED(IR)/Railway Board

Advisor/MR, PSs/MoSR(D), MOSR (J), EDPG/MR, OSD/MR, OSD/Coord/MR
PPSs to Chairman & CEO, M(F), M(Infra), M(T&RS), M(O&BD), Secretary, DG/RHS and DG/RPF.

PPSs to AM(Comml.), AM(CE), AM(C&IS), AM(Elec.), AM(Budget), AM(F), AM(Mech.), AM(Plg.), AM(Project), AM(PU), AM(Sig.), AM(Stores), AM(Tele), AM(Traffic), AM(Works), AM(T&C), AM(Staff), AM(HR), PED(Vig.) and PED(Infra.).

PSs to ED/Safety(M), EDCE(G), ED(E&R), EDE, EDE(N), EDME(W), EDERS(G), EDE(Res.), EDE(RRB), EDF(B), ED(RE), ED/Track(M), EDF(X)I, EDF(X)II, ED(H), EDE(GC), ED(Stat), ED(Track/MC), EDME(Chg.), EDME(Traction), ED(Works), EDME(Dev.), EDRS(C), EDRS(W), EDPC, EDF(E), EDA, EDV(A), JS(G) and IG/RPF.

DPC-II, DE(G), D(IH), D(H&FW), D(MPP), DE(N)II, DE(R), DE(D&A), DE(LL), JD(OL), JDE(Rep), JDE(RRB), DD(Code Revision), DDE(LR)I, DDE(LR)II, DDE(LR)III, DDV(A&P), DD(OL)I, E(NG)II, E(Rep)I, E(Rep)II, E(Rep)III, E(SCT)I, E(SCT) II, E(RRB), PC-III, PC-IV, PC-V, E(P&A)I, E(P&A)II, CE-I, CE-II, CE-III, Sec.(E), Sec.(ABE), E(MPP), Safety Branch, A/C-III and Code Revision Cell.

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No. 36012/1/2020-Estt (Res-II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

North Block, New Delhi,
Dated the 28th December, 2023.

OFFICE MEMORANDUM

Subject: Reservation in promotion to Persons with Benchmark Disabilities (PwBDs) regarding.

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The undersigned is directed to say that the Hon'ble Supreme Court, vide its Judgement dated 30.6.2016, in the WP(C) No.521/2008, titled '*Rajeev Kumar Gupta Vs. UOI*', had directed the Government to extend three percent reservation to PWD in all identified posts in Group A and Group B, irrespective of the mode of filling up of such posts. However, subsequently the Hon'ble Supreme Court, vide its Order dated 3.2.2017, in the Civil Appeal No. 1567/2017 titled '*Siddaraju Vs. State of Karnataka & Ors.*' referred to the prohibition made against reservation in promotion as laid down by the majority in Indra Sawhney & Others v. Union of India & Others (1992) and observed and held that its Judgement dated 30.6.2016 in *Rajeev Kumar Gupta* needed to be considered by a larger Bench. However, the Hon'ble Supreme Court finally disposed of the *Siddaraju* matter vide its Judgement dated 14.1.2020 and held that its Judgement in *Rajeev Kumar Gupta* would bind the Union and State Governments and it must be strictly followed.

2. However, the Union of India needed some clarification with regard to the implementation of the Hon'ble Supreme Court Judgement dated 30.6.2016 and 14.1.2020, and, therefore, Application for Clarification was filed by the UOI before the Hon'ble Supreme Court seeking clarification which *inter alia* included whether the vacancies for promotion for PwDs would be computed only on the basis of the vacancies against the identified posts or against the vacancies in both identified and non-identified posts and whether the judgement dated 14.1.2020 needs to be implemented on the basis of PwD Act, 1995 or RPWD Act, 2016. Hon'ble Supreme Court disposed of this Application for Clarification vide its Order dated 28.9.2021 directing the Government of India to issue instructions regarding reservation in promotion as provided in Section 34 of the RPwD Act, 2016.

3. Proviso to Section 34 of the RPWD Act, 2016 provides that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time. Accordingly, DoPT vide its OM of even number dated 17.5.2022 issued detailed instructions for extending the benefit of reservation in promotion to PwDs up to the lowest rung of Group `A' in posts and services under the

Central Government. This OM is effective with effect from the date of its issue i.e. 17.5.2022.

4. However, in a Contempt Petition (Civil) No.873/2023 filed by Shri S. S. Sundaram against Department of Revenue, the Hon'ble Supreme Court vide its order dated 18.7.2023 has directed "*Though it is pointed out that the judgement of this Court of which breach is alleged, has been complied with effect from 15.7.2023, the fact remains that the judgement is of 30.6.2016 directing the respondents to implement the 1995 Act. Therefore, the respondent will have to consider of giving at least notional promotion to those who are eligible from an earlier date*".

5. The aforesaid directions dated 18.7.2023 of the Hon'ble Supreme Court has been considered in consultation with the Department of Legal Affairs and it has been decided to grant notional promotions to the PwD candidates w.e.f. 30.6.2016 as under:

(i) PwD employees in posts and services of the Central Government, will be considered for grant of the benefit of reservation in promotion up to the lowest rung of Group 'A' on notional basis w.e.f. 30.6.2016 subject to their fulfilment of the eligibility conditions as laid down in the DoPT OM of even number dated 17.5.2022 regarding reservation in promotion to PwDs. However, the extent of reservation in promotion may be in accordance with the relevant provisions contained in the PwD Act 1995 and RPWD Act 2016. Further, this benefit may be extended after holding Review DPC as per the extant instructions issued by DoPT on the subject. In case the PwD employees are found eligible and suitable for promotion from any date subsequent to 30.6.2016, then the benefit of reservation in promotion may be extended to them from the date they become eligible for promotion. This promotion on notional basis includes promotion on seniority quota as well as Departmental Examination/Departmental Competitive Examination. In case of Departmental Examination/Departmental Competitive Examination, which has already been held during the period from 30.6.2016 to 16.5.2022, the eligibility of the PwD candidates may be assessed on the basis of their performance in the said examination. The concerned Administrative Authorities are given discretion to consider holding of special examination for assessing the suitability or eligibility of PwD employees for such Departmental Competitive Examination.

(ii) Any such promotion during the period from 30.6.2016 till the PwD employee actually assumes the charge of the post will be only on notional basis and the actual financial benefit of promotion will be effective to them with effect from the date they actually assume charge of the promoted post, meaning that no financial arrear will be admissible to them for the period from the date on which they get the benefit of notional promotion and the date on which they actually assume or have already assumed the charge of such promoted post.

(iii) Extending the benefit of reservation in promotion to the PwD employees on notional basis between 30.6.2016 and actual assumption of the charge of the

post may affect the inter-se-seniority of the officials in various grades. Due to this, there may be cases in which some officials may have to be placed in a select list/seniority list, subsequent to the year of their existing/present seniority list/select list. This may have a chain effect as it may result in revision in seniority lists in subsequent years in many cases which may cause administrative inconvenience. In order to avoid such situation, supernumerary posts may be created to adjust the lien of such PwD employees with effect from the date on or after 30.6.2016, when they become eligible to get the benefit of reservation in promotion, till the availability of vacancy in which the promotion is to be made or till they vacate the post on their retirement, further promotion etc. whichever is earlier.

(iv) The creation of supernumerary post, as stated above, will be personal to the PwD employee who is given the benefit of reservation in promotion on notional basis and such supernumerary post will stand abolished on the date when such PwD employee is adjusted against available vacancy in the grade in which the promotion is given or when that PwD employee vacates the post on his/her retirement, further promotion etc., whichever is earlier.

(v) Ministries/Departments are advised to undertake an exercise to ascertain the requirement of supernumerary posts required by them and submit the proposal for creation of posts to the Department of Expenditure through DoPT. Such proposal shall contain the proposal in respect of the entire Department/Ministry and the proposal in piecemeal shall not be accepted. A certificate to the effect that the proposal is complete in all respects and the requirement of creation of supernumerary posts has been projected in respect of the entire Department may also be furnished along with the proposal. Further, each proposal shall have the concurrence of the Liaison Officer for PwDs of the Department/Ministry concerned and shall be forwarded with the approval of the Secretary of the Administrative Department/Ministry.

(vi) It is clarified that the benefit of notional promotion, as proposed above, shall not adversely affect those PwD candidates who have already been granted the benefit of reservation in promotion in personam in pursuance of the Orders/judgements of various Courts of Law.

6. This issues with the approval of Department of Expenditure conveyed vide their ID Note No.7(1)/E. Coord.I/2017 Part (V) dated 12.12.2023.

Debabrata

(Debabrata Das)
Under Secretary to the Government of India.

Distribution:

(i) The Secretaries of all Ministries/Departments of the Government of India.

(ii) The Secretary, Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi, with a request to issue similar instructions for compliance by Public Sector Banks/Financial Institution/Insurance Companies.

(iii) The Secretary, Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi, with a request to issue similar instructions for compliance by all Central Public Sector enterprises.

(iv) The Secretary, Railway Board, Rail Bhavan, New Delhi.

(v) The Secretary, President Secretariat, Rashtrapati Bhavan, New Delhi.

(vi) The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.

(vii) The Secretary, Central Vigilance Commission, A-Block, GPO Complex, Satarkata Bhavan, INA, New Delhi, Delhi 110023.

(viii) The Secretary, Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.

(ix) The Registrar (Administration), Supreme Court of India, New Delhi.

(x) The Joint Secretary (Administration), Prime Minister's Office, South Block, New Delhi.

(xi) The Sr. Principal Secretary, Election Commission of India, Nirvachan Sadan, New Delhi.

(xii) The Joint Secretary (Administration), Lok Sabha Secretariat, Parliament House Annexe, New Delhi.

(xiii) The Joint Secretary (Administration), Rajya, Sabha Secretariat, Parliament House Annexe, New Delhi.

(xiv) The Joint Secretary (Administration), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.

(xv) The Joint Secretary (Administration), Niti Aayog, Parliament Street, New Delhi.

(xvi) The Deputy C&AG, Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi.

(xvii) Officer of the Chief Commissioner for Persons with Disabilities, 5th Floor, NISD Building, Plot No.G-2, Sector-10, New Delhi-110075.

(xviii) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate Offices of this Ministry.

(xix) The Director, NIC, DOPT - with the request to immediately place this OM on the website of this Department ("what's new" tab) for information of all concerned.

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भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड /RAILWAY BOARD)

नं. ई(एनजी) I/2019/पीएम4/8.(ई-3417344) नई दिल्ली,दिनांक 18.01.2024

महाप्रबंधक (कार्मिक)
सभी क्षेत्रीय रेलवे और उत्पादन इकाइयां
(मानक सूची के अनुसार)

विषय: बेंचमार्क विकलांगता वाले व्यक्तियों (पीडब्ल्यूडी) के लिए पदोन्नति में आरक्षण।

संदर्भ. i) बोर्ड का दिनांक 01.07.2022 का पत्र सं. ई(एनजी) I/2019/पीएम4/8.
ii) कार्मिक एवं प्रशिक्षण विभाग का दिनांक 28.12.2023 का कार्यालय ज्ञापन सं. 36012/1/2020-स्था.(रिस.-II).
iii) कार्मिक एवं प्रशिक्षण विभाग का दिनांक 17.05.2022 का कार्यालय ज्ञापन सं. 36012/1/2020-स्था.(रिस.-II).
iv) सामाजिक न्याय और सशक्तिकरण मंत्रालय का दिनांक 04.01.2021 की अधिसूचना सं. 38-16/2020-डीडी-III.
v) बोर्ड का दिनांक 27.02.2019 का पत्र सं. ई(एनजी) II /2017/आरसी-2/1/पॉलिसी।

बेंचमार्क विकलांग व्यक्तियों (पीडब्ल्यूडी) के लिए पदोन्नति में आरक्षण से संबंधित मामला काफी समय से विभिन्न अदालतों के समक्ष न्यायाधीन था, और माननीय सर्वोच्च न्यायालय ने दिनांक 18.07.2023 के अपने आदेश में निर्देश दिया है कि "यद्यपि यह बताया गया है कि इस न्यायालय का निर्णय, जिसके उल्लंघन का आरोप लगाया गया है, का अनुपालन 15.7.2023 से किया गया है, तथ्य यह है कि निर्णय 30.06.2016 का है जिसमें प्रतिवादियों को 1995 अधिनियम को लागू करने का निर्देश दिया गया है। इसलिए, प्रतिवादी को कम से कम उन लोगों को कल्पित पदोन्नति देने पर विचार करना होगा जो पूर्व तिथि से पात्र हैं।

2. तदनुसार, कार्मिक और प्रशिक्षण विभाग ने विधि विभाग के परामर्श से दिनांक 28.12.2023 का ज्ञापन संख्या 36012/1/2020- स्था. (रिस.-II) (प्रतिलिपि संलग्न) के तहत केंद्र सरकार के पदों और सेवाओं में 30.06.2016 से दिव्यांग उम्मीदवारों को कल्पित पदोन्नति प्रदान करने के लिए विस्तृत निर्देश जारी किए हैं, जैसा विकलांग व्यक्तियों के सशक्तिकरण विभाग (डीईपीडब्ल्यूडी) द्वारा अधिसूचित उक्त अधिनियम की धारा 2 (आर) के तहत परिभाषित किया गया है।

3. बोर्ड द्वारा इस मामले पर विचार किया गया है और यह निर्णय लिया गया है कि कार्मिक एवं प्रशिक्षण विभाग द्वारा संदर्भाधीन का. ज्ञा. के तहत जारी किए गए निर्देशों को सामाजिक न्याय और अधिकारिता मंत्रालय की दिनांक 04.01.2021 की अधिसूचना संख्या 38-16/2020-डीडी III और बोर्ड को दिनांक

27.02.2019 के पत्र ई(एनजी)II/2017/आरसी-2/1/नीति के तहत चिह्नित गए भारतीय रेल के गैर-राजपत्रित पदों पर 30.06.2016 से पीडब्ल्यूडी उम्मीदवारों के कल्पित पदोन्नति प्रदान करने के लिए यथोचित परिवर्तनों के साथ लागू किया जाए।

18/01/24

(संजय कुमार)
उप निदेशक/स्थापना.(अरज.)
रेलवे बोर्ड
फोन नं. . 43658/011-23303658
ई-मेल आईडी – sanjay.kumar6@gov.in

ई(एनजी)I/2019/पीएम4/8(ई-3417344) **नई दिल्ली, दिनांक 18.01.2024**

प्रतिलिपि प्रेषित:

1. जनरल सेक्रेटरी, एआईआरएफ, कमरा नं. 253, रेल भवन, नई दिल्ली (35 प्रतियों सहित) ।
2. जनरल सेक्रेटरी, एनएफआईआर कमरा नं. 256-ई, रेल भवन, नई दिल्ली (35 प्रतियों सहित) ।
3. सभी सदस्य, विभागीय परिषद एवं राष्ट्रीय परिषद के सभी सदस्य तथा सचिव, कर्मचारी पक्ष,13-सी, फिरोजशाह रोड, नई दिल्ली (60 अतिरिक्त प्रतियों सहित) ।
4. सेक्रेटरी जनरल, फ्रोआ, कमरा नं. 256-ए, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित) ।
5. सेक्रेटरी जनरल, आईआरपीओएफ, कमरा नं. 268, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित) ।
6. सचिव, आरबीएसएस, ग्रुप 'ए' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
7. सचिव, आरबीएसएस, ग्रुप 'बी' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
8. सचिव, रेलवे बोर्ड मिनिस्ट्रीयल स्टॉफ एसोसिएशन, रेल भवन, नई दिल्ली।
9. सचिव, रेलवे बोर्ड ग्रुप 'डी' इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।
10. सेक्रेटरी, रेलवे बोर्ड प्रमोटी आफिसर्स एसोसिएशन, कमरा नं. 341-सी, रेल भवन, नई दिल्ली।
11. जनरल सेक्रेटरी, ऑल इंडिया एससी/एसटी रेलवे इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।

नवीन

कृते प्रधान कार्यपालक निदेशक (औद्योगिक संबंध)/रेलवे बोर्ड

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15/5/24

No. 36035/41/2023-Estt.(Res.-II)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
******

North Block, New Delhi,
Dated 9th May, 2024.

OFFICE MEMORANDUM

Subject: Clarification on date of effect of DoPT OM No. 36012/1/2020-Estt.(Res-II) dated 17.05.2022- reg.

The undersigned is directed to refer to Railway Board O.M. No. E(NG)I/2023/PM4/6(E-3424124) dated 02.11.2023, OM No. 2017/ERB-6/3/2 dated 17.10.2023 and OM No. E(NG)I/2023/PM4/19(E-3448953) dated 11.12.2023, regarding clarification on date of effect of DoPT OM No. 36012/1/2020-Estt.(Res-II) dated 17.05.2022.

2. In this regard, it is stated that in pursuance of the Hon'ble Supreme Court judgement dated 30.6.2016 in *Rajeev Kumar Gupta* case, judgement dated 14.1.2020 in *Siddaraju* matter and the order of the Hon'ble Supreme Court dated 28.9.2021 in *Siddaraju* case, DoPT issued OM No. 36012/1/2020-Estt.(Res-II), dated 17.5.2022 extending the benefit of reservation in promotion to Persons with Disabilities (PwD). This OM was effective from 17.5.2022.

3. Further, in compliance of the order dated 18.7.2023 passed by the Hon'ble Supreme Court in *S.S.Sundaram* Contempt Petition (Civil) No. 873/2023, this Department issued an OM No.36012/1/2020-Estt(Res-II), dated 28.12.2023 extending the benefit of reservation in promotion to the eligible PwD candidates on notional basis w.e.f. 30.6.2016.

(Debabrata Das)
Under Secretary to the Government of India

The Chairman,
Railway Board,
Ministry of Railway,
Rail Bhawan, New Delhi-110001

RBE No. 74/2022

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड/RAILWAY BOARD)

No. E(NG)I/2019/PM 4/8 New Delhi dated 01.07.2022

The General Managers (P)
All Indian Railways, Production Units.
(As per standard list).

Sub: Reservation in promotion to Persons with Benchmark Disability (PwBDs).
Ref: i) DOP&T's OM No. 36012/1/2020-Estt. (Res.-II) dated 17.05.2022.
ii) Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD-III dated 04.01.2021.
iii) Board's letter No. E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

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The matter regarding reservation in promotion for Persons with Benchmark Disabilities (PwBDs) had been under litigation before various courts of law for quite some time, and the Hon'ble Supreme Court, in its order, dated 28.09.2021, delivered in the "Application for Clarification' in the matter of 'Siddaraju Vs. State of Karnataka' in Civil Appeal No. 1567/2017, has directed the Government to issue instructions on 'Reservation in Promotion', as provided in Section 34 of the Rights of Persons with Disabilities Act, 2016.

Accordingly, detailed instructions have been issued by Department of Personnel and Training vide their OM No. 36012/1/2020-Estt.(Res.-II) dated 17.05.2022 for providing reservation in promotions to PwBDs, in posts and services of the Central Government, as defined under Section2(r) of the said Act, notified by the Department of Empowerment of Persons with Disabilities (DEPwD).

The matter has been considered by the Board and it has been decided that instructions issued by DOP&T vide their OM under reference may be made applicable mutatis mutandis for grant of reservation in promotion to PwBDs in the non gazetted posts of Indian Railways as identified vide Ministry of Social Justice and Empowerment's notification No. 38-16/2020-DD-III dated 04.01.2021 and Board's letter E(NG)II/2017/RC-2/1/Policy dated 27.02.2019.

Sanjay 01.7.22

(Sanjay Kumar)
Dy. Director/Estt.(N)
Railway Board
Ph. No.43658/011-23303658
E-mail Id- sanjay.kumar6@gov.in

No. E(NG)I/2019/PM 4/8 New Delhi dated 01.07.2022

Copy forwarded to:

1. The Genl. Secy., AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies)
2. The Genl. Secy., NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies)
3. All Members/Departmental Council & National Council & Secretary/Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares)
4. The Secy. Genl., FROA, Room No.256-A, Rail Bhawan, New Delhi (5 spares).
5. The Secy. Genl., IRPOF, Room No.268, Rail Bhawan, New Delhi (5 spares).
6. The Secy., RBSS Group 'A' Officers Association, Rail Bhawan, New Delhi.
7. The Secy., RBSS Group 'B' Officers Association, Rail Bhawan, New Delhi.
8. The Secy., Railway Board Ministerial Staff Association, Rail Bhawan, New Delhi,
9. The Secy., Railway Board Group 'D' Employees Association, Rail Bhawan, New Delhi.
10. The Secretary, Railway Board Promotee Officers Association, Room No.341-C, Rail Bhawan, New Delhi.
11. Genl. Secy., All India SC&ST Railway Employees Association, Rail Bhawan, New Delhi.

For Secretary/Railway Board

PSs to MR.

PPSs to CEO, M(Infra), M(T&RS), M(O&BD), M(Fin.), Secretary, DG/HR, DG/RHS and DG/RPF.

PPSs to AM(Comml.), AM(CE), AM(C&TS), AM(Elec.), AM(Budget), AM(F), AM(Mech.), AM(Plg.). AM(Project), AM(PU), AM(Sig.), AM(Stores), AM(Tele). AM(Traffic), AM(Works), AM(T&C), AM(Staff), PED(Vig.) and PED(Infra)

PSs to ED/Safety(M), EDCE(G), ED(E&R), EDE, EDE(N), EDME(W), EDERS(G), EDE(Res), EDE(RRB), EDF(B), ED(RE), ED/Track(M), EDF(X)I, EDF(X)II, ED(H), EDE(GC), ED(Stat), ED(Track/MC), ED(T&MPP), EDME(Chg.), EDME(Traction), ED(Works), EDME(Dev.), EDRS(C), EDRS(W), EDPC, EDF(E), EDA, EDV(A), JS(G), and IG/RPF.

DPC-II, DE(G), D(IH), D(H&FW), D(MPP), DE(N)II, DE(R), DE(D&A), DE(LL), JD(OL). JDE(Rep). JDE(RRB), DD(Code Revision), DDE(N), DDE(LR)I, DDE(LR)II, DDE(LR)III, DDV(A&P), DD(OL)I, E(NG)II, E(Rep)I, E(Rep)II E(Rep)III, E(SCT)I, E(SCT) II, E(RRB), PC III, PC-IV, PC-V, E(P&A)I, E(P&A) II, CE-I, CE-II, CE-III, Sec.(E), Sec. (ABE), E(MPP), Safety Branch, A/C-III and Code Revision Cell.

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भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड/RAILWAY BOARD)

आरबीई सं. 74/2022
सं. ई(एनजी)I/2019/पीएम 4/8 नई दिल्ली, दिनांक: 01.07.2022

महाप्रबंधक (कार्मिक),
सभी क्षेत्रीय रेलें/ उत्पादन इकाइयां,
(मानक सूची के अनुसार)।

विषय: बैंचमार्क दिव्यांगता(पीडब्ल्यूबीडी) वाले व्यक्तियों के लिए पदोन्नति में आरक्षण।

संदर्भ: i) कार्मिक एवं प्रशिक्षण विभाग का दिनांक 17.05.2022 का कार्यालय ज्ञापन सं. 36012/1/2020-एस्ट. (रिज.-II)

ii) सामाजिक न्याय और अधिकारिता मंत्रालय की दिनांक 04.01.2021 की अधिसूचना सं. 38-16/2020-डीडी-III

iii) बोर्ड का दिनांक 27.02.2019 का पत्र सं. ई(एनजी)II/2017/आरसी-2/1/पॉलिसी।

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बैंचमार्क दिव्यांग व्यक्तियों (पीडब्ल्यूबीडी) के लिए पदोन्नति में आरक्षण से संबंधित मामलों में काफी समय से कानून के विभिन्न न्यायालयों में मुकदमेबाजी चल रही थी और दिनांक 28.09.2021 के अपने आदेश में माननीय सर्वोच्च न्यायालय ने सिविल अपील संख्या 1567/2017 में सिद्धराजू बनाम कर्नाटक राज्य के मामले में 'स्पष्टीकरण के लिए आवेदन' में सरकार को विकलांग व्यक्तियों के अधिकार अधिनियम, 2016 की धारा 34 में दिए गए अनुसार 'पदोन्नति में आरक्षण' हेतु अनुदेश जारी करने का निर्देश दिया।

तदनुसार, कार्मिक एवं प्रशिक्षण विभाग द्वारा दिव्यांग व्यक्तियों के सशक्तिकरण विभाग (डीईपीडब्ल्यूडी) द्वारा अधिसूचित उक्त अधिनियम की धारा 2(आर) में परिभाषित किए गए अनुसार केंद्र सरकार के पदों और सेवाओं में दिव्यांग व्यक्तियों को पदोन्नति में आरक्षण प्रदान करने के लिए कार्मिक और प्रशिक्षण विभाग द्वारा दिनांक 17.05.2022 के कार्यालय ज्ञापन सं. 36012/1/2020-एस.(रिज-II) के तहत विस्तृत अनुदेश जारी किए गए हैं।

इस मामले पर बोर्ड द्वारा विचार किया गया है और यह निर्णय लिया गया है कि सामाजिक न्याय और अधिकारिता मंत्रालय की दिनांक 04.01.2021 की अधिसूचना संख्या 38-16/2020-डीडी-III और दिनांक 27.02.2019 के बोर्ड के पत्र ई(एनजी)II/2017/आरसी-2/1पॉलिसी के तहत अभिज्ञापित भारतीय रेल के अराजपत्रित पदों पर दिव्यांग व्यक्तियों के लिए पदोन्नति में आरक्षण प्रदान करने के लिए कार्मिक एवं प्रशिक्षण विभाग द्वारा उनके संदर्भाधीन कार्यालय ज्ञापन के तहत जारी किए गए अनुदेशों को आवश्यक परिवर्तन सहित लागू किया जाए।

01/07/22

(संजय कुमार)
उपनिदेशक/स्थापना (एन)
रेलवे बोर्ड
फोन नं. 43658/011-23303658
ईमेल आईडी - sanjay.kumar6@gov.in

सं. ई(एनजी)I/2019/पीएम 4/8

नई दिल्ली, दिनांक: 01.07.2022

1. जनरल सेक्रेटरी, एआईआरएफ, कमरा नं. 253, रेल भवन, नई दिल्ली (35 प्रतियों सहित)।
2. जनरल सेक्रेटरी, एनएफआईआर कमरा नं. 256-ई, रेल भवन, नई दिल्ली (35 प्रतियों सहित)।
3. राष्ट्रीय परिषद, विभागीय परिषद के सभी सदस्य तथा सचिव, कर्मचारी पक्ष, 13-सी, फिरोजशाह रोड, नई दिल्ली (60 अतिरिक्त प्रतियों सहित)।
4. सेक्रेटरी जनरल, फ्रोआ, कमरा नं. 256-ए, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित)।
5. सेक्रेटरी जनरल, आईआरपीओएफ, कमरा नं. 268, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित)।
6. सचिव, आरबीएसएस, ग्रुप 'ए' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
7. सचिव, आरबीएसएस, ग्रुप 'बी' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
8. सचिव, रेलवे बोर्ड मिनिस्ट्रीयल स्टॉफ एसोसिएशन, रेल भवन, नई दिल्ली।
9. सचिव, रेलवे बोर्ड ग्रुप 'डी' इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।
10. सेक्रेटरी, रेलवे बोर्ड प्रमोटी आफिसर्स एसोसिएशन, कमरा नं. 341-सी, रेल भवन, नई दिल्ली।
11. जनरल सेक्रेटरी, ऑल इंडिया एससी/एसटी रेलवे इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।

नवीन

कृते सचिव, रेलवे बोर्ड

No. 36012/1/2020 –Estt.(Res.-II)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi.
Dated, the 17th May, 2022.

OFFICE MEMORANDUM

Subject: - Reservation in promotion to Persons with Benchmark Disabilities (PwBDs).

The undersigned is directed to say that the matter regarding reservation in promotion for Persons with Benchmark Disabilities (PwBDs) had been under litigation before various courts of law for quite some time, and the Hon'ble Supreme Court, in its order, dated 28.9.2021, delivered in the '*Application for Clarification*' in the matter of '*Siddaraju vs. State of Karnataka*', Civil Appeal No.1567/2017, directed the Government to issue instructions on 'Reservation in Promotion', as provided in Section 34 of the Rights of Persons with Disabilities Act, 2016.

1.2 Accordingly, the following instructions are issued for grant of reservation in promotion to PwBDs, in the posts and services of the Central Government, as defined under Section 2(r) of the said Act, notified by the Department of Empowerment of Persons with Disabilities (DEPwD).

2. QUANTUM OF RESERVATION

2.1 In case of promotion, four per cent of the total number of vacancies in the cadre strength within Group 'C', from Group 'C' to Group 'B', within Group 'B' and from Group 'B' to the lowest rung of Group 'A' shall be reserved for PwBDs. Reservation in promotion shall be applicable in the cadres in which the element of direct recruitment, if any, does not exceed 75%.

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2.2 Against the posts identified for each disability, one per cent each shall be reserved for PwBDs under clauses (a), (b) and (c), respectively, and one per cent combined, under clauses (d) and (e) below, unless otherwise excluded under the provisions of Para 3 hereinunder: -

a. blindness and low vision;
b. deaf and hard of hearing;
c. locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;
d. autism, intellectual disability, specific learning disability and mental illness;
e. multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness.

2.3 The authenticity of any certificate, issued by the competent medical authority, may be got verified/re-verified by the appointing authority at the time of appointment.

3. EXEMPTION FROM RESERVATION IN PROMOTION

3.1 Proviso to Section 20(1) of the Right of Persons with Disabilities Act, 2016, states that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this Section.

3.2 Accordingly, if any Ministry/Department in the Central Government considers it necessary to exempt any establishment or any cadre or cadres fully or partly from the provisions of reservation in promotion for PwBDs, it shall make a reference to the DEPwD, giving full justification for the proposal. The DEPwD, having regard to the type of work carried out in any Government establishment, by notification, and subject to such condition, if any, as may be specified in the notification, in consultation with the Chief Commissioner for Persons with Disabilities (CCPD), may exempt any Establishment or any cadre(s), fully or partly, from the provisions of reservation for PwBDs. While doing so, Notes 1 to 9 under the Notification No.38-16/2020-DD.II, dated the 4th

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January, 2021, issued and as modified from time to time by the DEPwD, may kindly be kept in view.

4. NO DENIAL OF PROMOTION MERELY ON THE GROUND OF DISABILITY

4.1 In terms of Section 20(3) of the Rights of Persons with Disabilities Act, 2016, no promotion shall be denied to a person merely on the ground of disability. Further, in terms of Section 20(4) of the Act, no Government establishment shall dispense with or reduce in rank an employee who acquires a disability during his/her service. As per the proviso to this sub-section, if an employee, after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits. This section further provides that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier. However, in case the PwBDs for whom the supernumerary post was created is eligible for next promotion to higher pay level, and it is not possible to adjust the employee against any post, a fresh creation of supernumerary post in next higher level will be required by surrendering the previously created supernumerary post at the lower level, and the proposal for the same may be submitted to the Department of Expenditure.

4.2 An employee who acquires disability, after entering into service, will be entitled to get the benefit of reservation in promotion as a PwBD. However, his seniority among PwBDs will be counted from the date of certification of his/her disability, i.e., disability of 40% or more in the categories covered under Section 34(1) of the Rights of Persons with Disabilities Act, 2016.

4.3 No benefit of reservation shall be given on the basis of temporary certificate of disability.

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5. IDENTIFICATION OF POSTS:

5.1 The DEPwD has already identified posts suitable for being held by PwBDs and the physical requirement for all such posts, have been notified, vide their Notification No. 38-16/2020-DD-III, dated the 4th January, 2021. The posts mentioned in Annexure-C of the said notification (to be read in conjunction with Notes 1 to 9 mentioned under the main Notification, dated 4th January, 2021) shall be used by the Cadre Controlling Authorities to give effect to reservation in promotion to the PwBDs.

6. RESERVATION IN POSTS IDENTIFIED FOR ONE OR TWO CATEGORIES

6.1 If in a Ministry/Department/Organization, a post is identified suitable only for one category of disability, reservation in promotion in that post shall be given to persons with that category of benchmark disability only. However, reservation of 4% for PwBDs shall not be reduced in such cases and total reservation in the cadre will be given to PwBDs for which it has been identified. Likewise, in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories of disabilities equally, as far as possible. It shall, however, be ensured that reservation in different posts in the establishment is distributed in such a way that the PwBDs, as far as possible, get equal/fair representation. The points used in the 100-point Roster after a gap of 25 points shall be used to give reservation. In other words, it will be given only at the points reserved for PwBDs, and not in a bunched manner.

7. ADJUSTMENT OF PwBD CANDIDATES WHO ARE IN THE ZONE OF CONSIDERATION AGAINST GENERAL VACANCY

7.1 In case of promotions by seniority-cum-fitness, if a PwBD is otherwise eligible and is in the list of candidates finally approved for promotion, he/she may be promoted against the vacancy not specifically reserved for PwBD. In other words, a PwBD cannot be denied promotion on the ground that the vacancy is not earmarked for his category.

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7.2 In the case of promotion by selection, PwBDs selected without relaxed standards, along with other candidates, will not be adjusted against the reserved share of vacancies. The reserved vacancies will be filled up separately from amongst the eligible candidates with benchmark disabilities who are lower in merit than the last candidate in merit list but, otherwise found suitable for appointment, if necessary, by relaxed standards.

8. RELAXATION OF STANDARD OF SUITABILITY:

8.1 If sufficient number of PwBD candidates with benchmark disabilities are not available on the basis of prescribed standard to fill all the vacancies (in case of promotion through Limited Departmental Competitive Examination/Departmental Examination, etc.) reserved for them, candidates belonging to this category may be selected on relaxed standard to fill up the remaining vacancies reserved for them, provided they are not found unfit for such post or posts. However, this provision shall not be used to allow any relaxation in the eligibility criteria laid down for the issuance of certificate of benchmark disability.

8.2 The same relaxed standard should be applied for all the PwBD candidates with benchmark disabilities, irrespective of whether they belong to the Unreserved/SC/ST/OBC category. No further relaxation of standards will be considered or admissible in favour of any candidate from any category whatsoever.

9. COMPUTATION OF NUMBER OF VACANCIES TO BE RESERVED

9.1 Number of vacancies in a recruitment year to be reserved for PwBDs in Group 'C', Group 'B' and Group 'A', wherever reservation in promotion for PwBD is applicable, shall be computed as 4% of the total number of vacancies in the cadre strength, although the PwBDs would be posted against the category of posts identified as suitable for them.

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10. EFFECTING RESERVATION - MAINTENANCE OF ROSTERS

10.1 Every Government establishment shall maintain, cadre-wise and group-wise, a separate 100-point vacancy-based reservation roster/register, as in the case of direct recruitment, for determining/effecting reservation for the PwBDs in promotion. There will be separate roster / register, in each cadre in Group 'C', Group 'B' and Group 'A', wherever reservation in promotion for PwBD is applicable. There shall be separate roster/register for promotion and direct recruitment.

10.2 Each register shall have cycles of 100 points and each cycle of 100 points shall be divided into four blocks, comprising the following points:

1st Block - Point No. 01 to point No. 25
2nd Block - Point No. 26 to point No. 50
3rd Block - Point No. 51 to point No. 75
4th Block — Point No. 76 to point No.100

10.3 Points 1, 26, 51 and 76 of the roster shall be earmarked for PwBDs - one point each for category under (a), (b), (c) of Para 2.2 above, respectively, and one point for category (d) and (e) conjointly. The Head of the establishment shall ensure that vacancies identified at Sl. No.1, 26, 51 and 76 are earmarked for the respective categories of the PwBD. However, the Head of the Department shall decide the placement of the selected candidate in the roster/ register. In other words, the category to be appointed first will be decided by the Head of the Department based on the functional requirement.

10.4 All the vacancies in each recruitment year in a grade, arising irrespective of vacancies reserved for PwBDs, shall be entered in the relevant roster. If the vacancy falling at point no. 1 is not identified for the PwBD, or if the Head of the Department feels that it is not possible to fill up that post by the PwBDs for any other reason, to be recorded in writing, one of the vacancies

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falling at any of the points from 2 to 25 shall be treated as reserved for the PwBD and filled, as such.

10.5 Likewise, one vacancy out of the total vacancies falling at points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the PwBDs. The purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy by the PwBD candidate of the category for which the post is earmarked.

10.6 There is a possibility that none of the vacancies from 1 to 25 is found suitable for any category of the PwBD. In that case, two vacancies from 26 to 50 shall be filled from amongst the PwBDs. If the vacancies from 26 to 50 are also not suitable for any category, three vacancies in the third block 51 to 75 shall be filled as reserved. This means that if no vacancy can be reserved in a particular block, it shall be carried over to the next block.

10.7 After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

10.8 If the number of vacancies in a year is such as to cover only one block (say 25 vacancies, including PwBD quota, if any) or two (say 50 vacancies, including the quota, if any), the category of the PwBDs should be accommodated as per the roster points. However, in case, the said vacancy is not identified for the respective category of disability, the Head of the Department shall decide the category on the basis of the nature of the post, the level of representation of the specific category in the grade/post concerned, etc.

11. CERTIFICATE BY REQUISITIONING/CADRE CONTROLLING AUTHORITY WHILE SENDING APPLICATION FOR SELECTION BY PROMOTIONS/DEPARTMENTAL EXAMINATION INCLUDING LIMITED COMPETITIVE DEPARTMENTAL EXAMINATION:

11.1 In order to ensure proper implementation of the provisions of reservation for PwBDs, the requisitioning/cadre

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controlling authority, while sending the requisition/proposal to the recruiting agency/DPC, as the case may be, for filling up of vacancies through promotion by selection/Departmental Examination/Limited Competitive Departmental Examination, shall furnish the following certificate to the recruiting agency/DPC: -

"It is certified that the requirements of the THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 which has become effective from 19th day of April, 2017 and Rules made thereupon, vide Rights of Persons with Disabilities Rules, 2017, and the policy relating to reservation for persons with benchmark disabilities has been taken care of while sending this requisition/proposal. The vacancies reported in this requisition/proposal fall at points no..... of cycle no..... of 100-point reservation roster out of which ..... number of vacancies are reserved for persons with benchmark disabilities."

12. NOTICE OF VACANCIES FOR PROMOTION BY SELECTION

12.1 In order to ensure that PwBDs get a fair opportunity in consideration for appointment against an identified post, the following points shall be kept in view while sending the requisition notice/proposal to the recruiting agencies (SSC, UPSC etc.) and DPCs-

(i) Number of vacancies reserved for SCs, STs and each category of PwBDs should be indicated clearly.

(ii) In respect of vacancies in posts identified suitable for being held by PwBD, it shall be indicated that the post is identified for that respective category of PwBDs from amongst the categories, as mentioned in (a) to (e) of Para 2.2 above, as the case may be. Functional classification for performing the duties attached to such post(s), shall also be indicated clearly.

(iii) The PwBDs belonging to the category/categories for which the post is identified shall be allowed to apply for the post advertised for being filled up by Limited Departmental Competitive Examination, even if no vacancy is reserved for

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them. However, they will not be allowed any relaxed standard. Such PwBD candidates will be considered for selection for appointment to the post by general standards of merit.

(iv) It shall also be indicated that persons with valid certificate of benchmark disability shall alone be eligible for the benefit of reservation. However, no benefit of reservation shall be given on the basis of temporary certificate of disability.

13. ZONE OF CONSIDERATION, *INTERSE* EXCHANGE AND CARRY FORWARD OF RESERVATION IN CASE OF PROMOTION

13.1 While filling up the reserved vacancies by promotion by selection, those PwBD candidates who are within the normal zone of consideration, shall be considered for promotion. However, if adequate number of PwBD candidates of the respective category are not available within the normal zone, the zone of consideration may be extended to five times the number of vacancies and the PwBD candidate falling within the extended zone may be considered for promotion. In the event of non-availability of candidates even in the extended zone, the vacancy shall not be filled and be carried forward to the subsequent year. In the subsequent year, if a PwBD of the required category is not available, the reservation can be exchanged with the other categories, so that post can be filled by a person with other category of disability, if possible. If a PwBD candidate of other category is within the zone of consideration and within the number of vacancies available, he cannot be denied promotion on the grounds of disability. If it is not possible to fill up the post by reservation even in the 2nd year, the post may be filled by a person other than a PwBD, and the reservation shall be carried forward for two subsequent recruitment years, whereafter it shall lapse.

13.2 While filling up vacancies by promotion by non-selection, the eligible candidates with benchmark disabilities within the normal zone of consideration shall be considered for promotion

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against the reserved vacancies. In case no eligible candidate of the respective category of disability is available in the normal zone of consideration, additional PwBD candidates of respective category to the extent required shall be considered by going down the seniority list, provided they are eligible, and that the post is identified for them. In the event of non-availability of PwBD candidates for promotion even in the extended zone, the vacancy shall not be filled and shall be carried forward. In the subsequent year, if PwBD of respective category is not available, the same can be exchanged with other categories of disabilities identified for it. If it is not possible to fill up the vacancy by reservation even by exchange, the reservation shall be carried forward for two subsequent recruitment years, where-after it shall lapse.

13.3 In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the PwBD candidates shall first be counted against the vacant posts brought forward from previous years, if any, in the chronological order. If candidates are not available for all the vacancies, the older carried-forward posts shall be filled first, and the current vacancies shall be carried forward, if not filled up, provided that in every recruitment, the number of vacancies reserved for PwBD, including the carried forward vacancies, shall be announced beforehand, for the information of all aspirants.

14. HORIZONTALITY OF RESERVATION FOR PERSONS WITH BENCHMARK DISABILITIES

14.1 Reservation for backward classes of citizens (SCs, STs and OBCs) is called 'vertical' reservation and the reservation for categories such as PwBDs and ex-servicemen is called 'horizontal' reservation. Horizontal reservation cuts across vertical reservation (in what is called interlocking reservation) and persons selected/promoted against the quota for PwBDs have to be placed in the appropriate category viz. SC/ST/OBC/Unreserved, depending upon the category to which they belong in the roster meant for reservation of

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SCs/STs/OBCs. To illustrate, if in a given year, there are two vacancies reserved for the PwBDs, and out of two PwBDs promoted, one belongs to Scheduled Caste and the other belongs to Unreserved, the SC candidate with benchmark disability shall be adjusted against the SC point in the reservation roster and the Unreserved candidate with benchmark disability against the unreserved point in the relevant roster. In case none of the vacancies falls on point reserved for the SCs, the candidate under benchmark disability belonging to SC shall be adjusted in future against the next available vacancy reserved for SC.

14.2 Since the PwBDs have to be placed in the appropriate category, viz. SC/ST/OBC/Unreserved in the roster meant for reservation of SCs/STs/OBCs, the application form (in respect of Departmental examination for promotion) for the post should require the candidates applying under the quota reserved for PwBDs to indicate whether they belong to SC/ST/OBC or unreserved.

15. ANNUAL REPORTS REGARDING REPRESENTATION OF PERSONS WITH BENCHMARK DISABILITIES

15.1 The Ministries/Departments shall continue to upload data on promotion of PwBDs, along with data on representation/ direct recruitment of PwBDs in respect of posts/services under the Central Government on the URL i.e. **www.rrcps.nic.in**, as on 1st January of every year. All Ministries/Departments have been provided respective user code and password with guidelines for operating the URL.

16. LIAISON OFFICER FOR PERSONS WITH BENCHMARK DISABILITIES:

16.1 Liaison Officers appointed to look after reservation matters for SCs/STs shall also work as Liaison Officers for reservation matters relating to PwBDs and shall ensure compliance of instructions, as contained in DoPT OM No.43011/153/2010-Estt (Res), dated 4.1.2013.

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17. MAINTENANCE OF REGISTER OF COMPLAINTS BY THE GOVERNMENT ESTABLISHMENT

17.1 Every Government establishment shall appoint a senior officer of the Department as the Grievance Redressal Officer.

17.2 The Grievance Redressal Officer shall maintain a register of complaints of Persons with Benchmark Disabilities with the following particulars, namely: -

(a) date of complaint;

(b) name of complainant;

(c) the name of the establishment or person against whom the complaint is made;

(d) gist of the complaint;

(e) date of disposal by the Grievance Redressal Officer; and any other information.

17.3 Any person aggrieved with any matter relating to discrimination in promotion, may file a complaint with the Grievance Redressal Officer of the respective Government establishment.

17.4 Every complaint filed, shall be inquired into within two months of its registration, and outcome thereof or action taken thereon, shall be communicated to the complainant / PwBD.

18. All the Ministries/Departments are requested to bring the above instructions to the notice of all appointing authorities under their control.

(S.P. Pant)
Deputy Secretary to the Government of India
Ph.No.011-23093074

To

(i) The Secretaries of all Ministries/Departments of the Government of India.

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(ii) The Secretary, Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi, with a request to issue similar instructions for compliance by Public Sector Banks/Financial Institution/Insurance Companies.

(iii) The Secretary, Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi, with a request to issue similar instructions for compliance by all Central Public Sector enterprises.

(iv) The Secretary, Railway Board, Rail Bhavan, New Delhi,

(v) The Secretary, President Secretariat, Rashtrapati Bhavan, New Delhi.

(vi) The Secretary, Union Public Service Commission, Dholpur House, Shahjahan Road, New Delhi.

(vii) The Secretary, Central Vigilance Commission, A-Block, GPO Complex, Satarkata Bhavan, INA, New Delhi, Delhi 110023.

(viii) The Secretary, Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi.

(ix) The Registrar (Administration), Supreme Court of India, New Delhi.

(x) The Joint Secretary (Administration), Prime Minister's Office, South Block, New Delhi.

(xi) The Sr. Principal Secretary, Election Commission of India, Nirvachan Sadan, New Delhi.

(xii) The Joint Secretary (Administration), Lok Sabha Secretariat, Parliament House Annexe, New Delhi.

(xiii) The Joint Secretary (Administration), Rajya Sabha Secretariat, Parliament House Annexe, New Delhi.

(xiv) The Joint Secretary (Administration), Cabinet Secretariat, Rashtrapati Bhavan, New Delhi.

(xv) The Joint Secretary (Administration), Niti Aayog, Parliament Street, New Delhi.

(xvi) The Deputy C&AG, Office of the Comptroller & Auditor General of India, 10 Bahadur Shah Zafar Marg, New Delhi

(xvii) Officer of the Chief Commissioner for Persons with Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi-110001

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(xviii) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate Offices of this Ministry.

(xix) Director, NIC, DOPT – with the request to immediately place this OM on the website of this Department ("what's new" tab) for information of all concerned.

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RBE No.116/2024

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड /RAILWAY BOARD)

No. E(NG)I/2023/PM4/22(E-3451127) New Delhi, Dt.31.12.2024

The General Manager (P)
All Zonal Railways & Production Units
(As per standard list)

Sub: Reservation in promotion to the Persons with Benchmark Disability (PwBD)-carry forward of vacancy regarding.

Ref: i) Board's letter of even number dated 04.12.2024.
ii) Board's letter No.E(GP)2022/2/20/PwBD dated 21.06.2024.

Attention is invited to Railway Board's letter No. E(GP)2022/2/20/PwBD dated 21.06.2024, wherein instructions have been issued on the subject of carry forward of vacancies in the event of non-availability of suitable PwBD candidates in promotion from Group 'C' to Group 'B':-

"The matter has been examined in consultation with Reservation Directorate of Board's office. Accordingly, it is clarified that keeping a vacancy unfilled on account of non-availability of suitable PwBDs in the current selection is not in order as reservation for PwBDs being horizontal in nature, there is no prior earmarking of community. Thus, the earmarked vacancies of all categories (SC, ST and UR) are to be filled up irrespective of the fact whether PwBD reservation is filled or not, and only the reservation for PwBDs is to be carried forward."

2. Some Zonal Railways have sought clarification regarding the applicability of the aforementioned instructions issued for promotion from Group 'C' to Group 'B' as per the Board's letter No. E(GP)2022/2/20/PwBD dated 21.06.2024 to non-gazetted categories also.

3. Till further orders, on the subject of carry forward of PwBD vacancies in the event of non-availability of suitable PwBD candidates in non-gazetted promotions, it has been decided to have uniformity with the policy adopted above in case of promotions from Group 'C' to Group 'B'. Past cases decided otherwise will not be revisited under this interim measure.

DA-Nil.

31/12/2024

Rajeev Ranjan
Joint Director-I/ Estt.(N)
Railway Board
Ph. No.47125/011- 23047125
E-mail Id - rajeevran.56@gov.in

Continued.....

No. E(NG)I/2023/PM4/22(E-3451127) **New Delhi, dated 31.12.2024**

Copy forwarded to:-

1. The General Secretary, AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies).
2. The General Secretary, NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies).
3. All Members/Departmental Council & National Council & Secretary/Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
4. The Secretary General, FROA, Room No.256-A, Rail Bhawan, New Delhi (5 spares).
5. The Secretary General, IRPOF, Room No.268, Rail Bhawan, New Delhi (5 spares).
6. The Secretary, RBSS Group 'A' Officers Association, Rail Bhawan, New Delhi.
7. The Secretary, RBSS Group 'B' Officers Association, Rail Bhawan, New Delhi.
8. The Secretary, Railway Board Ministerial Staff Association, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Group 'D' Employees Association, Rail Bhawan, New Delhi.
10. The Secretary, Railway Board Promotee Officers Association, Room No.341-C, Rail Bhawan, New Delhi.
11. Chief Commissioner of Railway Safety, Lucknow.
12. General Secretary, All India SC&ST Railway Employees Association, Rail Bhawan, New Delhi.

31.12.24

for PED(IR)/Railway Board

Advisor/MR, PS/MoSR(R), MoSR (S), EDPG/MR, OSD/MR, OSD/Coord/MR
PSO to Chairman & CEO, M(F), M(Infra), M(T&RS), M(O&BD), Secretary, DG/RHS and DG/RPF.

PPSs to AM(Comml.), AM(CE), AM(C&IS), AM(Elec.), AM(Budget), AM(F), AM(Mech.), AM(Plg.), AM(Project), AM(PU), AM(Sig.), AM(Stores), AM(Tele), AM(Traffic), AM(Works), AM(T&C), AM(Staff), AM(HR), PED(Vig.) and PED(Infra.).

PSs to ED/Safety(M), EDCE(G), ED(E&R), EDE, EDE(N), EDME(W), EDERS(G), EDE(Res.), EDE(RRB), EDF(B), ED(RE), ED/Track(M), EDF(X)I, EDF(X)II, ED(H), EDE(GC), ED(Stat), ED(Track/MC), EDME(Chg.), EDME(Traction), ED(Works), EDME(Dev.), EDRS(C), EDRS(W), EDPC, EDF(E), EDA, EDV(A), JS(G) and IG/RPF.

DPC-II, DE(G), D(IH), D(H&FW), D(MPP), DE(N)II, DE(R), DE(D&A), DE(LL), JD(OL), JDE(Rep), JDE(RRB), DD(Code Revision), DDE(LR)I, DDE(LR)II, DDE(LR)III, DDV(A&P), DD(OL)I, E(NG)II, E(Rep)I, E(Rep)II, E(Rep)III, E(SCT)I, E(SCT) II, E(RRB), PC-III, PC-IV, PC-V, E(P&A)I, E(P&A)II, CE-I, CE-II, CE-III, Sec.(E), Sec.(ABE), E(MPP), Safety Branch, A/C-III and Code Revision Cell.

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आरबीई सं. 116/2024

भारत सरकार/GOVERNMENT OF INDIA
रेल मंत्रालय/MINISTRY OF RAILWAYS
(रेलवे बोर्ड/RAILWAY BOARD)

सं. ई(एनजी)I/2023/पीएम4/22(ई-3451127) नई दिल्ली, दिनांक 31.12.2024

महाप्रबंधक (कार्मिक)
सभी क्षेत्रीय रेलें और उत्पादन इकाइयां।
(मानक सूची के अनुसार)

विषय: बेंचमार्क दिव्यांगजनों (पीडब्ल्यूबीडी) का पदोन्नति में आरक्षण- के संबंध में रिक्तियों का अग्रनयन।

संदर्भ: i) बोर्ड का दिनांक 04.12.2024 का समसंख्यक पत्र
ii) बोर्ड का दिनांक 21.06.2024 का पत्र सं. ई(जीपी)2022/2/20/पीडब्ल्यूबीडी

आपका ध्यान बोर्ड के दिनांक 21.06.2024 के पत्र सं. ई(जीपी)2022/2/20/पीडब्ल्यूबीडी की ओर आकृष्ट किया जाता है, जिसमें समूह 'ग' से समूह 'ख' में पदोन्नति में उपयुक्त बेंचमार्क दिव्यांग उम्मीदवार उपलब्ध न होने पर रिक्तियों को अग्रेनीत करने के संबंध में अनुदेश जारी किए गए हैं:–

"बोर्ड कार्यालय के आरक्षण निदेशालय के परामर्श से मामले की जांच की गई है। तदनुसार, यह स्पष्ट किया जाता है कि वर्तमान चयन में उपयुक्त बेंचमार्क दिव्यांग उम्मीदवार उपलब्ध न होने पर रिक्ति को खाली रखना नियमानुसार नहीं है क्योंकि बेंचमार्क दिव्यांग उम्मीदवारों के लिए आरक्षण क्षैतिज प्रकृति का होने के कारण, इस वर्ग का कोई पूर्व निर्धारण नहीं है। इस प्रकार, सभी श्रेणियों (अनुसूचित जाति, अनुसूचित जनजाति और अनारक्षित) की निर्धारित रिक्तियों को इस तथ्य पर ध्यान दिए बिना भरा जाए कि बेंचमार्क दिव्यांग आरक्षण भरा गया है अथवा नहीं, और केवल बेंचमार्क दिव्यांग उम्मीदवारों के लिए आरक्षण को ही अग्रेनीत किया जाए।"

2. कुछ क्षेत्रीय रेलों द्वारा बोर्ड के दिनांक 21.06.2024 के पत्र सं. ई(जीपी)2022/2/20/पीडब्ल्यूबीडी के अनुसार अराजपत्रित श्रेणियों में भी समूह 'ग' से समूह 'ख' में पदोन्नति हेतु जारी उपरोक्त अनुदेशों की प्रयोज्यता के संबंध में स्पष्टीकरण मांगा गया है।

3. अराजपत्रित पदोन्नतियों में उपयुक्त बेंचमार्क दिव्यांग उम्मीदवार उपलब्ध न होने पर बेंचमार्क दिव्यांगजनों की रिक्तियों को अग्रेनीत करने के विषय पर, अगले आदेशों तक यह विनिश्चय किया गया है कि समूह 'ग' से समूह 'ख' में पदोन्नतियों के मामले में उक्त अपनाई गई नीति के साथ एकरूपता बनाई रखी जाए। इस अंतरिम उपाय के अंतर्गत अन्यथा निर्णीत पूर्व मामलों पर विचार नहीं किया जाएगा।

संलग्न : कुछ नहीं।

31/12/2024

(राजीव रंजन)
संयुक्त निदेशक-I/स्थापना(अराजपत्रित)
रेलवे बोर्ड
फोन नं. 47125/011-23047125
ई-मेल आईडी – rajeevran.56@gov.in

सं. ई(एनजी)I/2023/पीएम4/22(ई-3451127) नई दिल्ली, दिनांक 31.12.2024

प्रतिलिपि प्रेषित:

1. जनरल सेक्रेटरी, एआईआरएफ, कमरा नं. 253, रेल भवन, नई दिल्ली (35 प्रतियों सहित)।
2. जनरल सेक्रेटरी, एनएफआईआर कमरा नं. 256-ई, रेल भवन, नई दिल्ली (35 प्रतियों सहित)।
3. राष्ट्रीय परिषद, विभागीय परिषद के सभी सदस्य तथा सचिव, कर्मचारी पक्ष, 13-सी, फिरोजशाह रोड, नई दिल्ली (60 अतिरिक्त प्रतियों सहित)।
4. सेक्रेटरी जनरल, फ्रोआ, कमरा नं. 256-ए, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित)।
5. सेक्रेटरी जनरल, आईआरपीओएफ, कमरा नं. 268, रेल भवन, नई दिल्ली (5 अतिरिक्त प्रतियों सहित)।
6. सचिव, आरबीएसएस, ग्रुप 'ए' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
7. सचिव, आरबीएसएस, ग्रुप 'बी' ऑफिसर्स एसोसिएशन, रेल भवन, नई दिल्ली।
8. सचिव, रेलवे बोर्ड मिनिस्ट्रीयल स्टॉफ एसोसिएशन, रेल भवन, नई दिल्ली।
9. सचिव, रेलवे बोर्ड ग्रुप 'डी' इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।
10. सेक्रेटरी, रेलवे बोर्ड प्रमोटी आफिसर्स एसोसिएशन, कमरा नं. 341-सी, रेल भवन, नई दिल्ली।
11. मुख्य रेल संरक्षा आयुक्त, लखनऊ।
12. जनरल सेक्रेटरी, ऑल इंडिया एससी/एसटी रेलवे इम्प्लाइज़ एसोसिएशन, रेल भवन, नई दिल्ली।

31.12.24

कृते प्रधान कार्यपालक निदेशक (औद्योगिक संबंध)/रेलवे बोर्ड