

**Bill No. 172 of 2022**

THE GOVERNMENT SERVICES (REGULATION OF SERVICE  
RULES AT WORKPLACE IN APPOINTMENTS OF  
PERSONS WITH DISABILITIES) BILL, 2022

By

SHRI KUNWAR PUSHPENDRA SINGH CHANDEL, M.P.

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BILL

*to provide for special measures and for regulation of service rules at workplace in appointments of persons with disabilities in Government services under the Central Government and for matters connected therewith.*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Government Services (Regulation of Service Rules at Workplace in Appointments of Persons with Disabilities) Act, 2022.

Short title,  
commencement  
and application.

5 (2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

(3) It shall apply to Government Services under the control of Central Government.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Government" means the Central Government;

(b) "Government servant" means a person with disability (either at the time of his appointment or has become so during the course of his employment) but does not include a person who was appointed on daily wage or casual or apprentice or on *ad hoc* basis or contract or re-employment basis; 5

(c) "Government service" means any service to any Ministry, organisation, undertaking, autonomous body or society or any establishment for which funds are provided by the Central Government or where majority of shares are held by the Central Government;

(d) "Persons with disabilities" means a person with a long-term physical, mental, intellectual or sensory impairment that prevents full and effective participation in society in the face of obstacles equitably with other persons; and 10

(e) "prescribed" means prescribed by rules made under this Act.

Special measures for Government servant who is a person with disability.

3. (1) Notwithstanding anything contained in any other law, rule, order, bye-laws, notification or judgment or order of any court for the time being in force, the Central Government shall take special measures for the Government servant who is a person with disability either at the time of his appointment or has become so during the course of his Government service owing to some accident or otherwise. 15

(2) Without prejudice to anything contained in sub-section (1), the special measure shall include:— 20

(a) that the Government servant is posted at a place conveniently located from his usual place of residence;

(b) that the Government servant is posted in the office side for a desk job and not on field work:

Provided that the field work may be assigned to the Government servant only with his consent; 25

(c) that there shall be no bar in his appearing for departmental promotion examinations to the Government servant;

(d) provision of posting at same place of work even after promotion; and

(e) such other measures which the Government deems fit. 30

Power to remove difficulties.

4. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may be necessary for removing the difficulty:

Provided that no such order shall be made after the expiry of three years from the date of commencement of this Act. 35

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Power to make rules.

5. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the 40

expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## STATEMENT OF OBJECTS AND REASONS

A large number of persons with disabilities are appointed in the central services in the country. Post 2014, constant measures are being taken by the Central Government for the welfare of the disabled persons with a lot of sensitivity; the positive results of which are also being noticed. However, in these services, there is still need for a closer observation of the practical problems being faced by persons with disabilities in their work and at workplace in the Central Government services.

In this sequence, first of all the persons with disabilities should be posted at or near their original place of residence and current permanent residence so that they do not have to face problems related to transportation and accommodation. Along with this, as far as possible instead of being given field work, the persons with disabilities should be given desk work at the office. Most importantly, in any situation disability should not be a hindrance to the promotion. At present, internal examinations are conducted by various departments for promotion in central government services; but it is often seen that especially persons with disabilities in group "C" are discouraged from appearing in these examinations for promotion to Group 'B', the main basis is that officials are required to do 'Field Work,' whereas Group 'B' also has many positions at the workplace in which the persons with disabilities can be accommodated. The present Central Government is committed towards non-discrimination between the employees of general category and the employees falling under the category of persons with disabilities.

Therefore, it is necessary to sort out the practical problems faced by persons with disabilities at the workplace with sensitivity.

Hence this Bill.

NEW DELHI;

KUNWAR PUSHPENDRA SINGH CHANDEL

4 July, 2022.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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*(Shri Kunwar Pushpendra Singh Chandel, M.P.)*