

**GOVERNMENT OF INDIA
DEPARTMENT OF EMPOWERMENT OF PERSONS WITH DISABILITIES
(DIVYANGJAN)
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT**

LOK SABHA

**STARRED QUESTION NO. *159
TO BE ANSWERED ON 02.07.2019**

Quota for Differently Abled Persons

***159. SHRI BHARTRUHARI MAHTAB:
SHRI RAHUL RAMESH SHEWALE:**

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:

- (a) whether the Supreme Court has directed the Union and the State Governments to implement three per cent quota for persons with disabilities in all Government departments, PSUs and Government companies in the recent past;
- (b) if so, the details thereof along with the reaction of the Union and the State Governments thereto;
- (c) whether cases of violation of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act have come to the notice of the Government during each of the last three years and the current year;
- (d) if so, the details thereof and the reasons therefor; and
- (e) the corrective steps taken/being taken by the Government in this regard?

ANSWER

MINISTER OF SOCIAL JUSTICE AND EMPOWERMENT

(SHRI THAAWAR CHAND GEHLOT)

- (a) to (e) A statement is laid on the table of the House

Statement referred to in reply to part (a) to (e) of the Lok Sabha Starred Question No. 159 raised by Shri Bhartruhari Mahtab: Shri Rahul Ramesh Shewale, regarding “Quota for Differently Abled Persons” for answer on 02.07.2019.

(a)&(b) The Hon’ble Supreme Court in Civil Appeal No. 9096/2013 titled Union of India vs. National Federation of Blind & Ors., in its order dated 08.10.2013, inter-alia, directed that computation of reservation for persons with disabilities has to be done on total number of vacancies in the cadre strength”. The Hon’ble Supreme Court also directed that the appropriate Government needs to compute the number of vacancies available in all the establishments and further identify the posts for persons with disabilities within a period of three months from the date of the order.

In accordance with the above mentioned order of Hon’ble Supreme Court, the Department of Personnel and Training (DoP&T) issued an Office Memorandum No. 36012/24/2009-Estt.(Res) dated 03.12.2013 modifying their earlier O.M. dated 29/12/2005 to the extent that reservation for Persons with Disabilities in Group A or Group B posts shall be computed on the basis of total number of vacancies (both identified and unidentified posts) occurring in direct recruitment quota in all the Group A and B posts respectively, in the cadre, similar in line with that of the Group ‘C’ and Group ‘D’ posts. DoP&T also issued instructions in May, 2015 to all concerned to take immediate necessary action for filling up of vacancies for persons with disabilities and launched a Special Recruitment Drive for this purpose.

(c) to (e) As per the repealed Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 as well as in terms of the Rights of Persons with Disabilities Act, 2016 which came into force from 19.04.2017, the Chief Commissioner for Persons with Disabilities and the State Commissioners for Persons with Disabilities are responsible to monitor implementation of the provisions of the said Acts and also look into the complaints relating to denial of rights of persons with disabilities. As per information received from the Office of Chief Commissioner for Persons with Disabilities (O/o CCPD), details of complaints received and disposed of by them during the last three years and the current financial year are as under:

Year	Number of cases Registered + Cases brought forward	Number of cases disposed off (including backlog)
2016-17	1747+1358=3105	1596
2017-18	1772+1509=3281	1548
2018-19	1530+1733=3263	1670
2019-20 (upto May, 2019)	142+1593=1735	161

O/o Chief Commissioner for Persons with Disabilities had taken up these complaints with the concerned authorities.
