



सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग  
University Grants Commission  
मानव संसाधन विकास मंत्रालय, भारत सरकार  
(Ministry of Human Resource Development, Govt. of India)  
बहादुरशाह जफर मार्ग नई दिल्ली - 110 002  
Bahadurshah Zafar Marg, New Delhi-110002  
Phone : 011-23406308, 011-23406309



ज्ञान-विज्ञान विमुक्तये

**By Speed Post**

3 JUN 2016  
3<sup>rd</sup> June, 2016

F.No.59-6/2012 (CU)

The Registrar  
All Central Universities (40)


**Subject : Implementation of Reservation Policy in admission and appointment.**

Sir,

In continuation to this office letter No.F.21-2/2015 (CU) dated 23.03.2016 (copy enclosed) regarding the policy of reservation in admissions and appointments, I am directed to inform you to implement the reservation policy in admissions and appointments as under :-

- (i) University may follow the reservation policy in admissions in all courses as per provisions contained in the Central Educational Institutions (Reservation in Admission) Act, 2006 (Gazette notification dated 04.01.2007) and as amended in 2012 (Gazette notification dated 20.06.2012). A copy of each of the CEI Act 2006 and Amendment Act, 2012 is enclosed for ready reference.
- (ii) For reservation policy in appointments of Non-Teaching staff, university may follow the quantum of reservation in Group 'C' and erstwhile Group 'D' posts as per instructions issued by DoPT Order No.36011/6/2010-Estt.(Res.) dated 25<sup>th</sup> June, 2010 (copy enclosed). For reservation in Group 'A' and Group 'B' posts, the reservation for SC is 15%, for ST is 7.5% and for OBC, reservation in direct recruitment is 27%.
- (iii) In teaching positions, reservation for SC is 15% and for ST is 7.5% at all three levels i.e. Professor, Associate Professor and Assistant Professor. However, 27% OBC reservation in teaching positions is applicable at the level of Assistant Professor only.


Yours faithfully,

  
(K.P. Singh)  
Joint Secretary

Encl: As above

Copy to :

- (i) Dr. Sukhbir Singh Sandhu, IAS, Joint Secretary (CU &L), Government of India, Ministry of Human Resource Development, Department of Higher Education, Shastri Bhawan, New Delhi - 110 115.

 PO (Website)

BY SPEED POST

23236735/ 23239437/23235733 23232701  
23237721/ 23232317/23234116/ 23236351



UNIVERSITY GRANTS COMMISSION  
BAHADURSHAH ZAFAR MARG  
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग  
बहादुरशाह जफर मार्ग  
नई दिल्ली - 110 002

All communications should be addressed to  
the Secretary by designation and not by name

F.No.21-2/2015 (CU)

March, 2016

The Registrar  
All Central Universities and  
Principal, UCMS.

23 MAR 2016

**Subject: Revised Budget Estimates for 2015-2016 under Non-Plan of Central Universities –  
regarding point wise reservation roaster.**

Sir,

This is in reference to the discussion on Revised Budget Estimates for 2015-2016 held on 1<sup>st</sup> March, 2016 to 3<sup>rd</sup> March, 2016 in the UGC office. In this regard, I am directed to inform you that it has been observed that some of the Central Universities has not maintained the point wise reservation roaster. Therefore, it is to inform you to frame the point wise reservation roaster as per rules framed by the Govt. of India. Further, it is also to inform you that as per instructions of Govt. of India/UGC, the educational institutions receiving grant-in-aid from Central Government have to follow the *prescribed percentage of Reservation i.e. 15% for SCs, 7% for STs and 27% in OBCs in the matter of teaching and non-teaching posts as well as in admissions to various courses except Minority educational institutions under Article 30(1) of the Constitution. The Central Universities are receiving 100% grant from the Central Government/UGC and they have to follow the Reservation Policy of the Government of India for SCs/STs in toto i.e. 15% for SCs, 7% for STs and 27% for OBCs in the matter of teaching and non-teaching posts as well as in admissions to various courses/degrees.*

As per instructions of UGC, all the Central Universities have to maintain/provide the reservation for SCs/STs in teaching positions at all levels i.e. Assistant Professor, Associate Professor and Professor and OBC reservation at Assistant Professor only.

Yours faithfully,

*Sushma Rathore*

(Sushma Rathore)  
Under Secretary

*etc  
Kalyan  
22/3/16*

*Sushma Rathore*  
(Sushma Rathore)  
Under Secretary

Copy to:-

The Finance Officer  
All Central Universities and  
Principal, UCMS.



*etc  
Kalyan  
22/3/16*



All communications should be addressed to  
the Secretary by designation and not by name

विश्वविद्यालय अनुदान आयोग  
एन सी ई आर  
नई दिल्ली - 110 002

No.F 36-2/2003 (CU)

January, 2007

The Registrar,  
All Central Universities


- 8 JAN 2007

Sub:- The Central Educational Institutions (Reservation in Admission) Act, 2006-reg.

Sir,

I am directed to enclose herewith a copy of the Gazette of India-The Central Educational Institutions (Reservation in Admission) Act, 2006, No 5 of 2007, dated 4<sup>th</sup> January, 2007 received from Mrs.Anupama Bhatnagar, Director, Govt of India, Ministry of Human Resource Development, Deptt. Of Higher Education, New Delhi vide D.O.No. F.1-1/2005/U-1-A dated 5-1-2007 on the above subject for your information and necessary action.

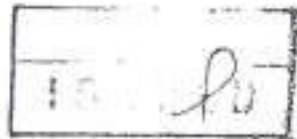
Yours faithfully,

  
(Dr. K.P.Singh)  
Joint Secretary

Encl: As above.

Copy to-

1. Mrs. Anupama Bhatnagar, Director, Govt. of India, Ministry of Human Resource Development Deptt. Of Higher Education, Shastri Bhavan, New Delhi, with reference to her DO.NO. 1-1/2005 /U-1-A dated 5<sup>th</sup> January, 2007.
2. Additional Secretary -I, UGC.
3. Deputy Secretary (SCT), UGC.



Yours faithfully,

  
(R.Manoj Kumar)  
Education Officer

OK  
P  
8/1/07



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 5] नई दिल्ली, बुधवार, जनवरी 4, 2007 / पौष 14, 1928  
No. 5] NEW DELHI, THURSDAY, JANUARY 4, 2007 / PAUSA 14, 1928

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 4th January, 2007/Pausa 14, 1928 (Saka)*

The following Act of Parliament received the assent of the President on the 3rd January, 2007, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

No. 5 of 2007

[3rd January, 2007.]

An Act to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

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

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Act, 2006. Short title

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

Definitions

(a) "academic session" means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;

(b) "annual permitted strength" means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(c) "appropriate authority" means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(d) "Central Educational Institution" means—

(i) a university established or incorporated by or under a Central Act;

(ii) an institution of national importance set up by an Act of Parliament;

(iii) an institution, declared as a deemed University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government;

(iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (i) or clause (ii), or a constituent unit of an institution referred to in clause (ii);

(v) an educational institution set up by the Central Government under the Societies Registration Act, 1860;

21 of 1950

(e) "faculty" means the faculty of a Central Educational Institution;

(f) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004;

2 of 2005

(g) "Other Backward Classes" means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(h) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution;

(i) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution;

(j) "teaching or instruction in any branch of study" means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels.

Reservation of  
seats in Central  
Educational  
Institutions.

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

(i) out of the annual permitted strength in each branch of study or faculty, fifteen per cent. seats shall be reserved for the Scheduled Castes;

(ii) out of the annual permitted strength in each branch of study or faculty, seven and one-half per cent. seats shall be reserved for the Scheduled Tribes;

(iii) out of the annual permitted strength in each branch of study or faculty, twenty-seven per cent. seats shall be reserved for the Other Backward Classes.

4. The provisions of section 3 of this Act shall not apply to

(a) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(b) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act;

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(c) a Minority Educational Institution as defined in this Act;

(d) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

5. (1) Notwithstanding anything contained in clause (iii) of section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

(2) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Other Backward Classes as provided in clause (iii) of section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of sections 3, 4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

7. Every notification 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 expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification 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 notification.

Act not to apply in certain cases

Mandatory increase of seats

Reservation of seats in admissions to begin in calendar year, 2007.

Laying of notifications before Parliament

THE SCHEDULE  
[See section 4(b)]

S. No. Names of the Institutions of Excellence, etc.

1. Homi Bhabha National Institute, Mumbai and its constituent units, namely:—
  - (i) Bhabha Atomic Research Centre, Trombay;
  - (ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;
  - (iii) Raja Ramanna Centre for Advanced Technology, Indore;
  - (iv) Institute for Plasma Research, Gandhinagar;
  - (v) Variable Energy Cyclotron Centre, Kolkata;
  - (vi) Saha Institute of Nuclear Physics, Kolkata;
  - (vii) Institute of Physics, Bhubaneswar;
  - (viii) Institute of Mathematical Sciences, Chennai;
  - (ix) Harish-Chandra Research Institute, Allahabad;
  - (x) Tata Memorial Centre, Mumbai.
2. Tata Institute of Fundamental Research, Mumbai.
3. North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4. National Brain Research Centre, Manesar, Gurgaon.
5. Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6. Physical Research Laboratory, Ahmedabad.
7. Space Physics Laboratory, Thiruvananthapuram.
8. Indian Institute of Remote Sensing, Dehradun.

K. N. CHATURVEDI  
*Secy. to the Govt. of India.*

UNIVERSITY GRANTS COMMISSION  
BAHADURSHAH ZAFAR MARG  
NEW DELHI-110002

All communications should be addressed to  
the Secretary by designation and not by name



**SPEED POST**

UNIVERSITY GRANTS COMMISSION  
BAHADURSHAH ZAFAR MARG  
NEW DELHI-110002

विश्वविद्यालय अनुदान आयोग  
बाहदुरशाह जफर मार्ग  
नई दिल्ली - 110 002

ANNEXURE II  
1475

F.No.35-19/2008 (CU)

28<sup>th</sup> September, 2012

The Registrar  
All Central Universities (39)  
& Principal, UCMS  
As per list enclosed)

5 SEP 2012

**Subject: Central Educational Institutions (Reservation in Admission) Amendment Act, 2012.**

Sir/ Madam,

I am directed to enclose herewith a copy of the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012 for information and necessary action.

Yours faithfully,

( Ritu Oberoi )  
Under Secretary

Encl. As above

Handwritten initials and marks, including a large '7' and a signature.

O/c  
V. Tabreja  
28/9/2012

विन्दी के से पल—(एन)04/0007/2003—12

REGISTERED NO. DL—(N04/0007/2003—12



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड I

PART II — Section 1

प्रधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

नं. 33] नई दिल्ली, बुधवार, जून 20, 2012/ ज्यैष्ठ 30, 1934 (साक)  
No. 33] NEW DELHI, WEDNESDAY, JUNE 20, 2012/ JYAISTHA 30, 1934 (SAKA)

इस भाग में बिना पृष्ठ संख्या दी जाती है जिससे कि यह जलन संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 20th June, 2012/Jyaishta 30, 1934 (Saka)

The following Act of Parliament received the assent of the President on the 19th June, 2012, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) AMENDMENT ACT, 2012

[No. 31 of 2012]

[19th June, 2012]

An Act to amend the Central Educational Institutions (Reservation in Admission) Act, 2006

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

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Amendment Act, 2012. Short title

2. In section 2 of the Central Educational Institutions (Reservation in Admission) Act, 2006 (hereinafter referred to as the principal Act), after clause (i), the following clauses shall be inserted, namely:— Amendment of section 2

(a) "specified north-eastern region" means the area comprising of the States of Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, Tripura and the tribal areas of Assam referred to in the Sixth Schedule to the Constitution;

(b) "State seats", in relation to a Central Educational Institution, means such seats, if any, out of the annual permitted strength in each branch of study or faculty as

are earmarked to be filled from amongst the eligible students of the State in which such institution is situated;

Amendment  
of section 3.

3. In section 3 of the principal Act, the following provisos shall be inserted, namely:—

"Provided that the State seats, if any, in a Central Educational Institution situated in the tribal areas referred to in the Sixth Schedule to the Constitution shall be governed by such reservation policy for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, as may be specified, by notification in the Official Gazette, by the Government of the State where such institution is situated.

Provided further that if there are no State seats in a Central Educational Institution and the seats reserved for the Scheduled Castes exceed the percentage specified under clause (i) or the seats reserved for the Scheduled Tribes exceed the percentage specified under clause (ii) or the seats reserved for the Scheduled Castes and the Scheduled Tribes taken together exceed the sum of percentages specified under clauses (i) and (ii), but such seats are—

(a) less than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, the total percentage of the seats required to be reserved for the Other Backward Classes under clause (iii) shall be restricted to the extent such sum of percentages specified under clauses (i) and (ii) falls short of fifty per cent. of the annual permitted strength;

(b) more than fifty per cent. of the annual permitted strength on the date immediately preceding the date of commencement of this Act, in that case no seat shall be reserved for the Other Backward Classes under clause (iii) but the extent of the reservation of seats for the Scheduled Castes and the Scheduled Tribes shall not be reduced in respect of Central Educational Institutions in the specified north-eastern region."

Amendment  
of section 4.

4. In section 4 of the principal Act, clause (a) shall be omitted.

Amendment  
of section 5.

5. In section 5 of the principal Act,—

(a) in sub-section (1), for the words "number of such seats available", the words "number of such seats available or actually filled, whichever be less," shall be substituted;

(b) in sub-section (2), for the words "three years", the words "six years" shall be substituted.

Amendment  
of section 6.

6. In section 6 of the principal Act, for the figures "2007", the figures "2008" shall be substituted.

V. K. BHASIN,  
Secretary to the Govt. of India.



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 5]

नई दिल्ली, वृहस्पतिवार, जनवरी 4, 2007 / पौष 14, 1928

No. 5]

NEW DELHI, THURSDAY, JANUARY 4, 2007 / PAUSA 14, 1928

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 4th January, 2007/Pausa 14, 1928 (Saka)*

The following Act of Parliament received the assent of the President on the 3rd January, 2007, and is hereby published for general information:—

### THE CENTRAL EDUCATIONAL INSTITUTIONS (RESERVATION IN ADMISSION) ACT, 2006

No. 5 OF 2007

[3rd January, 2007.]

An Act to provide for the reservation in admission of the students belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes of citizens, to certain Central Educational Institutions established, maintained or aided by the Central Government, and for matters connected therewith or incidental thereto.

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

1. This Act may be called the Central Educational Institutions (Reservation in Admission) Act, 2006. Short title.

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

Definitions.

(a) "academic session" means the period in a calendar year, or a part thereof, during which a Central Educational Institution is open for teaching or instruction in any branch of study or faculty;

(b) "annual permitted strength" means the number of seats, in a course or programme for teaching or instruction in each branch of study or faculty authorised by an appropriate authority for admission of students to a Central Educational Institution;

(c) "appropriate authority" means the University Grants Commission, the Bar Council of India, the Medical Council of India, the All India Council for Technical Education or any other authority or body established by or under a Central Act for the determination, coordination or maintenance of the standards of higher education in any Central Educational Institution;

(d) "Central Educational Institution" means—

(i) a university established or incorporated by or under a Central Act;

(ii) an institution of national importance set up by an Act of Parliament;

(iii) an institution, declared as a deemed University under section 3 of the University Grants Commission Act, 1956, and maintained by or receiving aid from the Central Government; 3 of 1956.

(iv) an institution maintained by or receiving aid from the Central Government, whether directly or indirectly, and affiliated to an institution referred to in clause (i) or clause (ii), or a constituent unit of an institution referred to in clause (iii);

(v) an educational institution set up by the Central Government under the Societies Registration Act, 1860; 21 of 1860.

(e) "faculty" means the faculty of a Central Educational Institution;

(f) "Minority Educational Institution" means an institution established and administered by the minorities under clause (1) of article 30 of the Constitution and so declared by an Act of Parliament or by the Central Government or declared as a Minority Educational Institution under the National Commission for Minority Educational Institutions Act, 2004; 2 of 2005.

(g) "Other Backward Classes" means the class or classes of citizens who are socially and educationally backward, and are so determined by the Central Government;

(h) "Scheduled Castes" means the Scheduled Castes notified under article 341 of the Constitution;

(i) "Scheduled Tribes" means the Scheduled Tribes notified under article 342 of the Constitution;

(j) "teaching or instruction in any branch of study" means teaching or instruction in a branch of study leading to three principal levels of qualifications at bachelor (undergraduate) masters (postgraduate) and doctoral levels .

Reservation of seats in Central Educational Institutions.

3. The reservation of seats in admission and its extent in a Central Educational Institution shall be provided in the following manner, namely:—

(i) out of the annual permitted strength in each branch of study or faculty, fifteen per cent. seats shall be reserved for the Scheduled Castes;

(ii) out of the annual permitted strength in each branch of study or faculty, seven and one-half per cent. seats shall be reserved for the Scheduled Tribes;

(iii) out of the annual permitted strength in each branch of study or faculty, twenty-seven per cent. seats shall be reserved for the Other Backward Classes.

4. The provisions of section 3 of this Act shall not apply to—

Act not to apply in certain cases.

(a) a Central Educational Institution established in the tribal areas referred to in the Sixth Schedule to the Constitution;

(b) the institutions of excellence, research institutions, institutions of national and strategic importance specified in the Schedule to this Act:

Provided that the Central Government may, as and when considered necessary, by notification in the Official Gazette, amend the Schedule;

(c) a Minority Educational Institution as defined in this Act;

(d) a course or programme at high levels of specialisation, including at the post-doctoral level, within any branch of study or faculty, which the Central Government may, in consultation with the appropriate authority, specify.

5. (1) Notwithstanding anything contained in clause (iii) of section 3 and in any other law for the time being in force, every Central Educational Institution shall, with the prior approval of the appropriate authority, increase the number of seats in a branch of study or faculty over and above its annual permitted strength so that the number of seats, excluding those reserved for the persons belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes, is not less than the number of such seats available for the academic session immediately preceding the date of the coming into force of this Act.

Mandatory increase of seats.

(2) Where, on a representation by any Central Educational Institution, the Central Government, in consultation with the appropriate authority, is satisfied that for reasons of financial, physical or academic limitations or in order to maintain the standards of education, the annual permitted strength in any branch of study or faculty of such institution cannot be increased for the academic session following the commencement of this Act, it may permit by notification in the Official Gazette, such institution to increase the annual permitted strength over a maximum period of three years beginning with the academic session following the commencement of this Act; and then, the extent of reservation for the Other Backward Classes as provided in clause (iii) of section 3 shall be limited for that academic session in such manner that the number of seats available to the Other Backward Classes for each academic session are commensurate with the increase in the permitted strength for each year.

6. The Central Educational Institutions shall take all necessary steps, which are required in giving effect to the provisions of sections 3, 4 and 5 of this Act, for the purposes of reservation of seats in admissions to its academic sessions commencing on and from the calendar year, 2007.

Reservation of seats in admissions to begin in calendar year, 2007.

7. Every notification 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 expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be made, the notification 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 notification.

Laying of notifications before Parliament.

THE SCHEDULE  
[See section 4(b)]

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S. No.	Names of the Institutions of Excellence, etc.
1.	Homi Bhabha National Institute, Mumbai and its constituent units, namely:— <ol style="list-style-type: none"><li>(i) Bhabha Atomic Research Centre, Trombay;</li><li>(ii) Indira Gandhi Centre for Atomic Research, Kalpakkam;</li><li>(iii) Raja Ramanna Centre for Advanced Technology, Indore;</li><li>(iv) Institute for Plasma Research, Gandhinagar;</li><li>(v) Variable Energy Cyclotron Centre, Kolkata;</li><li>(vi) Saha Institute of Nuclear Physics, Kolkata;</li><li>(vii) Institute of Physics, Bhubaneswar;</li><li>(viii) Institute of Mathematical Sciences, Chennai;</li><li>(ix) Harish-Chandra Research Institute, Allahabad;</li><li>(x) Tata Memorial Centre, Mumbai.</li></ol>
2.	Tata Institute of Fundamental Research, Mumbai.
3.	North-Eastern Indira Gandhi Regional Institute of Health and Medical Science, Shillong.
4.	National Brain Research Centre, Manesar, Gurgaon.
5.	Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore.
6.	Physical Research Laboratory, Ahmedabad.
7.	Space Physics Laboratory, Thiruvananthapuram.
8.	Indian Institute of Remote Sensing, Dehradun.

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K. N. CHATURVEDI,  
*Secy. to the Govt. of India.*

In addition to the schedule of the Central Educational Institutions(Reservation in Admissions) Act, 2006, the following Central Educational Institutions as intimated by University Grants Commission, are exempted from the provisions the Central Educational Institutions (Reservation in Admissions) Act, 2006.

1. Jamia Millia Islamia, New Delhi
2. Aligarh Muslim University, Aligarh
3. Babasaheb Bhimrao Ambedkar University, Lucknow.
4. Rajiv Gandhi University, Arunachal Pradesh
5. North Eastern Hill University, Shillong
6. Mizoram University, Aizwol
7. Nagaland University, Kohima
8. Tripura University

S.No. 2CF88



विश्वविद्यालय अनुदान आयोग  
35, फिरोज़शाह रोड़,  
नई दिल्ली-110 001

UNIVERSITY GRANTS COMMISSION  
35, FEROCZE SHAH ROAD,  
NEW DELHI-110 001

No.F. 1-5/2006(SCT)

August , 2006

The Registrar,  
All central universities/state  
universities; Deemed to be  
universities and others, list  
as per attached. (262)


25 AUG 2006

Subject : For Strict observation of Reservation Policy of the Government  
in Universities, Deemed to be Universities, Colleges and other  
Grant-In- Aid Institutions and Centres.

Sir,

I am directed to enclose herewith a copy of the new guidelines on the  
above mentioned subject for implementation by your institution under  
intimation to the Commission.

Yours faithfully,

  
(Sharanjit Singh)  
Deputy Secretary

Encl: As above



# GUIDELINES FOR

STRICT IMPLEMENTATION OF  
RESERVATION POLICY OF THE GOVERNMENT  
IN UNIVERSITIES,  
DEEMED TO BE UNIVERSITIES, COLLEGES  
AND OTHER GRANT-IN-AID INSTITUTIONS  
AND CENTERS



ज्ञान-विज्ञानं विमुक्तये

UNIVERSITY GRANTS COMMISSION  
NEW DELHI  
2006

# UNIVERSITY GRANTS COMMISSION

## UGC GUIDELINES FOR STRICT IMPLEMENTATION OF RESERVATION POLICY OF THE GOVERNMENT IN UNIVERSITIES, DEEMED TO BE UNIVERSITIES, COLLEGES AND OTHER GRANT-IN-AID INSTITUTIONS AND CENTERS.

1. Central Government has been issuing various instructions from time to time for implementing the Reservation Policy of the Government; and UGC being an autonomous statutory body, under the administrative control of the Ministry of Human Resource Development, is under directions from the Government to strictly implement the said instructions by all grant-in-aid institutions.
2. Central Government, Ministry of Human Resource Development (Dept. of Secondary & Higher Education), vide their Order No. F.No.6-30/2005 U-5 dated 6<sup>th</sup> December, 2005 issued the following directions to the University Grants Commission:-

WHEREAS Article 46 of the Constitution states that, "The State shall promote, with special care, the education and economic interests of the weaker sections of the people, and, in particular of the Scheduled Castes and Scheduled Tribes, and shall protect them from social injustice and all forms of social exploitation.

AND WHEREAS, the policy of the Central Government is that in the Central Universities and Institutions which are Deemed to be Universities receiving grants-in-aid from the public exchequer, the percentage of reservation in admissions and recruitments in teaching and non-teaching posts is to be 15% for Scheduled Castes and 7.5% for Scheduled Tribes.

AND WHEREAS, the University Grants Commission, New Delhi hereinafter referred to as UGC, is a statutory autonomous organization responsible for implementation of policy of the Central Government in the matter of admissions as well as recruitment to the teaching and non-teaching posts in the Central Universities and Institutions which are Deemed to be Universities;

And WHEREAS, the UGC has failed to ensure effective implementation of the reservation policy in the Central Universities and grantee Institutions which are deemed to be Universities.

NOW, THEREFORE, in exercise of the powers vested under Section 20(1) of the University Grants Commission Act, 1956 the Government hereby directs the UGC to ensure effective implementation of the reservation policy in the Central Universities and those of Institutions Deemed to be Universities receiving aid from the public funds except in minority institutions under Article 30(1) of the Constitution.

3. The instructions issued by the Government are statutory in nature, as per the judgment of the Hon'ble Supreme Court in the case of *Indira Sahney v. Union of India & Ors* (AIR 1993 SC 447), since these instructions are issued for the purposes of implementing Constitutional [Article 16 (4)] provisions.
4. UGC with the mandate of maintaining the standards of higher education has been issuing guidelines from time to time, regarding adequate representation of teaching and non-teaching staff as well as of students [Article 15 (4), 16 (4), 46 & 253], belonging to SC/ST communities, in all the Universities, Deemed to be Universities, Colleges, and other grant-in-aid or research Institutions and Centers. It has now become necessary to consolidate these guidelines, the following policy Guidelines are issued.
5. All the Universities, Deemed to be Universities, Colleges, and other grant-in-aid or research Institutions and Centers are hereby directed to adopt these guidelines by appropriate resolution by the respective Governing/Executive Bodies/Syndicate/Senate etc. for effective implementation of these guidelines.
6. **Coverage and Applicability:**
  - (a) Reservation is applicable to all teaching posts such as the posts of Lecturers, Readers, Professors, or by whatever other nomenclature the posts are known, and to all posts of non-teaching staff of all the Universities, Deemed to be Universities, Colleges, and other grant-in-aid or research Institutions and Centers;
  - (b) Reservation is also applicable to all admissions to Undergraduate, Postgraduate, M.Phil and Ph.D courses of educational Institutions referred to in clause (a) above;
  - (c) In the cases of reservations referred to in clause (a) above, the Instructions issued by the Central Government for grouping of posts shall be resorted to wherever applicable, especially when more than one University functions under a single Act, or several colleges function under one University; grouping of posts are mandatory if the posts concerned are transferable on an inter-university or inter-college levels. The practice of creating department-wise cadres, which tends to create single posts or cadres with artificially reduced number of posts in order to avoid reservation, is strictly forbidden;
  - (d) In the cases of reservations referred to in clause (b) above, the Instructions issued by the Central Government with regard to reservation for implementing Article 16 (4) of the Constitution of India are strictly applicable to all central or any other special quota, permitted under any existing rules all the educational Institutions referred to in clause (a) above, shall also apply to admissions of candidates to those Institutions.
  - (e) Relaxation & concession in respect of educational qualification, age, experience and qualifying marks/standard etc. will be as per existing government rules in all cases of admissions, recruitments, appointments, promotions and other assignments of entitlements to the members of SC/ST.
7. **Extent of Reservation:**
  - (a) In all the educational Institutions referred to in clause 6 (a) above, the extent of reservation applicable is 15% for SC and 7.5% for ST;
  - (b) Without prejudice to the provisions contained in the clause (a) above, in all the educational Institutions referred to in clause (a) above, and functioning within any State shall follow the percentage of reservation prescribed by the respective State Government.

- (c) No restriction of percentage is applicable while filling-up of back-log/short-fall vacancies of SC/ST.

8. **Procedure to be followed in matters of reservation for teaching as well as non-teaching staff:**

- (a) Without prejudice to any procedure prescribed under various Instructions from the Central Government from time to time, the following guidelines are to be followed:
  - (i) SC/ST candidates should be interviewed separately;
  - (ii) One member of the interview Committee shall belong to the SC/ST category;
  - (iii) All the SC/ST candidates selected according to their position in the combined general merit list shall not be counted for covering the prescribed percentage of reservation;
  - (iv) Rules of reservation are applicable both for direct recruitment as well as for promotion. If in internal promotion in feeder cadre candidates are not available, in that situation such positions be declared open and advertised in order to fill up the posts and fulfill reservation.
  - (v) The Roster, 40-point or 100-point as the case may be, shall be applied to the total number of posts in cadre only, (*R.K. Sabharwal v. State of Punjab*, (AIR 1995 SC 1371); cadre is best indicated by seniority list governing the members with the same pay-scale;
  - (vi) Total number of vacancies shall be calculated, and Roster as referred above shall be applied only excluding the back-log vacancies, if any;
  - (vii) Percentage of reservation shall be applied separately for each recruitment year, and not whenever the vacancies arise, or interviews take place, or recruitment/appointment is made;

9. **Procedure to be followed in matters of reservation for admission:**

- (a) All the procedures prescribed under various instructions from the Central Government from time to time, as referred to in sub-clause (a) of clause 8 above, shall be applicable *mutatis mutandis* to matters of admission of students referred to in all the educational institutions referred to in clause 6(a) above.
- (b) In cases of admissions, sub-clauses (i) to (iii) of clause (a) above would only be applicable; and sub-clauses, (iv) to (vii) are not applicable;
- (c) In cases of admissions, the following procedures are also to be followed:
  - (i) No SC/ST student can seek admission or claim reservation, unless he/she appears in national or State/common or University/Institution tests held for the purpose, in order to avail the quota of seats reserved for them, by the educational Institutions referred to in sub-clause (a) of clause 6 above;
  - (ii) In cases, where National or Common/State or University/Institution test is not prescribed as necessary for selecting candidates for admission, the SC/ST candidates seeking admissions, shall be arranged in the order of merit among themselves, as per the merit position obtained in the qualifying examination;

- (iii) Rules of reservation are applicable for under-graduate as well as post-graduate levels and research degrees;
- (iv) Percentage of reservation shall be applied separately for each academic year, and not whenever interviews take place, or recruitment is made;
- (v) Rules of interchangeability among SC-s and ST-s are applicable, wherever necessary to fill-up the number of vacant seats;
- (vi) In case no eligible reserved candidates are available, the vacant seats in the reserved quota shall not be filled by any non SC/ST candidates. Every effort shall be made to re-advertise for wider publicity in the leading national news papers;
- (vii) Advance special (short term) coaching with assistance from UGC may be introduced for prospective SC/ST students;
- (viii) In the Universities where central Registration for admission of SC/ST students has been introduced, all admission process must be completed at the central level itself, and the assigned Colleges, Institutes or Centers as the case may be only permitted to make attempts to fill in the vacant SC/ST seats, at their instance;
- (ix) All institutions referred to in sub-clause (a) of clause (6) should give the maximum possible encouragement and support to girls of SC/ST in admission.

**10. Annual Report:**

- (a) All the Institutions referred to in sub-clause (a) of clause 6 above shall submit reports about the implementation of these guidelines annually by 15<sup>th</sup> February of the following year in the prescribed format, attached to these Guidelines to the Deputy Secretary, SCT Division, University Grants Commission, New Delhi with a copy each to the Ministry of Human Resource Development or the Department of Education of the concerned State Government.
- (b) All applications for grant-in-aid, shall be accompanied by the reports on the implementation of these guidelines during the previous recruitment or academic year, as the case may be;
- (c) Reports as referred to in sub-clause (a) should assist UGC to re-adjust or reduce the extent of demand for grant-in-aid for the following academic year, at least in proportion to the deficiency in implementation of these guidelines during the previous recruitment/ academic year.
- (d) A separate chapter in the annual report published by the Institutions should be provided to explain the steps undertaken and the results accomplished for bringing the level of performance of SC/ST to general level during the year.

**11. Admission to Hostel Accommodations:**

The percentage of reservation referred above under the head 'percentage' shall be strictly observed for admission to the hostels. Additional percentage of seats may be provided for the girl students of these communities. No rent shall be charged from the students of these communities;

12. **Staff Houses:**  
The percentage of reservation for Staff Quarters, transit Houses, teacher's hostels etc. shall be commensurate with the quantum of reservation as prescribed in paragraph 7 above.
13. **Liaison Officer:**  
Each University/Institution shall appoint a Liaison Officer, who is not below the rank of a Deputy Secretary of the concerned State or Central Government and will be responsible for monitoring the implementation of reservation under these guidelines.
14. **SC/ST Cell:**  
All the Universities/Institutions referred to in sub-clause (a) of paragraph 6 above shall establish an SC/ST Cell in order to process the grievances of the members of these communities. The SC/ST Cell shall function under the overall supervision of the Liaison Officer.
15. **Advisory Committees:**  
Advisory Committees with Vice Chancellor/ Principal as Chairman be constituted to review the implementation of reservation policy in admission and capacity building programmes for SC/ST for their successful passing in examinations. The Committee should meet at least once in a quarter and action taken on decisions reviewed in the next meeting.
16. **Amendments to existing University Acts and Statutes:**  
Action should be initiated by the Universities so as to effect necessary amendments to their Acts/Statutes for the statutory support for reservation in admission, appointments to teaching and non-teaching posts and representation of SC/ST in their bodies like Syndicate Executive Council, Academic Council, Selection Committees, etc.
17. **Miscellaneous:**  
The above policy guidelines are minimum prescribed for observation of the reservation policy for SC/ST. The University/Institutions are free to provide additional benefits to these categories with the approval of their Board of Governors/Executive Councils etc.

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Government of Gujarat  
Department of Education  
Circular No. UGY/1209/3496/part-1/kh-2  
Date:24/10/2016

## Circular

Translation of Important Part of reservation policy of Gujarat State  
Government.

- Percentage of reservation:

Sr. No.	Details	Percentage of reserve seats (%)
1	Schedule Cast	07%
2	Schedule Tribe	15%
3	Socially and Economically Backward Cast	27%

Sd.

(Nikunj Jani)

Under Secretary.

Department of Education.

અનામત નીતિ અંગે યુ.જી.સી.ન  
ગાઇડલાઇન બાબતે

ગુજરાત સરકાર

શિક્ષણ વિભાગ,

પરિપત્ર ક્રમાંક: ઉગચ/૧૨૦૯/૩૪૯૬/પાઈ-૧/ખ-૨

સચિવાલય, ગાંધીનગર

તારીખ: ૨૪.૧૦.૨૦૧૬

વંચાણે લીધા-

૧. યુનિવર્સિટી ગ્રાન્ટ કમિશન ન્યુ દિલ્હીના પત્ર ક્રમાંક: એફ.૧-૫/૨૦૦૬ (એસ.ટી.સી)  
તા.૨૫.૦૮.૨૦૦૬ થી બહાર પાડેલ અનામત નીતિ પરત્વેની ગાઇડલાઇન

પરિપત્ર :-

આથી આ વિભાગ હેઠળની યુનિવર્સિટીઓ તથા સંલગ્ન કોલેજોના આચાર્યશ્રીઓ, માન્ય સંસ્થાઓના વડાશ્રીઓ, યુનિવર્સિટી અનુસ્નાતક ભવનોના અધ્યક્ષશ્રીઓ તથા યુનિવર્સિટી દ્વારા ચાલતા અનુસ્નાતક કેન્દ્રોના પ્રોફેસર ઇન્ચાર્જશ્રીઓને જણાવવામાં આવે છે કે, જુદા જુદા અભ્યાસક્રમોમાં પ્રવેશ આપવાના સરકારશ્રી તથા વિવિધ વૈધાનિક સંસ્થાઓ દ્વારા જે આદેશો આપવામાં આવેલ છે, તે મુજબ સંસ્થામાં પ્રવેશ અંગેની કાર્યવાહી કરવામાં આવે તે અપેક્ષિત છે. વધુમાં કેન્દ્ર/રાજ્ય સરકારશ્રી દ્વારા નિયત થયેલ અનામત નીતિ મુજબ સરકારી/અર્ધસરકારી/ગ્રાન્ટ ઇન એઇડ સંસ્થાઓમાં વિદ્યાર્થી પ્રવેશ તથા સ્ટાફ ભરતી પ્રક્રિયામાં તેમજ સેલ્ફ ફાઇનાન્સ કોલેજો/ સંસ્થાઓમાં માત્ર વિદ્યાર્થી પ્રવેશમાં અનામત નીતિનું ચુસ્તપણે પાલન કરવાનું રહે છે. જેથી અનામત નીતિ અંગેની પ્રવતમાન જોગવાઈઓને ધ્યાને લેતા વહીવટી સરળતા ખાતર તેમજ વહીવટકર્તા/અમલકર્તાઓને યોગ્ય સમજ મળી રહે તે હેતુસર યુનિવર્સિટી તથા યુનિવર્સિટી સંલગ્ન તમામ કોલેજોમાં અનામત કેટીગરીમાં પ્રવેશ અંગેની તેમજ સ્ટાફ ભરતી અંગેની નીતિ તમામ સંસ્થાઓમાં એક જ સરખી રહે તે હેતુસર અનામત અંગેની સંક્ષિપ્ત જોગવાઈઓ નીચે મુજબ છે, જેનો ચુસ્તપણે અમલ કરવા આથી સર્વે સંબંધકર્તાઓને જણાવવામાં આવે છે.

• અનામત પ્રમાણ :-

ક્રમ	વિગત	અનામત રાખવાની થતી જગ્યાની ટકાવારી
૧	અનામત જાતિ (શેડ્યુલ્ડ કાસ્ટ્સ)	૦૭%
૨	અનુસૂચિત જનજાતિ (શેડ્યુલ્ડ ટ્રાઇબ્સ)	૧૫%
૩	સામાજિક અને શૈક્ષણિક રીતે પછાત વર્ગ (એસ.ઇ.બી.સી)	૨૭%

• વિદ્યાર્થી પ્રવેશ :-

(૧) સ્નાતક, અનુસ્નાતક, એમ.ફીલ., પીએચ.ડી. વગેરે કક્ષાના વખતમાં અભ્યાસક્રમોમાં વિદ્યાર્થી પ્રવેશ નિયત પ્રમાણ મુજબ પ્રવેશ.

(૨) પ્રવેશ માટેની નિયત શૈક્ષણિક લાયકાત, વયમર્યાદા, અનુભવ, પ્રવેશ પરિક્ષામાં પાસિંગ સ્ટાન્ડર્ડ વગેરેમાં કેન્દ્ર સરકારશ્રી, યુ.જી.સી., વિવિધ વૈધાનિક સંસ્થાઓના નિયમોને આધીન છૂટછાટ આપવાની થશે.

(૩) અનુસૂચિત જાતિ, જનજાતિના વિદ્યાર્થી પ્રવેશમાં નીચલી ટકાવારી અંગેની ખાસ કોઈ જોગવાઈ અમલમાં ન હોય તો સદર વિદ્યાર્થીઓની અપ્રોપિયતાના કિસ્સામાં પાસિંગ સ્ટાન્ડર્ડ સુધી પ્રવેશ આપવાનો રહેશે.

(૪) અનુસૂચિત જાતિ, અનુસૂચિત જનજાતિના વિદ્યાર્થીઓ માટે અલગથી પ્રવેશ કાર્યવાહી કરવાની રહેશે.

(૫) જો અનુસૂચિત જાતિ, અનુસૂચિત જનજાતિના વિદ્યાર્થીઓ નિયત ધોરણો જેવાકે, પ્રવેશપત્ર ફી, સત્ર ફી જે તેઓને લાગુ પડતી હોય, તે ભરવામાંથી છૂટછાટ લીધા સિવાય, પોતાની ગુણવત્તાને આધારે સામાન્ય મેરીટ મુજબ જો પ્રવેશ પામે તો તેવા અનુસૂચિત જાતિ, અનુસૂચિત જનજાતિના વિદ્યાર્થીઓને તે કેટેગરીના નિયત પ્રમાણની સામે ગણતરીમાં લેવાના રહેશે નહીં, પરંતુ સામાન્ય કક્ષામાં તેઓને પ્રવેશ મળેલો ગણવાનો રહેશે.

(૬) અનુસૂચિત જાતિ/જનજાતિના ઉમેદવારો નિયત પ્રમાણ મુજબ ઉપલબ્ધ ન થાય તો અનુસૂચિત જાતિ/ જનજાતિમાં અરસ-પરસની જે કેટેગરીમાં જગ્યા ખાલી હોય તેમાં અરસ-પરસ પ્રવેશ આપી શકાશે.

(૭) અનુસૂચિત જાતિ/જનજાતિના ઉમેદવારો નિયત પ્રમાણ મુજબ ઉપલબ્ધ ન થાય તો રાષ્ટ્રીય કક્ષાના વર્તમાનપત્રોમાં બહોળી પ્રસિધ્ધ કરવી.

(૮) પ્રવેશ પ્રક્રિયા માટે વિદ્યાર્થીઓને તૈયાર કરવા શોર્ટ ટર્મ કોચીંગ ક્લાસનું આયોજન કરવું.

(૯) પ્રવેશ પ્રક્રિયા સમિતિમાં અનુસૂચિત જાતિ/જનજાતિ પૈકીના એક પ્રતિનિધિ હોવા આવશ્યક છે.

• સ્ટાફ ભરતી :-

(૧) અનુસૂચિત જાતિ/જનજાતિના ઉમેદવારો માટે અલગથી ઉન્નતરવ્ય કાર્યવાહી કરવાની રહેશે.

(૨) જો અનુસૂચિત જાતિ/જનજાતિના ઉમેદવારો નિયત ધોરણો જેવાકે, આવેદનપત્ર ફી વગેરે જે તેઓને લાગુ પડતી હોય, તે ભરવામાંથી છૂટછાટ લીધા સિવાય, પોતાની ગુણવત્તાને આધારે સામાન્ય મેરીટ મુજબ જો પસંદગી

પામે તો તેવા અનુસૂચિત જાતિ, અનુસૂચિત જનજાતિના ઉમેદવારોને તે કેટેગરીના નિયત પ્રમાણની સામે ગણતરીમાં લેવાના રહેશે નહીં, પરંતુ સામાન્ય કક્ષામાં ગણવા અંગે સામાન્ય વહીવટ વિભાગના તા.૨૯.૦૧.૨૦૦૦ અને તા.૨૩.૦૭.૨૦૦૪ ની સૂચના મુજબની કાર્યવાહી કરવાની રહેશે તેમજ સરકારની રોસ્ટર અંગેની વખતો વખતની પ્રવતમાન સૂચનાઓને અનુસરવાનું રહેશે.

- (૩) જો બહતીમાં ફીડર કેડરમાં અનામત કક્ષાના ઉમેદવારો ઉપલબ્ધ ન બને તો જગ્યા સીધી ભરતીથી ભરવાની રહેશે તથા પ્રમાણ જાળવવાનું રહેશે.
- (૪) સરકારશ્રીએ નિયત કરેલ રોસ્ટર ક્રમાંકો મુજબ ભરતી/બહતી કાર્યવાહી કરવાની રહેશે.
- (૫) સ્ટાફ ભરતી, સ્પર્ધાત્મક પરીક્ષાઓ માટે ઉમેદવારોને તૈયાર કરવા શોર્ટ ટર્મ કોર્સીંગ ક્લાસનું આયોજન કરવું.
- (૬) વરણી સમિતિમાં અનુસૂચિત જાતિ/જનજાતિના ૧ પ્રતિનીધિ હોવા આવશ્યક છે.

• હોસ્ટેલ પ્રવેશ :-

- (૧) નિયત પ્રમાણ મુજબ પ્રવેશ.
- (૨) અનુસૂચિત જાતિ/જનજાતિના વિદ્યાર્થીઓ પાસેથી કોઈ પ્રકારનું ભાડું લેવાનું રહેશે નહીં.

• સ્ટાફ આવાસ :-

- (૧) નિયત પ્રમાણ મુજબ ફાળવણી તમામ યુનિવર્સિટી ખાતે કામગીરીના સંકલન, નિયંત્રણ, અમલીકરણ માટે નાયબ કુલસચિવ કક્ષાના અધિકારીની નિયુક્તિ કરવામાં આવેલ છે. અનામત નીતિના અમલ અર્થે દરેક કોલેજ કક્ષાએ જે તે કોલેજના આચાર્યશ્રીના અધ્યક્ષ સ્થાને સલાહકાર સમિતિની રચના કરવાની રહેશે. જેનું માળખું નીચે મુજબ છે. સમિતિની બેઠક દર ત્રણ માસે બોલાવવાની રહેશે. જે તે બેઠકમાં અગાઉની બેઠકોમાં થયેલી કાર્યવાહીની સમીક્ષા કરવાની રહેશે. જે તે કોલેજ/સંસ્થામાં કેન્દ્ર સરકારશ્રી તથા રાજ્ય સરકારશ્રી દ્વારા નિયત થયેલ આરક્ષણ નીતિ તથા તે પરત્વે વિદ્યાર્થી પ્રવેશ/સ્ટાફ ભરતી બાબતમાં પ્રમાણ જાળવવા અંગેની સમીક્ષા, નિયંત્રણ અમલીકરણ કરવાનું રહેશે. તેમજ કમિટીની રચના અને કાર્યવાહી જાણ અત્રેની યુનિવર્સિટીના એસ.સી.-એસ.ટી સેલને કરવાની રહેશે.

• કોલેજ ખાતેની સલાહકાર સમિતિ :-

- (૧) સંબંધિત સંસ્થાના આચાર્ય/ વડા - અધ્યક્ષ
- (૨) બે થી ચાર શૈક્ષણિક સ્ટાફ - સભ્યશ્રી

(જેમાં અનુસૂચિત જાતિ/જનજાતિના સભ્યોની સંખ્યાવેશ કરવાનો રહેશે.)

(૩) અ. સંબંધિત જિલ્લાના જિલ્લા પંચાયત વર્ગ કલ્યાણ અધિકારીશ્રી સરકારશ્રીના પ્રતિનિધિ  
બ. તકેદારી અધિકારીશ્રી, આદિજાતિ કલ્યાણ

(૪) નાયબ કુલસચિવશ્રી, એસ.સી.-એસ.ટી. સેલ -યુનિવર્સિટીના પ્રતિનિધિ  
અનામત નીતિના અમલ બાબતે સંદર્ભિત પત્રથી યુનિવર્સિટી ગ્રાન્ટ કમિશને બહાર પાડેલ ગાઇડ લાઇનની નકલ પણ આ સાથે અમલ અર્થે સામેલ છે, જેનો ચુસ્ત અમલ થાય તે માટે કરવા સર્વે યુનિવર્સિટીને જણાવવામાં આવે છે.

યુનિવર્સિટીના સક્ષમ સત્તામંડળમાં પ્રસ્તુત પરિપત્રમાંની સૂચનાઓ અંકવચે નિયમોનુસાર કાર્યવાહી કરી યુનિવર્સિટીના લાગુ પડતા સ્ટેચ્યુટ/ચીર્ડીનિર્ણય /રેગ્યુલેશન કે રુલ્સમાં સૂધારો કરવા કે આ પરિપત્રની જોગવાઈઓ દાખલ કરવા શિક્ષણ વિભાગ ઠેઠળની સર્વે યુનિવર્સિટીઓને આદેશ કરવામાં આવે છે.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે.

અિકાલ, સા.વ.વિ.નો તા.૨૯.૧.૨૦૦૦  
તથા તા. ૨૩-૭-૨૦૦૪નો પરિપત્ર.

(નિકુંજ જાની)

ઉપસચિવ

શિક્ષણ વિભાગ

૪૦૧૨૩

ક્રમાંક : CHE/ISC-7/૧૬/૧૦  
ઉચ્ચ શિક્ષણ કમિશનરની કચેરી  
બ્લોક નં. ૧૨, ડી. જી. મ. ભવન,  
ગુ.રા., ગાંધીનગર.  
તા. ૦૪/૧૦/૨૦૧૬.

૨/- શિક્ષણ વિભાગ, ગાંધીનગરના ઉક્ત તા.૨૪/૧૦/૧૬ ના પરિપત્ર ક્રમાંક: ઉગથ/૧૨૦૯/૩૪૯૬/પાર્ટ-૧  
ખ-૨-થી જણાવેલ વિગતો અનુસારની આપની કક્ષાએથી ધ્યાને લઈ તે સૂચનાઓનો અમલીકરણ તાકિદે  
કરવા કરવા સારું.

નાયબ નિયામક  
ગુ.રા., ગાંધીનગર.

પ્રતિ,

- રજીસ્ટ્રારશ્રી, યુનિવર્સિટીઓ, તમામ.
- આચાર્યશ્રી, સરકારી કોલેજ, તમામ.
- આચાર્યશ્રી, બિનસરકારી અનુદાનિત કોલેજો, તમામ.
- કે.સી.જી. કચેરી, અમદાવાદ
- હુકમ ફાઈલે.



# भारत का राजपत्र The Gazette of India

EXTRAORDINARY

PART II—Section 3—Sub-section (i)

PUBLISHED BY AUTHORITY

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No. 489]

NEW DELHI, THURSDAY, JUNE 15, 2017/JYAISTHA 25, 1939

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**MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT**  
**[Department of Empowerment of Persons with Disabilities (Divyangjan)]**

**NOTIFICATION**

New Delhi, the 15th June, 2017

**G.S.R. 591(E).**—Whereas a draft of the Rights of Persons with Disabilities Rules, 2017 was published as required by sub-sections (1) and (2) of section 100 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i) *vide* number G.S.R. 398 (E), dated the 21st April, 2017, inviting objections and suggestions from all persons likely to be affected thereby, before the expiry of thirty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the Official Gazette in which the said notification was published were made available to the public on the 22<sup>nd</sup> April, 2017;

And whereas objections and suggestions received from the public on the said draft rules were considered by the Central Government;

Now, therefore, in exercise of powers conferred by sub-sections (1) and (2) of section 100 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016), the Central Government hereby makes the following rules, namely:-

**CHAPTER-I**

**PRELIMINARY**

**1. Short title, extent and commencement.**- (1) These rules may be called the Rights of Persons with Disabilities Rules, 2017.

(2) They extend to the whole of India.

(3) They shall come into force from the date of their publication in the Official Gazette.

**2. Definitions.**- (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Rights of Persons with Disabilities Act, 2016 (49 of 2016);

(b) "certificate" means a certificate of disability issued under section 57 of the Act;

(c) "Form" means a form appended to these rules.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

**CHAPTER II**

**RIGHTS AND ENTITLEMENTS**

**3. Establishment not to discriminate on the ground of disability.**- (1) The head of the establishment shall ensure that the provision of sub-section (3) of section 3 of the Act are not misused to deny any right or benefit to persons with disabilities covered under the Act.

(2) If the head of the Government establishment or a private establishment employing twenty or more persons receives a complaint from an aggrieved persons regarding discrimination on the ground of disability, he shall -

(a) initiate action in accordance with the provisions of the Act; or

(b) inform the aggrieved person in writing as to how the impugned act or omission is a proportionate means of achieving a legitimate aim.

(3) If the aggrieved person submits a complaint to the Chief Commissioner or State Commissioner for Persons with Disabilities, as the case may be, the complaint shall be disposed of within a period of sixty days:

Provided that in exceptional cases, the Chief Commissioner or State Commissioner may dispose of such complaint within thirty days.

(4) No establishment shall compel a person with disability to partly or fully pay the costs incurred for reasonable accommodation.

**4. Central Committee for Research on Disability.-** (1) The Central Committee for Research on Disability shall consist of the following persons, namely:-

- (i) an eminent person having vast experience in the field of science or medicine, to be nominated by the Central Government, *ex officio*-Chairperson;
- (ii) nominee of the Director General of Health Services not below the rank of Deputy Director General –Member;
- (iii) four persons drawn from National Institutes representing physical, visual, hearing and intellectual disabilities, to be nominated by the Central Government – Members;
- (iv) five persons as representatives of the registered organisations, from each of the five groups of specified disabilities in the Schedule to the Act, to be nominated by the Central Government – Members:  

Provided that at least one representative of the registered organizations is a woman;
- (v) the Director, Department of Empowerment of Persons with Disabilities, New Delhi shall be the Member Secretary.

(2) The Chairperson may invite any expert as a special invitee.

(3) The term of office of the nominated members shall be for a period of three years from the date on which they enter upon office, and the nominated member shall be eligible for re-nomination for one more term.

(4) One half of the members shall constitute the quorum for the meeting.

(5) The non-official members and special invitees shall be entitled for travelling allowance and daily allowance as admissible to a Group “A” officer of the Central Government.

(6) The Central Government may provide the Committee with such clerical and other staff as it deems necessary.

**5. Person with disability not to be a subject of research.-** No person with disability shall be a subject of research except when the research involves physical impact on his body.

**6. Procedure to be followed by Executive Magistrate.-** For the purposes of dealing with the complaints under section 7 of the Act, the Executive Magistrate shall follow the procedure provided in sections 133 to 143 of the Code of Criminal Procedure, 1973 (2 of 1974).

### CHAPTER III

#### NODAL OFFICER IN THE DISTRICT EDUCATION OFFICE

7. There shall be a nodal officer in the District Education Office to deal with all matters relating to admission of children with disabilities and the facilities to be provided to them in schools in accordance with the provisions of sections 16 and 31 of the Act.

### CHAPTER IV

#### EMPLOYMENT

**8. Manner of publication of equal opportunity policy.-** (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 establishments shall *inter alia*, contain the following, namely:-

- (a) facility and amenity to be provided to the 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) provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities;
- (e) appointment of liaison officer by the establishment to look after the recruitment of persons with disabilities

and provisions of facilities and amenities for such employees.

(4) The equal opportunity policy of the private establishment having less than twenty employees shall contain facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment.

**9. Form and manner of maintaining records by the establishments.-** (1) Every establishment covered under sub-rule (3) of rule 8 shall 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 name, gender and address of persons with disabilities;
- (c) the nature of disability of such persons;
- (d) the nature of work being rendered by such employed person with disability; and
- (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 supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

**10. Manner of maintenance of register of complaints by the Government establishments.-** (1) Every Government establishment shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer:

Provided that where it is not possible to appoint any Gazetted Officer, the Government establishment may appoint the senior most Officer as a Grievance Redressal Officer.

(2) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-

- (a) date of complaint;
- (b) name of complainant;
- (c) name of the person who is enquiring the complaint;
- (d) place of incident;
- (e) the name of establishment or person against whom the complaint is made;
- (f) gist of the complaint;
- (g) documentary evidence, if any;
- (h) date of disposal by the Grievance Redressal Officer;
- (i) details of disposal of the appeal by the district level committee; and
- (j) any other information.

## CHAPTER V

### VACANCIES FOR PERSONS WITH BENCHMARK DISABILITIES

**11. Computation of vacancies.-** (1) For the purposes of computation of vacancies, four percent of the total number of vacancies including vacancies arising in the identified and non-identified posts in the cadre strength in each group of posts shall be taken into account by the appropriate Government for the persons with benchmark disabilities:

Provided that the reservation in promotion shall be in accordance with the instructions issued by the appropriate Government from time to time.

(2) Every Government establishment shall maintain a vacancy based roster for the purpose of calculation of vacancies for persons with benchmark disabilities in the cadre strength as per the instructions issued by the appropriate Government from time to time.

(3) While making advertisement to fill up vacancies, every Government establishment shall indicate the number of vacancies reserved for each class of persons with benchmark disabilities in accordance with the provisions of section 34 of the Act.

(4) The reservation for persons with disabilities in accordance with the provisions of section 34 of the Act shall be horizontal and the vacancies for persons with benchmark disabilities shall be maintained as a separate class.

**12. Interchange of vacancies.-** The Government establishment shall interchange vacancies in accordance with the provisions of section 34 of the Act, only if due process of recruitment to fill up the vacancies reserved for persons with benchmark disabilities has been complied with.

**13. Submission of Returns on Vacancies.-** (1) Every Government establishment shall furnish to the local special employment exchange returns in Form - I once in every six months for the period from 1<sup>st</sup> April to 30<sup>th</sup> September and from 1<sup>st</sup> October to 31<sup>st</sup> March, and in Form -II once in every two years.

(2) The six monthly return shall be furnished within thirty days of the respective dates which is, 31<sup>st</sup> March and, 30<sup>th</sup> September of every financial year.

(3) The two yearly return shall be furnished within thirty days of the closing of every alternate financial year:

Provided that the first two yearly returns shall be furnished for the financial year closing on 31<sup>st</sup> March, 2019.

**14. Form in which record to be kept by an employer.-** Every Government establishment shall maintain the record of employees with disabilities in Form - III.

## CHAPTER VI ACCESSIBILITY

**15. Rules for Accessibility.-** (1) Every establishment shall comply with the following standards relating to physical environment, transport and information and communication technology, namely :-

- (a) standard for public buildings as specified in the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons With Disabilities and Elderly Persons as issued by the Government of India, Ministry of Urban Development in March, 2016;
- (b) standard for Bus Body Code for transportation system as specified in the notification of the Government of India in the Ministry of Road Transport and Highways, *vide* number G.S.R. 895(E), dated the 20<sup>th</sup> September, 2016;
- (c) Information and Communication Technology-
  - (i) website standard as specified in the guidelines for Indian Government websites, as adopted by Department of Administrative Reforms and Public Grievances, Government of India;
  - (ii) documents to be placed on websites shall be in Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf format:

Provided that the standard of accessibility in respect of other services and facilities shall be specified by the Central Government within a period of six months from the date of notification of these rules.

(2) The respective Ministries and Departments shall ensure compliance of the standards of accessibility specified under this rule through the concerned domain regulators or otherwise.

**16. Review of Accessibility Standards.-** The Central Government shall review from time to time the accessibility standards notified based on the latest scientific knowledge and technology.

## CHAPTER VII CERTIFICATE OF DISABILITY

**17. Application for certificate of disability.-** (1) Any person with specified disability may apply in Form -IV for a certificate of disability and submit the application to -

- (a) a medical authority or any other notified competent authority to issue such a certificate in the district of residence of the applicant as mentioned in the proof of residence in the application; or
- (b) the concerned medical authority in a government hospital where he may be undergoing or may have undergone treatment in connection with his disability;

Provided that where a person with disability is a minor or suffering from intellectual disability or any other disability which renders him unfit or unable to make such an application himself, the application on his behalf may be made by his legal guardian or by any organisation registered under the Act having the minor under its care.

(2) The application shall be accompanied by -

- (a) proof of residence;
- (b) two recent passport size photographs; and
- (c) aadhaar number or aadhaar enrollment number, if any.

**Note.-** No other proof of residence shall be demanded from the applicant who has aadhaar or aadhaar enrollment number.

**18. Issue of certificate of disability.-** (1) On receipt of an application under rule 17, the medical authority or any other notified competent authority shall, verify the information as provided by the applicant and shall assess the disability in terms of the relevant guidelines issued by the Central Government and after satisfying himself that the applicant is a person with disability, issue a certificate of disability in his favour in Form V, VI and VII, as the case may be.

(2) The medical authority shall issue the certificate of disability within a month from the date of receipt of the application.

(3) The medical authority shall, after due examination -

(i) issue a permanent certificate of disability in cases where there are no chances of variation of disability over time in the degree of disability; or

(ii) issue a certificate of disability indicating the period of validity, in cases where there is any chance of variation over time in the degree of disability.

(4) If an applicant is found ineligible for issue of certificate of disability, the medical authority shall convey the reasons to him in writing under Form VIII within a period of one month from the date of receipt of the application.

(5) The State Government and Union territory Administration shall ensure that the certificate of disability is granted on online platform from such date as may be notified by the Central Government.

**19. Certificate issued under rule 18 to be generally valid for all purposes.-** A person to whom the certificate issued under rule 18 shall be entitled to apply for facilities, concessions and benefits admissible for persons with disabilities under schemes of the Government and of non-Governmental organizations funded by the Government.

**20. Validity of certificate of disability issued under the repealed Act.-**

The certificate of disability issued under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) shall continue to be valid after commencement of the Act for the period specified therein.

## CHAPTER VIII

### CENTRAL ADVISORY BOARD ON DISABILITY

**21. Allowances for the members of the Central Advisory Board.-** (1) The non-official members of the Central Advisory Board, in Delhi, shall be paid an allowance of rupees two thousand per day for each day of the actual meeting.

(2) The non-official members of the Central Advisory Board, not residing in Delhi shall be paid daily allowance and travelling allowance for each day of the actual meeting at the rate admissible to a Group "A" officer of the Central Government:

Provided that in case a Member of Parliament who is a Member of the Central Advisory Board, the daily allowance and travelling allowance shall be paid at the rate admissible to him as Member of Parliament when the Parliament is not in session and on production of a certificate by the Member that he has not drawn any such allowance for the same journey and halts from any other Government source.

(3) The official member of the Central Advisory Board shall be paid daily allowance and travelling allowance, at the rate admissible under the relevant rules of the respective Government under whom he is serving on production of a certificate by him that he has not drawn any such allowance for the same journey and halts from any other Government source.

**22. Notice of meeting.-** (1) The meeting of the Central Advisory Board on disability shall ordinarily be held in New Delhi on such dates as may be fixed by the Chairperson:

Provided that it shall meet at least once in every six months.

(2) The Chairperson shall, on the written request of not less than ten members of the Central Advisory Board, call a special meeting of the Board.

(3) The Member-Secretary shall give fifteen clear days' notice of an ordinary meeting and five clear days' notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat.

(4) The Member-Secretary may give notice to the members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or by email or in such other manner as the Chairperson may, in the circumstances of the case, think fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting, any matter of which he has not given ten clear days' notice to the Member-Secretary, unless the Chairperson may permit him to do so.

(6) The Central Advisory Board may adjourn its meeting from day to day or to any particular day.

(7) Where a meeting of the Central Advisory Board is adjourned from day to day, the Member-Secretary shall give notice of such adjourned meeting at the place where the meeting is adjourned, if held, by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(8) Where a meeting of the Central Advisory Board is adjourned not from day to day but from the day on which the meeting is to be held to another day, notice of such meeting shall be given to all the members as provided in sub-rule (4).

**23. Presiding officer.-** The Chairperson shall preside over every meeting of the Central Advisory Board and in his absence, the Vice-Chairperson shall preside, but when both the Chairperson and the Vice-Chairperson are absent from any meeting, the members present shall elect one of the members to preside over that meeting.

**24. Quorum.-** (1) One-third of the total members of the Central Advisory Board shall form the quorum for any meeting.

(2) If time fixed for any meeting or during the course of any meeting, less than one-third of the total members are present, the Chairperson may adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter, which had not been on the agenda of the ordinary or the special meeting, as the case may be, shall be discussed at adjourned meeting.

**25. Minutes.-** (1) The Member-Secretary shall maintain the record containing the names of members who attended the meeting and of the proceedings at the meetings in a book to be kept for that purpose.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, and shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member at the office of the Member-Secretary during office hours.

**26. Business to be transacted at meeting.-** Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 22 shall be transacted at any meeting.

**27. Agenda for the meeting of the Central Advisory Board.-** (1) The business of the meeting shall be transacted in the order in which it is entered in the agenda, unless otherwise resolved in the meeting with the permission of the presiding officer.

(2) At the beginning of the meeting or after the conclusion of the debate on a motion during the meeting, the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the Chairperson agrees, such a change shall take place.

**28. Decision by majority.-** All questions considered at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in the event of equality of votes, the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson or in the absence of both the member presiding at the meeting, as the case may be, shall have a second or casting vote.

**29. No proceeding to be invalid due to vacancy or any defect.-** No proceeding of the Central Advisory Board shall be invalid by reason of existence of any vacancy in or any defect in the constitution of the Board.

## CHAPTER IX

### CHIEF COMMISSIONER AND COMMISSIONER FOR PERSONS WITH DISABILITIES

**30. Qualification for appointment of Chief Commissioner.-** No person shall be eligible for appointment as Chief Commissioner, unless -

(a) he is a Graduate from a recognized University:

Provided that preference shall be given to persons having recognised degree or diploma in social work or law or management or human rights or rehabilitation or education of persons with disabilities;

(b) he is having experience of at least twenty-five years in a Group "A" level post in the Central Government or a State Government or a public sector undertaking or a semi Government or an autonomous body dealing with disability related matters or social sector or as a senior level functionary in registered national and international voluntary organizations in the field of disability or social development:

Provided that out of the total of twenty-five years of experience, he should have at least three years of experience in the field of rehabilitation or empowerment of persons with disabilities; and

(c) he has not attained the age of sixty years as on 1<sup>st</sup> January of the year of recruitment.

**Note.-** If he is in the service under the Central Government or a State Government, he shall seek retirement from such service before his appointment to the post.

**31. Qualification for appointment of Commissioner.** – No person shall be eligible for appointment as Commissioner, unless-

(a) he is a Graduate from a recognized University:

Provided that preference shall be given to persons having recognised degree or diploma in social work or law or management or human rights or rehabilitation or education of persons with disabilities.

(b) he is having at least twenty years experience in a Group “A” level post in the Central Government or a State Government or a public sector undertaking or a semi Government or an autonomous body dealing with disability related matters or social sector or as senior level functionary in registered national and international voluntary organizations in the field of disability or social development; and

(c) he has not attained the age of fifty-six years as on 1<sup>st</sup> January of the year of recruitment.

**32. Method of appointment of the Chief Commissioner and Commissioner.**– (1) The Central Government shall, six months before the post of Chief Commissioner is due to fall vacant, advertise in at least two national level dailies each in English and Hindi inviting applications for the post from eligible candidates fulfilling the qualifications specified in rules 30 and 31.

(2) A search-cum-selection committee shall be constituted to recommend a panel of three suitable candidates for the post of the Chief Commissioner or the Commissioner.

(3) The search-cum-selection committee shall be constituted in accordance with the instructions issued by the Government from time to time.

(4) The panel recommended by the committee may consist of persons from amongst those who have applied in response to the advertisement mentioned in sub-rule (1) and other eligible persons whom the Committee may consider suitable.

(5) The Central Government shall appoint one of the candidates recommended by the search-cum-selection committee as the Chief Commissioner or the Commissioner.

**33. Term of the Chief Commissioner and Commissioner.**– (1) The term of office of Chief Commissioner shall be for a period of three years from the date on which he assumes office, or till he attains the age of sixty-five years, whichever is earlier.

(2) The term of office of the Commissioner shall be for a period of three years and may be extended for a period of another two years or till he attains the age of sixty years, whichever is earlier.

(3) A person may serve as Chief Commissioner or Commissioner for a maximum period of two terms subject to the condition that he has not attained the age of sixty-five years, or sixty years, respectively.

**34. Salary and allowances of the Chief Commissioner and Commissioner.**– (1) The Chief Commissioner shall be entitled for the salary and allowances as admissible to a Secretary to the Government of India.

(2) The Commissioner shall be entitled for the salary and allowances as admissible to a Additional Secretary to the Government of India.

(3) Where a Chief Commissioner or the Commissioner being a retired Government servant or a retired employee of any institution or autonomous body funded by the Government, is in receipt of pension in respect of such previous service, the salary admissible to him under these rules shall be reduced by the amount of the pension, and if he had received in lieu of a portion of the pension, the commuted value thereof, by the amount of such commuted portion of the pension.

**35. Other terms and conditions of service of the Chief Commissioner and Commissioner.**– (1) The Chief Commissioner and the Commissioner shall be entitled to such leave as is admissible to a Government servant under the Central Civil Service (Leave) Rules, 1972.

(2) The Chief Commissioner and the Commissioner shall be entitled to such leave travel concession as is admissible to a Group “A” officer under the Central Civil Services (Leave Travel Concession) Rules, 1988.

(3) The Chief Commissioner and the Commissioner shall be entitled to such medical benefits as is admissible to a Group “A” officer under the Central Government Health Scheme.

**36. Resignation and removal.**– (1) The Chief Commissioner and the Commissioner may, by notice in writing, under his hand, addressed to the Central Government, resign from the office:

Provided that he shall continue in the office till his resignation is accepted.

(2) The Central Government may remove a person from the office of the Chief Commissioner and the Commissioner, if he -

- (a) becomes an undischarged insolvent;
- (b) engages during his term of office in any paid employment or activity outside the duties of his office;
- (c) is convicted or sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude;
- (d) is in the opinion of the Central Government, unfit to continue in office by reason of infirmity of mind or body or serious default in the performance of his functions as laid down in the Act;
- (e) without obtaining leave of absence from the Central Government, remains absent from duty for a consecutive period of fifteen days or more; or
- (f) has, in the opinion of the Central Government, so abused the position of the Chief Commissioner and Commissioner as to render his continuance in office detrimental to the interest of persons with disability:

Provided that no person shall be removed under this rule except after following the procedure, *mutatis mutandis*, applicable for removal of a Group "A" employee of the Central Government.

(3) The Central Government may suspend the Chief Commissioner and the Commissioner, in respect of whom proceedings for removal have been commenced in accordance with sub-rule (2), pending conclusion of such proceedings.

**37. Residuary provision.**— The conditions of service of the Chief Commissioner and the Commissioner in respect of which no express provision has been made in these rules shall be determined by the rules and orders for the time being applicable to the Secretary and Additional Secretary to the Government of India, as the case may be.

**38. Procedure to be followed by Chief Commissioner and Commissioner.**— (1) An aggrieved person may present a complaint containing the following particulars in person or by his agent to the Chief Commissioner or the Commissioner or send it by registered post or by email addressed to the Chief Commissioner or the Commissioner, namely:-

- (a) the name, description and the address of the aggrieved person;
- (b) the name, description and the address of the opposite party or parties, as the case may be, so far as they may be ascertained;
- (c) the facts relating to complaint and when and where it arose;
- (d) documents in support of the allegations contained in the complaint; and
- (e) the relief which the aggrieved person claims.

(2) The Chief Commissioner or the Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party or parties mentioned in the complaint, directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the Chief Commissioner or the Commissioner.

(3) On the date of hearing or any other date to which hearing could be adjourned, the parties or their agents shall appear before the Chief Commissioner or the Commissioner.

(4) Where the aggrieved person or his agent fails to appear before the Chief Commissioner or the Commissioner on such days, the Chief Commissioner or the Commissioner may either dismiss the complaint on default or decide on merits.

(5) Where the opposite party or his agent fails to appear on the date of hearing, the Chief Commissioner or the Commissioner may take such necessary action under section 77 of the Act as he deems fit for summoning and enforcing the attendance of the opposite party.

(6) The Chief Commissioner or the Commissioner may dispose of the complaint *ex-parte*, if necessary.

(7) The Chief Commissioner or the Commissioner may on such terms as he deems fit and at any stage of the proceedings, adjourn the hearing of the complaint.

(8) The Chief Commissioner or the Commissioner shall decide the complaint as far as possible within a period of three months from the date of receipt of notice by the opposite party.

**39. Advisory Committee to assist the Chief Commissioner.**— (1) The Central Government shall appoint an Advisory Committee comprising of the following members, namely:-

- (a) five experts to represent each of the five groups of specified disabilities mentioned in the Schedule to the Act of

whom two shall be women;

(b) three experts in the field of barrier-free environment-

(i) one expert from physical environment;

(ii) one expert from transportation system; and

(iii) one expert from information and communication technology or other services and facilities provided to the public;

(c) one expert in the area of employment of persons with disabilities;

(d) one legal expert; and

(e) one expert as recommended by the Chief Commissioner for Persons with Disabilities.

(2) The Chief Commissioner may invite subject or domain expert as per the need who shall assist him in meeting or hearing and in preparation of the report.

(3) The tenure of the members of the Advisory Committee shall be for a period of three years and the members shall not be eligible for re-nomination.

(4) The non-official members of the Advisory Committee, in Delhi, shall be paid an allowance of rupees two thousand per day for each day of the actual meeting.

(5) The non-official members of the Advisory Committee, not residing in Delhi, shall be paid daily allowance and travelling allowance for each day of the actual meeting at the rate admissible to a Group "A" officer of the Central Government.

**40. Submission of Annual Report.-** (1) The Chief Commissioner, shall as soon as possible, after the end of the financial year but not later than the 30<sup>th</sup> day of September in the next year ensuing prepare and submit to the Central Government, an annual report giving a complete account of his activities during the said financial year.

(2) In particular, the annual report referred to in sub-rule (1) shall contain information in respect of each of the following matters, namely:-

(a) names of its officers and staff and a chart showing the organisational set up;

(b) the functions which the Chief Commissioner has been empowered under sections 75 and 76 of the Act and the highlights of the performance in this regard;

(c) the main recommendations made by the Chief Commissioner;

(d) the progress made in the implementation of the Act; and

(e) any other matter deemed appropriate for inclusion by the Chief Commissioner or specified by the Central Government from time to time.

## CHAPTER X

### NATIONAL FUND FOR PERSONS WITH DISABILITIES

**41. Management of National Fund.-** (1) There shall be a governing body consisting of following members to manage the National Fund, namely:-

(a) Secretary, Department of Empowerment of Persons with Disabilities, in the Central Government - Chairperson;

(b) Chairperson, Board of National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities - Member;

(c) Financial Advisor, Ministry of Social Justice and Empowerment, in the Central Government - Member;

(d) two representatives from the Ministry of Health and Family Welfare, Department of School Education and Literacy, Department of Higher Education, Ministry of Labour and Employment, Department of Financial Services and Department of Rural Development in the Central Government, not below the rank of a Joint Secretary, by rotation in alphabetical order - Members;

(e) two persons representing different types of disabilities to be nominated by the Central Government, by rotation - Members;

(f) Joint Secretary in the Department of Empowerment of Persons with Disabilities in the Central Government - Convener and Chief Executive Officer.

(2) The governing body shall meet as often as necessary, but at least once in every financial year.

- (3) The nominated members shall hold office for not more than three years.
- (4) No member of the governing body shall be a beneficiary of the Fund during the period such member holds office.
- (5) The nominated non-official members shall be eligible for payment of travelling allowance and daily allowance as admissible to a Group 'A' employees of the Central Government for attending the meetings of the governing body.
- (6) No person shall be nominated under clause (e) of sub-rule (1) as a member of the governing body if he -
- (a) is, or has been, convicted of an offence, which in the opinion of the Central Government, involves moral turpitude; or
  - (b) is, or at any time has been, adjudicated as an insolvent.

**42. Utilisation of the National Fund.-** (1) The amount available under the Trust Fund for empowerment of persons with disabilities and the National Fund for people with disabilities, as on the date of the commencement of the Act, shall form the National Fund.

- (2) All monies available under the two Funds referred to in sub-rule (1) shall stand transferred to the National Fund.
- (3) All monies belonging to the Fund shall be deposited in such banks or invested in such manner as the governing body, may, subject to the general guidelines of the Central Government, decide.
- (4) The Fund shall be invested in such manner as may be decided by the governing body.
- (5) The Fund shall be utilized for the following purposes, namely:-
- (a) financial assistance in the areas which are not specifically covered under any scheme and programme of the Central Government or are not adequately funded under any scheme or programme of the Central Government;
  - (b) for the purpose of implementation of the provisions of the Act;
  - (c) administrative and other expenses of the Fund, as may be required to be incurred by or under this Act; and
  - (d) such other purposes as may be decided by the governing body.
- (6) Every proposal of expenditure shall be placed before the governing body for its approval.
- (7) The governing body may appoint secretarial staff including accountants, with such terms and conditions, as it may think appropriate, to look after the management and utilisation of the Fund.

**43. Budget.-** The Chief Executive Officer of the Fund shall prepare the budget for incurring expenditure under the Fund for each financial year showing the estimated receipt and expenditure of the Fund, in January every year and shall place the same for consideration of the governing body.

**44. Annual Report.-** The annual report of the Department of Empowerment of Persons with Disabilities shall include a chapter on National Fund.

#### FORM-I

(Persons with Disabilities Employer's Return)

[See rule 13 (1)]

Six monthly return to be submitted to the Special Employment Exchange for the half year ended.....

Name and Address of the Employer.....

Whether - Head Office.....

Branch Office.....

Nature of business/principal activity:.....

#### 1. Employment

- (a) Total number of persons including working proprietors/ partners/ commission agents/contingent paid and contractual workers, on the pay rolls of the Government establishment excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid by the Government establishment).

On the last working day of the previous half year				
Blindness and low vision	Deaf and hard of hearing	Locomotive disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns (1) to (4) including deaf-blindness
(1)	(2)	(3)	(4)	(5)

On the last working day of the half year under report				
Blindness and low vision	Deaf and hard of hearing	Locomotive disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns (1) to (4) including deaf-blindness
(1)	(2)	(3)	(4)	(5)

Men with disability

Women with disability

Total .....

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5% during the half year.

2. Vacancies.- Vacancies carrying total emoluments as per prevailing minimum wage per month and of over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year (Separate figures may be given for men with disability and women with disability).

Number of vacancies which come within the purview of the Act.

Occurred                      Notified                      Filled                      Source

(Describe the source from which filled)

Local/Special Employment Exchange

General Employment Exchange

(b) Reasons for not notifying all vacancies occurred during the half year under report vide 2(a) .....

3. Manpower Shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or Designation of the posts	Number of unfilled essential qualification	vacancies/posts essential experience	disability wise experience not necessary
1	2	3	4

Please list any other occupations for which this Government establishment had recently any difficulty in obtaining suitable applicants.

Dated.....

Signature of employer

To

The Employment Exchange

Note.- This return relates to half yearly ending 31<sup>st</sup> March/30<sup>th</sup> September and shall be rendered to the local Special Employment Exchange within thirty days after the end of the half year concerned.

## Form -II

(Persons with Disabilities Employer's Return)

[See rule 13 (1)]

Occupational return to be submitted to the local Special Employment Exchange once in two years.

Name and Address of the Employer.....

Nature of business\_\_\_\_\_

(describe what the Government establishment makes or does as its principal activity)

1. Total number of persons on the pay rolls of the Government establishment on (Specify date).....(This figure should include every person whose wage or salary is paid by the Government establishment)(Separate figures for men with disability and women with disability may be given).
2. Occupational classification of all employees as given in item -1 above.  
(please give below the number of employees in each occupation separately)

Occupation	Number of Employees		Total	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement.
	Men with disability	Women with disability		
Use exact terms Such as Engineer (Mechanical); Teacher (domestic/science); Officer on duty (actuary); Assistant Director (Metallurgist); Scientific Assistant (chemist); Research Officer (economist); Instructor (carpenter);				

Supervisor(tailor);  
Fitter(internal  
Combustion engine);  
Inspector  
Sanitary); Superintendent  
Office; apprentice  
Electrician).

Total

Dated.....

Signature of employer

To

The Employment Exchange

(please fill in here the address of your local Special Employment Exchange)

Note: Total of column 5 under item 2 should correspond to the figure given against item-1.

## FORM—III

(Persons with Disabilities Employer's Return)

[See rule 14]

Name and Address of the Employer.....

Whether - Head Office.....

Branch Office.....

Nature of business/principal activity: .....

Total number of persons on the pay rolls of the Government establishment (This figure should include every person whose wage or salary is paid by the Government establishment).

Total number of persons with disabilities (disability-wise) on the payroll of the Government establishment (This figure should include every person with disability whose wage or salary is paid by the Government establishment).

(a) Occupational qualification of all employees (Please give below the number of employees in each occupation separately).

Occupation Use exact terms Such as Engineer (Mechanical); Teacher (domestic/science); Officer on duty (actuary); Assistant Director (Metallurgist); Scientific Assistant (chemist); Research Officer (economist); Instructor (carpenter);	Number of Employees		Total	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement.
	Men with disabilities	Women with disabilities		

---

 Total
 

---

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5% during the half year.....

2. Vacancies: Vacancies carrying total emoluments as per prevailing minimum wage per month and of over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year.

---

 Number of vacancies which come within the purview of the Act
 

---

Occurred	Notified		General employment	Filled	Sources (Describe the source form which filled)
	Local Employment Exchange	Special Employment			

1

2

3

4

5

---

 Total
 

---

(b) Reasons for not notifying all vacancies occurred during the half year under report *vide* (a) 2.....above.



(b) Result of application \_\_\_\_\_

(13) Have you ever been issued a certificate of disability in the past? If yes, please enclose a true copy.

Declaration: I hereby declare that all particulars stated above are true to the best of my knowledge and belief, and no material information has been concealed or misstated. I further state that if any inaccuracy is detected in the application, I shall be liable to forfeiture of any benefits derived and other action as per law.

\_\_\_\_\_  
 (signature or left thumb impression of person with disability, or of his/her legal guardian in case of persons with intellectual disability, autism, cerebral palsy and multiple disabilities, etc)

Date :

Place:

Enclosures:

1. Proof of residence (Please tick as applicable).

(a) ration card,

(b) voter identity card,

(c) driving license,

(d) bank passbook,

(e) PAN card,

(f) passport,

(g) telephone, electricity, water and any other utility bill indicating the address of the applicant,

(h) a certificate of residence issued by a Panchayat, municipality, cantonment board, any gazetted officer, or the concerned Patwari or Head Master of a Government school,

(i) in case of an inmate of a residential institution for persons with disabilities, destitute, mentally ill, and other disability, a certificate of residence from head of such institution.

2. Two recent passport size photographs

-----  
(For office use only)

Date:

Place:

Signature of issuing authority  
Stamp

Form-V

Certificate of Disability

(In cases of amputation or complete permanent paralysis of limbs or dwarfism and in case of blindness)

[See rule 18(1)]

(Name and Address of the Medical Authority issuing the Certificate)

Recent passport size attested photograph (Showing face only) of the person with disability.
---

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

This is to certify that I have carefully examined Shri/Smt./Kum. \_\_\_\_\_ son/wife/daughter of Shri \_\_\_\_\_ Date of Birth (DD/MM/YY) \_\_\_\_\_ Age \_\_\_\_\_ years, male/female \_\_\_\_\_ registration No. \_\_\_\_\_ permanent resident of House No. \_\_\_\_\_ Ward/Village/Street \_\_\_\_\_ Post Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_, whose photograph is affixed above, and am satisfied that:

(A) he/she is a case of:

- locomotor disability
- dwarfism
- blindness

(Please tick as applicable)

(B) the diagnosis in his/her case is \_\_\_\_\_

(A) he/she has \_\_\_\_\_ % (in figure) \_\_\_\_\_ percent (in words) permanent locomotor disability/dwarfism/blindness in relation to his/her \_\_\_\_\_ (part of body) as per guidelines ( .....number and date of issue of the guidelines to be specified).

2. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate

(Signature and Seal of Authorised Signatory of notified Medical Authority)

Signature/thumb impression of the person in whose favour certificate of disability is issued

Form - VI

Certificate of Disability

(In cases of multiple disabilities)

[See rule 18(1)]

(Name and Address of the Medical Authority issuing the Certificate)

Recent passport size attested photograph (Showing face only) of the person with disability.

Certificate No. \_\_\_\_\_

Date: \_\_\_\_\_

This is to certify that we have carefully examined Shri/Smt./Kum. \_\_\_\_\_ son/wife/daughter of \_\_\_\_\_ Shri \_\_\_\_\_ Date of Birth (DD/MM/YY) \_\_\_\_\_ Age \_\_\_\_\_ years, male/female \_\_\_\_\_.

Registration No. \_\_\_\_\_ permanent resident of House No. \_\_\_\_\_ Ward/Village/Street \_\_\_\_\_ Post Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_, whose photograph is affixed above, and am satisfied that:

(A) he/she is a case of Multiple Disability. His/her extent of permanent physical impairment/disability has been evaluated as per guidelines (.....number and date of issue of the guidelines to be specified) for the disabilities ticked below, and is shown against the relevant disability in the table below:

Sl. No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
1.	Locomotor disability	@		
2.	Muscular Dystrophy			
3.	Leprosy cured			
4.	Dwarfism			
5.	Cerebral Palsy			
6.	Acid attack Victim			
7.	Low vision	#		
8.	Blindness	#		
9.	Deaf	£		
10.	Hard of Hearing	£		
11.	Speech and Language disability			
12.	Intellectual Disability			
13.	Specific Learning Disability			
14.	Autism Spectrum Disorder			
15.	Mental illness			
16.	Chronic Neurological Conditions			
17.	Multiple sclerosis			
18.	Parkinson's disease			
19.	Haemophilia			
20.	Thalassemia			
21.	Sickle Cell disease			

(B) In the light of the above, his/her over all permanent physical impairment as per guidelines (.....number and date of issue of the guidelines to be specified), is as follows :-

In figures :- ----- percent

In words :- ----- percent

2. This condition is progressive/non-progressive/likely to improve/not likely to improve.

3. Reassessment of disability is :

(i) not necessary,

or

(ii) is recommended/after ..... years ..... months, and therefore this certificate shall be valid till

----  
 (DD) (MM) (YY)

@ e.g. Left/right/both arms/legs

# e.g. Single eye

£ e.g. Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

5. Signature and seal of the Medical Authority.

Name and Seal of Member	Name and Seal of Member	Name and Seal of the Chairperson

Signature/thumb impression of the person in whose favour certificate of disability is issued.

## Form – VII

## Certificate of Disability

(In cases other than those mentioned in Forms V and VI)

(Name and Address of the Medical Authority issuing the Certificate)

[See rule 18(1)]

Recent passport size attested photograph (Showing face only) of the person  
wit

Certificate No.

Date:

This is to certify that I have carefully examined

Shri/Smt/Kum \_\_\_\_\_ son/wife/daughter of Shri \_\_\_\_\_ Date of Birth (DD/MM/YY) \_\_\_\_\_ Age \_\_\_\_\_ years, male/female \_\_\_\_\_ Registration No. \_\_\_\_\_ permanent resident of House No. \_\_\_\_\_ Ward/Village/Street \_\_\_\_\_ Post Office \_\_\_\_\_ District \_\_\_\_\_ State \_\_\_\_\_, whose photograph is affixed above, and am satisfied that he/she is a case of \_\_\_\_\_ disability. His/her extent of percentage physical impairment/disability has been evaluated as per guidelines (.....number and date of issue of the guidelines to be specified) and is shown against the relevant disability in the table below:-

Sl. No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
1.	Locomotor disability	@		
2.	Muscular Dystrophy			
3.	Leprosy cured			
4.	Cerebral Palsy			
5.	Acid attack Victim			
6.	Low vision	#		
7.	Deaf	€		
8.	Hard of Hearing	€		
9.	Speech and Language disability			
10.	Intellectual Disability			
11.	Specific Learning Disability			
12.	Autism Spectrum Disorder			
13.	Mental illness			
14.	Chronic Neurological Conditions			
15.	Multiple sclerosis			
16.	Parkinson's disease			
17.	Haemophilia			
18.	Thalassemia			
19.	Sickle Cell disease			

(Please strike out the disabilities which are not applicable)

2. The above condition is progressive/non-progressive/likely to improve/not likely to improve.

3. Reassessment of disability is:

(i) not necessary, or

(ii) is recommended/after \_\_\_\_\_ years \_\_\_\_\_ months, and therefore this certificate shall be valid till (DD/MM/YY) \_\_\_\_\_

@ - eg. Left/Right/both arms/legs

# - eg. Single eye/both eyes

€ - eg. Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

(Authorised Signatory of notified Medical Authority)  
(Name and Seal)

Countersigned  
{Countersignature and seal of the  
Chief Medical Officer/Medical Superintendent/  
Head of Government Hospital, in case the  
Certificate is issued by a medical authority who is  
not a Government servant (with seal)}

Signature/thumb  
impression of the  
person in whose  
favour certificate of  
disability is issued

Note.- In case this certificate is issued by a medical authority who is not a Government servant, it shall be valid only if countersigned by the Chief Medical Officer of the District

FORM - VIII

[Intimation of rejection of Application for Certificate of Disability]

[See rule 18 (4)]

No. \_\_\_\_\_

Dated :

To,

(Name and address of applicant  
for Certificate of Disability)

Sub: Rejection of Application for Certificate of Disability

Sir/ Madam,

Please refer to your application dated \_\_\_\_\_ for issue of a Certificate of Disability for the following disability:

2. Pursuant to the above application, you have been examined by the undersigned/ Medical Authority on \_\_\_\_\_, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a Certificate of Disability in your favour:

(i)

(ii)

(iii)

3. In case you are aggrieved by the rejection of your application, you may represent to \_\_\_\_\_, requesting for review of this decision.

Yours faithfully,  
(Authorised Signatory of the notified Medical Authority)  
(Name and Seal)

[F. No. 03-01/2017-DD-III]  
DOLLY CHAKRABARTY, Jt. Secy.

**NOTIFICATION**  
**General Administration Department,**  
**Sachivalaya, Gandhinagar.**  
**Dated the 22<sup>nd</sup> February, 2019.**

**Constitution  
of India.**

No.GS/03/2019/CRR/11/2016/282323/G-5:- WHEREAS the Governor of Gujarat has promulgated the Gujarat Unreserved Economically Weaker Sections (Reservation of Seats in Educational Institutions in the State and of Appointments and Posts in Services under the State) Ordinance, 2016 (Gujarat Ordinance No. 1 of 2016) to provide for the reservation of seats in educational institutions in the State and of appointments and posts in the services under the State in favour of the Economically Weaker Sections of the unreserved category;

AND WHEREAS the Governor of Gujarat has, vide Government Notification, General Administration Department No. GS/37/2016/CRR/11/2016/282323/G-5, dated the 17th May, 2016, amended the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967 so as to incorporate the provisions for relaxation in age limit in favour of the candidates of Economically Weaker Sections in appointments and posts in the services under the State, under the powers conferred by the proviso to article 309 of the Constitution of India read with section 4 of the said Gujarat Ordinance No. 1 of 2016;

AND WHEREAS Hon'ble the High Court of Gujarat has, vide its judgment: writ Petition No. 108/2016, dated the 4th August, 2016, struck down the said Gujarat Ordinance No. 1 of 2016;

AND WHEREAS Hon'ble the Supreme Court of India has, vide its order dated the 9th September, 2016 made it clear that no further action towards

implementation of the reservation made under the said Gujarat Ordinance No. 1 of 2016 can be taken qua education and service matters;

AND WHEREAS the Parliament of India has, vide the Constitution (One hundred and Third Amendment) Act, 2019, amended article 15 and article 16 so as to make reservation in admission in educational institutions and appointment in civil posts and services under the State in favour of the Economically Weaker Sections of citizens in addition to the existing categories such as Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes;

NOW, THEREFORE, in exercise of the powers conferred by the proviso to article 309 of the Constitution of India, the Governor of Gujarat hereby,-

- (i) rescinds the Government Notification, General Administration Department No. GS/37/2016/CRR/11/2016/282323/G-5, dated the 17th May, 2016; and
- (ii) makes the following rules further to amend the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967, namely:-

1. These rules may be called the Gujarat Civil Services Classification and Recruitment (General) (Amendment) Rules, 2019.
2. They shall be deemed to have come into force from the 14<sup>th</sup> January, 2019.
3. In the Gujarat Civil Services Classification and Recruitment (General) Rules, 1967 (hereinafter referred to as the "said rules"), in rule 2, after clause (i), the following clause shall be inserted, namely:-

" (i-a) " Economically Weaker Sections" means such castes, classes and groups as are determined by the State Government as Economically Weaker Sections by the Government Resolution, Social Justice and Empowerment Department, No: EWS/122019/45903/A, dated : the 23<sup>rd</sup> January, 2019

4. In the said rules, in rule 8,-

(i) in sub-rule (2), for the words "Scheduled Tribes and Socially and Educationally Backward Class", the words "Scheduled Tribes, Socially and Educationally Backward Classes and Economically Weaker Sections" shall be substituted;

(ii) in sub-rule (5-A), in clause (3), for the words "Scheduled Tribes and Socially and Educationally Backward Classes" the words "Scheduled Tribes, Socially and Educationally Backward Classes and Economically Weaker Sections" shall be substituted.

By order and in the name of the Governor of Gujarat,

  
(A.H.Mansuri)

Deputy Secretary to Government.  
General Administration Department

To,

- The Secretary to the Governor.
- The Principal Secretary to the Chief Minister.
- The Personal Secretary to the Deputy Chief Minister.
- The Personal Secretary to All Ministers / Minister of State.
- The Secretary, Gujarat Legislature Secretariat, Gandhinagar.
- The Secretary, Gujarat Public Service Commission, Gandhinagar.
- The Secretary, Gujarat Vigilance Commission, Gandhinagar.
- The Registrar, Gujarat High Court, Ahmedabad.

- The Secretary Gujarat Civil Services Tribunal, Gandhinagar.
  - The Secretary, Gujarat Subordinate Service Selection Board Gandhinagar.
  - The Secretary, Gujarat Panchayat Service Selection Board, Gandhinagar
  - All Department of the Secretariat  
With a request to send the copy to the concerned Head of Department under their Administrative Control.
  - The Manger, Government Central Press, Gandhinagar.  
with a request to publish the enclosed Notification in Part-IV-A, Gujarat Government Gazette and send 300 copies to this department
  - The Legislative and Parliamentary Affairs Department – with a request to publish Gujarati Translation of Notification and send 100 copies to this Department.
  - All officers / Branches in General Administrative Department
  - ✓ • Web Master (with a request to upload on the G.A.D. website.)
  - The Select file
- 

➤ By letter.