

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 382, CUTTACK, THURSDAY, MARCH 4, 2021/ FALGUNA 13, 1942

[No.1843—SSEPD-DA-4-DA-0003/2020/SSEPD.]

**DEPARTMENT OF SOCIAL SECURITY & EMPOWERMENT OF PERSONS WITH
DESABILITIES**

RESOLUTION

The 25th February, 2021

Subject :Reservation and other concessions for the Persons with Disabilities in various posts or services under State Government or Public Sector undertakings.

The Government of India have enacted The Rights of Persons with Disabilities Act., 2016 (49 of 2016) by repealing the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act.,1995 (1 of 1996) which has come into force with effect from 19th April, 2017 and the new Act has provided that, not less than four per cent of reservation shall be made for Persons with Disabilities. Keeping in view the change, the Government have been pleased to issue the following instructions in superseding all previous orders and instructions.

1. Quantum of Reservation. – (1) Not less than four per cent of the vacancies in case of direct recruitment to Group A, B, C and D posts shall be reserved for Persons with Disabilities (PwDs) of which one per cent each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent for persons with benchmark disabilities under clauses (d) and (e), namely:—

(a) Blindness and Low Vision,

(b) Deaf and hard of hearing,

(c) Locomotor disability including Cerebral Palsy, leprosy cured, dwarf, acid attack victims and muscular dystrophy.

(d) Autism, intellectual disability, specific learning disability and mental illness,

(e) Multiple disabilities from amongst persons under clause (a) to (d) including deaf-blindness in the posts identified for each disability time to time.

(2) Out of 4% (four per cent) reservations for Persons with Disabilities, one per cent reservation shall be earmarked for women with disabilities.

2. Definition, percentage of disabilities and Certifying Authority to issue Disability Certificate.—(1) Disability means benchmark disability as defined under Clause (r) of Section 2 and the specified disability enlisted in the Schedule of the "Rights of Persons with Disabilities Act., 2016".

(2) Persons with not less than forty percent of disability as certified by the Competent Authority under the Rights of Persons with Disabilities Act., 2016 (49 of 2016) shall be eligible for reservation as provided under Sub-Section (1) of Section 34 of the said Act,

(3) The Appointing Authorities shall verify the Disability Certificate before appointment to prevent false or fake claims and to ensure appointment of genuine persons with disabilities, they may initiate action against such persons who attempts to commit fraud and avail of the benefits meant for Persons with Disabilities.

3. Computation of reservation:— (1)Reservation for persons with disabilities in case of Group-C and Group-D posts shall be computed on the basis of total number of vacancies occurring in all Group-C and Group-D posts, as the case may be, in the establishment, although the recruitment of the persons with disabilities would only be, in the posts identified for them.

(2) The number of vacancies to be reserved for persons with disabilities in case of direct recruitment to Group-C post in an establishment shall be computed by taking into account the total number of vacancies arising in Group-C posts being filled by direct recruitment in a recruitment year, both in the identified and non-identified posts under the establishment and the same procedure shall be applied for Group-D posts.

(3) Reservation for Persons with Disabilities in Group-A and Group-B posts shall be computed on the basis of total number of vacancies occurring in direct recruitment quota in the entire identified Group-A and Group-B posts respectively in the cadre.

(4) All Departments or Establishments of the Government of Odisha shall compute the number of vacancies available in all the cadres under their control including attached offices, subordinate offices, public sector undertakings, Government Companies, Boards etc. and fill up all such vacancies through special recruitment drives.

4. Effective, Reservation and Rosters:— (1) Every Government establishment shall maintain group-wise a separate vacancy based 100 point vacancy based reservation roster register in the format given in **Annexure- A** for determining/ effecting reservation for the Persons with Benchmark Disabilities - one each for Group ' A ' posts filled by direct recruitment, Group ' B ' posts filled by direct recruitment, Group ' C ' posts filled by direct recruitment.

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

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

(3) Points 1, 26, 51, and 76 of the rosters shall be earmarked for persons with benchmark disabilities - one point each for four respective categories of disabilities; the Head of the establishment shall ensure that vacancies identified at Sl. Nos. 1, 26, 51 and 76 are earmarked for respective categories of the persons with benchmark disabilities; however, the Head of the establishment shall decide the placement of the selected candidate in the roster register.

(4) All the vacancies arising irrespective of vacancies reserved for Persons with Benchmark Disabilities shall be entered in the relevant roster. If the vacancy falling at point No.1 is not identified for the Persons with Benchmark Disabilities or the Head of the establishment considers it desirable not to fill it up by Persons with Benchmark Disabilities or it is not possible to fill up that post by the Persons with Benchmark Disabilities for any other reason, one of the vacancies falling at any of the points from 2 to 25 shall be treated as reserved for the person with benchmark disability and filled as such.

(5) Likewise, a vacancy falling at any of the points from 26 to 50 or from 51 to 75 or from 76 to 100 shall have to be filled by the Persons with Benchmark Disabilities and the purpose of keeping points 1, 26, 51 and 76 as reserved is to fill up the first available suitable vacancy.

(6) There is a possibility that none of the vacancies from 1 to 25 is suitable for any category of the persons with benchmark disabilities, in that case, two vacancies from 26 to 50 shall be filled as reserved for persons with benchmark disabilities, if the vacancies from 26 to 50 are also not suitable for any category, three vacancies shall be filled as reserved from the third block containing points from 51 to 75 and this shall mean that if no vacancy can be reserved in a particular block, it shall be carried over into the next block.

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

(8) If the number of vacancies in a year is such as to cover only one block (say twenty-five vacancies) or two (say fifty vacancies), the category of the persons with benchmark disabilities should be accommodated as per the roster points. However, in case, the said vacancy is not identified for the respective category, the Head of the establishment shall decide the category on the basis of the nature of the post, the level of representation of the specific disabled category in the concerned grade/post etc.

5. Inter se-exchange and carry forward.— (1).Reservation for each categories mentioned in sub-Para. (1) of Para. 1 of the Resolution shall be made separately. But, if the nature of vacancy in an establishment is such that a person with specific category cannot be employed, the vacancies may be interchanged among these categories.

(2) The Head of the Department shall be the Competent Authority to allow exchange. If the post is identified for more than one category, preference should be given to the category, which is less represented.

(3) If in any recruitment year, any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when

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

Provided that, if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate Government.

6. Persons with disability selected on their own merit shall not occupy Reserved post:— Persons with disabilities selected on their merit without relaxed standards, along with other candidates shall not be adjusted against the reserved vacancies. The reserve vacancies shall be filled up separately from amongst the eligible candidates with disabilities, who are lower in merit than the last candidate in merit list but otherwise found suitable for appointment, if necessary, by relaxed standard available for Persons with Disabilities in addition to the SC and ST candidates; and it will apply for direct recruitment wherever reservation for persons with disabilities is admissible.

7. Horizontal reservation for persons with disabilities.— (1) The reservation for persons with disabilities being in the nature of horizontal reservation which cuts across vertical reservation meant for the Scheduled Castes, Scheduled Tribes and SEBCs, the persons selected against the quota for persons with disabilities shall be placed in the appropriate category of SC, ST, SEBC and UR.

(2) Since the persons with disabilities have to be placed in the appropriate category viz. SC, ST, SEBC and UR in the roster meant for reservation of SCs, STs, and SEBCs, the application form for the post should clearly indicate that the candidates applying under the quota reserved for persons with disabilities to indicate whether they belong to SC, ST, SEBCs or Unreserved Category.

8. Mention Sub-category of disabilities in advertisement.— While inviting application for filling up of reserved vacancies meant for persons with disabilities, the sub-category of disability shall be mentioned along with functional classification and physical requirement for the post.

9. Appointment of persons with disabilities against un-reserved vacancies.— Unreserved vacancies are open to all including the reserved category like persons with disabilities, if post is suitable for them. Debarring of any category of persons with

disabilities shall be violation of Government instruction and persons with disabilities shall not be debarred from applying for the posts identified as suitable for them.

10. Identification of post.— (1) Each establishment under State Government or Public Sector undertakings shall identify posts in Group A, B, C and D posts to be reserved for different categories of persons with disabilities in consultation with this Department, and the Appointing Authority may also give appointment against any post which is not included in the list of post as identified, if it is considered that the physical requirement of the post can be suitable for a person with disability.

(2) If identified post is upgraded or its nomenclature has been changed but physical requirement to perform that job remain the same, that post shall remain as identified post for such categories.

(3) Preference shall be given to persons with disabilities, while appointing persons in that post which are identified as suitable for them, even in excess of the 4% quota.

11. Exemption from reservation orders.— (1) Where a Department of the Government consider that it is not possible to provide employment for persons with disabilities to the extent of reservation in view of the nature of duties expected to be performed by the employees in that particular Department, that Department could be partly or fully exempted from implementing the reservation order.

(2) The grant of such exemption shall be decided by the Social Security & Empowerment of Persons with Disabilities Department based on recommendation of an inter-Departmental Committee constituted with State Commissioner for Persons with Disabilities as a member for the purpose.

12. Manner of filling of vacancy earmarked for persons with disabilities.—(1) Keeping in view the provisions of the "the Rights of Persons with Disabilities Act., 2016" four categories of persons with disabilities as given below shall be appointed covering following categories in order namely:—

Category	Types of disabilities	Per cent
Category I	(a) Blindness and Low Vision;	1 %
Category II	(b) Deaf and hard of hearing;	1 %
Category III	(c) Locomotor disability including Cerebral Palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;	1 %

Category IV	(d) Autism, intellectual disability, specific learning, disability and mental illness; (e) Multiple disabilities from amongst persons under clause (a) to (d) including deaf-blindness in the posts identified for each disability from time to time.	1 %
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(2) If reserved posts in any point are not filled due to unavailability of Persons with Disabilities or the posts are not identified as suitable for given categories of disabilities, those posts shall be reserved for subsequent roster Groups and all reserved posts shall be filled up by persons with disabilities from next roster Groups accordingly.

(3) Appointing Authorities shall maintain separate model roster register for each Group A, B, C and D posts being filled by direct recruitments.

(4) Persons with disabilities selected on their own merit without any relaxed standards along with other candidates, shall not occupy reserve roster point.

13. Relaxations, Exemption and Concessions.— The relaxation, exemption and concessions which have been granted to Persons with disabilities are given below, namely:—

(1) Age relaxation — The relaxation of upper age limit prescribed in the Odisha Civil Service (Fixation of Upper Age Limit) Rules, 1989 for the category of physically handicapped person shall apply to the Person with Disability for relaxation of upper age limit for entry into Government Service.

(2) Exemption from Typing or Computer qualification — The persons with disabilities, who are otherwise qualified to hold clerical posts and who are certified by the Certifying Authority as being unable to type due to permanent physical disability (Locomotor disabilities, cerebral palsy) which prevent them from typing, shall be exempted from the typing test (typing on computer, or typewriter machine) or computer qualification.

(3) Relaxed standard of selection— Persons with disabilities shall be provided relaxations in standards in the case of direct recruitment as is being provided to candidates of SC or ST, whichever is lower as prescribed by the Government of Odisha.

(4) Guidelines for conducting written examination—

- (a) The facility of Scribe or Reader or Lab Assistant shall be allowed to any person with benchmark disability as defined under Clause (r) of Section 2 of the Rights of Persons with Disabilities Act., 2016 (49 of 2016) and has limitation in writing including that of speed if so desired by him or her.
- (b) In case of persons with benchmark disabilities in the category of blindness, locomotor disability (both arm affected) and cerebral palsy, the facility of scribe/reader/lab assistant shall be given, if so desired by the person.
- (c) In case of other category of persons with benchmark disabilities, the provision of scribe/reader/lab assistant can be allowed on production of a Certificate to the effect that the person concerned has-physical limitation to write, and scribe and it is essential to write in the examination on his behalf, from the Chief Medical Officer or Civil Surgeon or Medical Superintendent of a Government health care institution as per *pro forma* at **APPENDIX-I**.
- (d) The Candidate shall have the discretion of opting for his own scribe/reader/lab assistant or request the Examining Body for the same.
- (e) The examining body may also identify the Scribe or Reader or Lab Assistant to make panels at the District or Division or State level as per the requirements of the examination. In such instances the candidates should be allowed to meet the scribe two days before the examination so that the candidates get a chance to check and verify whether the scribe is suitable or not.
- (f) In case the examining body provides the scribe or reader or lab assistant, it shall be ensured that qualification of the scribe should not be more than the minimum qualification criteria of the examination; however, the qualification of the scribe or reader should always be matriculate or above subject to qualification prescribed for the post.
- (g) In case the candidate is allowed to bring his own scribe, the qualification of the scribe should be one step below the qualification of the candidate taking examination and the persons with benchmark disabilities opting for own scribe

or reader should submit details of the own scribe as per *pro forma* at **APPENDIX-II.**

- (h) There should also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency and the candidates should also be allowed to take more than one scribe/reader for writing different papers especially for languages; however, there can be only one scribe per subject.
- (i) Persons with benchmark disabilities should be given, as far as possible, the option of choosing the mode for taking the examinations i.e. in Braille or in the computer or in large print or even by recording the answers as the examining bodies can easily make use of technology to convert question paper in large prints, e-text, or Braille and can also convert Braille text in English or regional languages.
- (j) In case, the persons with benchmark disabilities are allowed to take examination on computer system, they should be allowed to check the computer system one day in advance so that the problems, if any, in the software or system could be rectified. Use of own computer/laptop should not be allowed for taking examination. However, enabling accessories for the computer based examinations such as keyboard, customized mouse etc. should be allowed.
- (k) The procedure of availing the facility of scribe should be simplified and the necessary details should be recorded at the time of filling up of the forms, and thereafter, the examining body should ensure availability of question papers in the format opted by the candidate as well as suitable sitting arrangement for giving examination.
- (l) The Disability Certificate issued by the Competent Medical Authority at any place should be accepted across the Country.
- (m) The word "extra time or additional time" that is being currently used should be changed to "compensatory time" and the same should not be less than 20 minutes per hour of examination for persons who are allowed use of scribe/reader/lab assistant; all the candidates with benchmark disability not availing the facility of scribe may be allowed additional time of minimum of one

hour for examination of 3 hours duration. In case the duration of the examination is less than an hour, then the duration of additional time should be allowed on pro-rata basis; additional time should not be less than 5 minutes and should be in the multiple of 5.

- (n) The candidates should be allowed to use assistive devices like talking calculator (in cases where calculators are allowed for giving exams), tailor frame, Braille slate, abacus, geometry kit, Braille measuring tape and augmentative communication devices.
- (o) As far as possible, the examining body should also provide reading material in Braille or e-Text or on computers having suitable screen reading software for open book examination and similarly online examination should be in accessible format i.e. websites, question papers and all other study material should be accessible as per the international standards laid down in this regard.
- (p) Alternative objective questions in lieu of descriptive questions should be provided for Hearing Impaired persons, in addition to the existing policy of giving alternative questions in lieu of questions requiring visual inputs, for persons with Visual Impairment.
- (q) As far as possible, the examination for persons with disabilities should be held at the ground floor and the examination centres should be accessible for persons with disabilities.
- (r) The invigilation system should be strengthened, so that the candidates using scribe or reader or lab assistant do not indulge in malpractices like copying and cheating during the examination; there should also be flexibility in accommodating any change in scribe or reader or laboratory assistant in case of emergency and the candidates should also be allowed to take more than one scribe or reader for writing different papers especially for languages.
- (s) The officials (supervisors, invigilators) handling the written examination must be made aware that any oral instruction given during the written or skill test must be communicated to hearing impaired persons in writing.

- (t) Written exam of hearing impaired candidates shall be conducted in the local language which they have learnt and options may be asked in application form itself.

(5) Exemption from Examination fee.— Persons with disabilities shall be exempted or treated at par with SC or ST candidates on payment of application fee and examination fee in respect of competitive examination and this exemption shall be available for both reserved and unreserved posts, if those posts are identified for persons with disabilities.

14. Pre recruitment or skill upgradation Training.— The Recruiting Agencies or the Appointing Authorities shall ensure pre-recruitment skill upgradation training for candidates with disabilities, who have applied to the posts, to enhance their knowledge and skills, so that they can have better opportunities to get selected.

15. Relaxation on ban orders.— Provision of ban orders regarding filling up vacant posts will not be applicable in the case of reserved vacancies to be filled by persons with disabilities to the extent of the quota reserved for them.

16. Nodal Officer.— (1) Each Department of the Government shall nominate a State Nodal Officer not below the rank of a Joint Secretary; there shall be District and Block Level Nodal Officers, not below the rank of Deputy Secretary and Under-Secretary respectively. They will conduct roster verification of each office, at least once annually.

(2) Block Level Nodal Officer will submit office wise compliance report to the District Nodal Officer and District Nodal Officer will send office wise compliance report to State Nodal Officer of the concerned Department in the form prescribed by Government.

(3) The State Nodal Officers of concerned Department will send compiled report to Social Security and & Empowerment of Persons with Disabilities Department with their recommendation and suggestions, if any on the roster verification.

(4) In case any Nodal Officer finds any discrepancies, lapse, and negligence in implementation of Government instruction related to persons with disabilities, it should be brought to the notice of the Appointing Authorities under intimation to State Nodal Officer of concerned Department and Social Security & Empowerment of Persons with Disabilities Department immediately.

17. Posting or transfer of employees with disabilities.— (1) The employees with disabilities should preferably be posted or transferred near to their native places or at least in their native Districts subject to administrative constraints.

(2) The Government employees having children or spouse with disabilities should be posted or transferred to such places where facilities of health or education or vocational training are available.

(3) Persons with Disabilities may be given posting according to their choice, if possible.

18. Notification of Vacancy for Persons with Disabilities.— Every employer shall notify the vacancies reserved for person with disabilities to Special Employment Exchange for Physically Handicapped, National Career Service Centre for Differently Abled, Government of India, Pokhariput, P. O. Khandagiri, Bhubaneswar– 751030 and Director, Social Security & Empowerment of Persons with Disabilities Department, Bhubaneswar-751001

19. Reservation in contractual or out-source posts.— The provision contained in this resolution is also applicable for the posts identified by the Government for Persons with Disabilities from time to time where the vacancy is proposed to be filled up by way of contractual or out-source appointment.

20. Discretionary allotment of General pool Residential Accommodation (GPRA).- (1) Estate officers of various Departments shall mark 4% quota for residential accommodation to persons with disabilities. Discretionary allotment of General Pool Residential Accommodation (GPRA) shall also be made to employees with disabilities as decided by the Government from time to time, which will be out of turn allotment.

(2) The employees who are having spouse or children with disabilities should also be considered for discretionary allotment of GPRA, in case employees with disabilities are not available.

21. Non-Handicapping Worksites or Places or Machines.— The Appointing authorities should ensure barrier free, non-handicapping worksites, places, machines, etc. by making adoptions, modifications and barrier free environment, suitable for persons with disabilities.

22. Reservation Entitlements.—(1) No reservation entitlements including recruitment and other benefits for persons with disabilities shall be claimed by any person if he or she recovers from the disablement condition.

(2) If any person in employment at any point of time acquires disability shall be eligible for benefits subject to production of disability certificate from the Competent Certifying Authority.

23. Miscellaneous.—

- (a) The posts identified for Persons with Disabilities earlier shall also be deemed to be identified for Persons with Disabilities.
- (b) The Government establishment or Employers shall ensure that all type of required Software, Hardware, Assistive devices, etc., are provided to Persons with Disabilities who are appointed or working in their establishments to enable them to perform the assigned jobs.
- (c) If any Person with Disability is already working in any Government post, that post shall be deemed to be identified for Persons with Disabilities.
- (d) If any base level post has been identified for Persons with Disabilities, the promotional post of the cadre shall also be deemed to be identified for Persons with Disabilities.

24. Submission of Annual Report.— All Departments of the Government shall send consolidated status reports to Social Security & Empowerment of Persons with Disabilities Department by 31st March every year in respect of all attached and subordinate offices under their control.

APPENDIX-I**Certificate regarding Physical limitation in an examinee to write**

This is to certify that, I have examined Mr./Ms./Mrs. _____ (name of the candidates with disability), a person with _____ (nature and percentage of disability as mentioned in the Certificate of Disability), S/o./D/o. _____ a resident of _____ (Village/District/State) and to state that he/she has physical limitation which hampers his/her writing capabilities owing to his/her disability.

Signature

CDM & PHO/ Civil Surgeon/ Medical Superintendent of a Government Health Care Institution.

Name and Designation

Name of Government Hospital/Health care centre with seal

Place:

Date:

Note: Certificate should be given by a specialist of the relevant stream/disability (eg. Visual impairment - Ophthalmologist, Locomotor disability - Orthopaedic specialist/PMR).

APPENDIX-II**Letter of Undertaking for Using Own Scribe**

I _____, a candidate with _____ (name of the disability) appearing for the _____ (name of the examination) bearing Roll No. _____ at _____ (name of the centre) in the District _____, _____ (name of the State). My qualification is _____.

I do hereby state that _____ (name of the scribe) will provide the service of scribe/ reader/ lab assistant for the undersigned for taking the aforesaid examination.

I do hereby undertake that his qualification is _____. In case, subsequently it is found that his qualification not as declared by the undersigned and is beyond my qualification, I shall forfeit my right to the post and claims relating thereto.

(Signature of the candidate with Disability)

Place:

Date:

RESERVATION ROSTER FOR PERSONS WITH BENCHMARK DISABILITIES

Year of Recruitment	Cycle No.	Point No.	Name of Post	Identified suitable for persons with benchmark disabilities covered under the following respective categories:				Unreserved or Reserved*	Name of the person appointed and date of appointment	Whether the person appointed is in a, b, c and (d&e) or None***	Remarks, if any
				a	b	c	(d & e)				

Respective Categories

1.

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

**If identified reserved, write a/b/c/ (d & e) as the case may be, otherwise write UR.

***Write a/b/c/ (d & e) or None, as the case may be.

By Order of the Governor

BHASKAR SARMA

Commissioner-cum- Secretary to Government