

No. 6/21/95-DPE (SC/ST Cell)  
Government of India  
**Ministry of Heavy Industries & Public Enterprises**  
**Department of Public Enterprises**

Block No. 14, CGO Complex,  
Lodi Road, New Delhi-110003  
Dated the 16th March, 1998.

**OFFICE MEMORANDUM**

**SUB:** Reservation for the physically handicapped in the posts filled by promotion.

The undersigned is directed to enclose a copy of Department of Personnel & Training's OM No.36035/7/95-Estt. (SCT) dated 18.2.1997 on the subject mentioned above and to request that all Ministries/Departments may kindly bring the contents of the OM under reference, to the notice of all Public Sector Enterprises under their administrative control for information and compliance.

(C.C. Unnikrishnan)  
Deputy Secretary to the Govt. of India

**End: As above**

To

All the Administrative Ministries/Departments of the Government of India concerned with the Public Enterprises

Copy to:

1. Chief Executive of all the PSEs
2. Department of Personnel & Training with reference to their OM cited above
3. Ministry of Welfare, Shastri Bhawan, New Delhi.

delivered by the Madras High Court in the above mentioned cases. The operative part of the judgment is reproduced below:

"The respondent Banks are directed to implement O.M. dated 13.8.1997 issued by the Government of India with in a period of eight

**No. 36035/7/95-Estt.(SCT)**  
**Government of India**  
**Ministry of Personnel, Public Grievances and Pensions**  
**Department of Personnel & Training**

Dated the 18th February, 1997.

**OFFICE MEMORANDUM**

**SUB:** Reservation for the physically handicapped persons in the posts filled by promotion.

The undersigned is directed to invite attention to OM No. 36035/8/89-Estt. Dated 20.11.1989 of the Department of Personnel & Training on the subject notified above. Subsequent to the issue of the aforesaid Office Memorandum, a number of references were received, from Ministries and Department regarding difficulties being faced in calculation/operating the posts reserved for the physically handicapped as per the Office Memorandum. The matter has been examined in the light of the problems being faced by Ministries/Departments and it has been decided that:

- (i) For providing reservation to the physically handicapped in promotion, which would be 3 per cent of such posts, a separate register of 100 points will be maintained for a post identified to be manned by the physically handicapped, in which point No. 33, 67 and 100 will be reserved for the physically handicapped. The Heads of Department may start the point No. 33 with any kind of disability depending on the availability of feeder grade officer i.e. if senior most officer in the feeder grade belongs to orthopaedically Handicapped category he may utilize the point by promoting the officer. However, he must ensure that there is proper relation of reservation among the different categories of disabilities. The physically handicapped persons promoted under the reservation provided for them as per the point in the above mentioned register should be placed in the appropriate category viz SC/ST/General candidates depending upon the category to which they belong in the promotion roster. To illustrate, if in a given year there are two vacancies reserved for the physically handicapped and out of two physically handicapped candidates promoted, one belongs to the Scheduled Castes and the other to the

general category then the physically handicapped SC candidate will be adjusted against the SC point in the reservation roster and the other general candidate against general category point in the relevant reservation roster. In case the number of vacancies against which promotion is made is less and none of the vacancies falls on points reserved for the SC or the ST but one of the vacancies is to be reserved for the physically handicapped (as per the point in the register) and the officer promoted belongs to a reserved community, the next available reserved point in the reservation roster for that category will be utilized for adjusting the reserved candidate, e.g. if there are three vacancies falling under point 5, 6 & 7 which are to be treated as unreserved as per the promotion roster out of which one vacancy has to be reserved for physically handicapped as per the point in the register and if the officer selected under the quota reserved for Physically Handicapped belongs to SC, he would be adjusted against the next available SC point i.e. Point No. 8

(ii) In the cases where the percentage of posts filled by Direct Recruitment is 75 per cent or more, no reservation will be provided for any category including the Physically Handicapped while filling up the posts by promotion.

(iii) While filling posts by promotion, by selection, against vacancies reserved for the Physically Handicapped, the Physically Handicapped candidates who are within the normal zone of consideration will be considered. Where adequate number of Physically Handicapped candidates of the appropriate category of handicap are not available within the normal zone, the zone of consideration may be extended to five times the normal size and the physically handicapped persons falling within the extended zone may be considered. In the event of non-availability of an officer even in the extended zone the posts could be exchanged with other categories of handicap, identified for the relevant post and the reservation carried forward for the next three recruitment years, where after it will lapse.

(iv) In the posts filled by promotion by non-selection, the eligible Physically Handicapped candidates can be considered for promotion against the reserved vacancies and in case no eligible Physically Handicapped candidate of the appropriate

category of handicap, is available, the post will be exchanged with other categories of handicap, identified for it, and reservation carried forward for the next three recruitment years where after it will lapse.

2. All Ministries/Departments are requested to bring the above instructions to the notice of all Heads of Department and appointing authorities under their control for compliance.

Sd/-  
(Y. G. PARANDE)  
DIRECTOR

End: As above

To

All the Administrative Ministries/Departments of the Government of India  
concerned with the Public Enterprises