

No. 333



R.O.C.No.48/2018/C3

P.Dis.No.48/2018

Copy of G.O.(Ms).No.51, Welfare of Differently Abled Persons (DAP-3.2) Department, dated 26.12.2017, is communicated for information and necessary action.

HIGH COURT, MADRAS
DATED : 05.04.2018.

SUB ASST. REGISTRAR (Admn. III)

To

1. All the Registrars, High Court, Madras & Madurai Bench of Madras High Court, Madurai.
2. All the Principal District Judges/District Judges.
3. All the Chief Judicial Magistrates.
4. The Principal Judge, City Civil Court, Chennai.
5. The Chief Judge, Court of Small Causes, Chennai.
6. The Presiding Officer, Industrial Tribunal, Chennai.
7. The Administrator General & Official Trustee of Tamil Nadu, Chennai.
8. The Special Judge, Special Court for EC & NDPS Act, Chennai.
9. The Presiding Officers, Principal Labour Court / I Additional Labour Court, Chennai/ II Additional Labour Court / III Additional Labour Court, Chennai.
10. The Additional District Judge and Presiding Officer, Special Court under the Chief Metropolitan Magistrate, Egmore, Chennai.
11. The City Government Pleader, City Civil Court Buildings, Chennai.
12. The Principal Judge / I Additional Principal Judge / II Additional Principal Judge / III Additional Principal Judge / IV Additional Principal Judge / V Additional Principal Judge / VI Additional Principal Judge / VII Additional Principal Judge, Family Court, Chennai.
13. The Principal Judge / Additional Principal Judge / Judge, Family Court, Ariyalur / Coimbatore / Dharmapuri / Dindigul / Erode / Madurai / Udthagamandalam / Salem / Sivagangai / Tiruchirappalli / Tirunelveli / Tiruvallur / Vellore / Villupuram / Virudhunagar @ Srivilliputtur.
14. The Additional District Judge and Presiding Officer, Principal Special Court Under E.C Act., Chennai / Coimbatore / Madurai / Pudukottai / Salem / Thanjavur.

15. The Presiding Officer, Labour Court, Coimbatore / Cuddalore / Madurai / Salem / Tiruchirappalli / Tirunelveli / Vellore.
16. The Sessions Judge, Sessions Court for Trial of Bomb Blast Cases, Chennai at Poonamallee/Coimbatore.
17. The Director/Additional Director, Tamil Nadu State Judicial Academy, Chennai, Coimbatore and Madurai.
18. The Chairman, Sales Tax Appellate Tribunal, Chennai.
19. The Chairman, State Transport Appellate Tribunal Chennai - 104.
20. The Chairman/Judicial Officer, Taxation Appeals Tribunal, Corporation of Chennai, Chennai.
21. The II Additional District Judge (CBI Cases), Coimbatore / Madurai.
22. The I Additional District Judge (PCR), Thanjavur / Tiruchirappalli.
23. The III Additional District Judge (PCR), Madurai / II Additional District Judge (PCR), Tirunelveli.
24. The Sessions Judge, Sessions Court for Trial of Cases relating to Communal Clashes, Madurai.
25. The Special Judge, Special Court under TNPID Act, Chennai / Coimbatore / Madurai.
26. The Sessions Judges, Mahalir Neethimandram, Chennai / Coimbatore / Cuddalore / Madurai / Perambalur / Salem / Tirunelveli / Pudukottai.

(All the Principal District Judges / District Judges / Chief Judicial Magistrates / Heads of Units are requested to communicate this G.O. to all the Judicial Officers under their control)

Copy to

1. The Section Officers, Rule Amendment Cell and Establishment Sections, High Court, Madras.
2. The Section Officer, 'C' and Establishment Sections, Madurai Bench of Madras High Court, Madurai.
3. The Librarian, High Court, Madras and Madurai Bench of Madras High Court, Madurai.
4. The Record Keeper, A.D. Records, High Court, Madras and Madurai Bench of Madras High Court, Madurai.

SPARE 15 COPIES



ABSTRACT

Public services - Welfare of Differently Abled Persons Department – Reservation for Differently Abled Persons – Reservation of appointment in all the posts in respect of 'C' and 'D' categories in employment under section 34 of the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016) – Orders - Issued.

Welfare of Differently Abled Persons (DAP-3.2) Department

G.O. (Ms) No. 51

Dated: 26.12.2017

ஹேவிளம்பி, மார்கழி 11,
திருவள்ளூர் ஆண்டு 2048

Read:

1. G.O.(Ms)No.602, Social Welfare Department, dated 14.08.1981.
2. G.O.(Ms)No.2093, Social Welfare Department, dated 30.10.1987.

Read also:-

3. The Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016).
4. G.O.(Ms) No.21, Welfare of Differently Abled Persons (DAP 3.2) Department, dated 30.05.2017.
5. G.O.(Ms) No.41, Welfare of Differently Abled Persons (DAP 3.2) Department, dated 30.10.2017.
6. From the State Commissioner for the Differently Abled Letter No.5445/DAW 3.1/2017, dated 10.11.2017.

ORDER:

In the Government Order first read above, orders were issued reserving 3% of vacancies in Government and Government undertakings for Differently Abled Persons.

2. In the Government Order second read above, reservation of 3% vacancies has been provided for physically handicapped persons to the Executive post in respect of 'C' and 'D' categories.

3. In the Government Order fourth read above orders were issued for increasing the percentage of reservation of differently abled persons in employment from 3% to 4% in all State Public Services / Public Sector Undertakings / Boards / Corporations / Educational Institutions under all kinds of Managements (like Government, Local Bodies and Aided Management including Universities).

4. In the Government Order fifth read above an expert committee has been formed for identification of posts suitable for differently abled persons in employment in respect of group 'A', 'B', 'C' and 'D' categories as per section 34 of the Rights of Persons with Disabilities Act, 2016.

5. In the letter sixth read above the State Commissioner for the Differently Abled has submitted proposals based on the recommendation of the Expert Committee that 4% reservation of posts earmarked for the differently abled persons shall be applicable as earlier to all the posts in respect of 'C' and 'D' categories. He has also stated that the proviso to Section 34(1) of the Rights of Persons with Disabilities Act, 2016 gives power

to the Government to exempt any establishment from the 4% reservation. If any department / establishment is of the view that any particular post in 'C' and 'D' category is not suitable for differently abled persons, in such case, it may specifically apply to the Government in the administrative department in consultation with the State Commissioner for the Differently Abled and the Government shall issue appropriate orders. Further he has requested the Government to issue appropriate orders in this regard.

6. After careful examination of the proposal of State Commissioner for the Differently Abled, the following orders are issued:-

- (i) the reservation of 4% vacancies earmarked for the differently abled persons will be applicable to all the posts in respect of 'C' and 'D' categories in employment.
- (ii) the reservation of 4% vacancies for differently abled persons need not be made applicable in the case of recruitment by transfer/promotion as it would amount to giving double preference to these candidates.
- (iii) If any department / establishment is of the view that any particular post in 'C' and 'D' category is not suitable for differently abled persons, in such case, it may specifically request the Government for exemption. The administrative department in consultation with the State Commissioner for the Differently Abled and the Government shall issue appropriate orders.
- (iv) the individuals selected for 'C' and 'D' categories of posts should be asked to produce certificate of physical fitness and the disability certificate as stated in section 3(oo) of Tamil Nadu Government Servants (Conditions of Service) Act, 2017.

(By Order of the Governor)

Md.Nasimuddin,
Principal Secretary to Government (FAC).

To

The State Commissioner for the Differently Abled /
State Commissioner for the Persons with Disabilities, Chennai-5.
All Departments of Secretariat, Chennai-9.
The Secretary, Tamil Nadu Public Service Commission, Chennai-3.
The Chairman, Teachers Recruitment Board, Chennai-6.
The Chairman, Medical Services Recruitment Board, Chennai-6.
The Director of Employment and Training, Chennai-5.
All Heads of Departments/All Districts Collectors/All Public Sector Undertakings/Boards/
Universities/Corporations/All District Magistrates/All District Judges.
(Through the State Commissioner for the Differently Abled/State Commissioner for the
Persons with Disabilities)
The Registrar, High Court, Chennai-104.
The Accountant General, Chennai-18.
The Pay and Accounts Officer, (S), (N) & (E), Chennai-35/79/5.
The Pay and Accounts Officer, Chennai-9.

Copy to:-

Government of India, Ministry of Social Justice and Empowerment, New Delhi.
Personnel and Administrative Reforms (S) Department, Chennai-9.

The Editor, Tamil Arasu.

SC/SF.

// Forwarded By Order //

T. L.
Section Officer

26/12/17