

No. PER(AP)-C-B (12)-1/2012
Government of Himachal Pradesh
Department of Personnel (AP-III).

Dated: Shimla-171002, the 19th May, 2014

OFFICE MEMORANDUM

Subject:- Reservation for persons with disabilities-Implementation of the Judgement of Hon'ble Supreme Court in the matter of Union of India & Anr. Vs. National Federation of Blind & Ors.

The undersigned is directed to refer to the subject cited above and to say that the State Government has provided 3% reservation to the persons with disabilities in the services of the State/State Public Sector Undertakings/Autonomous Bodies etc. in direct recruitment in Class-I to Class-IV posts/services vide Department of Personnel's letter No. Per(AP)-C-B (12)-1/99, dated the 2nd December, 1999.

2. The Hon'ble Supreme Court in its judgment dated 08.10.2013 in the matter of Civil Appeal No. 9096 of 2013 (arising out of SLP (C) No. 7541 of 2009) titled Union of India & Anr. Vs. National Federation of Blind & Ors. has inter-alia held:

“Thus after thoughtful consideration, we are of the view that the computation of reservation for persons with disabilities has to be computed in case of Group A,B,C and D posts in an identical manner viz., “computing 3% reservation on total number of vacancies in the cadre strength” which is the intention of the legislature.”

3. Keeping in view the directions of the Hon'ble Apex Court reservation for persons with disabilities in Class-I, II, III and IV posts shall be computed on the basis of total number of vacancies occurring in direct recruitment quota in all Class-I, II, III and IV posts respectively, in the cadre.

4. All the Departments/Board/Corporations/PSUs etc. are requested to compute the number of vacancies available in all the cadres

under their control including attached offices, subordinate offices, public sector undertakings etc., in the aforesaid manner and further identify the posts for disabled persons and implement the same without default.

5. The directions of the Hon'ble Supreme Court may be complied with strictly by all the Departments/Board/ Corporations/State Public Sector Undertakings/Autonomous Bodies etc. Non observance of the provisions of reservation for persons with disabilities shall be considered as an act of disobedience. The Nodal Officer/Liaison Officer concerned in Departments/Board/Corporations/State Public Sector Undertakings/Autonomous Bodies etc. shall be responsible for the proper implementation of reservation for person with disabilities and be departmentally proceeded against for the default.

6. Kindly acknowledge the receipt.


(S.K.B.S. Negi)

Principal Secretary (Personnel) to the
Government of Himachal Pradesh
Tele.: 0177-2621897

To

1. All the Administrative Secretaries to the Govt. of Himachal Pradesh.
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Heads of the Departments in Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. All the Chairmen/Managing Directors/Secretaries and Registrars of all the Public Sector Undertakings/Corporations/Boards/Universities, etc. in Himachal Pradesh
6. The Secretary, H.P. Vidhan Sabha, Shimla-4.
7. The Registrar, H.P. High Court, Shimla-1.
8. The Secretary, H.P. Public Service Commission, Shimla-2.
9. The Secretary, H.P. SSS Board, Hamirpur.
10. The All Section Officers in H.P. Secretariat, Shimla-2.
11. Spare Copies (100).
