

**REMINDER**  
**MOST URGENT/OUT AT ONCE/ TIME BOUND**  
**HON'BLE HIGH COURT MATTER**

**Government of National Capital Territory of Delhi**  
**Services Department (Vacancy Cell)**  
**5<sup>th</sup> level, 'B' Wing, Delhi Secretariat**  
**I.P. Estate, New Delhi - 110002.**

Dated:- 07/12/22

**No.F.16 (10)/Court/2018/S-III/Vol.I/ 1536-41**

To

All Head of the Departments,  
PSU/Autonomous /Local Bodies, Govt. of NCT of Delhi,  
Delhi/New Delhi.

**Sub: WPC No. 8755/2017 titled as National Federation of Blind Vs. Govt. of NCT of Delhi,**

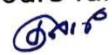
Madam/Sir,

Kindly refer to this office letter of even number dated 30.11.2022 (copy enclosed) vide which it was informed that the aforesaid matter was listed in the Hon'ble High Court of Delhi on 09.11.2022 in which, the Hon'ble High Court has issued directions to prepare a department wise, disability wise and post wise detailed chart furnishing all minute details of the post reserved for the disabled category/post vacant under the category as per roster. Accordingly, as per the directions of the Hon'ble High Court as well as advised received from the learned Standing Counsel of Govt. of NCT of Delhi, revised prescribed proformas were devised and it was requested to furnish fresh, upto date, consolidated and duly authenticated information separately in respect posts reserved/filled/vacant under PH category for direct recruitments as per roster and posts reserved/filled/vacant under the category under promotion quota as per roster in respect of your department by 11.00 A.M. of 06.12.2022 positively. However, very poor response has been noticed despite being Hon'ble High Court Matter and also despite the lapse of considerable time as information from only from 4 departments (i.e. UD, FSL, SC/ST Welfare and Labour) has been received till date.

I am therefore, once again directed to request you to kindly look into the matter personally and issue immediate necessary directions to all concerned to furnish the requisite information, strictly as per prescribed proforma by **11.00 AM on 13.12.2022** positively, through email on **monitoringcellservices@gmail.com** as well as through speed post. **Further, in case of non receipt of information by the stipulated time onus will rest with the department concerned.**

**This may please be accorded TOP PRIORITY being High Court Matter.** This issues with the prior approval of the Competent Authority.

Yours faithfully,



Encl:As above

07.12.22  
**(KULANAND JOSHI), IAS**  
**SPECIAL SECRETARY (SERVICES)**

Dated:- 07/12/22

No.F.16 (10)/Court/2018/S-III/Vol.I/ 1536-41

Copy forwarded to the following for information:-

01. The State Commissioner for Persons with Disabilities, Govt. of NCT of Delhi, 25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-110002.
02. Ms. Awnish Ahlawat, Standing Counsel, Govt. of NCT of Delhi, Plot No.66, The Hub, Okhla Phase-III, Okhla Industrial Area, New Delhi-110020
03. PS to the Secretary (Services), Services Department, GNCTD
04. PA to the Spl. Secretary (Services), Services Department, GNCTD.
05. The Section Officer (Monitoring Cell) Service Department is directed to compile and maintain the above data on day to day basis. Also it may be ensured that the information is received within the stipulated time as mentioned in the letter.
06. The Section Officer (Co-ordination), Coordination Branch, Services Department, GNCTD with the request to upload the same in the official website of the department.
06. Guard file.



07.12.22

(KULANAND JOSHI), IAS  
SPECIAL SECRETARY (SERVICES)



**MOST URGENT**  
**OUT AT ONCE/ TIME BOUND**  
**HON'BLE HIGH COURT MATTER**

**Government of National Capital Territory of Delhi**  
**Services Department (Vacancy Cell)**  
**5<sup>th</sup> level, 'B' Wing, Delhi Secretariat**  
**I.P. Estate, New Delhi - 110002.**

**Dated:- 30-11-2022**

**No.F.16 (10)/Court/2018/S-III/Vol.I/1648-1653**

To

All Head of the Departments,  
PSU/Autonomous /Local Bodies,  
Govt. of NCT of Delhi,  
Delhi/New Delhi.

**Sub: WPC No. 8755/2017 titled as National Federation of Blind Vs. Govt. of  
NCT of Delhi,**

Madam/Sir,

Kindly refer to the subject cited above. In this connection, I am directed to inform you that the aforesaid matter was listed in the Hon'ble High Court of Delhi on 09.11.2022 in which, the Hon'ble High Court has issued directions to prepare a department wise, disability wise and post wise detailed chart furnishing all minute details of the post reserved for the disabled category/post vacant under the category as per roster.

Accordingly, as per the directions of the Hon'ble High Court as well as advised received from the learned Standing Counsel of Govt. of NCT of Delhi a revised prescribed proformas have been devised and the same is enclosed herewith for furnishing fresh, upto date, consolidated and duly authenticated information separately in respect posts reserved/filled/vacant under PH category for direct recruitments as per roster and posts reserved/filled/vacant under the category under promotion quota as per roster in respect of your department.

All Head of the Departments are further requested to ensure that the requisite information should specifically be as per the prescribed proformas attached herewith separately in respect posts reserved/filled/vacant under PH category for direct recruitments as per roster and posts reserved /filled/vacant under the category as per roster. Also it may be ensured that while furnishing the information, instructions dated 29.07.2013 and 04.01.2021 issued by the Ministry of Social Justice & Empowerment and instructions dated 17.05.2022 issued by the DoPT available on the official website of the above Ministry/Department, are duly consulted. Besides this, copy of order dated 20.09.2019 passed by the State Commissioner for Persons with Disabilities, Govt. of NCT of Delhi is enclosed herewith to facilitate the Departments to furnish information accordingly in the light of the OMs referred therein and the directions passed by the State Commissioner for Persons with Disabilities vide order dated 20.09.2019 as referred to above.

Contd

*(Signature)*

20. 11. 22

In order to ensure that a compiled and consolidated information as per roster is submitted by the respective department to Services Department, all Head of the Department are further requested to issue necessary directions to their subordinate offices not to correspond directly with Services Department in this regard as concerned Head of the Department are responsible to furnish duly compiled, consolidated and authenticated information in prescribed proformas enclosed herewith to Services Department within the stipulated time.

In view of the above, I am directed to request you to arrange to furnish requisite information by **11.00 AM on 06.12.2022** positively, through email on **monitoringcellservices@gmail.com** as well as through speed post for

**This may please be accorded TOP PRIORITY being High Court Matter.**

This issues with the prior approval of the Competent Authority.

Yours faithfully,



**(KULANAND JOSHI), IAS  
SPECIAL SECRETARY (SERVICES)**

Encl:As above

**No.F.16 (10)/Court/2018/S-III/Vol.I/ 1648-1653**

**Dated:- 30-11-2022**

Copy forwarded to the following for information:-

01. The State Commissioner for Persons with Disabilities, Govt. of NCT of Delhi, 25-D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-110002.
02. Ms. Awnish Ahlawat, Standing Counsel, Govt. of NCT of Delhi, Plot No.66, The Hub, Okhla Phase-III, Okhla Industrial Area, New Delhi-110020
03. PS to the Secretary (Services), Services Department, GNCTD
04. PA to the Spl. Secretary (Services), Services Department, GNCTD.
05. The Section Officer (Monitoring Cell) Service Department is directed to compile and maintain the above data on day to day basis. Also it may be ensured that the information is received within the stipulated time as mentioned in the letter.
06. Guard file.



**30-11-2022**

**(KULANAND JOSHI), IAS  
SPECIAL SECRETARY (SERVICES)**

WPC NO.8455/2017 IN THE MATTER OF NATIONAL FEDERATION OF BLIND VS. GOVT. OF NCT OF DELHI & OTHERS IN HOW'BLE HIGH COURT

Name of the Department \_\_\_\_\_

UNDER DIRECT RECRUITMENT

S. No	Classification of post (whether belongs to Group A, B, C, D)	Name of post included in group	Total Sanctioned post in group (permanent/temp./ad-hoc)	Total Number of vacancies filled since 1996		Total No. of vacancies filled by PwDs		Roster point allotted to				Number of roster point filled				Backlog vacancy as on date				Backlog vacancies to fill up of the posts			
				During 1996 to 2016	During 2017 onwards	During 1996 to 2016 @3%	During 2017 onwards @4%	OH	VH	HH	A/ID/SLD/MI*	OH	VH	HH	A/ID/SLD/MI	OH	VH	HH	A/ID/SLD/MI	OH	VH	HH	A/ID/SLD/MI
1	2	3	4	5	6	7	8	9	10														
1	A																						
2	B																						
3	C																						
4	D																						

• (A/ID/SLD/MI) = A-autism, ID-intellectual disability, SLD- Specific learning disability and MI-mental illness

Signature \_\_\_\_\_

Designation \_\_\_\_\_

With seal



WPC NO.8455/2017 IN THE MATTER OF NATIONAL FEDERATION OF BLIND VS. GOVT. OF NCT OF DELHI & OTHERS IN HON'BLE HIGH COURT

Name of the Department \_\_\_\_\_

**UNDER PROMOTION QUOTA**

S. No	Classification of post (whether belongs to Group A, B, C, D)	Name of post included in group	Total Sanctioned post in group (permanent/temp./ad-hoc)	Total Number of vacancies filled since 1996	Total No. of vacancies filled by PwDs	Roster point allotted to				Number of roster point filled				Backlog vacancy as on date				Backlog vacancies sent to DSSSB/UPSC etc. to fill up of the posts				
1	2	3	4	5	6	7				8				9				10				
				During 1996 onwards to 2016	During 1996 to 2016 @3%	2017 onwards @4%	OH	VH	HH	A/ID/SLD/MI*	OH	VH	HH	A/ID/SLD/MI	OH	VH	HH	A/ID/SLD/MI	OH	VH	HH	A/ID/SLD/MI
1	A																					
2	B																					
3	C																					
4	D																					

• (A/ID/SLD/MI) = A-autism, ID-intellectual disability, SLD- Specific learning disability and MI-mental illness

Name & Signature \_\_\_\_\_  
 Designation \_\_\_\_\_  
 With seal

26/9/19

40/C

In the Court of State Commissioner for Persons with Disabilities  
National Capital Territory of Delhi  
25- D, Mata Sundari Road, Near Guru Nanak Eye Centre, New Delhi-2  
Phone-011-23216002-04, Telefax: 011-23216005,  
Email: [comdis.delhi@nic.in](mailto:comdis.delhi@nic.in)  
[Vested with powers of Civil Court under the  
Rights of Persons with Disabilities Act, 2016]

Case No. 876/1011/2019/04/ 6019

Dated: 26/9/19

In the matter of:

SUO-MOTU

Versus

The Secretary,  
Services Department,  
Govt. of NCT of Delhi.  
7<sup>th</sup> Level, Delhi Secretariat,  
I.P. Estate, New Delhi-110002.

..... Respondent

Date of Hearing : 09.09.2019

Present: Sh. C. Uday Kumar, Special Secretary (Services), Sh.  
Bhairab Dutt, Dy. Secretary (Services), Sh. Hemant Yadav,  
SO and Sh. Jaswant Singh, SO on behalf of respondent.

ORDER

Section 33 of the erstwhile Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 provided for reservation of 1% vacancies for persons with blindness/low-vision, 1% for locomotor disability and Cerebral Palsy and 1% for hearing impairment. After the said Act was repealed with the coming into force of the Rights of Persons with Disabilities Act, 2016 (RPwD Act) on 19.04.2017, not less than 4% of the total number of vacancies are to be reserved for persons with benchmark disabilities

Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02

Page 1 of 7

Ms Chitra

27/9/19

Clear there are errors in our requisition  
26/9/19

27/9/19

SO(S-D)  
SO(S-M)

576/c  
39/c

under Section 34 of the said Act. Now, the 4% reserved vacancies are to be distributed among more categories of specified benchmark disabilities as provided in Section 34 of the Act.

2. Department of Personnel & Training vide their OM No. 36035/3/2004-Estt(Res) dated 29.12.2005 and OM No. 36035/02/2017-Estt(Res) dated 15.01.2018 prescribed the procedure for effecting reservation and computing the reserved vacancies etc. at the rate of 3% and 4% respectively.

3. As per Department of Personnel & Training OM No. 36012/39/2014-Estt (Res.) dated 22-25<sup>th</sup> May, 2015 and the directions of Hon'ble Supreme Court of India, a special recruitment drive for filling up backlog of reserved vacancies was to be conducted by the concerned Departments.

4. Vide letter No. 5/1593/2017-Wel/CD/155-316 dated 05.05.2017, all the Pr. Secretaries/Spl. Secretaries/Addl. Secretaries/HoDs, Govt. of NCT of Delhi and the Corporations were requested to provide by 31.05.2017, the information relating to appointment of persons with disabilities against reserved vacancies in a prescribed format in respect of their Departments and all the establishments such as Offices/Organisations/Institutions etc. under their control. The format, among other things, sought the information about the number of total vacancies filled since 1996, the number of persons with locomotor disability, visual impairment and hearing impairment out of the total, the backlog of reserved vacancies, and whether separate 100-point vacancy based roster for persons with disabilities was being maintained or not in respect of Group-A, Group-B, Group-C and Group-D posts.

5. It was also brought to the notice of the respondents that the Contempt Petition No. 499/2014 in Civil Appeal no. 9096/2013 in the

Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02



10-  
38/C

matter of National Federation of Blind had also been filed in the Hon'ble Supreme Court with regard to computing and filling up the backlog of reserved vacancies. Further, the information provided to Ministry of Home Affairs in respect of GNCT of Delhi and other offices was not correct and the details were not as per the proforma. It was requested that special recruitment drive to fill the backlog of reserved vacancies be organized without any loss of time if already not done within a specified time frame.

6. The Services Department vide letter dated 28.08.2017 provided the information in respect of Grade II (DASS)/HC, Grade III (DASS)/UDC, Grade IV (DASS)/LDC and Grade III (Stenographer) for which that Department is Cadre Controlling Authority. The Department was advised to depute the concerned officers alongwith vacancy-based roster on 03.06.2019 vide letter dated 01.05.2019. ✓

7. During the hearing on 03.06.2019, the representative of the Department submitted letter dated 31.05.2019, which contains the status of requisition sent to DSSSB for filling up the available vacant posts of Grade III Stenographer and Grade IV (DASS) in respect of advertisement no. 02/14 post code 211/14, Adv. No. 02/18 post code 21/18 in respect of Stenographer and Adv. no. 1/17 post code 02/17 and Adv. No. 02/18 post Code 20/18 in respect of Grade IV (DASS). However, it did not indicate the total number of vacancies filled since 1996 and the number of persons with disabilities appointed.

8. The representatives of the Department clarified that in the year 1998, a special recruitment drive was conducted for appointment of persons with visual impairment and around 40 persons with visual impairment were appointed. They also added that a very few persons with hearing impairment apply and are finally appointed.


Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02

165 ✓  
37/C

9. They were informed about the provision for interchange of the vacancies with other categories of disabilities in the event of unavailability of the category for which the vacancies were originally earmarked. Further, for the purpose of computing the reserved vacancies for persons with disabilities, single vacancy based roster registers for direct recruitment and another for promotion for Group 'C' posts need to be maintained as per the instructions of DoPT. Therefore while they may provide the details in respect of Grade-IV (DASS), Grade-II (DASS) and Stenographer, Grade-III posts, a consolidated information indicating the total number of the vacancies filled in Group 'C' posts by direct recruitment since 1996 and the number of persons with disabilities appointed out of those vacancies so that backlog of reserved vacancies can be determined for conducting special recruitment drive.

10. The appointment to Group 'A' & 'B' posts are made by MHA for various Departments to which Services Department is concerned. As there are many ex-cadre posts for which different Department/ organizations, PSUs, Autonomous Bodies are the Cadre Controlling Authorities, the respondent was also requested vide letter dated 30.08.2019 to intimate the names of the Department which are Cadre Controlling Authorities in respect of various ex-cadre Group A, Group B and Group C posts.

11. Deputy Secretary (Services III) vide letter dated 06.09.2019 informed that backlog vacancies in respect of Grade II (DASS), Grade IV (DASS) has been sent to DSSSB vide letter dated 08.07.2019 and 31.08.2019 for inclusion in the next requisition. The details of the vacancies filled in Grade II (DASS), Grade IV (DASS) and Grade III Stenographer indicating the number of vacancies filled since 1996 and

  
Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02



517 1642  
36/C

the number of persons with locomotor disabilities, visual impairment and hearing impairment has also been given.

12. On 09.09.2019, Sh. C. Uday Kumar, Special Secretary (Services), Sh. Bhairav Dutt, Deputy Secretary (Services), Sh. Hemant Yadav, SO (Services III) and Sh. Jaswinder Singh, SO (Services II) appeared and stated that recruitment to various posts in Group C for which Services Department is responsible, is done at different points of time and therefore it is practically and administratively more feasible to maintain separate rosters in respect of Grade II (DASS), Grade IV (DASS) and Grade III Stenographer which have large number of sanctioned posts.

13. During the hearing, provisions of DoPT's instructions issued vide OM dated 15.01.2018 and Section 33 & Section 36 of Persons with Disabilities Act, 1995 and Section 34 of the Rights of Persons with Disabilities Act, 2016 regarding carry forward of reserved vacancies, interchange among the other categories of disabilities and filling up of the vacancies by appointment of persons other than persons with disabilities were discussed in details. It was also considered that a separate 100point vacancy based reservation roster for computing the reserved vacancies for persons with disabilities before 2017 under the PwD Act, 1995 and with effect from 2017 under the RPwD Act, 2016 needed to be maintained in each Group maintaining separate 100 point vacancy based reservation rosters for Grade II (DASS), Grade IV (DASS) and Grade III Stenographer (all Group C posts) for computing the reserved vacancies for persons with disabilities would not be disadvantageous to persons with disabilities as substantial number of vacancies arise in each posts every year and all the four group of disabilities will get reserved vacancies with one or two recruitment years. It was agreed that Services Department may maintain three



gmc  
163/c

separate rosters strictly in accordance with the instructions issued by DoPT.

14. After the discussions, it was decided that the Department will work out the exact number of backlog reserved vacancies for persons with disabilities and intimate by 11 September, 2019. They will also make necessary modifications as per the provisions of the Act in the requisitions which were sent to DSSSB for filling up 9 reserved vacancies (6 for VI and 3 for HI) of Grade II (DASS) vide letter dated 08.07.2019 and 50 back log reserved vacancies (32 for HI and 18 for VI) in Grade IV DASS vide letter dated 31.08.2019 computed on the basis of the number of vacancies filled since 1996 as indicated in annexure "A" to their email dated 06.09.2019. They will also submit the names of Department which are Cadre Controlling Authorities in respect of the ex-cadre posts as sought by this Court vide letter dated 30.08.2019.

15 Vide email dated 15.09.2019, Services Department has submitted the following details:

S. No.	Classification of post (Whether belongs to Class I, II, III or IV or to Group A, B, C or D)	No. of vacancies filled since 1996	Roster Points			Number of Roster point filled			Backlog vacancy			Backlog vacancies sent to DSSSB for filling up the posts.		
1	2	3	4			5			6			7		
	Group C Posts		OH	VH	HH	OH	VH	HH	OH	VH	HH	OH	VH	HH
1	Grade-II (DASS)	883	9	9	9	9	6	5	0	3	4	0	6	3
2	Grade-IV (DASS)	4630	46	46	46	42	53	3	4	-7	43	0	18	32
3	Grade-III (Stenographer)	334	3	3	3	1	6	0	2	-3	3	4	7	1
Total		5642	58	58	58	52	65	8	6	-7	50	4	31	36

Court of Commissioner (Disabilities)  
National Capital Territory of Delhi  
Room No. - 1  
25-D, Mata Sundari Road, New Delhi-02

5711621c

16. On perusal of the above details, it is observed that 139 vacancies should be reserved for persons with disabilities in Grade IV (DASS) instead of 138 as point no. 1 of the 41<sup>st</sup> cycle would also be reserved. It is also observed that only 32 backlog vacancies have been sent to DSSSB for filling up as against 43. Therefore, requisition for 11 more vacancies to be filled by persons with HI should be sent. In Grade III (Stenographer), against 334 vacancies filled, 11 vacancies should be reserved for persons with disabilities instead of 9 as indicated in the above table.

17. In view of the above, it is recommended that the Services Department should revise the requisition for filling up:

- i) 4 vacancies for HI instead of 03 in Grade II (DASS);
- ii) 4 vacancies for locomotor disability and 43 instead of 32 for HI in Grade IV (DASS);
- iii) 3 backlog vacancies for HI instead of 1 in Grade III (Stenographer);
- iv) The recruitment process should be completed within three months from the date of receipt of this order; and
- v) Names and addresses of the persons with disabilities appointed against the reserved vacancies be intimated to this Court within 15 days of their joining.

18. The matter is disposed of.

19. Given under my hand and the seal of the Court this 20<sup>th</sup> day of September, 2019.



*(Signature)*  
(T.D. Dhariyal)