

उच्च न्यायालय मध्यप्रदेश मुख्यपीठ जबलपुर

पृष्ठांकन क्रमांक B/4125 /
दो-15-19/61 भाग-सात

जबलपुर, दिनांक 24/07/2021

प्रतिलिपि :-

1. प्रिंसिपल रजिस्ट्रार, उच्च न्यायालय मध्यप्रदेश, खण्डपीठ ग्वालियर, नवीन उच्च न्यायालय भवन, सिटी सेंटर, ग्वालियर, म.प्र.
2. प्रिंसिपल रजिस्ट्रार, उच्च न्यायालय मध्यप्रदेश, खण्डपीठ इंदौर, म.प्र.,
3. जिला न्यायाधीश (निरीक्षण), जबलपुर/ इंदौर/ ग्वालियर, मध्यप्रदेश,
4. जिला एवं सत्र न्यायाधीश.....समस्त, म.प्र.,
5. संचालक, म.प्र. राज्य न्यायिक अकादमी, उच्च न्यायालय मध्यप्रदेश, जबलपुर,
6. रजिस्ट्रार प्रशासन/न्यायिक 1, 2/जिला स्था./ई./आई.एल./एकजाम एण्ड लेबर ज्यूडिशरी,/कम-पी.पी.एस./निरीक्षण एवं सतर्कता, उच्च न्यायालय म.प्र., जबलपुर,
8. मैम्बर/सेक्रेटरी मध्यप्रदेश राज्य विधिक सेवा समिति, जबलपुर म.प्र.
9. ओ.एस.डी. समस्त, उच्च न्यायालय म.प्र., जबलपुर,
10. एस.पी.एस.ए. (एस.ए.) उच्च न्यायालय म.प्र., जबलपुर, की ओर उच्च न्यायालय मध्यप्रदेश की वेबसाइट पर अपलोड कराने हेतु,
11. ज्वाइंट रजिस्ट्रार (एम.) समस्त, उच्च न्यायालय म.प्र. जबलपुर,
12. डिप्टी रजिस्ट्रार (एम.)..... समस्त, उच्च न्यायालय म.प्र., जबलपुर,
13. असिस्टेंट रजिस्ट्रार (एम.) समस्त, उच्च न्यायालय म.प्र., जबलपुर,
14. डिप्टी कंट्रोलर एकाउंट, उच्च न्यायालय म.प्र., जबलपुर,
15. रजिस्ट्रार जनरल महोदय के निजी सचिव, उच्च न्यायालय म.प्र. जबलपुर,
16. एडमिनिस्ट्रेटिव ऑफिसर (न्या.)/इंचार्ज समस्त, उच्च न्यायालय म.प्र. जबलपुर,
18. प्रिंसिपल रजिस्ट्रार न्यायिक/आई.एल.आर. एवं परीक्षा/सतर्कता, महोदय के निजी सचिव, उच्च न्यायालय म.प्र. जबलपुर,
19. सहायक संपादक (आई.एल.आर.), उच्च न्यायालय मध्यप्रदेश जबलपुर,
20. ग्रंथपाल/रिफ्रेन्स लाइब्रेरियन, उच्च न्यायालय मध्यप्रदेश जबलपुर,
21. सहायक स्थापना/स्थापना सैट/लेखा/बजट/पेंशन/वेतनपत्रक/अवकाश, उच्च न्यायालय मध्यप्रदेश, जबलपुर,

की ओर मध्यप्रदेश शासन, सामान्य प्रशासन विभाग, मंत्रालय भोपाल का आदेश क्रमांक एफ 8-1/2013/आ.प्र./एक भोपाल, दिनांक 14-02-2020 को मध्यप्रदेश उच्च न्यायालय के लिए अंगीकृत करते हुए सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित।

संलग्न:- म.प्र. शासन, सामान्य प्रशासन विभाग, मंत्रालय भोपाल का आ.क्र. एफ 8-1/2013/आ.प्र./एक भोपाल, दि. 14-02-2020 सहपत्रों सहित।

(प्रियदर्शन शर्मा)
रजिस्ट्रार (प्रशासन)
Pare

मध्यप्रदेश शासन
सामान्य प्रशासन विभाग
मंत्रालय,
वल्लभ भवन भोपाल-462004
—00—

क्र0 एफ 8-1/2013/आ.प्र./एक

भोपाल, दिनांक 14/02/2020

प्रति,

शासन के समस्त विभाग,
अध्यक्ष राजस्व मण्डल ग्वालियर,
समंस्तर संभागीय आयुक्त,
समस्त विभागाध्यक्ष,
समस्त जिला कलेक्टर,
समस्त मुख्य कार्यपालन अधिकारी, जिला पंचायत
मध्यप्रदेश।

विषय :- निःशक्तजनो के लिए लिखित परीक्षा हेतु मार्गदर्शी निर्देश।

संदर्भ :- इस विभाग का समसंख्यक पत्र दिनांक 26/06/2013

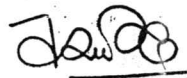
—00—

उपरोक्त विषयांकित संदर्भित पत्र का अवलोकन करें।

भारत सरकार सामाजिक न्याय एवं अधिकारिता मंत्रालय नई-दिल्ली के पत्र क्रमांक एफ 05-16/2019/DD-III, दिनांक 26 फरवरी, 2013 द्वारा निःशक्तजनों के लिए लिखित परीक्षा संचालन हेतु मार्गदर्शी निर्देश के परिपालन में विभागीय परीपत्र दिनांक 26 जून, 2013 द्वारा निर्देश जारी किए गए हैं। भारत सरकार दिव्यांगजन सशक्तिकरण विभाग द्वारा उक्त निर्देश दिनांक 26 फरवरी, 2013 के परिपालन में पत्र क्रमांक एफ 05-16/2019/DD-III दिनांक 08 नवम्बर, 2019 द्वारा संशोधित मार्गदर्शी निर्देश जारी किए गए हैं जिसकी प्रति संलग्न हैं।

अतः उक्त निर्देशों के पालन हेतु सभी संबंधितों को निर्देशित करने का कष्ट करें।

संलग्न :- उपरोक्तानुसार


(विकास मिश्रा)

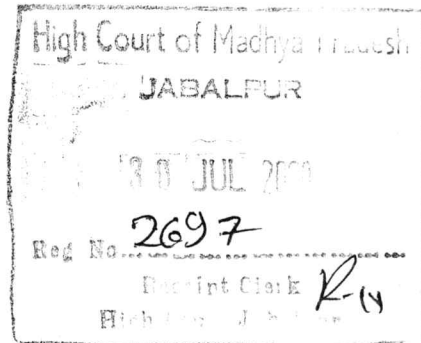
उप सचिव

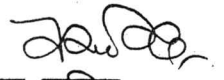
मध्यप्रदेश शासन

सामान्य प्रशासन विभाग

प्रतिलिपि :-

1. सचिव, माहमहिम राज्यपाल राजभवन मध्यप्रदेश भोपाल।
 2. अध्यक्ष, राजस्व मण्डल मध्यप्रदेश ग्वालियर।
 3. प्रमुख सचिव माननीय मुख्यमंत्री मंत्रालय भोपाल।
 4. सचिव, (समन्वय) मुख्य सचिव कार्यालय मंत्रालय भोपाल।
 5. अध्यक्ष, प्रोफेशनल एग्जामिनेशन बोर्ड/अध्यक्ष, माध्यमिक शिक्षा मण्डल भोपाल।
 6. महानिर्देशक प्रशासन अकादमी मध्यप्रदेश भोपाल।
 7. प्रमुख सचिव, मध्यप्रदेश विधानसभा सचिवालय भोपाल।
 - ✓ 8. रजिस्ट्रार, जनरल उच्च न्यायालय मध्यप्रदेश जबलपुर।
 9. सचिव, लोकायुक्त भोपाल।
 10. सचिव, लोक सेवा आयोग मध्यप्रदेश भोपाल।
 11. मुख्य निर्वाचन पदाधिकारी / सचिव राज्य निर्वाचन आयोग मध्यप्रदेश।
 12. महाअधिवक्ता / उप महाअधिवक्ता मध्यप्रदेश जबलपुर / इंदौर / ग्वालियर।
 13. पुलिस महानिरीक्षक (चयन) पुलिस मुख्यालय भोपाल।
 14. आयुक्त, निःशक्तजन मध्यप्रदेश कम्यूनिटी हॉल न्यू मार्केट टी.टी. नगर भोपाल।
 15. प्रमुख सचिव / सचिव / उप सचिव मध्यप्रदेश शासन सामान्य प्रशासन विभाग भोपाल।
 16. आयुक्त, सामाजिक न्याय विभाग तुलसी नगर भोपाल।
 17. आयुक्त, जनसंपर्क मध्यप्रदेश भोपाल।
 18. अवर सचिव मध्यप्रदेश शासन सामान्य प्रशासन विभाग अधीक्षण / अभिलेख शाखा मंत्रालय भोपाल ।
- की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित।




 उप सचिव
 मध्यप्रदेश शासन
 सामान्य प्रशासन विभाग

RA
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पंजी./क्र 1351/2019/28-

दिनांक 14-11-19

सामाजिक न्याय विभाग कक्ष-1 मंत्रालय

F.No 05-16/2019-DD-III

भारत सरकार / Government of India

दिव्यांगजन रुशक्तिकरण विभाग

Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय और अधिकारिता मंत्रालय/ Ministry of Social Justice & Empowerment

पंचवा तल, बी विंग, पंडित दीनदयाल अंत्योदय भवन, सी जी ओ कॉम्प्लेक्स, लोधी रोड, नई दिल्ली -110003
5th Floor, B Wing, Pt. Deendayal Antyodaya Bhawan, CGO Complex, New Delhi-110003

Dated 8th Nov. 2019

Principal Secretary
Department of Social Welfare
All States/UTs

T.L-126
11/11/19

Subject: - Monitoring the progress of filling up of backlog vacancies reserved for PwDs and universalizing guidelines for conducting written examination- reg.

Madam/Sir

I am directed to say that Rights for Persons with Disabilities Act, 2016 has come into force from 19.04.2019 replacing the Persons with Disabilities Act (Equal Opportunities, Protection of Rights and Full Participation) 1995. Sec-34 of the RPwD Act, 2016 provides that not less than 4% of the vacancies shall be reserved for Persons with Benchmark Disabilities (PwBDs) whereas the old PwD Act, 1995 envisaged not less than 3% reservation in vacancies for PwDs.

2. With a view to implement the provisions relating to reservation for PwBDs, it is essential to calculate the vacancies meant for PwDs in terms of the old 1995 Act upto the period 18.04.2017 and thereafter in terms of RPwD Act, 2016. State Govts/UT are, therefore, required to calculate the backlog vacancies for various categories of PwDs accordingly for recruitment.

3. Additionally, the Central Govt. has earlier issued Guidelines for conducting written examination for PwBDs on 26.02.2013 which has been revised on 29.09.2018 (to be read with corrigendum dated 8th Feb 2019) (copy enclosed). It has come to the notice that State Govts/UTs are adopting different set of guidelines for conducting written examination for PwDs. It would be appropriate for States/UTs to adopt uniform norms while conducting written examination so as to avoid any ambiguity.

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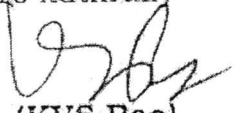
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4. The Central Advisory Board on Disability in its meeting held on 19.09.2019 discussed these two issues. As recommended by Central Advisory Board, you are requested to take appropriate measures and issue instructions to concerned authorities to:-

- a. Conduct special recruitment drive to fill up backlog vacancies meant for PwBDs in terms of the PwD Act 1995 for the period upto 18.04.2017 and in terms of the RPwD Act, 2016 for the period from 19.04.2017.
- b. Issue Guidelines for conducting written examination for PwBDs in line with Central Guidelines dated 29.09.2018 read with corrigendum dated 8th Feb 2019.

Yours faithfully


(KVS Rao)

Director

011- 24369054

Enclosed: As Above

Government of India

Ministry of Social Justice & Empowerment

Department of Empowerment of of Persons with Disabilities (Divyangjan)

Pt. Deendayal Antyodaya Bhawan,

C.G.O. Complex, New Delhi - 110003

Dated: the 29th August, 2018Office Memorandum

Subject: Guidelines for conducting written examination for Persons with Benchmark Disabilities

The undersigned is directed to say that this Department had issued the guidelines for conducting written examination for persons with disabilities defined in terms of erstwhile Persons with Disabilities (Equal Opportunities, Protection for Rights and Full Participation) Act, 1995 vide OM No. 16-110/2003-DD-III dated 26/02/2013. The Department had constituted a Committee under the Chairmanship of Secretary, DEPWD in March, 2015 to review the said guidelines based on the issues raised by Union Public Service Commission and others. Meanwhile the Central Government enacted the Rights of Persons with Disabilities Act, 2016 (RPwD Act, 2016) which came into force from 19/04/2017. The Act provides for reservation in Government jobs for persons with benchmark disabilities as defined under section 2 (r) of the said Act.

Based on the findings of the Committee, the Central Government hereby lays down the revised guidelines for conducting written examination for persons with benchmark disabilities in supersession of the earlier guidelines issued vide OM No. 16-110/2003-DD-III dated 26/02/2013 as under:

- I. These guidelines may be called as "Guidelines for conducting written examination for persons with benchmark disabilities 2018".
- II. There should be a uniform and comprehensive policy across the country for persons with benchmark disabilities for written examination taking into account improvement in technology and new avenues opened to the persons with benchmark disabilities providing a level playing field. Policy should also have flexibility to accommodate the specific needs on case-to-case basis.
- III. There is no need for fixing separate criteria for regular and competitive examinations.

IV. The facility of Scribe/Reader/Lab Assistant should be allowed to any person with benchmark disability as defined under section 2(r) of the RPwD Act, 2016 and has limitation in writing including that of speed if so desired by him/her.

In case of persons with benchmark disabilities in the category of blindness, locomotor disability (both arm affected-BA) and cerebral palsy, the facility of scribe/reader/lab assistant shall be given, if so desired by the person.

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 is essential to write examination on his behalf, from the Chief Medical Officer/Civil Surgeon/ Medical Superintendent of a Government health care institution as per proforma at APPENDIX-I.

V. The candidate should have the discretion of opting for his own scribe/reader/lab assistant or request the Examination Body for the same. The examining body may also identify the scribe/ reader/lab assistant to make panels at the District/Division/ 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.

VI. In case the examining body provides the scribe/reader/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/reader should always be matriculate or above.

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. The persons with benchmark disabilities opting for own scribe/reader should submit details of the own scribe as per proforma at APPENDIX-II

VII. There should also be flexibility in accommodating any change in scribe/reader/lab assistant in case of emergency. 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.

VIII. 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.

asily 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.

X. 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/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.

XI. 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. Thereafter, the examining body should ensure availability of question papers in the format opted by the candidate as well as suitable seating arrangement for giving examination.

XII. The disability certificate issued by the competent medical authority at any place should be accepted across the country.

XIII. 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/lub 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.

XIV. 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 like communication chart and electronic devices.

XV. Proper seating arrangement (preferably on the ground floor) should be made prior to the commencement of examination to avoid confusion or distraction during the day of the exam. The time of giving the question papers should be marked accurately and timely supply of supplementary papers should be ensured.

XVI. 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. 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.

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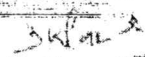
XVI. Alternative objective questions in lieu of descriptive questions should be provided for Hearing-Impaired persons, in addition to the existing policy of giving alternative questions in lieu of questions requiring visual inputs, for persons with Visual Impairment.

XVII. As far as possible the examination for persons with disabilities should be held at the ground floor. The examination centres should be accessible for persons with disabilities.

2. It is requested to ensure that the above guidelines are scrupulously followed while conducting examination for persons with benchmark disabilities. All the recruitment agencies, Academics/Examination Bodies etc. under the administrative control of each Ministry/Department may be advised appropriately to ensure compliance of implementing these guidelines. Action taken in this regard may be intimated to this office.

3. The above guidelines are issued with the approval of Hon'ble Minister (Social Justice & Empowerment).

Yours faithfully,


(D.K. Panda)

Under Secretary to the Government of India

Tele. No. 24369059

To

1. Secretary of all Ministries/Department.
2. Secretary, UPSC, Shahjahan Road, New Delhi.
3. Chairman, SSC, Block No.12, CGO Complex, Lodhi Road, New Delhi-110003.
4. Chairman, University Grants Commission with a request to issue necessary instructions to all universities including Deemed Universities for compliance.
5. Chairman, Railway Board
6. All National Institutes and RCI under administrative control of Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of SJ&E, New Delhi

Copy for information to: CCPD, Sarojini Bhawan, Bhagwan Dass Road, New Delhi

Certificate regarding physical limitation in an examinee to write

This is to certify that, I have examined Mr/Ms/Mrs _____ (name of the candidate 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

Chief Medical Officer/Civil Surgeon/ Medical Superintendent of a
Government health care institution

Name & 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 - Prthopaedic specialist/PMR).

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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 is 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:

F. No. 34-02/2015-DD-III (pt)
 Government of India
 Ministry of Social Justice & Empowerment
 Department of Empowerment of of Persons with Disabilities (Divyangjan)

Pt. Deendayal Antyodaya Bhawan,
 C.G.O. Complex, New Delhi - 110003
 Dated the 8th February, 2019

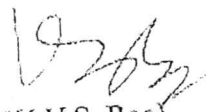
Corrigendum

Sub:- Guidelines for conducting written examination for Persons with Benchmark Disabilities

This Department's O.M. No.34-02/2015-DD.III dated 29/08/2018 prescribing the guidelines for conducting written examination for persons with disabilities is amended as under:

Para XII on page 3 of the above guidelines may be substituted with the following-

"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 disabilities who are eligible for availing the facility of scribe in terms of guidelines IV may be allowed additional time of minimum of one hour for examination of 3 hours duration whether they use the facility of scribe or not. 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"


 (K.V.S. Rao)

Director

Tele. No. 24369054

To

1. Secretary of all Ministries/Department.
2. Secretary, UPSC, Shahjahan Road, New Delhi.
3. Chairman, SSC, Block No.12, CGO Complex, Lodhi Road, New Delhi-110003.
4. Chairman, University Grants Commission with a request to issue necessary instructions to all universities including Deemed Universities for compliance.
5. Chairman, Railway Board
6. All National Institutes and RCI under administrative control of Department of Empowerment of Persons with Disabilities (Divyangjan), Ministry of SJ&E, New Delhi

Copy for information to: C.P.D. Sarojini Bhawan, Bhawan Dass Road, New Delhi