



ABSTRACT

Welfare of Differently Abled Persons Department – Rights of Persons with Disabilities Act, 2016 – Reservation in promotion for the Persons with Benchmark Disabilities (PwBD) – Instructions – Issued.

Welfare of Differently Abled Persons (DAP-3.2) Department

G.O. (Ms) No. 06

Dated: 21.06.2025

விசுவாவச, ஆணி - 7 ,
திருவள்ளுவர் ஆண்டு, 2056.
Read:

1. The Rights of Persons with Disabilities Act, 2016 (Central act 49 of 2016).
2. G.O.(Ms) No.29 Welfare of Differently Abled Persons (DAP-3.2) Department dated: 03.12.2022
3. G.O.(Ms) No.33 Welfare of Differently Abled Persons (DAP-3.2) Department dated: 15.12.2022

ORDER:-

section 34(1) of the Rights of Persons with Disabilities Act, 2016 provides as follows:-

“34. Reservation- (1) Every appropriate Government shall appoint in every Government establishment, not less than four percent of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one percent each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one percent for persons with benchmark disabilities under clauses (d) and (e), namely:-

- (a). Blindness and low vision
- (b). Deaf and hard of hearing
- (c). Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy
- (d). Autism, intellectual disability, specific learning disability and mental illness

- (e). Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities

Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time.

2. In the G.O. second read above, orders have been issued for constituting a Sub Committee for the provision of four percent reservation in promotion for the Persons with Benchmark Disabilities (PwBD) and to take action for constitution of a High Level Committee for the purpose of scrutinizing the report of the Sub-Committee.

3. In the G.O. third read above, orders have been issued constituting a High Level Committee under the Chairmanship of Secretary to Government, Human Resource Management Department to scrutinize the report of the Sub-Committee and provide its recommendation on the report.

4. The High Level Committee discussed the reports of the Sub-Committee, in its meeting held on 19.08.2024 with the participation of its Chairman and the Members, and recommended to provide four percent reservation in promotion to the Persons with Benchmark Disabilities.

5. After careful examination, the Government have decided to accept the recommendations of the High Level Committee and ordered to provide four percent reservation in promotion to the Persons with Benchmark Disabilities and issue the instructions regarding reservation in promotion to the Persons with Benchmark Disabilities, in annexure to this order.

(BY ORDER OF THE GOVERNOR)

**S.MADHUMATHI
SECRETARY TO GOVERNMENT**

To

The Commissioner for Welfare of the Differently Abled, Chennai-5.
The State Commissioner for 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 Department/All Districts Collectors/All Public Sector Undertakings /Boards/Universities/Corporations/All District Magistrates/All District Judges.
(Through the Commissioner for Welfare of the Differently Abled)
The Registrar, High Court, Chennai-104.
The Accountant General, Chennai-18/35.

The Pay and Accounts Officer, (S), (N) & (E), Chennai-35/79/5.
The Pay and Accounts Officer (Secretariat), Chennai-9.

Copy to:-

The Ministry of Social Justice and Empowerment,
Department of Empowerment of Persons with Disabilities,
Government of India, New Delhi.
The Chief Minister Office, Chennai-09.
The Senior Principal Private Secretary to Chief Secretary, Chennai-09.
The Senior Principal Private Secretary to Principal Secretary to Government,
Finance Department, Chennai-09.
The Senior Principal Private Secretary to Secretary to Government,
Law Department, Chennai-09.
The Human Resource Management Department, Chennai-9.
SF/SC.

// FORWARDED BY ORDER //

P. H. Jhachehi
21/6/2025

UNDER SECRETARY TO GOVERNMENT

Chennai
21/6/2025

G.O(Ms) No.06 Welfare of Differently Abled Persons(DAP 3.2) Department**Dated 21.06.2025****Annexure****INSTRUCTIONS REGARDING RESERVATION IN PROMOTION FOR PERSONS WITH BENCHMARK DISABILITIES**

In accordance with the first proviso to sub section (1) of Section 34 of the Rights of Persons with Disabilities Act, 2016, Central Act 49 of 2016, the State Government issues the following instructions -

1. APPLICABILITY

- (1) These instructions will come into effect from the date of issue.
- (2) Reservation in promotion for Persons with Benchmark Disabilities (PwBD) shall be applicable only to the identified posts notified by the Government where the cadre strength of a post is more than five (5). Such identification shall be made only for posts carrying a pay level up to pay level 25 in each Government Establishment.
- (3) These instructions are applicable to all Government Establishments as defined in Section 2(k) of the Rights of Persons with Disabilities Act, 2016.

2. QUANTUM OF RESERVATION

- (1) 4% of the total number of vacancies in a post shall be reserved for Persons with Benchmark Disabilities (PwBD) in the following cases:
 - (i) Promotions
 - (ii) Recruitment by Transfer (lower pay scale to higher pay scale)
- (2) Against the posts identified for each disability, unless and otherwise excluded by the State Government, the following shall be the distribution of reservation: -

<u>DISABILITY</u>	<u>PERCENTAGE OF RESERVATION</u>
(a). Blindness and Low Vision	1%
(b). Deaf and Hard of Hearing	1%
(c). Locomotor Disability including Cerebral Palsy, Leprosy Cured, Dwarfism, Acid Attack victims and Muscular Dystrophy	1%
(d). Autism, Intellectual Disability, Specific Learning Disability, mental illness	1%
(e). Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness	1%

- (3) The certificate of disability and the percentage of disability issued by the competent medical authority, shall be verified by the appointing authority at the time of consideration of names for inclusion in the panel for appointment

/ promotion, from the certifying authorities as specified in Schedule - II of the Tamil Nadu Rights of Persons with Disabilities Rules, 2018 in the district where the Persons with Benchmark Disabilities is working. This applies only to those being considered under the reservation for Persons with Benchmark Disabilities.

3. IDENTIFICATION OF POSTS INCLUDING EXEMPTION OF POSTS

- (1) The State Government shall complete the process of identification of posts for promotion of Persons with Benchmark Disabilities as per the provisions of the Rights of Persons with Disabilities Act.
- (2) The posts identified as being suitable to be held by Persons with Benchmark Disabilities shall be notified by the Welfare of Differently Abled Persons Department in consultation with the concerned department, in accordance with Section 33 of the Rights of Persons with Disabilities Act, 2016. These notifications, issued from time to time, shall be used to give effect to these instructions for reservation in promotion of Persons with Benchmark Disabilities.
- (3) The posts mentioned in the said notification shall be given effect for reservation in promotion of Persons with Benchmark Disabilities by the appointing authorities concerned of every Government Establishment.

4. EXEMPTION FROM RESERVATION IN PROMOTION FOR PERSONS WITH BENCHMARK DISABILITIES

- (1) Provision to section 34 of the Rights of Persons with Disabilities Act, 2016, states that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this Section.
- (2) Accordingly, if any Head of the Department considers it necessary to exempt any establishment, it shall make a representation to the State Government, giving full justification for the proposal. The State Government, in consultation with the State Commissioner for Persons with Disabilities, having regard to the type of work carried out in any Government Establishment, by notification and subject to such condition, if any, as may be specified in the said notification, may exempt any Government Establishment from the provisions of reservation for Persons with Benchmark Disabilities in promotion, as provided in the second proviso to sub-section (1) of section 34 of the Rights of Persons with Disabilities Act, 2016.

5. NO DENIAL OF PROMOTION ON GROUNDS OF DISABILITY

- (1) In terms of Section 20(3) of the Rights of Persons with Disabilities Act, 2016, no promotion shall be denied to a person merely on the ground of disability. As such, this will not affect the normal course of promotion of any Persons with Benchmark Disabilities to the higher post, whether identified or not.

- (2) In terms of Section 20(4) of the Act, no Government Establishment shall dispense with or reduce in rank an employee who acquires a disability during his/her service. As per the proviso to this sub-section, if an employee, after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits. This section further provides that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier. However, in case the Persons with Benchmark Disabilities for whom the supernumerary post was created is eligible for the next promotion to the higher pay level, and if it is not possible to adjust the employee against any post, a fresh creation of supernumerary post equivalent to next higher level post will be required by surrendering the previously created supernumerary post at the lower level, if any following the regular procedures.

6. RESERVATION WHEN POST IDENTIFIED ONLY FOR ONE OR TWO CATEGORIES OF DISABILITY

If in a Department, a post is identified suitable only for one category of disability, then reservation in promotion in that post shall be given to persons with that category of benchmark disability only. However, reservation of 4% for Persons with Benchmark Disabilities shall not be reduced in such cases and total reservation in the cadre will be given to the specified category of disability for which it has been identified. Likewise, in case a post is identified as suitable for two categories of disabilities, reservation shall be distributed between persons with those categories of disabilities equally, as far as possible, in the order of disabilities as listed in Section 34(1) of the Rights of Persons with Disabilities Act, 2016.

Illustration 1: If a post has been identified as suitable only for those with blindness and low vision, then the total 4% reservation for Persons with Benchmark Disabilities shall be allocated to persons with blindness and low vision with Benchmark Disabilities for that post.

Illustration 2: If a post has been identified as suitable for those with Blindness and Low Vision and those with Locomotor Disability with Benchmark Disabilities, then the 4% reservation shall be split between those with Blindness and Low Vision and Locomotor Disability equally with Benchmark Disabilities i.e., 2% for Blindness and Low Vision and 2% for Locomotor Disability. The turn so reserved will alternate between Blindness and Low Vision and Locomotor Disability – 25th, 75th, 125th, 175th turns will be Blindness and Low Vision, 48th, 100th, 148th, 200th turns for Locomotor Disability.

7. ZONE OF CONSIDERATION

While considering the names for inclusion in the panel to fill up the appropriate turns reserved for Persons with Benchmark Disabilities by promotion, the Persons with Benchmark Disability candidates who are within the normal zone of consideration, shall be considered for promotion first. However, if adequate number of Persons with Benchmark Disability candidates of the respective category are not available within the normal zone, the zone of consideration may be extended to five times the number of vacancies and the Persons with Benchmark Disability candidate from the respective category of disability falling within the extended zone may be considered for promotion, if he is otherwise qualified for promotion as per the rules governing the post concerned.

8. IMPLEMENTATION OF RESERVATION WHILE OPTING FOR HIGHER POST

If the service rules of a particular Government Authority provides for promotion to multiple higher posts (identified and not identified), reservation in promotion shall be given only to the identified post(s).

9. PROCEDURE FOR IMPLEMENTATION OF RESERVATION IN PROMOTION

- (1) For the purpose of implementation of this horizontal reservation, the unit of appointment vacancy in a post for promotion / recruitment by transfer, shall be 200.
- (2) In services where the reservation in promotion is already being followed, the existing communal roster being used shall apply. The roster points given in these Instruction shall additionally apply in those cases.
- (3) Out of the above 200 vacancies, the following turns shall be earmarked for Persons with Benchmark Disabilities. The distribution of these turns among various categories of disabilities following the order stated in Section 34(1), Rights of Persons with Disabilities Act, 2016 shall be as follows –

TURN	CATEGORY OF PwBD
Turn25, 125	Blindness and Low Vision
Turn48, 148	Deaf and Hard of Hearing
Turn75, 175	Locomotor Disability (including Cerebral Palsy, Leprosy Cured, Dwarfism, Acid Attack victims and Muscular Dystrophy)
Turn100, 200	Autism, Intellectual Disability, Specific Learning Disability and mental illness and multiple disabilities of blindness and low vision and/or deaf and hard of hearing and/or locomotor disability and/or autism and/or intellectual disability, specific learning disability and/or mental illness including blind-deaf.

10. ADJUSTMENT OF PwBD IN GENERAL VACANCY

In case of promotions, if a Persons with Benchmark Disability is otherwise eligible and is included in panel for a particular year, in the list of candidates finally approved for promotion, the Persons with Benchmark Disability may be promoted as and when his name reaches for promotion even against the vacancy not specifically reserved for Persons with Benchmark Disability. In other words, a Persons with Benchmark Disability cannot be denied promotion on the ground that the vacancy is not earmarked for their category.

11. MAINTENANCE OF ROSTER / REGISTER FOR RESERVATION IN PROMOTION FOR PwBDs

Appointing Authorities shall maintain a 200 point register for promotion for every identified post as detailed in Para 10 above. This promotion register shall be separate from the register maintained for direct recruitment.

If the Appointing Authority is maintaining a roster if any, for any post (having more than one feeder category), as per the ad-hoc/special rules for filling the vacancies, the next point of this roster shall be fitted as Point No. 1 in the roster/register for reservation in promotion for Persons with Benchmark Disability. The appointing authority shall continue to maintain both the rosters.

Illustration:

Post "X" is filled from feeder categories A and B in a ratio of 2:1 for which a roster is maintained. In implementation of this ratio, the following points in the feeder category roster have been filled –

Roster Point	Feeder Category
1.	A
2.	A
3.	B
4.	A
5.	A
6.	B
7.	A
8.	A

Thus, the next appointment will begin from Feeder Category B at roster point 9 in the feeder category roster. Now, once this Persons with Benchmark Disability roster is implemented, this 9th roster point of appointment from Feeder Category B will be filled as Point No. 1 in the 200 point Persons with Benchmark Disability roster and the roster will be continued, thereafter.

Once a rotation of 200 points is completed, a fresh rotation of 200 points shall commence.

12. CARRY FORWARD OF VACANCIES IN PROMOTION

If a Persons with Benchmark Disability from the specified disability is not available even in the extended Zone of Consideration, then the vacancy of that specified disability shall be carried forward to the next recruitment year. The Appointing Authority shall record the vacancy as unfilled and carry it forward to the next year. In the next recruitment year, the Appointing Authority shall attempt to appoint / promote a person from the specified disability carried forward even in the extended Zone of consideration. If a person of the specified disability is not available even in the extended zone of consideration, then the Appointing Authority shall record the same and interchange the disabilities as per the order of disabilities specified in Section 34 of the Rights of Persons with Disabilities Act, 2016. After every interchange of disability, the Appointing Authority shall consider eligible Persons with Benchmark Disability candidates of the specified interchanged disability from the extended Zone of Consideration. If after interchange of disabilities there is no available eligible Persons with Benchmark Disability of any disability in the next recruitment year, then that vacancy shall be filled with a person other than a Person with Benchmark Disability.

Illustration: In the first recruitment year, a vacancy is reserved for the Blind and Low Vision. If no eligible candidate is available in the extended zone of consideration, then the vacancy is carried forward to the next recruitment year. In the next year, the appointing authority shall consider a PwBD from the Blind and Low Vision disability in the extended Zone of Consideration. If there is no eligible candidate, the same shall be recorded and candidates from Deaf and Hard of Hearing upto the extended zone of consideration shall be considered. If no eligible Deaf and Hard of Hearing disability is available, the same shall be recorded and a PwBD with Locomotor Disability shall be considered upto the extended zone of consideration. If no eligible PwBD candidate from Locomotor Disability is available even in the extended zone of consideration, then a candidate from autism, intellectual disability and multiple disabilities shall be considered. If no eligible candidate is available even in the extended zone of consideration, then the same shall be recorded. Once there are no eligible PwBD from any of the disabilities then the vacancy shall be filled by promoting a person other than a PwBD, if he is otherwise qualified for promotion as per the rules governing the post.

- (1) If a particular post is to be filled from more than one feeder category, and if at the relevant Point (say 25, 48, 75 or 100), a PwBD of the specified

disability in the first feeder category that falls against the said point of reservation is not available even in the extended Zone of Consideration, then the Appointing Authority shall carry forward the vacancy of the specified disability in the first feeder category.

- (2) In the next recruitment year, the Appointing Authority shall consider for appointment, persons of the carried forward specified disability from the first feeder category for appointment / promotion. If no eligible candidate of the specified carried forward disability is available even in the extended zone of consideration in the first feeder category, the Appointing Authority shall record the same and interchange disabilities in the order of disabilities stated in Section 34(1) of the Rights of Persons with Disabilities Act, 2016 in the first feeder category. If no eligible candidate is available even after the interchange of disabilities in the first feeder category, then, the Appointing Authority shall record the same and the vacancy in the first feeder category shall be filled with an eligible person who is other than PwBD.

Illustration: Post X is identified for Blind and LD. This post X is filled through promotion from the feeder categories A and B in the ratio 1:1. The distribution would be as follows –

Point	Feeder Category	Point	Feeder Category	Point	Feeder Category
1.	A	11.	A	21.	A
2.	B	12.	B	22.	B
3.	A	13.	A	23.	A
4.	B	14.	B	24.	B
5.	A	15.	A	25.	A
6.	B	16.	B	26.	B
7.	A	17.	A		
8.	B	18.	B		
9.	A	19.	A		
10.	B	20.	B		

Thus, the 25th point earmarked for PwBDs is to be filled with a person with blindness and low vision disability from Feeder Category 'A'. Now, the Zone of Consideration in Feeder Category 'A' will be extended as per Instruction 7 above to identify a candidate with the above said disability for promotion. If there are no blind candidates available in the extended zone of consideration in Feeder Category 'A', then the Appointing Authority shall record the same and carry forward the vacancy

for a blind PwBD from Category 'A' to the next promotional year. In the next promotional year, the Appointing Authority shall consider for appointment as against this carried forward vacancy, eligible candidates who are blind from Feeder Category 'A'. If no eligible blind candidates are available even in the extended zone of consideration in Feeder Category 'A', the Appointing Authority shall record the same and interchange the disabilities in Feeder Category 'A' i.e locomotor disabled and identify the eligible candidate from the Zone of Consideration. If there is no eligible candidate available in Feeder category 'A' after interchange i.e locomotor disabled, the Appointing Authority shall record that no candidates are available. Since no eligible candidate is available even after the interchange of disabilities i.e locomotor disabled in Feeder Category 'A', the appointing authority shall appoint an eligible candidate who is other than a PwBD at point 25 from feeder category A.

- (3) The above illustrated principle shall be applicable in cases where there are more than 2 feeder categories as well.
- (4) In order to ensure that cases of lapse of reservation are kept to the minimum, any recruitment of the PwBD candidates shall first be counted against the vacant posts brought forward from previous years, if any, in the chronological order. If candidates are not available for all the vacancies i.e for carried forward and current year vacancies, the older carried - forward posts shall be filled first, and the unfilled current vacancies if any shall be carried forward, if not filled up, provided that in every recruitment, the number of vacancies reserved for PwBD, including the carried forward vacancies, shall be announced beforehand, for the information of all candidates.

13. ESTIMATE OF VACANCIES FOR PROMOTION

After issuing the estimate of vacancies in accordance with Section 7 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016, the number of vacancies reserved for PwBD and the distribution of these reserved vacancies among the disabilities shall be determined by the respective appointing authorities as per the Para 12 (Maintenance of Roster).

Illustration 1: If the estimate of vacancy is fixed as 18+1 (carry forward vacancy for the previous year earmarked for blind and low vision) for a panel year and roster points are due from 32 to 49 then one vacancy shall be earmarked for PwBD category of Deaf and Hard of Hearing at the 48th turn and one carry forward vacancy shall be earmarked for Blind and Low vision. The carry forward vacancy shall be filled first as per Section 27 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

Illustration 2: if the estimate of vacancy is fixed as 26 for a panel year and roster points are due from 123 to 149 then one vacancy shall be earmarked for PwBD category of Blindness & Lower Vision at the 125th turn and another vacancy to Deaf and Hard of Hearing at 148th turn.

The above two illustrations are in the following tables:

Illustration-1	
Panel year 2023-24 (carry forward vacancy)	
Turn	Category
25	PwBD – Blind and Low Vision
1 carry forward vacancy added to current panel year	
General	
Panel year 2024-2025	
32	General
33	General
34	General
35	General
36	General
37	General
38	General
39	General
40	General
41	General
42	General
43	General
44	General
45	General
46	General
47	General
48	General (PwBD - Deaf and Hard of Hearing)
49	General

Illustration -2	
Panel year 2023-24 (carry forward vacancy)	
Turn	Category
-Nil-	General (PwBD – Blind and Low Vision)
	General
Panel year 2024-25	
123	General
124	General
125	General (PwBD – Blind and Low Vision)
126	General
127	General
128	General
129	General
130	General
131	General
132	General
133	General
134	General
135	General
136	General
137	General
138	General
139	General
140	General
141	General
142	General
143	General
144	General
145	General
146	General
147	General
148	General (PwBD - Deaf and Hard of Hearing)
149	General

- (1) In order to ensure proper implementation of the provision of reservation for PwBDs, the Appointing Authority while issuing the estimate of vacancies as per Section 7 of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, shall issue the following certificate along with the estimate of vacancies :-

"It is certified that the requirements of 'THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016 and Rules made thereupon' and the policy relating to reservation for persons with benchmark disabilities has been taken care of while sending this estimate of vacancy. The vacancies reported in this estimate of vacancy starts at points no..... of rotation no.... of 200 point reservation roster out of which..... Number of vacancies are reserved for persons with benchmark disabilities. There are carry forward vacancies in this estimate of vacancies falling at Point No. of rotation No. of the 200 point reservation roster which are reserved for Persons with Benchmark Disabilities from category of disability."

- (2) **NO BENEFIT OF STEPPING UP OF PAY TO OTHER EMPLOYEES**

Where the benefit of promotion under these Instructions has been granted to a PwBD who was junior to others in the seniority list, no benefit of stepping up of pay or pay scale shall be admissible to other who were senior to him in the feeder post.

14. LIAISON OFFICER AND NODAL OFFICER

- (1) A Liaison Officer shall be appointed by the Commissioner for the Welfare of the Differently Abled who shall monitor and ensure compliance for providing reservation in promotion.
- (2) Every Head of Department shall appoint a Nodal Officer for the purpose of submission of annual reports to the Liaison Officer.
- (3) All the Department/Public Sector Undertakings/Corporation /Boards/Universities etc . shall bring the above instructions to the notice of all appointing authorities under their control.

**S.MADHUMATHI
SECRETARY TO GOVERNMENT**

// True Copy //

*P. M. Jharkhedi
21/6/25*

UNDER SECRETARY TO GOVERNMENT

*E.G.S.
21/6/25*