

Government of Himachal Pradesh
Department of Social Justice & Empowerment

No. SJE-B-A (4)-16/2018

Dated Shimla-2, the

27th July, 2018

NOTIFICATION

The Governor, Himachal Pradesh in exercise of the powers conferred under Section 49 of **The Rights of Persons with Disabilities Act, 2016**, is pleased to appoint Director Empowerment of SCs, OBCs, Minorities and the Specially Abled, HP, Shimla as Competent Authority for issuing of Registration Certificate for the registration of institutions for Persons with Disabilities, in the State of HP with immediate effect.

By Order

(Nisha Singh)

Additional Chief Secretary, (SJ&E) to the
Government of Himachal Pradesh

Dated : Shimla, the

27th July, 2018

Endst. No.: As Above
Copy forwarded to:-

1. The Secretary to Governor, H.P. Shimla-02.
2. The Secretary, Ministry Social Justice & Empowerment, Govt. of India, Deptt. Of Empowerment of Persons with Disabilities (Divyangjan) 5th Floor, Pt. Deendayal Antoyadaya Bhawan, CGO Complex, New Delhi-110003.
3. The Principal Private Secretary-cum-Additional Secretary to Hon'ble Chief Minister, H.P. Shimla-2.
4. The Private Secretary to all the Ministers, H.P. Shimla-2.
5. The Private Secretary to Chief Secretary to the Govt. of H.P., Shimla-2
6. All the Administrative Secretaries, H.P. Shimla-2
7. The Secretary, H.P. Vidhan Sabha, Shimla-04
8. All the Heads of Department, H.P.
9. Director, Empowerment of SCs, OBCs, Minorities & Specially Abled, SDA Complex Kasumpti Shimla-171009.
10. All the Deputy Commissioners, H.P.
11. All the District Welfare Officers, H.P.
12. Controller and Printing Stationery, Shimla, H.P.
13. Guard file/Personnel file.

(Raghubir Singh Verma)

Special Secretary (SJ&E) to the
Government of Himachal Pradesh



1/18
Director
20/7/18
Supt. G-1
Low Officer

Government of Himachal Pradesh
Department of Home (Prosecution)

No. Home-G(B)14-17/2019

Dated: Shimla-02, the

14-11-, 2019

NOTIFICATION

The Governor, Himachal Pradesh in exercise of the powers vested in him under section 85 of the Rights of Persons with Disabilities Act, 2016, is pleased to designate all the District Attorneys-cum-Public Prosecutors and the Deputy District Attorneys-cum-Public Prosecutors in the State of Himachal Pradesh, as Special Public Prosecutors for the purpose of conducting cases in all the Sessions Courts, specified as the Special Courts in the State of Himachal Pradesh, under section 84 of the Act *ibid*.

By Order,

Manoj Kumar

Addl. Chief Secretary (Home) to the
Government of Himachal Pradesh

Endst. As above

Dated: Shimla-02, the

14-11-, 2019

Copy for information and necessary action to:-

1. All the Administrative Secretaries to the Govt. of Himachal Pradesh, Shimla-2.
2. The Addl./Deputy Secy. (Home-C) to the Govt. of H.P., Shimla-2.
3. The Registrar General, H.P. High Court, Shimla-1.
4. All the Distt. & Session Judges in Himachal Pradesh.
5. The Director General of Police, H.P., Shimla-2.
6. The Director Prosecution, Himachal Pradesh, Shimla-9.
7. The Joint Director, Prosecution, Northern Zone, Dharamshala, Distt. Kangra, H.P.
8. All the DC(s)/SP(s) in Himachal Pradesh.
9. All the Distt. Attorneys and Deputy Distt. Attorneys in H.P.
10. Guard file.

(Surinder Thakur)

Joint Secretary (Home) to the

Government of Himachal Pradesh.

Tel. No. 0177- 2628506

Government of Himachal Pradesh
Social Justice & Empowerment Department

11/2020
Director
Addl. Director
Joint Director
Joint Director (ESOMSA)
Supdt. G-1
Law Officer

No. SJE-B-E(1)-18/2019

Dated Shimla-171002, the 12th, November, 2020

NOTIFICATION

In exercise of powers vested under Section 79 of the Rights of Persons with Disabilities Act, 2016, the Governor Himachal Pradesh, is pleased to appoint the Additional Chief Secretary/ Principal Secretary/Secretary (SJ&E) to the Government of Himachal Pradesh as Commissioner Disability for the effective implementation of the Rights of Persons with Disabilities Act, 2016 in the State of Himachal Pradesh with immediate effect.


By order

Addl. Chief Secretary (SJ&E) to the
Government of Himachal Pradesh.

Endst. No. As above Dated Shimla-171002, the 12th, November, 2020

Copy endorsed to:-

1. The Secretary, Ministry of Social Justice & Empowerment, Government of India, Shastri Bhawan, New Delhi-110001.
2. The Chief Commissioner for Persons with Disabilities, Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) Sarojini House, 6, Bhagwan Dass road, New Delhi-110001.
3. All the Administrative Secretaries to the Government of Himachal Pradesh.
4. The Pr. Secretary to the Hon'ble Chief Minister, HP, Shimla.
5. The Director (ESOMSA), H.P. Block No. 33, SDA Complex Kasumpti, Shimla-9.
6. The Director Health Family & Welfare Department, SDA Complex Kasumpti, Shimla-9.
7. All the Deputy Commissioners in Himachal Pradesh.
8. All the District Welfare Officers, H.P.
9. The controller printing and Stationary, HP Shimla-05 for publication in the e-gazette.
10. Guard file.


Deputy Secretary (SJ&E) to the
Government of Himachal Pradesh.

**Government of Himachal Pradesh
Department of Social Justice & Empowerment**

No. SJE-B-A(4)-16/2018

Dated Shimla-2, the

20 July, 2018

Notification

The Governor, Himachal Pradesh, in exercise of the powers vested under Section 14(1) of the **Rights of Persons with Disabilities Act, 2016**, is pleased to designate all Deputy Commissioners in the State of HP to act as Limited Guardians in their respective Districts to take legal binding decisions on his behalf in consultation with such persons, in such manner, as may be prescribed by the State Government with immediate effect.

By Order


Additional Chief Secretary (SJ&E) to the
Government of Himachal Pradesh

Ends. As above. Dated Shimla-2

July, 2018

Copy is forwarded for information and necessary action to:-

1. The Secretary to Governor, H.P. Shimla-02.
2. The Secretary, Ministry Social Justice & Empowerment, Govt. of India, Deptt. Of Empowerment of Persons with Disabilities (Divyangjan) 5th Floor, Pt. Deendayal Antoyadaya Bhawan, CGO Complex, New Delhi-110003.
3. The Principal Private Secretary-cum-Additional Secretary to Hon'ble Chief Minister, H.P. Shimla-2.
4. The Private Secretary to all the Ministers, H.P. Shimla-2.
5. The Private Secretary to Chief Secretary to the Govt. of H.P., Shimla-2
6. All the Administrative Secretaries, H.P. Shimla-2
7. The Secretary, H.P. Vidhan Sabha, Shimla-04
8. All the Heads of Department, H.P.
9. Director, Empowerment of SCs, OBCs, Minorities & Specially Abled, SDA Complex Kasumpti Shimla-171009.
10. All the Deputy Commissioners, H.P.
11. All the District Welfare Officers, H.P.
12. Controller and Printing Stationery, Shimla, H.P.
13. Guard file/Personnel file.


Special Secretary (SJ&E) to the
Government of Himachal Pradesh

**Government of Himachal Pradesh
Department of Social Justice & Empowerment**

No. SJE-B-A(4)-16/2018

Dated Shimla-2, the

20 July, 2018

Notification

The Governor, Himachal Pradesh, in exercise of the powers vested under Section 14(1) of the **Rights of Persons with Disabilities Act, 2016**, is pleased to designate all Deputy Commissioners in the State of HP to act as Limited Guardians in their respective Districts to take legal binding decisions on his behalf in consultation with such persons, in such manner, as may be prescribed by the State Government with immediate effect.

By Order

Additional Chief Secretary (SJ&E) to the
Government of Himachal Pradesh

Ends. As above. Dated Shimla-2

July, 2018

Copy is forwarded for information and necessary action to:-

1. The Secretary to Governor, H.P. Shimla-02.
2. The Secretary, Ministry Social Justice & Empowerment, Govt. of India, Deptt. Of Empowerment of Persons with Disabilities (Divyangjan) 5th Floor, Pt. Deendayal Antoyadaya Bhawan, CGO Complex, New Delhi-110003.
3. The Principal Private Secretary-cum-Additional Secretary to Hon'ble Chief Minister, H.P. Shimla-2.
4. The Private Secretary to all the Ministers, H.P. Shimla-2.
5. The Private Secretary to Chief Secretary to the Govt. of H.P., Shimla-2
6. All the Administrative Secretaries, H.P. Shimla-2
7. The Secretary, H.P. Vidhan Sabha, Shimla-04
8. All the Heads of Department, H.P.
9. Director, Empowerment of SCs, OBCs, Minorities & Specially Abled, SDA Complex Kasumpti Shimla-171009.
10. All the Deputy Commissioners, H.P.
11. All the District Welfare Officers, H.P.
12. Controller and Printing Stationery, Shimla, H.P.
13. Guard file/Personnel file.

Special Secretary (SJ&E) to the
Government of Himachal Pradesh

No.PER(AP)-C-F(4)-1/2022
Government of Himachal Pradesh
Department of Personnel (AP-III).

From Dated: Shimla-171002, the 22ND June, 2023
The Chief Secretary to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All the Divisional Commissioners in Himachal Pradesh.
3. All the Heads of Departments in Himachal Pradesh.
4. All the Deputy Commissioners in Himachal Pradesh.
5. All the Chairmen/Managing Directors/Secretaries/Registrars of all the Public Sector Undertakings/Corporations/Boards/Universities, etc. in H.P.

Subject: Reservation to the Persons with Benchmark Disabilities (PwBDs).

Madam/Sir,

The Department of Personnel vide letter No.PER(AP)-C-F(4)-1/2020, dated 22.06.2020 and No.PER(AP)-C-E(3)-2/2020, dated 06.07.2022 has issued instructions governing reservation for the persons with benchmark disabilities in direct recruitment and in promotion, respectively. The para-3 and para-4 of abovementioned instructions contained the provisions regarding "Exemption from Reservation" and "Identification of Jobs/Posts and Annual Report".

2. The Department of Social Justice & Empowerment, Himachal Pradesh vide letter No.S.JE-(B)-F(1)-2/2020-Vol-I, dated 05.04.2023 has adopted the Notifications No.38-16/2020-DD-III, dated 04.01.2021 & No.30-12/2020-DD-III, dated 24.08.2022 issued by the Government of India, Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) vide which the Government of India has identified the services suitable to be offered to the persons with benchmark disabilities and the physical requirements for such services.

3. Consequently, the provisions of para-3 & para-4 of abovementioned instructions issued by this department regarding "Exemption from Reservation" and "Identification of Jobs/Posts and



Annual Report" may kindly be treated to be amended to the following extent:-

3. EXEMPTION FROM RESERVATION:-

- 3.1 Proviso to Section 20(1) 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 establishment from the provisions of this Section.
- 3.2 Accordingly, if any Department/Establishment considers it necessary to exempt any post(s)/cadre(s) partly or fully from the provision of reservation in direct recruitment and promotion for persons with benchmark disabilities, it shall make a reference to the State Commissioner (Disabilities), Department of Social Justice & Empowerment, Himachal Pradesh giving full justification for the proposal. Thereafter, any establishment, in consultation with the State Commissioner (Disabilities), may, having regard to the type of work carried out in any Government establishment, by notification and subject to such conditions, if any, as may be specified in such notifications exempt any Government establishment from providing reservation to persons with benchmark disabilities. While doing so, Notes 1 to 9 under the Notification No.38-16/2020-DD-III, dated the 4th January, 2021 issued and No.30-12/2020-DD-III, dated the 24th August, 2022 of the Government of India and adopted by the State Government vide letter dated 05.04.2023 may kindly be kept in view. The Department(s)/Establishment(s) shall not exclude any identified post(s)/Service(s) from the purview of reservation at its own discretion.
- 3.3 The Social Justice & Empowerment Department vide Notification No.SJE-B-A(4)-16/2018, dated 17.09.2018 has constituted an Expert Committee to guide the committees constituted by other Department(s) for Identification/Exemption of 4% posts for persons with benchmark disabilities in the State.



4. IDENTIFICATION OF JOBS/POSTS AND ANNUAL REPORT:-

- 4.1 In respect of identification of posts suitable for persons with disabilities in Groups-A,B,C&D/Class-I,II,III&IV, the State Government has adopted the list circulated by the Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan), Government of India vide their Notifications No.38-16/2020-DD-III, dated 04.01.2021 & No.30-12/2020-DD-III, dated 24.08.2022. The 'list' has been adopted by the Department of Social Justice & Empowerment, Himachal Pradesh vide their letter No.SJE-(B)-F(1)-2/2020-Vol-I, dated 05.04.2023 with prospective effect subject to the condition that in case the post(s)/service(s) notified by the Government of India is not identical with any of the post(s)/service(s) of the State of Himachal Pradesh, in that case the concerned department shall identify the posts/services through the Expert Committee.
- 4.2 Every appointing authority/establishment shall send an annual report regarding representation of Persons with Disabilities, showing position as on first of January every year to the Social Justice and Empowerment Department who will compile the data being the Nodal Department.
- 4.3 The structure of the Expert Committee for the identification of posts, which are to be reserved for persons with benchmark disabilities, has been notified by the Directorate of Empowerment of SCs, OBCs, Minorities and the Specially Abled, Himachal Pradesh vide letter No.4-1/2016-(43)-SOM-WEL-(Identification)-19895-20015, dated 31.10.2018.

4. It is requested that selection of Persons with Disabilities in the services of the State may be done on priority and strictly as per job requirement of the post. All the Departments/Public Sector Undertakings/Corporations/Boards/Universities etc. are requested to



bring the above instructions to the notice of all appointing authorities under their control.

Yours faithfully,



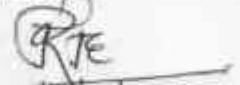
(Balbir Singh)

Deputy Secretary (Personnel) to the
Government of Himachal Pradesh.
Telephone No. 0177-2880851

Endst.No.PER(AP)-C-F(4)-1/2022 Dated: Shimla the 22nd June, 2023

Copy forwarded for information and necessary action to:-

1. The Secretary to the Governor, Himachal Pradesh, Shimla-2.
2. The Secretary, H.P. Vidhan Sabha, Shimla-171004.
3. The Registrar, H.P. High Court, Shimla-171001.
4. The Secretary, H.P. Public Service Commission, Shimla.
5. All the Section Officers in H.P. Secretariat, Shimla-171002.



Deputy Secretary (Personnel) to the
Government of Himachal Pradesh

No SJE-(B)-F-(1)-2/2020-Vol-I
Government of Himachal Pradesh,
Department of Social Justice & Empowerment.

From

Secretary (SJ&E) to the
Government of Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All Divisional Commissioners in Himachal Pradesh.
3. All Head of Departments in Himachal Pradesh.
4. All Deputy Commissioners in Himachal Pradesh.
5. All the Chairman/Managing Director/Secretaries & Registrars of all the Public Sector Undertakings/Corporations/Boards/Universities, etc. H.P.

Dated: Shimla-171002 the 05-04-2023

Subject:-

Regarding adoption of Govt. of India Notification dated 04-01-2021 and 24-08-2022 for providing of 4% posts for Persons with Benchmark Disabilities.

Sir/Madam,

I am directed to refer to the subject cited above and to say that Central Government has enacted the Rights of Persons with Disabilities Act, 2016, which came into effect from 19-04-2017. The Department of Social Justice and Empowerment, Government of Himachal Pradesh, in pursuance of the Sub Section (ii) of the Section 33 of 'The Rights of the Persons with Disabilities Act, 2016' (hereinafter called said Act) had circulated structure of the Expert Committee vide letter No. 4-1/2016-(43)-SOM-Wei (Identification)-19895-20015 dated 31st October, 2018 for the identification of the posts for persons with benchmark disabilities.

The Government of India, Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) has identified the services suitable to be offered to the persons with benchmark disabilities and the physical requirements for such services vide Notification No. 38-16/2020-DD-III dated 04-01-2021 and No. 30-12-2020-DD-III dated 24-08-2022. This list of identification of suitable posts for different types of disabilities can be accessed and downloaded by visiting official website of the Ministry at www.socialjustice.nic.in.

Contd.....

Now, the Government of Himachal Pradesh has henceforth decided to adopt the Notification No 38-16/2020-DD-III dated 04-01- 2021 and No. 30-12-/2020-DD-III dated 24-08-2022 of the Government of India, Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) with immediate effect in the State of Himachal Pradesh for the purpose of the post(s) identified to be reserved for the persons with benchmark disabilities subject to condition that in case the post(s)/ service(s) notified by the Government of India, Ministry of Social Justice & Empowerment is not identical with any of the post(s)/ service (s) of the State of Himachal Pradesh, in that case the concerned department shall identify the post(s)/ service(s) through the Expert Committee mentioned under 4.3 of the Department of Personnel, Government of Himachal Pradesh Notification No. Per (AP)-C-F(4)-1/2020 dated 22-06-2020. However, Department(s) /Establishment(s) shall not exclude any identified post(s)/ service(s) from the purview of reservation at its own discretion.

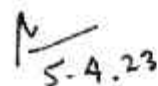
All the Departments/ Public Sector Undertakings/ Corporations/ Boards/Universities etc. are required to bring the above instructions to the notice of all appointing authorities working under their control.

Yours faithfully,

(M. Sudha Devi)
Secretary (SJ&E) to the
Government of Himachal Pradesh.

Encl. No. SJF-B-F-(1)-2/2020-Vol-I Dated: Shimla the 05-04-2023
Copy forwarded to the following for information:-

1. The Secretary, Ministry of Social Justice and Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan), Government of India, New Delhi.
2. The Principal Adviser to Chief Minister, Himachal Pradesh, Shimla-171002.
3. The Principal Adviser, (Trg & FA) to the Govt. of Himachal Pradesh, Shimla-171002.
4. The Principal Adviser, (RPG) to the Govt. of Himachal Pradesh, Shimla 171002.
5. The Secretary to the Governor, Himachal Pradesh, Shimla-171002.
6. The Secretary, HP Vidhan Sabha Shimla-171004.
7. The Secretary, H.P. Public Service Commission, Shimla-171002.
8. The Director, ESOMSA w.r.t. his letter No. 4-1/2018-(43)-SOM-WEL-(Identification)-1-681 dated 06-01-2023 for information and necessary action please.


5-4-23
Joint Secretary (SJ&E) to the
Government of Himachal Pradesh.