

PHARMACY COUNCIL OF INDIA

(Constituted under the Pharmacy Act, 1948)

TELEGRAM : 'FARMCOUNCIL'
TELEPHONE : 011-61299900, 61299901
: 011-61299902, 61299903,
E-MAIL : pci@ndb.vsnl.net.in
WEBSITE : www.pci.nic.in

NBCC Centre, 3rd Floor,
Plot No.2, Community Centre
Maa Anandamai Marg
Okhla Phase I
New Delhi - 110 020

Website +E.mail

Ref.No.14-347/2017-PCI | 19865-66

To,

22 FEB 2019

- i) All pharmacy institutions approved by PCI-
a) for conduct of pharmacy course(s).
b) under section 12 of the Pharmacy Act, 1948.

- ii) All examining authorities approved under section 12 of the Pharmacy Act, 1948.

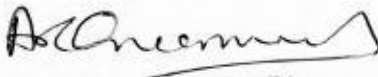
Sub: Compliance of order of Hon'ble High Court of Delhi in the matter of Sh. Aditya Narayan Tiwari & Anr V/s Union of India & Anr - regarding.

Sir/Madam,

A copy of O.M. No. C. 30016/01/17-SCT dt. 29.1.2019 along with its enclosures on the above subject are enclosed as herewith **Appendix-I** for information and necessary action at your end.

The Ministry's O.M. is self- explanatory.

Yours faithfully


(ARCHANA MUDGAL)
Registrar-cum-Secretary

MOST IMMEDIATE
No. C.30016/01/2017-SCT
Government of India
Ministry of Health & Family Welfare
W&PG Section

Nirman Bhawan, New Delhi

Dated 29th January, 2019**OFFICE MEMORANDUM**

Subject: Compliance of Order of Hon'ble High Court of Delhi in the matter of Shri Aditya Narayan Tiwari & Anr. Vs Union of India & Anr - regarding.

The undersigned is directed to enclose herewith a copy of OM No. 34-02/2015-DD-III(Pt) dated 01.01.2019 from Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) alongwith its enclosures, on the subject cited above. It is stated that vide this Ministry's OM of even number dated 20.09.2018 "**Guidelines for conducting written examination for Persons with Benchmark Disabilities**" were circulated for strict compliance (copy enclosed for ready reference).

2. Recently, Hon'ble High Court of Delhi in the matter of Shri Aditya Narayan Tiwari & Anr Vs Union of India & Anr vide order dated 15.11.2018 has held that no examination of any of the Departments shall be conducted without complying obligations under above said clause v of the guidelines dated 29.08.2018. The Hon'ble High Court has further clarified in the matter as under vide order dated 04.12.2018 (copy enclosed):

"Till the panel of scribes is formed, if any examination is conducted by any of the Department wherein the petitioners and similarly situated persons appear in the exam, the guidelines dated 29.08.2018 shall not be applicable, however, the candidate shall appear in terms of guidelines dated 26.02.2013 (copy enclosed)....."

3. The MoSJE vide its OM dated 01.01.2019 have now requested that all the examining bodies under the control of this Ministry be advised to make a panel of Scribe/Reader/ Lab Assistant at the District/Divisional/State level in terms of Clause V of the guidelines dated 29.08.2018 that is reproduced as below:

"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."

Anr
31.1.2019

US (N)
US (AMS)

31/1/19

so (AMS)
31/1/19
Dr Yalinder

4. The MoSJE, in view of Delhi High Court Order dated 04.12.2018, has further advised that, 'Till the panel of scribes is not formed, any of the Department who are conducting the exam shall not conduct the exam in terms of Guidelines dated 29.08.2018.' It is, therefore, requested that the copy of the above referred MoSJE OM dated 01.01.2019 may please be circulated to all the Subordinate Offices/ Attached Offices/ Autonomous Bodies/ PSUs under administrative control of MoHFW for information & strict compliance of the above Order of Hon'ble High Court of Delhi.

Signature valid

Digitally signed by SOMA
SANYAL
Date: 2019.01.01 10:25:06 IST
Reason: Approved

Encl . As above.

(Soma Sanyal)

Under Secretary to the Govt. of India

To

All JSs/ EAs/ CD(Stats)/ CCA/ Dir(CGHS)/ JS(DGHS)

Copy to:

All Directors/ Deputy Secretaries/ Dir(DGHS)

Copy for information to:

Ministry of Social Justice & Empowerment
Department of Empowerment of Persons with Disabilities
(Sh. D. K. Panda, Under Secretary)
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, New Delhi-110003

F.No.34-02/2015-DD-III(Pt)

Government of India

Ministry of Social Justice & Empowerment

Ministry of Social Justice & Empowerment
Department of Empowerment of Persons with Disabilities (Divyangjan)

Pt. Antyodaya Bhawan, 5th Floor,
CGO Complex, Lodhi Road, New Delhi

Dated 1st January, 2019

OFFICE MEMORANDUM

Sub:- Compliance of order of Hon'ble High Court of Delhi in the matter of Shri Aditya Narayan Tiwari & Anr. Vs Union of India & Anr reg.

In continuation of this Department's O.M. of even number dated 28/11/2018 (copy-enclosed), the undersigned is directed to say that Hon'ble High Court of Delhi has further clarified in the matter as under vide order dated 04/12/2018 (copy enclosed):

"Till the panel of scribes is formed, if any examination is conducted by any of the Department wherein the petitioners and similarly situated persons appear in the exam, the guidelines dated 29.8.2018 shall not be applicable, however, the candidate shall appear in terms of guidelines dated 26.02.2013....."

2. All the Ministries/Departments are requested to issue appropriate advisory to all examining bodies under their administrative control to make a panel of scribe/reader/lab assistant at the District/Divisional/State Level in terms of clause V of the guidelines dated 29/08/2018. **Till the panel of scribes is not formed, any of the Department who are conducting the exam, shall not conduct the exam in terms of guidelines dated 29/08/2018.**

Encl: As above

Under Secretary to the Govt. of India & CPIO
Tel. 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. Shri Vijoy Kumar Singh, Joint Secretary (A), Department of Personnel & Training Ministry of Personnel, Public Grievances and Pensions, North Block, New Delhi - 110001.

Cont...

1182117/2019/O/O SECY

7. 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, N.D.

Copy to: 1. Shri S.K. Rungta, General Secretary, National Federation of the Blind, Plot No. 21, Sector - VI, M.B. Road, Pushp Vihar, New Delhi-110017.

2. Director, IBPS, for similar necessary action.

117/2019/O/O SECY

F.No.34-02/2015-DD-III(Pt)

Government of India

Ministry of Social Justice & Empowerment

Department of Empowerment of Persons with Disabilities (Divyangjan)

Pt. Antyodaya Bhawan, 5th Floor,
CGO Complex, Lodhi Road, New Delhi
Dated 27 November, 2018

OFFICE MEMORANDUM

Subject: Compliance of order of Hon'ble High Court of Delhi in the matter of Shri Aditya Narayan Tiwari & Anr. Vs Union of India & Anr reg.

The undersigned is directed to say that this Department had issued revised guidelines for conducting written examination for persons with benchmark disabilities on 29.08.2018. Clause V of the guidelines inter alia states that the examining body may identify the scribe/reader/lab assistant to make panels at the District/Divisional/State Level as per the requirement of the examination. And in such instances the candidates should be allowed to meet the scribe two days before the examination.

2. Recently, Hon'ble High Court of Delhi in the matter of Shri Aditya Narayan Tiwari & Anr. Vs Union of India & Anr. vide order dated 15/11/2018 has held that no examination of any of the Departments shall be conducted without complying obligations under above said clause V of the guidelines dated 29/08/2018 (copy enclosed).

3. It is requested that all the Ministries/Departments may issue appropriate advisory to all examining bodies under their administrative control to make a panel of scribe/reader/lab assistant at the District/Divisional/State Level in terms of clause V of the guidelines dated 29/08/2018 and in compliance of the Hon'ble High Court of Delhi. Action taken in the matter may be intimated to this Department so that Hon'ble High Court be apprised accordingly in the next hearing to be held on 09/01/2019.

Encl: As above

(D.K. Panda)
(D.K. Panda)

Under Secretary to the Govt. of India & CPIO
Tel. 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. Shri Vijoy Kumar Singh, Joint Secretary (A), Department of Personnel & Training Ministry of Personnel, Public Grievances and Pensions, North Block, New Delhi - 110001.
7. 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.

Copy to: Shri S.K. Rungta, General Secretary, National Federation of the Blind.

1182117/2019/O/O SECY

S-33

• IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 12222/2018 and CM APPL. 47370-47371/2018

ADITYA NARAYAN TIWARI & ANR Petitioners

Through Mr. S.K.Rungta, Sr. Adv. for
petitioner no.2 with Mr. Shivanker
Shukla, Adv. and petitioner no.2 in
person

versus

UNION OF INDIA & ANR Respondents

Through Mr. Vivek Goyal, CGSC with Mr.
Pawan Pathak, Adv. for R-1
Mr. Jagat Arora and Mr. Rajat Arora,
Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

% 15.11.2018

Pursuant to order dated 14.11.2018, counsel for the respondent no.2 has made appearance and submits that the representation has been considered by the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment and accordingly the Department has clarified to IBPS, Respondent no.2 herein, that the guidelines dated 29.08.2018 are applicable for all the examinations for recruitment for which advertisement is notified on or after 29.08.2018. The guidelines dated 26.02.2013 are applicable for the examinations for which action has been initiated prior to

True copy
Nandan
15/11/2018
Court
Delhi High Court
New Delhi

1182117/2019/O/O SECY

29.08.2018. In the present case, the advertisement was issued prior to 29.08.2018.

Since the respondent no.2 has taken the decision that they shall not implement the guidelines dated 29.08.2018 in the examination of Probationary Officers and Management Training to be conducted on 18.11.2018, the prayer for the said purpose is satisfied, at this stage.

Consequently, the necessary changes shall be carried out on the portal of respondent no.2 for the examination which is to be held on 18.11.2018.

For the remaining issues raised in this case, counsel for the respondent no.1 seeks time to file counter affidavit.

Let the needful be done within four weeks from today. Rejoinder thereto, if any, to be filed within two weeks thereafter.

I hereby made clear that no examination of any of the Department shall be conducted without complying obligations under Clause V of guidelines dated 29.08.2018 issued by respondent no.1. Respondent no.1 shall communicate this order to all the concerned Departments for compliance.

Renotify on 09.01.2019.

Order *dasti* under signatures of Court Master.

-sd-
SURESH KUMAR KAIT, J

NOVEMBER 15, 2018
gb

True Copy
Handson
15/11/2018
Court Master
Delhi High Court
New Delhi

S-38

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 12222/2018

ADITYA NARAYAN TIWARI & ANR

..... Petitioners

Through Mr. S.K. Rungta, Senior Adv. with
Mr. Shivankar Shukla, Mr. Prashant
Singh and Mr. Siddhart Jain, Advs.

versus

UNION OF INDIA & ANR

..... Respondents

Through Mr. Vivek Goyal, CGSC with Mr.
Pawan Pathak, Adv: for UOI/R-1
Mr. Jagat Arora, Mr. Rajat Arora and
Mr. Murad Khan, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

%

04.12.2018

CM APPL Nos. 50801/2018 and 50752/2018

By the application No. 50801/2018, applicant / respondent no.2 seek direction thereby to follow the new guidelines dated 29.08.2018 without fulfilling the part of Clause-V which speaks about 'creating Panel of Scribes.

The petitioners have filed CM APPL No. 50752/2018 whereby seek direction directing the respondent no.2 to conduct the examinations for clerical posts scheduled for 9.12.2018 on the basis of the guidelines for use of scribe issued by respondent no. 1 vide file No. 16-110/2003/DD-III dated 26.2.2013 instead of guidelines of 29.08.2018, which is sought to be enforced and further directing

Handwritten signature
4/12/18
Court Master
High Court of Delhi
New Delhi

respondent no.1 to issue clear instructions to all concerned that till such time they are able to put in place of panel of scribes at different levels in terms of requirements of examination in discharge of their obligations under Clause-V of guidelines of 2018, the examinations being conducted by them shall be conducted on the basis of guide lines issued by respondent no.1 on 26.02.2013 till disposal of the present petition.

On 15.11.2018 during the course of hearing, the counsel for respondent no.2 stated that the representation has been considered by the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice & Empowerment and accordingly the Department has clarified to respondent no.2 ie. IBPS that the guide lines dated 29.08.2018 are applicable for all examinations for the recruitment for which advertisement is notified on or after 29.08.2018. The guidelines dated 26.02.2013 are applicable for the examination for which action has been initiated prior to 29.08.2018.

Accordingly, this Court observed in order dated 15.11.2018 that since the respondent no.2 has taken the decision that they shall not implement the guidelines dated 29.08.2018 in the examination of the Probationary Officers and Management Training to be conducted on 18.11.2018, the prayer for the said purpose was satisfied, at that stage.

Consequently, this Court directed that necessary changes shall be carried out on the portal of respondent no.2 for the examination which is to be held on 18.11.2018. It was made clear that no examination of any of the Department shall be conducted without

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4/12/18
Court Master
High Court of Delhi
New Delhi

complying obligations under Clause-V of guidelines dated 29.08.2018 issued by the respondent no.1. It is further directed that respondent no.1 shall communicate this order to all the concerned Departments for compliance.

It is not in dispute that the respondent no. 1 has conveyed the directions dated 15.11.2018 passed by this Court.

In the present application No. 50801/2018, the applicant / respondent no.2 has shown its inability to prepare the panel of scribes and therefore, seeks direction to allow the applicant / respondent no.2 to follow the new guidelines dated 29.08.2018.

Learned counsel appearing in CM APPL No. 50752/2018 submits that if the respondent no.2 or any other Department is not able to prepare panel of scribes, then the petitioners and similarly situated persons should be allowed to participate in any of the examination, in terms of guidelines dated 26.02.2013.

Counsel for the respondent no.2 has no objection if such direction is issued till the panel of scribes is formed.

Accordingly, I hereby modify the order dated 15.11.2018 and direct the respondent no.2 to allow the petitioners and other similarly situated persons to have scribes of their choice as per guidelines dated 26.02.2013.

I hereby made it clear that till the panel of scribes is formed, if any examination is conducted by any of the Department wherein the petitioners and similarly situated persons appear in the exam, the guidelines dated 29.08.2018 shall not be applicable, however, the candidate shall appear in terms of guidelines dated 26.02.2013.

Court Master
High Court of Delhi
New Delhi

Accordingly, the respondent no. 1 is directed to issue corrigendum to their letter dated 28.11.2018.

In the corrigendum it would be specifically stated that, till the panel of scribes is not formed, any of the Department who are conducting the exam, shall not conduct the exam in terms of guidelines dated 29.08.2018.

Consequently, the necessary changes shall be carried out on the portal of respondent no.2 for the examination to be held on 09.12.2018 and 30.12.2018.

In view of the above directions, both the applications are disposed of accordingly.

Order *dasti* under signatures of Court Master.

DECEMBER 04, 2018
gb

SURESH KUMAR KAIT, J

H/K/N
Court Master
High Court of Delhi
New Delhi

No. C.30016/01/2017-SCT
Government of India
Ministry of Health & Family Welfare
W&PG Section

Nirman Bhawan, New Delhi
Dated the 20 September, 2018

OFFICE MEMORANDUM

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

The undersigned is directed to enclose herewith a copy of OM No. 34-02/2015-DD-III dated 29.08.2018 from Ministry of Social Justice & Empowerment, Department of Empowerment of Persons with Disabilities (Divyangjan) forwarding therewith 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.

It is requested that a copy of the enclosed OM may be circulated to all the Institutes/ Subordinate offices/ Attached offices/ Autonomous bodies/ PSUs under the administrative control of different divisions, with the advice to ensure compliance of implementing these guidelines while conducting examination for persons with benchmark disabilities.

Encl . As above.

Signature valid

Digitally signed by SOMA SANYAL
Date: 2018.09.20 10:32:56 IST
Reason: Approved

(Soma Sanyal)

Under Secretary to the Govt. of India
Tel: 011-23061203

To:

All JSs/ EAs/Chief Director(Stats)/CCA/ Dir(CGHS)/ JS(DGHS)
All Dirs/DSs

Copy for information to:

Ministry of Social Justice & Empowerment
Department of Empowerment of Persons with Disabilities
(Sh. D. K. Pannda, Under Secretary)
Pt. Deendayal Antyodaya Bhawan,
CGO Complex, New Delhi-110003.

F. No. 34-02/2015-DD-III

Government of India

Ministry of Social Justice & Empowerment

Department of Empowerment of Persons with Disabilities (Divyangjan)

Pt. Deendayal Antyodaya Bhawan,
C.G.O. Complex, New Delhi - 110003Dated: 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.

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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

can easily 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.

- IX. 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.
- X. 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.
- XI. The disability certificate issued by the competent medical authority at any place should be accepted across the country.
- XII. 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 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.
- XIII. 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.
- XIV. 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.
- XV. 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.

APPENDIX- II

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. 16-110/2003-DD.III
Government of India
Ministry of Social Justice & Empowerment
Department of Disability Affairs

Shastri Bhawan, New Delhi
Dated: 26th February, 2013

Office Memorandum

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

The undersigned is directed to say that Chief Commissioner of Persons with Disabilities (CCPD) in its order dated 23.11.2012 in case No. 3929/2007 (in the matter of Shri Gopal Sisodia, Indian Association of the Blind Vs. State Bank of India & Others) and in case No.65/1041/12-13 (in the matter of Score Foundation Vs. Department of Disability Affairs) had directed this Ministry to circulate guidelines for the purpose of conducting written examination for persons with disabilities for compliance by all concerned. In compliance of the above order, this Ministry hereby lays down the following uniform and comprehensive guidelines for conducting examination for the persons with disabilities as recommended by CCPD:-

- I. There should be a uniform and comprehensive policy across the country for persons with disabilities for written examination taking into account improvement in technology and new avenues opened to the persons with disabilities providing a level playing field. Policy should also have flexibility to accommodate the specific needs on case-to-case basis.
- II. There is no need for fixing separate criteria for regular and competitive examinations.
- III. The facility of Scribe/Reader/Lab Assistant should be allowed to any person who has disability of 40% or more if so desired by the person.
- IV. 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 a day before the examination so that the candidates get a chance to check and verify whether the scribe is suitable or not.

- V. Criteria like educational qualification, marks scored, age or other such restrictions for the scribe/reader/lab assistant should not be fixed. Instead, the invigilation system should be strengthened, so that the candidates using scribe/reader/lab assistant do not indulge in mal-practices like copying and cheating during the examination.
- VI. 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.
- VII. Persons with disabilities should be given 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 can easily 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.
- VIII. The candidates 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.
- IX. 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.
- X. The disability certificate issued by the competent medical authority at any place should be accepted across the country.
- XI. 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 making use of scribe/reader/lab assistant. All the candidates with disability not availing the facility of scribe may be allowed additional time of minimum of one hour for examination of 3 hours duration which could further be increased on case to case basis.
- XII. 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.
- XIII. 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.

XIV. The examining body should also provide reading material in Braille or E-Text or on computers having suitable screen reading softwares 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.

XV. 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.

2. It is requested to ensure that the above guidelines are scrupulously followed while conducting examination for persons with disabilities. All the recruitment agencies, Academics/Examination Bodies etc. under your administrative control 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,

Sd/-

(Jagdish Kumar)

Deputy Secretary to the Govt. of India

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. All National Institutes and RCI under administrative control of Department of Disability Affairs, Ministry of SJ&E, New Delhi

Copy to : CCPD, Sarojini Bhawan, Bhagwan Dass Road, New Delhi with reference to order dated 23.11.2012 in case No. 3929/2007 and in case No.65/1041/12-13.

104F/62/2018/CRU 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/Deapartment 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

APPENDIX- I

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).