

No.36035/2/2017-Estt.(Res)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi
Dated: August 23, 2019

OFFICE MEMORANDUM

Subject: Exemption from payment of examination fee and application fee in respect of Persons with Benchmark Disabilities. -reg.

The undersigned is directed to say that in a W.P. (Civil) No. 521/2008 with Civil Appeal No. 5389/2016, the Hon'ble Supreme Court, vide Judgment, dated 30.06.2016, inter alia, declared the Office Memorandum No. 36035/3/2004-Estt.(Res) dated 29.12.2005, as illegal and inconsistency with the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. This OM, among other, contained a provision for exemption from payment of application fee and examination fee in respect of Persons with Disabilities.

2. Thereafter, with the enactment of 'THE RIGHTS OF PERSONS WITH DISABILITIES ACT, 2016' and issue of notification titled 'THE RIGHTS OF PERSONS WITH DISABILITIES RULES, 2017', this Department has issued an Office Memorandum No. 36035/2/2017-Estt.(Res), dated 15.01.2018, regarding reservation for Persons with Benchmark Disabilities, in the posts and services of the Central Government. The said Office Memorandum dated 15.01.2018, however, does not contain any provision for exemption from payment of examination and application fee in respect of Persons with Benchmark Disabilities.

3. The issue has been deliberated upon at length in the Department and it has, now, been decided that the Persons with Benchmark Disabilities shall continue to be exempted from payment of application fee and examination fee, prescribed in respect of competitive examinations held by the Staff Selection Commission, the Union Public Service Commission, etc. for recruitment to various posts. This exemption shall be available only to such persons who would otherwise be eligible for appointment to the post on the basis of standards of medical fitness prescribed for that post (including any concession specifically extended to the Persons with Benchmark Disabilities) and who enclose with the application form, necessary certificate from a competent authority in support of their claim of disability.



(Debabrata Das)

Under Secretary to the Government of India
Ph. 23093307

To,

- (i) All Ministries/Departments of the Govt. of India.
- (ii) Department of Financial Services, Ministry of Finance, Jeevan Deep Building, Parliament Street, New Delhi.
- (iii) Department of Public Enterprises, CGO Complex, Lodhi Road, New Delhi.

- (iv) Railway Board, Rail Bhavan, Delhi.
- (v) Union Public Service Commission/Supreme Court of India/ Election Commission of India/ Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Prime Minister's Office/ Planning Commission.
- (vi) Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
- (vii) Office of the Chief Commissioner for Disabilities, Sarojini House, 6, Bhagwan Das Road, New Delhi — 110001.
- (viii) Office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi.
- (ix) All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
- (x) Hindi Section for providing a Hindi translation.

Copy to: Director, NIC, DOPT — with the request to immediately place this OM on the website of this Department ("what's new" tab) for information of all concerned.