

RTI REQUEST DETAILS

Registration No. :	PGCIL/R/T/21/00093	Date of Receipt :	21/09/2021
Transferred From : Ministry of Power on 21/09/2021 With Reference Number : POWER/R/T/21/00177			
Remarks : The application is transferred under Section 6(3) of the RTI Act, 2005.			
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	Gaurav Pandey	Gender :	Male
Address :	E-19/14, Swami Shardhanand Park, Bhalswa Dairy, Pin:110042		
State :	Details not provided	Country :	Details not provided
Phone No. :	Details not provided	Mobile No. :	+91-8700266720
Email :	guru26288gaurav@gmail.com		
Status(Rural/Urban) :	Details not provided	Education Status :	Details not provided
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status	Indian
Amount Paid :	0 (RTI fee is received by Department of Personnel & Training (original recipient))	Mode of Payment	Payment Gateway
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	
Information Sought :	U/s 6(3) of the RTI Act		
Original RTI Text :	<p>Reference to enclosed circular dated 8.10.2018, please provide the following point wise information as under:</p> <ol style="list-style-type: none"> 1. What is the scope of administrative constraints? 2. What is the remedy for PwD employee if his organisation rotates or transfers him on the false pretext of administrative constraints? 3. How such remedy if it upsets the management will safeguard the long term interest of PwD in the organisation? 4. What are the steps taken by DoPT to ensure effectiveness of this order? 5. Does DoPT has taken any status from ministry or department to find out the change of trend of rotation or transfer with roll out of this order? 6. Please provide the background in terms of paper, noting etc. for choosing subject to administrative constraints in this order? 7. Is scope of administrative constraints is different in small organisation such as PFC and large organisation such as Coal India etc. ? 		
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>			

F. No. 42011/3/2014-Estt.(Res)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training

North Block, New Delhi
dated the 08th October, 2018

OFFICE MEMORANDUM

Subject: Exemption from the routine exercise of transfer/ rotational transfer.

Considering that transfer of a Government employee who serves as the main care giver of persons with disability would have a bearing on the systematic rehabilitation of persons with disabilities, the Government issued OM of even number dated June 6, 2014 to exempt such employee from routine exercise of transfer/rotational transfer, subject to administrative constraints.

2. The scope of disability initially had covered (i) blindness or low vision (ii) hearing impairment (iii) locomotor disability or cerebral Palsy (iv) leprosy cured (v) mental retardation (vi) mental illness and (vii) multiple disabilities, which subsequently, vide OMs of even number dated November 17, 2014 and January 5, 2016, was further extended to include 'Autism', 'Thalassemia' and 'Haemophilia'.

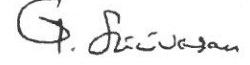
3. With the enactment of the Rights of Persons with Disabilities Act, 2016 on April 17, 2017, the following instructions are issued in supersession of the above-mentioned OMs of even number dated June 6, 2014, November 17, 2014 and January 5, 2016 with regard to the eligibility for seeking exemption from routine exercise of transfer/rotational transfer:

- (i) A Government employee who is a care-giver of dependent daughter/son/parents/spouse/brother/sister with Specified Disability, as certified by the certifying authority as a Person with Benchmark Disability as defined under Section 2(r) of the Rights of Persons with Disabilities Act, 2016 may be exempted from the routine exercise of transfer/rotational transfer subject to the administrative constraints.
- (ii) The term "Specified Disability" as defined in the Schedule to the Rights of Persons with Disabilities Act, 2016, covers (i) Locomotor disability including leprosy cured person, cerebral palsy, dwarfism, muscular dystrophy and Acid attack victims (ii) Blindness (iii) Low-vision (iv) Deaf (v) Hard of hearing (vi) Speech and language disabilities (vii) Intellectual disability including specific learning disabilities and autism spectrum disorder (viii) Mental illness (ix) Disability caused due to: (a) Neurological conditions such as Multiple sclerosis and Parkinson's disease (b) Blood disorder- Haemophilia, Thalassemia and Sickle cell-disease and (x) Multiple disabilities (more than one of the above specified disabilities) including deaf blindness and any other category of disabilities as may be notified by the Central Government.

Contd.... 2/-

- (iii) The term 'Specified Disability' as defined herein is applicable as grounds only for the purpose of seeking exemption from routine transfer/rotational transfer by a Government employee, who is a care-giver of dependent daughter/son/parents/spouse/brother/sister as stated in Para 3(i) above.

4. All the Ministries/Departments are requested to bring these instructions to the notice of all concerned under their control.



(G. Srinivasan)
Director (Res)

Tel.: 2309 3074

To

- (i) All Ministries/Departments of the Government of India
- (ii) Department of Fiancial Services, Ministry of Finance, New Delhi in respect of Public Sector Banks/Public Sector Insurance Companies
- (iii) Department of Public Enterprises, CGO Complex, New Delhi in respect of Central Public Sector Enterprises
- (iv) Railway Board/Union Public Service Commission/Supreme Court of India/Election Commision/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/NITI Aayog/Comptroller & Auditor General of India
- (v) Staff Selection Commission, CGO Complex, Lodhi Road, New Delhi
- (vi) Office of the Chief Commissioner for Persons with Disabilities, Sarojini House, New Delhi

Copy to:

The Director, NIC, DOPT, with a request to upload on the website of this Department