



The Uttarakhand {Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Ex-Servicemen) Act, 1993} (Amendment) Act, 2025

Act No. 9 of 2025

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

No. 160/XXXVI(3)/2025/12(01)/2025

Dated Dehradun, April 22, 2025

NOTIFICATION**Miscellaneous**

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand [Uttar Pradesh Public Service (Reservation For Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993 (Amendment) Act, 2025' (Act No. 09 of 2025).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 17th April, 2025.

The Uttarakhand (Uttar Pradesh Public Service (Reservation For Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993) (Amendment) Act 2025

(Act No. 09 of, 2025)

An

Act

further to amend the Uttar Pradesh Public Service (Reservation For Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993 (Adaptation and Modification Order, 2002) in the context of State of Uttarakhand,

Be it enacted by Uttarakhand legislature in the Seventy Sixth year of Republic of India as follows:-

- | | | |
|-------------------------------------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Short title and Commencement | 1. | (1) This Act may be called the Uttarakhand (Uttar Pradesh Public Service (Reservation For Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993) (Amendment) Act, 2025.
(2) It shall come into force at once. |
| Amendment in Act | 2. | In the Uttar Pradesh Public Service (Reservation For Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993 (Adaptation and Modification Order, 2002) (hereinafter referred to as the principal Act), for the words "Physically Handicapped" word, where ever they occur "Persons with Disability" shall be substituted. |

Amendment of section 2 3.

In principal Act clause (e) of section 2, shall be substituted as follows, namely:-

“(e) Physical Disability means the disabilities as specified in the Schedule appended to this Act.”

Amendment of section 3 4.

In principal Act in section 3,-

(i) sub-section (1) shall be substituted as follows, namely:-

“(1) in the procedure for direct recruitment the permissible reservation shall be as follows:-

(i) In public services posts 2% of the vacancies for dependents of freedom fighters and 5% of the vacancies for Purva Sainiks;

(ii) In such public services and posts as the State Government may, by notification, identify 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.”

(ii) sub-section (3) shall be substituted as follows, namely:-

“(3) Persons selected against vacancies reserved under sub-section (1)(i) and (1)(ii) shall be placed in the categories to which they belong. For example, if a person selected belongs to the Scheduled Caste category, he shall be placed in the respective quota after making necessary adjustments, if a person selected belongs to the Scheduled Tribe category, he shall be placed in the respective quota after making necessary adjustments, if a person selected belongs to the Other Backward Class category, he shall be placed in the respective quota after making necessary adjustments, if a person selected belongs to the Economically Weaker Section category, he shall be placed in the respective quota after making necessary adjustments. In same way if a person selected belongs to the General category, he shall be placed in the respective category after making necessary adjustments:

Provided that the vacancies reserved for sub-section (1)(i) may be classified category-wise; namely, the horizontal reservation permissible for dependents of freedom fighters and Purva Sainik may be calculated separately for each category."

(iii) sub-section (5) shall be substituted as follows, namely:—

"(5) Where any of the vacancies reserved under sub-section (1)(ii) remains unfilled due to non-availability of suitable candidates, the same shall be carried forward for next recruitment:

Provided that in case of non-availability of suitable candidates for the vacancies reserved under sub-section (1)(i) such posts shall not be carried forward but may be filled up by suitable candidates belonging to the same category comes in order of merit."

In the principal Act, the following schedule shall be inserted at the end.

SCHEDULE

(See clause (e) of section 2)

Specified Physical Disability

1- Physical disability—

A. Locomotor disability (a person's inability to execute distinctive activities associated with movement of self and objects resulting from affliction of musculoskeletal or nervous system or both), including—

(a) "leprosy cured person" means a person who has been cured of leprosy but is suffering from—

(i) loss of sensation in hands or feet as well as loss of sensation and paresis in the eye and eyelid but with no manifest deformity;

(ii) manifest deformity and paresis but having sufficient mobility in their hands and feet to enable them to engage in normal economic activity;

(iii) extreme physical deformity as well as advanced age which prevents him/her from undertaking any gainful occupation, and the expression "leprosy cured" shall construed accordingly;

(b) "cerebral palsy" means a group of non-progressive neurological condition affecting body movements and muscle coordination, caused by damage to one or more specific areas of the brain, usually occurring before, during or shortly after birth;

(c) "dwarfism" means a medical or genetic condition resulting in an adult height of 4 feet 10 inches (147 centimeters) or less;

(d) "muscular dystrophy" means a group of hereditary genetic muscle disease that weakens the muscles that move the human body and persons with multiple dystrophy have incorrect and missing information in their genes, which prevents them from making the proteins they need for healthy muscles. It is characterised by

Insertion of Schedule

5.

progressive skeletal muscle weakness, defects in muscle proteins, and the death of muscle cells and tissues;

(e) "acid attack victims" means a person disfigured due to violent assaults by throwing of acid or similar corrosive substance.

B. Visual impairment—

(a) "blindness" means a condition where a person has any of the following conditions, after best correction—

(i) total absence of sight; or

(ii) visual acuity less than 3/60 or less than 10/200 (Snellen) in the better eye with best possible correction; or

(iii) limitation of the field of vision subtending an angle of less than 10 degree.

(b) "low-vision" means a condition where a person has any of the following conditions, namely:—

(i) visual acuity not exceeding 6/18 or less than 20/60 upto 3/60 or upto 10/200 (Snellen) in the better eye with best possible corrections; or

(ii) limitation of the field of vision subtending an angle of less than 40 degree up to 10 degree.

C. Hearing impairment—

(a) "deaf" means persons having 70 DB hearing loss in speech frequencies in both ears;

(b) "hard of hearing" means person having 60 DB to 70 DB hearing loss in speech frequencies in both ears.

D. "speech and language disability" means a permanent disability arising out of conditions such as laryngectomy or aphasia affecting one or more components of speech and language due to organic or neurological causes.

2. Intellectual disability, a condition characterised by significant limitation both in intellectual functioning (reasoning, learning, problem solving) and in adaptive behaviour which covers a range of every day, social and practical skills, including—

(a) "Specific learning disabilities" means a heterogeneous group of conditions wherein there is a deficit in processing language, spoken or written, that may manifest itself as a difficulty to comprehend, speak, read, write, spell, or to do mathematical calculations and includes such conditions as perceptual disabilities, dyslexia, dysgraphia, dyscalculia, dyspraxia and developmental aphasia;

(b) "autism spectrum disorder" means a neuro-developmental condition typically appearing in the first three years of life that significantly affects a person's ability to communicate, understand relationships and relate to others, and is frequently associated with unusual or stereotypical rituals or behaviours.

3. Mental behaviour,—

"mental illness" means a substantial disorder of thinking, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognise reality or ability to meet the ordinary demands of life, but does not include retardation which is a condition of arrested or incomplete development of mind of a person, specially characterised by subnormality of intelligence.

4. Disability caused due to,—

(a) chronic neurological conditions, such as—

(i) "multiple sclerosis" means an inflammatory, nervous system disease in which the myelin sheaths around the axons of nerve cells of the brain and spinal cord are damaged, leading to demyelination and affecting the ability of nerve cells in the brain and spinal cord to communicate with each other;

(ii) "parkinson's disease" means a progressive disease of the nervous system marked "by tremor, muscular rigidity, and slow, imprecise movement, chiefly affecting middle-aged and elderly people associated with degeneration of the basal ganglia of the brain and a deficiency of the neurotransmitter dopamine.

(b) Blood disorder,—

(i) "haemophilia" means an inheritable disease, usually affecting only male but transmitted by women to their male children, characterised by loss or impairment of the normal clotting ability of blood so that a minor wound may result in fatal bleeding;

(ii) "thalassemia" means a group of inherited disorders characterized by reduced or absent amounts of haemoglobin.

(iii) "sickle cell disease" means a hemolytic disorder characterized by chronic anemia, painful events, and various complications due to associated tissue and organ damage;

Explanation:- "hemolytic" refers to the destruction of the cell membrane of red blood cells resulting in the release of haemoglobin.

5. Multiple Disabilities (more than one of the 'above specified disabilities) including deaf blindness which means a condition in which a person may have combination of hearing and visual impairments causing severe communication, developmental, and educational problems.

6. Any other category as may be notified by the State Government."

By Order,

DHANANJAY CHATURVEDI,
Principal Secretary.

Statement of Objects and Reasons

According to the provision of the Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993 (Adaptation and Modification Order, 2002) the horizontal reservation is calculated in an integrated manner on the basis of vacancies in the process of direct recruitment for dependents of freedom fighters and purva sainiks and there is a provision for carrying forward these two horizontal reservations, due to which Uttarakhand Public Service Commission and Uttarakhand Subordinate Service Selection Commission are facing difficulty in preparing the examination result and merit list. It is necessary to resolve the said difficulty.

2. Therefore, in view of the above, amendment in certain sections of Uttar Pradesh Public Service (Reservation for Physically Handicapped, Dependents of Freedom Fighters and Purva Sainiks) Act, 1993 is required.
3. The proposed Bill fulfills above objective.

Pushkar Singh Dhama
Chief Minister.