

**No. 14/16/2023-Welfare**  
Government of India  
Ministry of Finance  
Department of Financial Services

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2<sup>nd</sup> Floor, Jeevan Deep Building, Sansad Marg,  
New Delhi, the 29<sup>th</sup> March, 2023

To

1. The Chairman, State Bank of India, H.O. Mumbai.
2. The Chairman, LIC of India, Mumbai.
3. The MD & CEOs of all Public Sector Banks.
4. The MD, Public Financial Institutions/Public Sector Insurance Companies.
5. The Chairman, Pension Fund Regulatory and Development Authority (PFRDA), H.O. New Delhi.
6. The Chairman, Insurance Regulatory Development Authority (IRDA), H.O. Hyderabad.
7. The Chairman, IBA, Mumbai.
8. The Chief General Manager (HRDD), Reserve Bank of India (RBI), Mumbai.

**Subject: Exemption from routine/rotational transfer to the Government employees who are care-giver of Person with Benchmark Disabilities**

Madam/Sir,

I am directed to refer to this Department's letter No.3/4/2017-Welfare dated 31.01.2019, forwarding therewith DoP&T's guidelines issued vide their O.M. No.42011/3/2014-Estt. (Res) dated 08.10.2018, on the above mentioned subject.

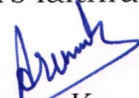
2. In these guidelines, it has been instructed that the Government employee who is a caregiver of dependent daughter/son/parents/spouse/brother/sister with specified disability, as certified by the certifying authority as a Person with Benchmark Disability, as defined in Section 2(R) of the RPwD Act, 2016 may be exempted from routine exercise of transfer/rotational transfer subject to the administrative constraints. These guidelines also contain the 'Specified Disabilities as defined the in Schedule to the RPwD Act, 2016, and these include intellectual disability including specific learning disabilities and autism spectrum disorder etc.

3. However, it has been brought to notice that despite these guidelines and various orders passed by Court of Chief Commissioner for Persons with Disabilities (Divyangjan) [CCPD], many Public Sector Banks (PSBs) are not complying the aforementioned guidelines issued by DoP&T's in their

respective organization which is causing hardship to the working parents as well as their dependents.

4. In this connection, it is highlighted that as per statutory provisions, the general superintendence, direction and management of PSBs/ PSICs/ PFIs etc. vests with the Board of Directors. These organisations function as autonomous entities within the broad framework of guidelines issued by the Government from time to time. Accordingly, it is once again requested that the guidelines issued by DoP&T vide O.M. No.42011/3/2014-Estt. (Res) dated 08.10.2018, and circulated to all the PSBs/PSICs/PFIs vide this Department's letter of even number dated 31.01.2019 may please be implemented scrupulously to avoid any hardship to such category of employees and to avoid further litigation in the matter. A copy of DoP&T guidelines dated 08.10.2018 is enclosed once again for information and compliance.

Yours faithfully,



(Arun Kumar)

Under Secretary to the Govt. of India

Tele: (011) 23748725

Encls.: As above.

North Block, New Delhi  
dated the 08<sup>th</sup> 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.

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- (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.

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G. Srinivasan  
(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