

6. It was also submitted by the representative of the respondent that DRDO is a separate organization. They will submit their reply separately.

Para Military Forces may seek exemption under Section 47 and not Section 33 of the Persons with Disabilities Act, and may keep in mind its proviso, which is reproduced as under:-

*"Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, as may be specified in such notification, exempt any establishment from the provisions of this Section."*

8. Vacancies are identified by the Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India. The Notification of Ministry of Social Justice & Empowerment also mentions that the lists of identified posts are not exhaustive and the establishments are free to add to the list. In the list of identified posts issued by the Ministry of Social Justice & Empowerment, the Ministries/Departments have no liberty to identify those posts separately. If any nomenclature is not covered, then the Head of Institution is free to identify one percent each suo motu.

9. The Court pointed out that different Public Sector Undertakings under the different Ministries will submit their reply to their respective Ministry and the Ministry concerned will submit the reply to this Court after compilation.

10. The Court also directed all the respondents that they will send a copy of their advertisements in respect of filling up of the backlog vacancies to the office of the Chief Commissioner for Persons with Disabilities, who will display on their website.

11. Since many of the participants have requested for clarifying them the procedure for maintaining the Reservation Roster, it is required that Department of Personnel & Training may arrange a Workshop/Seminar enabling all the concerned Ministries/Departments and made them aware about the maintenance of Reservation Roster so that the Ministries/Departments may maintain the Reservation Roster accordingly and compute the backlog of vacancies reserved for persons with disabilities. A copy of this Record of Proceedings may be sent to Secretary, Department of Personnel & Training, North Block, New Delhi for appropriate/necessary action.

12. The Respondent Departments are directed to furnish the following information to this Court upto 25.02.2016 positively:-

- (i) Details of vacancies filled since 01.01.1996 in the proforma supplied during the course of hearing on 28.01.2016.