

It is requested that all communication should be addressed to The Registrar, Thiruvalluvar University and not to any person

Email: registrartvu@gmail.com
Website: www.tvu.edu.in
Phone No : (0416) – 2274746
Fax : (0416) - 274748



திருவள்ளூர் பல்கலைக்கழகம்
THIRUVALLUVAR UNIVERSITY
(NAAC Accreditation 'B+' Grade)
(State University)
SERKKADU, VELLORE – 632 115

Dr. J. SENTHIL VELMURUGAN, Ph.D.,
REGISTRAR

Ref.: TVU/R/2024/Student Profile/UG/ 10175

Date : 28-05-2024

To

The Head of Department of Thiruvalluvar University,
The Principals of all the Arts & Science College,
Affiliated to Thiruvalluvar University, Serkkadu.

Sir / Madam,

Sub: Thiruvalluvar University, Serkkadu –Reservation and Fee exemption to persons with benchmark disabilities - Circular – Reg.

- Ref: 1. Letter No. 9768/DAP-3.1/2017-24, dated 10.05.2024
2. Letter No. 1101/K2/2024-1, dated 13.05.2024
3. Letter No. 471/A2/2004-2, dated 14.05.2024
4. This office Letter No. TVU/R/Guidelines UG-PG/2024/10169, dt 24.05.2024
5. G.O. (Ms). No. 30, Welfare of differently abled persons department, dt 28.06.2010

In addition to the guidelines issued in the previous circular reference 4th cited above, admission to UG/PG programme for the academic year 2024-25 for the person with benchmarks disabilities

- (1) 5% seats shall be reserved for the person with benchmarks disabilities along with fee exception vide reference 5th cited above.
- (2) The person with benchmarks disabilities shall be given an upper age relaxation of five years for admission.

With reference 5th cited above, the person with benchmarks disabilities are exempted from paying the tuition and special fee.

“person with benchmarks disability” means a person with not less than forty percent of a specified disability.

Thanking you,

Your's faithfully


REGISTRAR

R. Jeyasheela
15/5/24



Higher Education (A2) Department,
Secretariat, Chennai-9.

Letter No.471/A2/2024 - 2, dated 14.05.2024.

From
The Joint Secretary to Government.

To
The Commissioner of Technical Education, Chennai - 25. (w.e.)
The Director of Collegiate Education, Chennai-15. (w.e.)
The Registrars of all Universities under the aegis of
Higher Education Department. (w.e.)



Sir / Madam,

Sub: Welfare of Differently Abled Persons Department –
Reservation to persons with benchmark disabilities in Higher
Education Institutions – Regarding.

Ref: From the Secretary to Government, Welfare of Differently
Abled Persons Department, D.O. letter No.9768/
DAP 3.1/2017-23, dated 10.05.2024.

I am directed to enclose a copy of the reference cited and to request you to instruct all Higher Educational Institutions under your control to consider the points in the Section 32 of the Rights of Persons with Disabilities Act, 2016 (RPWD Act, 2016 for brevity) to bring the admission prospectus of Higher Education Institutions in your control in line with the contours of Rights of Persons with Disabilities Act, 2016. If any prospectus has been issued already and is not in-line with the RPWD Act, 2016, the respective institution may consider issuing addendum to the prospectus. If the higher education institutions require any assistance, the following nodal officials from the Directorate for Welfare of the Differently Abled may be contacted.

1. Tmt. T. Jeyasheela, DRO / Joint Director – 94999 33217
2. Thiru. P. Balaji, Legal Consultant - 9884269094

Yours faithfully,

[Signature]
14.5.2024

for Joint Secretary to Government.

[Handwritten initials]
15/5/24

S.NAGARAJAN, I.A.S.,
SECRETARY TO GOVERNMENT



WELFARE OF DIFFERENTLY
ABLED PERSONS DEPARTMENT,
Secretariat, Chennai-600 009.
Tele : 044-2567 6303
E-mail : secywdap@tn.gov.in

2532

D.O. Letter No.9768/DAP 3.1/2017-23, Dated: 10.05.2024

Dear Sir,

Sub: Welfare of Differently Aabled Persons Department –
Reservation to persons with benchmark disabilities in
higher education institutions – Regarding.

Ref: From Secretary to Government, Welfare of Differently
Aabled Persons Department, D.O. Letter No.9768/
DAP 3.1/2022-22, Dated: 01.02.2022.

14 MAY 2024

I invite your attention to Section 32 of Rights of Persons with Disabilities Act, 2016 (RPWD Act, 2016 for brevity) which is reproduced below for ready reference.

32. Reservation in higher educational institutions. — (1) All Government institutions of higher education and other higher education institutions receiving aid from the Government shall reserve not less than five per cent seats for persons with benchmark disabilities.

(2) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.

2. There are 21 types of disabilities specified under RPWD Act, 2016. The schedule attached to the RPWD Act, 2016 specifies following disabilities.

- | | | |
|--|-------------------------------------|--|
| 1. Blindness | 8. Intellectual Disability | 15. Multiple Sclerosis |
| 2. Low-vision | 9. Mental Illness | 16. Speech and |
| 3. Leprosy Cured persons | 10. Autism Spectrum Disorder | Language disability |
| 4. Hearing Impairment (deaf and hard of hearing) | 11. Cerebral Palsy | 17. Thalassemia |
| 5. Locomotor Disability | 12. Muscular Dystrophy | 18. Hemophilia |
| 6. Acid Attack victim | 13. Chronic Neurological conditions | 19. Sickle Cell disease |
| 7. Dwarfism | 14. Specific Learning Disabilities | 20. Multiple Disabilities including deaf blindness |
| | | 21. Parkinson's disease |

3. It is relevant to mention that Section 2(r) defines "Person with Benchmark Disability" as follows.

(r) "person with benchmark disability" means a person with not less than forty per cent of a specified disability where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority.

(p.t.o.)

4. Thus, all the government higher education institutions/universities are mandated to provide 5% reservation in the seats for persons with benchmark disabilities.

5. It may be noted that the reservation provision in higher education institution is often confused with the reservation provision for employment in Government establishment which is governed under Section 34 of RPWD Act, 2016 where an entirely different process is followed.

6. For example, the **4% reservation in employment** is sub-allotted to **certain categories** of disabilities as follows. It can be seen from the below that all 21 types of disabilities are not provided with reservation in employment.

- a. 1% for blindness and low vision;
- b. 1% for deaf and hard of hearing
- c. 1% for locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy
- d. 1% for autism, intellectual disability, specific learning disability and mental illness; and multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities.

7. However, Section 32 of RPWD Act, 2016 extends **reservation for 5% of seats in higher education to all 21 types** of disabilities above 40%.

8. Further, the vacancies reserved for differently abled persons in employment is carried forward to next recruitment year in case of no available candidates. However, the concept of carrying forward is not provided in reservation for higher education institutions.

9. Hence, in respect of reservation in higher education institutions/state universities, **5% of seats must be mandatorily reserved for person with benchmark disabilities.** Further, the exact nature of disability permitted to study the course has to be decided by the concerned institutions and it may differ from course to course.

10. With this background, few of the admission prospectus issued by higher education institution/universities were perused and following non-exhaustive issues are listed below.

- a. **Age relaxation:** Age relaxation has not been extended as per Section 32(2) of RPWD Act, 2016.
- b. **Restriction without proper reasons:** Reservation has been extended only to hearing impairment, visual impairment and locomotor disability and in some cases only to locomotor disability with further restriction on percentage of disability from 40% to 70%. Candidates with more than 80% disability has been made ineligible to apply for certain courses. Illustratively, Tamil Nadu Dr.J.Jayalalithaa Fisheries University provided reservation only to locomotor disability from 40% to 70%, even in the BBA and other such Management oriented degrees. Other disabilities are excluded. The same issue can be found in the prospectus of Tamil Nadu Agriculture University.

- c. **Blanket restriction:** Illustratively, candidates with Autism Spectrum Disorder and Specific learning disability are made completely ineligible. It was noted in the prospectus issued by Directorate of Medical Education that it had completely excluded the Autism Spectrum Disorder and Specific Learning Disability for all para medical courses, whereas Mild ASD (< 40%) is eligible for MBBS courses.
- d. **Vagueness in Suitability Assessment:** Some of the prospectus merely states that the Medical Board shall certify the suitability of a candidate to study the course. However, clear and explicit instruction regarding the expected requirement from a candidate is not provided in the prospectus leading to heavily subjective assessment.
- e. **Method of implementation** of 5% reservation is not as per Section 32(1) of RPWD Act, 2016.

11. Hence, following points may be considered by the respective higher education institutions/universities and provide clear instruction in the admission prospectus to avoid any issues which may arise during the admission process.

- a. **Method of implementation:** 5% reservation of seats in higher education institutions shall be applied to the persons with benchmark disabilities by following Section 32 of RPWD Act, 2016 in it's letter and spirit.
- b. **Course suitability by institutions:** Candidates with atleast 40% disability shall be allowed to apply irrespective of the type of disability. Courses shall not be restricted unreasonably. It may be ensured that the restriction has the direct nexus with the type of disability being excluded. For example, if an institute offering a diploma in film editing is of the opinion that their core course module cannot be completed to the fullest extent by a person with visual impairment, then such course can be considered for exclusion only for person with visual impairment. It is to be pointed out that if a Low Vision candidate can pursue the course with **reasonable accommodation with assistive devices**, then Low Vision may not be required to be excluded. The core course module, barrier associated with a particular type of disability and the reasonable accommodation can be used as the criteria for inclusion/exclusion. It would be relevant to mention here that a candidate with locomotor disability (Upper Limb Amputated) applied for B.Sc. (Agriculture) course offered by Tamil Nadu Agriculture University. The Medical Board provided unfit certificate based on the requirement that the student studying B.Sc. (Agriculture) has to drive a tractor in the practical course. When the reasonable accommodation clause was pointed out to the University, the University accepted the candidature and admitted the student in B.Sc. (Agriculture) by exempting the student from undertaking the driving of tractor in the practical course which is permitted under Section 17(i) of RPWD Act, 2016. Section 17(i) is reproduced here for ready reference.

(i) to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from second and third language courses;

- c. **Age relaxation:** It may be ensured that candidates with benchmark disabilities are given upper age relaxation of 5 years.
- d. **Reasonable Accommodation:** RPWD Act, 2016 mandates certain duty to educational institutions for providing inclusive education. Most important of them is about the duty to provide reasonable accommodation according to the individual's requirements. It may not be enough to just assess the candidate with the existing academic models in a particular institution. The suitability assessment by the Medical Board and the subsequent decision on admission by the institution must be taken keeping in mind the corresponding duty of the education institution as discussed above. Hence, prospectus may provide reference to the reasonable accommodation for the benefit of Medical Board to utilize this standard while assessing the suitability of candidates to a particular course.
- e. **Ability assessment to meet the course suitability for the candidate:** Further, the admission prospectus may have suitable instruction to the Medical Board to not only assess the disability but also assess the ability of the candidate along with the functional requirements required for studying a particular course. While doing so, the Medical Board may be instructed to assess the ability with the assistive devices being used by the candidate. As an example, the guidelines issued for admission to MBBS courses provides for the nearest ability assessment of the candidate. The same is attached as annexure to this letter for information. The attached guideline is for illustrative purposes only.
- f. **Functional Requirement:** The functional requirements used for the purpose of reservation in employment is Sitting, Standing, Walking, Bending, Lifting, Kneeling and Crouching, Jumping, Crawling, Climbing, Pulling & Pushing, Manipulation by Fingers, Reading & Writing, Seeing, Hearing and Communication. All of these requirements may not be necessary for studying a course. Hence, the institution may arrive at the functional requirement required for each course and provide the same in the admission prospectus for utilization by the Medical Board.
- g. It is to be noted that the above functional requirement must be understood in the context of reasonable accommodation provided under the Rights of Persons with Disabilities Act, 2016. In the above context, following non-exhaustive illustrations are provided.

- i. **Reading & Writing** does not mean **seeing**. Hence, a person with visual impairment can be considered to satisfy the functional requirement of Reading & Writing, if he can read and with the help of assistive devices.
- ii. **Sitting and Standing** does not necessarily mean a person without any disability in leg. Hence, a person with Locomotor disability can be considered to satisfy the functional requirement of sitting and standing, if he can do the same with the help of assistive devices. Similarly, a person with locomotor disability must not be considered ineligible merely because he cannot walk without assistive devices. If he is able to have mobility with the help of assistive devices, then it should be considered that he has satisfied the functional requirement of walking.
- iii. **Hearing** does not necessarily mean a person without any hearing impairment. Hence, a person with hearing impairment can be considered to satisfy the functional requirement of hearing, if he can hear with the help of assistive devices.
- h. Hence, a candidate with disability cannot be declared ineligible merely because he/she suffers from a particular type of disability which normally restricts the functionality associated with such disability. Therefore, fulfilling the functional requirements hereby means the fulfilment with the help of assistive devices.
 - i. **Reason & Justification:** The suitability of a particular type of disability to a particular course shall be arrived with proper reasoning and justification since it has direct connection with the employment opportunities after their graduation.

12. I request you to instruct all the higher education institutions including the state universities under the administrative control of Higher Education Department to consider the above points to bring the admission prospectus of the respective institutions in line with the contours of Rights of Persons with Disabilities Act, 2016. If any prospectus has been issued already and is not in-line with the RPWD Act, 2016, the respective institution may consider issuing addendum to the prospectus. If the higher education institutions require any assistance on the points discussed above, following nodal officials from the Directorate for Welfare of the Differently Abled may be contacted.

1. Tmt.T.Jeyasheela, DRO / Joint Director – 94999 33217
2. Thiru.P.Balaji, Legal Consultant – 98842 69094

with regards,

Yours sincerely,

7/10

*As
Totsam.*

To
Thiru.A.Karthik, I.A.S.,
Principal Secretary to Government,
Higher Education Department,
Chennai-09.



Welfare of Differently Aabled
Persons (DAP-3.1)
Department, Secretariat,
Chennai-09.

Letter No.9768/DAP-3.1/2017-24, dated 10.05.2024

From
Thiru.S.Nagarajan, I.A.S.,
Secretary to Government.

To
The Registrar,
Anna University, No.12, Sardar Patel Rd,
Anna University, Guindy, Chennai, 600025.

The Registrar,
University of Madras, Navalar Nagar, Chepauk, Triplicane,
Chennai, Tamil Nadu 600005.

The Registrar,
Tamil Nadu Dr. J. Jayalalithaa Fisheries University,
Vettar River View Campus, Nagapattinam – 611 002.

The Registrar
Tamil Nadu Teachers Education University
Gangaiamman Koil Street
Karapakkam, Chennai - 600 097.

The Registrar,
Tamil Nadu Physical Education And Sports University
Melakottaiyur, Chennai – 600127.

The Registrar,
Thiruvalluvar University
Serkadu, Vellore - 632 115

The Registrar,
The Tamil Nadu Dr.Ambedkar Law University,
"Poompozhi",
5, Dr. D.G.S. Dinakaran Salai,
Chennai 600 028.

The Registrar,
Periyar University,
Salem – 636 011

The Registrar,
Manonmaniam Sundaranar University
Thirunelveli Rd, Abishekapatti, Thirunelveli – 627012.



(p.t.o.)

The Registrar,
Tamil Nadu Veterinary and Animal Sciences University,
Madhavaram Milk Colony Rd,
Madhavaram Milk Colony, Chennai – 600051

The Registrar,
The Tamil Nadu Dr. M.G.R. Medical University,
69, Anna Salai, Rd, Guindy, Chennai – 600032.

The Registrar,
Alagappa University, Karaikudi - 630 003

The Registrar, Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District-608002.

The Registrar, Madurai Kamaraj University,
Palkalai Nagar,
Madurai District-625021

The Registrar,
Tamil Nadu Agricultural University,
Lawley Road, Coimbatore 641003.

The Registrar,
Tamil University
Thanjavur – 613010.

The Registrar,
Bharathiar University,
Maruthamalai Road,
Coimbatore-641 046

The Registrar,
Bharathidasan University
Khajamalai Campus
Tiruchirappalli - 620 023

The Registrar,
Mother Teresa Women's University,
Kodaikanal, Dindigul - 624 101.

Sir / Madam,

Sub: Welfare of Differently Abled Persons Department –
Reservation to persons with benchmark disabilities in higher
education institutions – Regarding.

I invite your attention to Section 32 of Rights of Persons with Disabilities Act, 2016
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Welfare of Differently Abled
Persons (DAP-3.1)
Department, Secretariat,
Chennai-09.

Letter No.9768/DAP-3.1/2017-24, dated 10.05.2024

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The Registrar
Tamil Nadu Teachers Education University
Gangaiamma Koil Street
Karapakkam, Chennai - 600 097.

The Registrar,
Tamil Nadu Physical Education And Sports University
Melakottaiyur, Chennai – 600127.

The Registrar,
Thiruvalluvar University
Serkadu, Vellore - 632 115

The Registrar,
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"Poompozhi",
5, Dr. D.G.S. Dinakaran Salai,
Chennai 600 028.

The Registrar,
Periyar University,
Salem – 636 011

The Registrar,
Manonmaniam Sundaranar University
Tirunelveli Rd, Abishekapatti, Thirunelveli – 627012.



(p.t.o.)

The Registrar,
Tamil Nadu Veterinary and Animal Sciences University,
Madhavaram Milk Colony Rd,
Madhavaram Milk Colony, Chennai – 600051

The Registrar,
The Tamil Nadu Dr. M.G.R. Medical University,
69, Anna Salai, Rd, Guindy, Chennai – 600032.

The Registrar,
Alagappa University, Karaikudi - 630 003

The Registrar, Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District-608002.

The Registrar, Madurai Kamaraj University,
Palkalai Nagar,
Madurai District-625021

The Registrar,
Tamil Nadu Agricultural University,
Lawley Road, Coimbatore 641003.

The Registrar,
Tamil University
Thanjavur – 613010.

The Registrar,
Bharathiar University,
Maruthamalai Road,
Coimbatore-641 046

The Registrar,
Bharathidasan University
Khajamalai Campus
Tiruchirappalli - 620 023

The Registrar,
Mother Teresa Women's University,
Kodaikanal, Dindigul - 624 101.

Sir / Madam,

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Reservation to persons with benchmark disabilities in higher
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(2) The persons with benchmark disabilities shall be given an upper age relaxation of five years for admission in institutions of higher education.

2. There are 21 types of disabilities specified under RPWD Act, 2016. The schedule attached to the RPWD Act, 2016 specifies following disabilities.

1. Blindness	8. Intellectual Disability	15. Multiple Sclerosis
2. Low-vision	9. Mental Illness	16. Speech and Language disability
3. Leprosy Cured persons	10. Autism Spectrum Disorder	17. Thalassemia
4. Hearing Impairment (deaf and hard of hearing)	11. Cerebral Palsy	18. Hemophilia
5. Locomotor Disability	12. Muscular Dystrophy	19. Sickle Cell disease
6. Acid Attack victim	13. Chronic Neurological conditions	20. Multiple Disabilities including deaf blindness
7. Dwarfism	14. Specific Learning Disabilities	21. Parkinson's disease

3. It is relevant to mention that Section 2(r) defines "Person with Benchmark Disability" as follows.

(r) "person with benchmark disability" means a person with **not less than forty per cent of a specified disability** where specified disability has not been defined in measurable terms and includes a person with disability where specified disability has been defined in measurable terms, as certified by the certifying authority.

4. Thus, all the government higher education institutions/universities are mandated to provide 5% reservation in the seats for persons with benchmark disabilities.

5. It may be noted that the reservation provision in higher education institution is often confused with the reservation provision for employment in Government establishment which is governed under Section 34 of RPWD Act, 2016 where an entirely different process is followed.

6. For example, the **4% reservation in employment** is sub-allotted to **certain categories** of disabilities as follows. It can be seen from the below that all 21 types of disabilities are not provided with reservation in employment.

- a. 1% for blindness and low vision;
- b. 1% for deaf and hard of hearing
- c. 1% for locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy
- d. 1% for autism, intellectual disability, specific learning disability and mental illness; and multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities.

7. However, Section 32 of RPWD Act, 2016 extends **reservation for 5% of seats in higher education to all 21 types** of disabilities above 40%.

8. Further, the vacancies reserved for differently abled persons in employment is carried forward to next recruitment year in case of no available candidates. However, the concept of carrying forward is not provided in reservation for higher education institutions.

9. Hence, in respect of reservation in higher education institutions/state universities, **5% of seats must be mandatorily reserved for person with benchmark disabilities**. Further, the exact nature of disability permitted to study the course has to be decided by the concerned institutions and it may differ from course to course.

10. With this background, few of the admission prospectus issued by higher education institution/universities were perused and following non-exhaustive issues are listed below.

- a. **Age relaxation:** Age relaxation has not been extended as per Section 32(2) of RPWD Act, 2016.
- b. **Restriction without proper reasons:** Reservation has been extended only to hearing impairment, visual impairment and locomotor disability and in some cases only to locomotor disability with further restriction on percentage of disability from 40% to 70%. Candidates with more than 80% disability has been made ineligible to apply for certain courses. Illustratively, Tamil Nadu Dr.J.Jayalithaa Fisheries University provided reservation only to locomotor disability from 40% to 70%, even in the BBA and other such Management oriented degrees. Other disabilities are excluded. The same issue can be found in the prospectus of Tamil Nadu Agriculture University.
- c. **Blanket restriction:** Illustratively, candidates with Autism Spectrum Disorder and Specific learning disability are made completely ineligible. It was noted in the prospectus issued by Directorate of Medical Education that it had completely excluded the Autism Spectrum Disorder and Specific Learning Disability for all para medical courses, whereas Mild ASD (< 40%) is eligible for MBBS courses.
- d. **Vagueness in Suitability Assessment:** Some of the prospectus merely states that the Medical Board shall certify the suitability of a candidate to study the course. However, clear and explicit instruction regarding the expected requirement from a candidate is not provided in the prospectus leading to heavily subjective assessment.
- e. **Method of implementation** of 5% reservation is not as per Section 32(1) of RPWD Act, 2016.

11. Hence, following points may be considered by the respective higher education institutions/universities and provide clear instruction in the admission prospectus to avoid any issues which may arise during the admission process.

- a. **Method of implementation:** 5% reservation of seats in higher education institutions shall be applied to the persons with benchmark disabilities by following Section 32 of RPWD Act, 2016 in it's letter and spirit.

- b. **Course suitability by institutions:** Candidates with atleast 40% disability shall be allowed to apply irrespective of the type of disability. Courses shall not be restricted unreasonably. It may be ensured that the restriction has the direct nexus with the type of disability being excluded. For example, if an institute offering a diploma in film editing is of the opinion that their core course module cannot be completed to the fullest extent by a person with visual impairment, then such course can be considered for exclusion only for person with visual impairment. It is to be pointed out that if a Low Vision candidate can pursue the course with **reasonable accommodation with assistive devices**, then Low Vision may not be required to be excluded. The core course module, barrier associated with a particular type of disability and the reasonable accommodation can be used as the criteria for inclusion/exclusion. It would be relevant to mention here that a candidate with locomotor disability (Upper Limb Amputated) applied for B.Sc. (Agriculture) course offered by Tamil Nadu Agriculture University. The Medical Board provided unfit certificate based on the requirement that the student studying B.Sc. (Agriculture) has to drive a tractor in the practical course. When the reasonable accommodation clause was pointed out to the University, the University accepted the candidature and admitted the student in B.Sc. (Agriculture) by exempting the student from undertaking the driving of tractor in the practical course which is permitted under Section 17(i) of RPWD Act, 2016. Section 17(i) is reproduced here for ready reference.
- (i) to make suitable modifications in the curriculum and examination system to meet the needs of students with disabilities such as extra time for completion of examination paper, facility of scribe or amanuensis, exemption from second and third language courses;*
- c. **Age relaxation:** It may be ensured that candidates with benchmark disabilities are given upper age relaxation of 5 years.
- d. **Reasonable Accommodation:** RPWD Act, 2016 mandates certain duty to educational institutions for providing inclusive education. Most important of them is about the duty to provide reasonable accommodation according to the individual's requirements. It may not be enough to just assess the candidate with the existing academic models in a particular institution. The suitability assessment by the Medical Board and the subsequent decision on admission by the institution must be taken keeping in mind the corresponding duty of the education institution as discussed above. Hence, prospectus may provide reference to the reasonable accommodation for the benefit of Medical Board to utilize this standard while assessing the suitability of candidates to a particular course.
- e. **Ability assessment to meet the course suitability for the candidate:** Further, the admission prospectus may have suitable instruction to the Medical Board to not only assess the disability but also assess the ability of the candidate along with the functional requirements required for studying a particular course. While doing so, the Medical Board may be instructed to assess the ability with the assistive devices being used by the candidate. As

an example, the guidelines issued for admission to MBBS courses provides for the nearest ability assessment of the candidate. The same is attached as annexure to this letter for information. The attached guideline is for illustrative purposes only.

- f. **Functional Requirement:** The functional requirements used for the purpose of reservation in employment is Sitting, Standing, Walking, Bending, Lifting, Kneeling and Crouching, Jumping, Crawling, Climbing, Pulling & Pushing, Manipulation by Fingers, Reading & Writing, Seeing, Hearing and Communication. All of these requirements may not be necessary for studying a course. Hence, the institution may arrive at the functional requirement required for each course and provide the same in the admission prospectus for utilization by the Medical Board.
- g. It is to be noted that the above functional requirement must be understood in the context of reasonable accommodation provided under the Rights of Persons with Disabilities Act, 2016. In the above context, following non-exhaustive illustrations are provided.
 - i. **Reading & Writing** does not mean **seeing**. Hence, a person with visual impairment can be considered to satisfy the functional requirement of Reading & Writing, if he can read and with the help of assistive devices.
 - ii. **Sitting and Standing** does not necessarily mean a person without any disability in leg. Hence, a person with Locomotor disability can be considered to satisfy the functional requirement of sitting and standing, if he can do the same with the help of assistive devices. Similarly, a person with locomotor disability must not be considered ineligible merely because he cannot walk without assistive devices. If he is able to have mobility with the help of assistive devices, then it should be considered that he has satisfied the functional requirement of walking.
 - iii. **Hearing** does not necessarily mean a person without any hearing impairment. Hence, a person with hearing impairment can be considered to satisfy the functional requirement of hearing, if he can hear with the help of assistive devices.
- h. Hence, a candidate with disability cannot be declared ineligible merely because he/she suffers from a particular type of disability which normally restricts the functionality associated with such disability. Therefore, fulfilling the functional requirements hereby means the fulfilment with the help of assistive devices.
 - i. **Reason & Justification:** The suitability of a particular type of disability to a particular course shall be arrived with proper reasoning and justification since it has direct connection with the employment opportunities after their graduation.

12. Hence, all the higher education institutions including the state universities may consider the above points to bring the admission prospectus of the respective institutions in line with the contours of Rights of Persons with Disabilities Act, 2016. If any prospectus has been issued already and is not in-line with the RPWD Act, 2016, the respective

institution may consider issuing addendum to the prospectus. If the higher education institutions require any assistance on the points discussed above, following nodal officials from the Directorate for Welfare of the Differently Abled may be contacted

1. Tmt.T.Jeyasheela, DRO / Joint Director – 94999 33217
2. Thiru.P.Balaji, Legal Consultant – 98842 69094

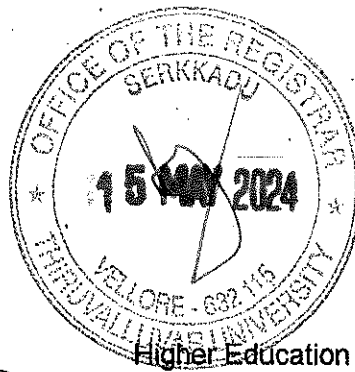
Yours faithfully,

A S Abanul Malik

for Secretary to Government.

(Signature)
10/10/2024

R. Anand
15/5/24



2005
SC



Higher Education (K2) Department
Secretariat, Chennai-9

Letter No. 1101/K2/2024 – 1, dated 13.05.2024

From
The Principal Secretary to Government,
Higher Education Department.

To
The Registrars of all Universities
under the aegis of Higher Education Department. (w.e)
The Director of Collegiate Education, Chennai-15. (w.e)
The Director of Technical Education, Chennai-25. (w.e)

Sir / Madam,

Sub : Higher Education – Differently Aabled Persons – Government and Government Aided Colleges and the Universities under the aegis of Higher Education Department – Tuition fee and Special Fee exemption – Orders – Issued – Instruction – Regarding.

- Ref :
- ✓ 1. G.O. (Ms) No. 135, Social Welfare and Noon Meal Programme Department, dated 20.09.2008
 - ✓ 2. G.O. (Ms) No. 429, Higher Education (K1) Department, dated 16.10.2008
 - ✓ 3. G.O. (Ms) No. 30, Welfare of Differently Aabled Persons Department, dated 28.06.2010
 4. From the General Secretary, Tamil Nadu Association for the Rights of all types of Differently Aabled and Caregivers (TNRATDAC), letter dated 09.05.2024

I am directed to invite attention to the reference first to third cited and to enclose a copy of the reference fourth cited.

2. In this connection, I am to state that in the Government order second cited, the Government issued orders for full exemption of tuition fee for the Differently aabled students studying in Government / Government Aided Engineering Colleges and the Universities under the aegis of Higher Education Department.

3. Moreover in the Government order in the reference third cited, Government issued orders for exemption of paying special fee in respect of the Differently abled students studying in Government / Government aided colleges and Universities.

4. In view of the above, I am directed to request you to follow the orders issued in the Government orders second and third cited, scrupulously.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'S. R. Mahajan', with a stylized flourish at the end.

for Principal Secretary to Government



சுருக்கம்

மாற்றுத் திறனாளிகள் நலன் - நிதிநிலை அறிக்கை 2010-2011 - அரசு மற்றும் அரசு உதவி பெறும் கல்லூரிகளில் பயிலும் மாற்றுத் திறனாளி மாணவ/மாணவிகளுக்கு தனிக் கட்டணம் (Special Fees) செலுத்துவதிலிருந்து விலக்களித்தல் ஆணை வெளியிடப்படுகிறது.

மாற்றுத் திறனாளிகள் நலத் (மா.தி.ந. 2) துறை

அரசாணை(நிலை) எண். 30

நாள்: 28-06- 2010

ஆனி 14, திருவள்ளூர் ஆண்டு 2041

படிக்க:

1. மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையரின் கடித எண். 10386/சி.பா. 1/2010, நாள் 19.3.2010.

ஆணை:

மாண்புமிகு நிதியமைச்சர் அவர்களால் 2010-2011ஆம் ஆண்டிற்கான நிதிநிலை அறிக்கையில் ஏனையவற்றுடன் பின்வரும் அறிவிப்பு செய்யப்பட்டது.

“ மாற்றுத் திறனுடையோர் உயர்கல்வி பயில்வதற்கு ஏதுவாகக் கல்விக் கட்டணம் செலுத்துவதிலிருந்து விலக்களித்த இந்த அரசு வரும் கல்வி ஆண்டிலிருந்து தனிக் கட்டணம் (Special Fees) செலுத்துவதிலிருந்தும் விலக்கு அளிக்கும்”.

2. மேலே ஒன்றில் படிக்கப்பட்ட கடிதங்களில் மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையர் தற்போது, அரசு மற்றும் அரசு உதவி பெறும் கல்லூரிகளில் பட்டப்படிப்பு பயிலும் அனைத்து மாணவர்களுக்கும் இலவச கல்வி அளிக்கும் திட்டம் நடைமுறையில் உள்ளது எனவும், அரசு மற்றும் அரசு உதவி பெறும் பொறியியல் கல்லூரிகள் மற்றும் உயர் கல்வித் துறையின் கட்டுப்பாட்டிலுள்ள பல்கலைக்கழகங்களில் பயிலும், மாற்றுத் திறனாளி மாணவ/மாணவியர்களுக்கு கல்விக் கட்டணம் செலுத்துவதிலிருந்து விலக்களிக்கப்பட்டு அரசு ஆணைகள் வெளியிடப்பட்டுள்ளன என்றும், அரசு மற்றும் அரசு உதவி பெறும் உயர் கல்வி நிலையங்களான மருத்துவ கல்லூரிகள் மற்றும் வேளாண்மைக் கல்லூரிகளில் பயிலும் மாற்றுத் திறனாளிகளுக்கு கல்விக் கட்டணம் செலுத்துவதிலிருந்து ஏற்கனவே முழு விலக்களிக்கப்பட்டுள்ளது என்றும் தெரிவித்துள்ளார்.

3. மேலும், மாற்றுத் திறனாளிகள், தமது கல்லூரிகளில் கல்விக் கட்டணம் தவிர, சிறப்புக் கட்டணம், ஆய்வுக்கூடக் கட்டணம், தேர்வுக் கட்டணம் போன்ற இதர கட்டணங்கள் செலுத்த வேண்டியுள்ளது எனவும், மாற்றுத் திறனாளிகள் பெரும்பாலோர் வசதியற்ற பொருளாதார சூழ்நிலைகளில் இருப்பதாலும், அவர்கள் உயர்கல்வி தொடர இயலாத நிலை ஏற்படுவதாகவும், உயர்கல்வி பயிலாதது மாற்றுத் திறனாளிகளின் வாழ்க்கைத் தரத்தை வெகுவாக பாதிக்கின்றது எனவும், மாற்றுத் திறனாளிகள் இடையூறு இல்லாமல் உயர்கல்வி தொடர ஏதுவாக, கல்விக் கட்டணத்திலிருந்து (Tuition fees) விலக்கு அளித்தது போல், தனிக் கட்டணத்திற்கும் (Special

fees) அரசு விலக்கு அளிக்க வேண்டியது அவசியம் என்றும் தெரிவித்துள்ளார். எனவே, அரசு மற்றும் அரசு உதவி பெறும் மருத்துவக் கல்லூரிகள், பொறியியல் கல்லூரிகள், சட்டக் கல்லூரிகள், வேளாண் கல்லூரிகள், கல்வியியல் கல்லூரிகள், அனைத்து கலை மற்றும் அறிவியல் கல்லூரிகளில் பட்டப் படிப்பு மற்றும் பட்டமேற்படிப்பு ஆகிய உயர் கல்வி பயிலும் அனைத்து மாற்றுத் திறனாளி மாணவ / மாணவியர்களுக்கு தனிக் கட்டணம் (Special fees) செலுத்துவதிலிருந்து விலக்கு அளித்து ஆணை வழங்குமாறு கேட்டுக் கொண்டுள்ளார்.

4. அரசு, தீவிர பரிசீலனைக்குப் பின்னர், மேலே பத்தி 3இல் உள்ள மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையரின் கருத்துருவை ஏற்று, அரசு மற்றும் அரசு உதவி பெறும் மருத்துவக் கல்லூரிகள், பொறியியல் கல்லூரிகள், சட்டக் கல்லூரிகள், வேளாண் கல்லூரிகள், கல்வியியல் கல்லூரிகள், அனைத்து கலை மற்றும் அறிவியல் கல்லூரிகளில் பட்டப் படிப்பு மற்றும் பட்டமேற்படிப்பு ஆகிய உயர் கல்வி பயிலும் அனைத்து மாற்றுத் திறனாளி மாணவ / மாணவியர்களுக்கும் தனிக் கட்டணம் (Special fees) செலுத்துவதிலிருந்து விலக்கு அளித்து அரசு ஆணையிடுகிறது.

5. இவ்வாணை நிதித்துறையின் அ.சா. எண்.Fin(WDAP)/07/DS/GR/2010 நாள் 28.6.2010ன் இசைவுடன் வெளியிடப்படுகிறது.

(ஆளுநரின் ஆணைப்படி)

சோ.க. ஜவஹர்,
அரசுச் செயலாளர்.

பெறுநர்

மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையர், சென்னை-9.

அனைத்து மாவட்ட ஆட்சித் தலைவர்கள் (மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையர் வழியாக)

மாவட்ட மாற்றுத் திறனாளிகள் நல அலுவலர்கள் (மாற்றுத் திறனாளிகளுக்கான மாநில ஆணையர் வழியாக)

சம்பளம் மற்றும் கணக்கு அலுவலர், சென்னை-5/9/35.

தலைமைக் கணக்காயர், சென்னை-18/35.

தலைமைக் கணக்காயர், சென்னை-18/35 (பெயரில்)

நகல்:

நிதி (மாற்றுத் திறனாளிகள் நல)த் துறை, சென்னை-9.

மாண்புமிகு முதலமைச்சர் அவர்களின் செயலாளர் (திரு. எஸ்.கே.பி), சென்னை-9.

அரசு செயலாளர் (மாற்றுத் திறனாளிகள் நலத் துறை) அவர்களின் தனிச் செயலாளர், சென்னை-9.

மாற்றுத் திறனாளிகள் நலத் துறையின் அனைத்துப் பிரிவுகள்.

இருப்புக் கோப்பு / உதிரி நகல்.

// ஆணைப்படி அனுப்பப்படுகிறது//

பிரிவு அலுவலர்.