

UT Administration of Dadra & Nagar Haveli and Daman and Diu,
Social Welfare Department,
Collectorate,
Dholar,
Moti Daman.

Draft of Dadra & Nagar Haveli and Daman and Diu Rights of Persons with Disabilities
Rules, 2021

Whereas the Parliament enacted the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016) which received the President's assent on the 27th day of December 2016 and was subsequently published in the official Gazette of Central Government on the 28th day of December 2016;

Now, therefore the following draft of the Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021, which the UT Administration of Dadra & Nagar Haveli and Daman & Diu proposes to make in exercise of the powers conferred by sub-sections (1) and (2) of section 101 of the Rights of Persons with Disabilities Act, 2016 (central Act 49 of 2016) is hereby published (to be uploaded on Dadra & Nagar Haveli and Daman & Diu NIC website) for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of 30 days from the date on which this draft is made available to the public;

Objections and suggestions, if any may be addressed to The Deputy Secretary (Social Welfare), Social Welfare Department, 1st Floor, Collectorate campus, Dholar, Moti Daman or by e-mail: sotsp-dmn-dd@nic.in within 30 days from the date of publication.

The objections and suggestions which may be received from any person/government offices/institutions with respect to the said draft rules before the expiry of the period specified above will be considered by the UT Administration.

Jatini Ag P

Deputy Secretary(SW/WCD)
Dadra & Nagar Haveli and Daman & Diu
Daman.

No. RPWD / 2021-22 / 16

Date: 15/04/2021

CHAPTER-I

PRELIMINARY

- 1. Short title, extent and commencement:-** (1) These rules may be called the Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021.
(2) They extend to the whole of Union Territory of Dadra & Nagar Haveli and Daman & Diu.
(3) They shall come into force from the date of their publication in the Official Gazette.
- 2. Definitions :-** (1) In these rules, unless the context otherwise requires,-
 - (i) "Act" means the Rights of Persons with Disabilities Act, 2016 (49 of 2016);
 - (ii) "Central Government" means the Government of India;
 - (iii) "Certificate" means a certificate of disability issued by a certifying authority referred to in sub-section (1) of Section 57 of the Act;
 - (iv) "Certificate of registration" means a certificate of registration issued by the competent authority under Section 50 of the Act;
 - (v) "District Level Committee" means the District Level Committee constituted by the State Government under Section 72 of the Act and in terms of rule 33 of these rules;
 - (vi) "Form" means a form appended to these rules;
 - (vii) "UT Commissioner" means the UT Commissioner appointed by the UT Administration of Dadra & Nagar Haveli and Daman and Diu under Section 79 of the Act and in terms of Rule 51 of these rules;
 - (viii) "UT Administration" means the Union Territory Administration of Dadra & Nagar Haveli and Daman & Diu;(2) Words and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

CHAPTER II

RIGHTS AND ENTITLEMENTS

- 3. Establishment not to discriminate on the ground of disability.-** (1) The head of the establishment shall ensure that the provision of sub-section (3) of section 3 of the Act are not misused to deny any right or benefit to persons with disabilities covered under the Act.
(2) If the head of the Government establishment or a private establishment employing twenty or more persons receives a complaint from an aggrieved persons regarding discrimination on the ground of disability, he shall -
 - (a) initiate action in accordance with the provisions of the Act; or
 - (b) Inform the aggrieved person in writing as to how the impugned act or omission is a proportionate means of achieving a legitimate aim.

(3) If the aggrieved person submits a complaint to the UT Commissioner for Persons with Disabilities, as the case may be, the complaint shall be disposed of within a period of sixty days:

Provided that in exceptional cases, the UT Commissioner may dispose of such complaint within thirty days.

(4) No establishment shall compel a person with disability to partly or fully pay the costs incurred for reasonable accommodation.

CHAPTER III

Committee for Research on Disability

4. UT Committee for Research on Disability.- (1) The UT Committee for Research on Disability shall consist of the following persons, namely:-

- (i) an eminent person having vast experience in the field of science or medicine, to be nominated by the UT Administration, *ex officio*-Chairperson;
- (ii) nominee of the Director of Medical and Health Services not below the rank of Deputy Director –Member;
- (iii) four persons drawn from any Institutes representing physical, visual, hearing and intellectual disabilities, to be nominated by the UT Administration – Members;
- (iv) five persons as representatives of the registered organizations, from each of the five groups of specified disabilities in the Schedule to the Act, to be nominated by the UT Administration – Members:

Provided that at least one representative of the registered organizations is a woman;

- (v) the Director, Social Welfare, shall be the Member Secretary.

(2) The Chairperson may invite any expert as a special invitee.

(3) The term of office of the nominated members shall be for a period of three years from the date on which they enter upon office, and the nominated member shall be eligible for re-nomination for one more term.

(4) One half of the members shall constitute the quorum for the meeting.

(5) The non-official members and special invitees shall be entitled for travelling allowance and daily allowance as admissible to a Group "A" officer of the UT Administration.

(6) The UT Administration may provide the Committee with such clerical and other staff as it deems necessary.

5. Person with disability not to be a subject of research.- No person with disability shall be a subject of research except when the research involves physical impact on his body.

6. Procedure to be followed by Executive Magistrate.- For the purposes of dealing with the complaints under section 7 of the Act, the Executive Magistrate shall follow the procedure provided in sections 133 to 143 of the Code of Criminal Procedure, 1973 (2 of 1974).

CHAPTER IV

LIMITED GUARDIANSHIP

7. Limited Guardianship :-

- (1) The District Court shall grant the support of limited guardianship to a person with disability to take a legally binding decision on his behalf.
- (2) The District Court before granting limited guardianship for a person with disability shall satisfy itself that such person is not in a position to take legally binding decision on his own.
- (3) The District Court shall take a decision preferably within a period of one month from the date of receipt of an application regarding grant of limited guardianship or from the date of coming to its notice of the need of such limited guardianship:

Provided that the consent of the person to act as a limited guardian shall also be obtained before grant of such limited guardianship.

- (4) The validity of the limited guardianship as appointed under sub-rule (1) shall be initially for a period of five years which can be further extended by the District Court:

Provided that the District Court while extending the validity of the limited guardianship shall follow the same procedure as followed while granting the initial guardianship.

- (5) While granting the support of such limited guardianship the District Court shall consider a suitable person to be appointed as a limited guardian in the following preference of merit:

(a) The parents or adult children of the person with disability

(b) Immediate brother or sister

(c) Other Blood relatives or care givers or prominent personality of the locality.

- (6) Only those individuals who are over the age of 18 years and who have not been previously convicted of any cognizable offence as defined in the Code of Criminal Procedure, 1973 (1 of 1974) shall be eligible to be appointed as limited guardians.

- (7) The limited guardian appointed under sub-rule (1) shall consult the person with disability in all matters before taking any legally binding decision on his behalf.

- (8) The appointed limited guardian shall ensure that the legally binding decisions taken on behalf of the person with disability are in the best interest of the person with disability.

- (9) The Deputy Director for the Welfare of Disabled or the Social Welfare Officer or any staff nominated by them, as the case may be, shall maintain the record of persons with disabilities who were granted limited guardianship in the jurisdiction of the District concerned. Accordingly, he shall conduct periodic inspections at an interval of at least two years on matters relating to:

(a) The well-being of a person with disability placed under limited guardianship

(b) The appropriate conduct of the limited guardian appointed under sub-rule (1)

- (c) The nature and type of decisions being taken by the limited guardian on behalf of the person with disability:

Provided that the inspecting Officer shall, if not satisfied during his inspection on any of the matters above, report the same in writing to the District Court which initially granted or subsequently renewed the limited guardianship as per the procedure laid down in this rule. Consequent upon such inspection report, the District Court may examine afresh the grant or renewal of the limited guardianship under contention.

8. Exceptions in the Grant of Limited Guardianship.-

- (1) Notwithstanding anything contained in the preceding rule on the grant/renewal of limited guardianship, no person with disability placed under the care of a trust established and duly registered exclusively for his maintenance and upkeep shall be required to apply separately for limited guardianship. The Managing Trustee of such Trust is automatically deemed to have been a limited guardian for all other purposes as laid down in the preceding rule, and as such he is liable to comply with the procedures laid down there under.
- (2) The Managing Trustee of a Trust established and duly registered exclusively for the maintenance and upkeep of a person with disability, as invoked in sub-rule (1), shall submit periodic reports on the well-being of person with disability at an interval of at least five years to the District Court, with a copy to the Secretary of Social Welfare Department for the Welfare of Disabled or the District Social Welfare Officer, as the case may be.

CHAPTER – V

SOCIAL AWARENESS AND LEGAL CAPACITY

9. Designated Authority to Mobilize Community and Create Social Awareness to support Persons with Disabilities in Exercise of their Legal Capacity.-

- (1) The District Legal Services Authorities and the State Legal Services Authority established under the provisions of the Legal Services Authorities Act, 1987 shall be the designated authorities, respectively at the District and State levels, for the purposes of Section 15 of the Act.
- (2) The State Legal Services Authority shall, in close consultation with the UT Commissioner for Persons with Disabilities, formulate timely plans and effective strategies to mobilize community and create social awareness to support persons with disabilities in exercise of their legal capacity

CHAPTER – VI

EDUCATION

10. Appointment of a Nodal Officer in the District Education Office.-

There shall be a Nodal Officer in every District Education Office, preferably a person with disability with suitable qualifications or demonstrable experience in disability issues, to deal with all matters relating to admission of children with disabilities and the facilities to be provided to them in schools in accordance with the provisions of sections 16 and 31 of the Act.

11. Terms and Conditions Before Recognition of the Educational Institutions.-

Recognition to the educational institutions by the competent authority in the State shall include the requirements to comply with the provisions of Section 16 of the Act.

CHAPTER VII

EMPLOYMENT

12. Manner of publication of equal opportunity policy.- (1) Every establishment shall publish equal opportunity policy for persons with disabilities.

(2) The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.

(3) The equal opportunity policy of a private establishment having twenty or more employees and the Government establishments shall *inter alia*, contain the following, namely:-

- (a) facility and amenity to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment;
- (b) list of posts identified suitable for persons with disabilities in the establishment;
- (c) the manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;
- (d) provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities;
- (e) appointment of liaison officer by the establishment to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

(4) The equal opportunity policy of the private establishment having less than twenty employees shall contain facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment.

13. Form and manner of maintaining records by the establishments.- (1) Every establishment covered under sub-rule (3) of rule 12 shall maintain records containing the following particulars, namely:-

- (a) the number of persons with disabilities who are employed and the date from when they are employed;
- (b) the name, gender and address of persons with disabilities;
- (c) the nature of disability of such persons;
- (d) the nature of work being rendered by such employed person with disability; and
- (e) the kind of facilities being provided to such persons with disabilities.

(2) Every establishment shall produce for inspection on demand, records maintained under these rules, to the authorities under this Act and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

14. Manner of maintenance of register of complaints by the Government establishments.- (1) Every Government establishment shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer:

Provided that where it is not possible to appoint any Gazetted Officer, the Government establishment may appoint the Senior most Officer as a Grievance Redressal Officer.

(2) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-

- (a) date of complaint;
- (b) name of complainant;
- (c) name of the person who is enquiring the complaint;
- (d) place of incident;
- (e) the name of establishment or person against whom the complaint is made;
- (f) gist of the complaint;
- (g) documentary evidence, if any;
- (h) date of disposal by the Grievance Redressal Officer;
- (i) details of disposal of the appeal by the district level committee; and
- (j) any other information.

CHAPTER VIII

SPECIAL PROVISIONS FOR EMPLOYMENT OF PERSONS WITH BENCHMARK DISABILITIES

15. Expert Committee for identification of posts: (1) For the purposes of identification of posts, the expert committee shall be constituted as follows:

- (a) Secretary, Department of Social Welfare - Chairperson;
- (b) Head of the Department the concerned Department – Member
- (c) Secretary, Department of Personnel – Member;
- (d) Secretary, Department of Finance – Member;
- (e) Secretary, Department of Health and Medical Services - Member

(2) In case of any dispute/objection arising on the issue of reservation of posts in relation to reservation in all the departments, the dispute shall be referred to the UT Level Committee which will comprise of the following members:

- (a) Advisor to Administrator – Chairperson;
- (b) Commissioner of Person with Disabilities. –Member;
- (c) Secretary Personnel – Member;
- (d) Secretary Department of Medical, Health and Family Welfare – Member;
- (e) Secretary, Department of Finance – Member;
- (f) Secretary the concerned Department – Member;
- (h) Dean and Controller/Director or concerned head of the department dealing with the persons with disabilities, – Member;
- (i) Two persons representing different types of disabilities to be nominated by the UT Administration, by rotation – Members

(3) The UT Level Committee so constituted under sub-rule (2) shall meet as often as necessary for the purposes of identification of posts for reservation for persons with disabilities, but shall meet at least once in every three years.

16. Eligibility for appointment of persons with benchmark disabilities.: (1) Notwithstanding anything contained in any rules or orders for the time being in force regulating the recruitment and conditions of service of persons appointed to the various services or posts in connection with affairs of every establishment including any Government establishment, persons with benchmark disabilities shall be eligible for appointment to the posts identified for them under rule 18 of these rules provided they fulfill the qualifications laid down in the relevant recruitment or service rules for the posts and are functionally able to perform the duties of the posts of the relevant services.

(2) In the posts which are identified suitable for persons with disabilities, a person with disability cannot be denied the right to compete for appointment against an unreserved vacancy; Provided that such post is identified suitable for persons with disability of the relevant category.

17. Computation of vacancies.- (1) For the purposes of computation of vacancies, four percent of the total number of vacancies including vacancies arising in the identified and non-identified posts in the cadre strength in each group of posts shall be taken into account by UT Administration or any establishment, wholly or substantially financed by that government, or any local authority, other than a cantonment Board, the UT Administration:

Provided that the reservation in promotion shall be in accordance with the instructions issued by the state government or any establishment, wholly or substantially financed by that government, or any local authority, other than a cantonment Board, the State Government from time to time.

(2) Every Government establishment shall maintain a vacancy based roster for the purpose of calculation of vacancies for persons with benchmark disabilities in the cadre strength as per the instructions issued by the state government or any establishment, wholly or substantially financed by that government, or any local authority, other than a cantonment Board, the State Government from time to time.

(3) While making advertisement to fill up vacancies, every Government establishment shall indicate the number of vacancies reserved for each class of persons with benchmark disabilities in accordance with the provisions of section 34 of the Act.

(4) The reservation for persons with disabilities in accordance with the provisions of section 34 of the Act shall be horizontal and the vacancies for persons with benchmark disabilities shall be maintained as a separate class.

18. Reservation for Persons with Disabilities: (1) In every establishment four percent of the vacancies of direct recruitment in the cadre shall be reserved for persons or class of 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 per cent 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.

(2) The posts identified for each disability under Section 34 of the Act shall be treated as horizontal reservation and the vacancies for persons with benchmark disabilities shall be maintained as a separate class;

(3) Where in any recruitment any vacancy reserved under this rule cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reason, such vacancy shall be carried forward and filled up as per provisions of Section 34(2) of the Act.

(4) Reservation in posts identified for one or more categories:

(a) If a post is identified suitable only for one category of disability, reservation in that post shall be given to persons with that disability only;

- (b) Reservation of 4% shall not be reduced in such cases and total reservation in the post will be given to persons suffering from the disability for which it has been identified;
- (c) If in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories equally, as far as possible.

19. Maintenance of Rosters: (1) All establishments shall maintain a separate 100 point roster register for determining/effecting reservation for the persons with benchmark disabilities.

(2) The register shall have cycle of 100 points and each cycle of 100 points shall be divided into four blocks, comprising the following points:

1st Block – Point No. 1 to point No. 25

2nd Block – Point No. 26 to point No. 50

3rd Block – Point No. 51 to point No. 75

4th Block – Point No. 76 to point No. 100

(3) Point 25, 50, 75 and 100 of the roster shall be earmarked and reserved for persons with benchmark disabilities – one point for each of the three categories of benchmark disabilities mentioned in clauses (a), (b) and (c) and one point for categories of benchmark disabilities mentioned in clauses (d) and (e) of rule 18(1).

(4) All the vacancies shall be entered in the relevant roster register which shall be maintained by the head of the establishment.

(5) An example: If in case a cadre has 50 posts and vacancies are 24, then in that case, the head of the establishment will record 24 points in the register and the very next vacancy, i.e. the 25th vacancy, shall be earmarked for the persons with benchmark disabilities.

20. Relaxation in age.: (1) The maximum age limit in the service rules for appointment to the posts specified under rule 18 may be relaxed as under including relaxation already prescribed under the relevant service rules:-

(i) 10 years for candidates belonging to general category.

(ii) 13 years for candidates belonging to Backward Classes and Special Backward Classes, and

(iii) 15 years for candidates belonging to Scheduled Castes or Scheduled Tribes:

(2) The UT Administration may further relax the age limit in cases of exceptional hardship to the persons with benchmark disabilities.

21. Concessions.- The persons with benchmark disabilities shall be allowed a concession of 5 (five) percent of minimum qualifying marks needed for eligibility for any vacancy in an establishment wherever prescribed in the examination, in order to make them eligible for employment under Rule 16.

22. Exemption from payment of examination fee and application fee: (1) Persons with benchmark disabilities shall be exempt from payment of application fee and examination fee, prescribed in respect of competitive examinations held by the Staff Selection Board of UT Administration of Daman & Diu for recruitment to various posts.

(2) The said exemption under sub-rule (1) shall be available only to such persons who enclose with the application form, necessary certificate from a competent authority in support of their claim of benchmark disability.

23. Persons employed, if become persons with benchmark disabilities later.- If the persons who are already in employment with any establishment, acquire any benchmark disability specified in Section 34 of the Act, subsequently during their employment, then such persons shall also be entitled to relaxation of physical and medical examination provided in the relevant service rules, if any.

24. Interchange of vacancies.- The Government establishment shall interchange vacancies in accordance with the provisions of section 34 of the Act, only if due process of recruitment to fill up the vacancies reserved for persons with benchmark disabilities has been complied with.

25. Submission of Returns on Vacancies.- (1) Every Government establishment shall furnish to the local special employment exchange returns in Form - I once in every six months for the period

from 1st April to 30th September and from 1st October to 31st March, and in Form -II once in every two years.

(2) The six monthly return shall be furnished within thirty days of the respective dates which is, 31st March and, 30th September of every financial year.

(3) The two yearly return shall be furnished within thirty days of the closing of every alternate financial year:

Provided that the first two yearly returns shall be furnished for the financial year closing on 31st March.

26. Form in which record to be kept by an employer.- Every Government establishment shall maintain the record of employees with disabilities in Form - III.

CHAPTER IX

ACCESSIBILITY

27. Rules for Accessibility.- (1) Every establishment shall comply with the following standards relating to physical environment, transport and information and communication technology, namely:-

(a) standard for public buildings as specified in the Harmonized Guidelines and Space Standards for Barrier Free Built Environment for Persons With Disabilities and Elderly Persons as issued by the Government of India, Ministry of Urban Development in March, 2016;

(b) standard for Bus Body Code for transportation system as specified in the notification of the Government of India in the Ministry of Road Transport and Highways, *vide* number G.S.R. 895(E), dated the 20th September, 2016;

(c) Information and Communication Technology :-

(i) website standard as specified in the guidelines for Indian Government websites, as adopted by Department of Administrative Reforms and Public Grievances, Government of India;

(ii) documents to be placed on websites shall be in Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf format:

Provided that the standard of accessibility in respect of other services and facilities shall be as specified by the UT Administration within a period of six months from the date of notification of these rules.

(a) The respective departments shall ensure compliance of the standards of accessibility specified under this rule through the concerned domain regulators or otherwise.

28. Review of Accessibility Standards.- The UT Administration shall review from time to time the accessibility standards notified based on the latest scientific knowledge and technology.

CHAPTER X

CERTIFICATE OF REGISTRATION OF INSTITUTIONS

29. Competent Authority for the Purposes of Chapter X in the Act.-

- (1) Secretary of Social Welfare shall be the Competent Authority for the purposes of registration of institutions for persons with disabilities and grants to such institutions as laid down in Chapter IX of the Act.
- (2) The competent Authority appointed under sub-rule (1) shall, within the jurisdiction of the District concerned, perform all functions and undertake related responsibilities as specified in sections 50, 51 and 52 of the Act.

30.Appellate Authority for the Purposes of Chapter-X in the Act.-

The Advisor to Hon'ble Administrator shall be the Appellate Authority referred to in sub-section (1) of Section 53 of the Act.

31.Application for grant of certificate of registration.-

- (1) A person desirous of establishing or maintaining an institution for persons with disabilities may make an application in Form 'A' to the competent authority referred to in Section 51 of the Act, as appointed under sub-rule (1) of rule 29.
- (2) Every application made under sub-rule (1) shall be accompanied with:-
 - (a) Documentary evidence of work in the area of disability;
 - (b) The Constitution or bye-laws or regulations governing the institution;
 - (c) audited statement and details of grants received in the last three years preceding the date of application;
 - (d) a statement regarding total number of persons employed in the Institution along with their respective duties;
 - (e) the number of professionals employed in the Institution;
 - (f) a statement regarding qualifications of the professionals employed by the Institution; and
 - (g) the proof of residence of the applicant.
- (3) Every application made under sub rule (1) shall comply with the following requirements in respect of the concerned institution, namely:-
 - (a) that the institution had been working in the field of rehabilitation of persons with disabilities for not less than three years immediately before the date on which the application is made;
 - (b) that the institution is registered under the Indian Societies Registration Act, 1860 (XXI of 1860) or under any other law for the time being in force in the UT, and a copy of such registration certificate along with the byelaws and memorandum of association of the society shall accompany the application;
 - (c) that the institution has not been running to profit any individual or a body of individuals (an affidavit shall be submitted by the applicant to this effect);

- (d) that the institution has employed professionals registered with the Rehabilitation Council of India or Medical Council of India or any other professional body competent to certify the professionals whose services the institution under reference requires;
 - (e) that the institution has adequate teaching and learning material to teach or train or skill or educate persons with disabilities; and
 - (f) that the institution has submitted its audited accounts and annual reports of last three years to the competent authority.
- (4) The certificate of registration under this rule, unless revoked under section 52 of the Act, shall remain in force for a period of five years from the date on which it is granted or renewed.
- (5) An application for the renewal of certificate of registration shall be made in the same manner as the application for grant of certificate is made under sub-rule (1), and every request for renewal shall accompany the previous certificate of registration (in original) and a statement that the applicant is applying for renewal of the certificate being accompanied:
- Provided that such application shall be made before sixty days of the expiry of the validity of such certificate;
- Provided further that the competent authority may, if he is satisfied that sufficient grounds exist for delay beyond the time limit prescribed for renewal, consider application for renewal of the certificate of registration after 60 days but not later than 120 days.
- (6) If the application for renewal of certificate of registration is made before its expiry as specified in the provision to sub-rule (5), the certificate of registration shall continue to be in force until appropriate orders are passed on the application, and the certificate of registration shall be deemed to have expired if application for its renewal is not made within sixty days as specified in the said provision.
- (7) Every application made for certificate of registration under sub-rule (1) or for renewal of certificate of registration under sub rule (5), as the case may be, shall be disposed of within a period of ninety days from the date on which such application is received by the Competent Authority referred to in sub-section (1) of section 51 of the Act, as appointed under sub-rule (1) of rule 29 of these rules.

32. Appeal against the order of competent authority.-

Any person aggrieved by the order of the competent authority referred to in subsection (1) of Section 51 of the Act, as appointed under sub-rule (1) of rule 29 of these rules, refusing to grant a certificate of registration or revoking a certificate of registration may, within three months from the date of such order, prefer an appeal against that order to the appellate authority referred to in sub-section (1) of Section 53 of the Act, as appointed under sub-rule (1) of rule 30 of these rules, and the appellate authority may, after such enquiry into the matter as it considers necessary and after giving the appellant an opportunity of hearings, make such order as it thinks fit.

CHAPTER XI

CERTIFICATE OF DISABILITY

33.Application for certificate of disability.- (1) Any person with specified disability may apply in Form -IV for a certificate of disability and submit the application to :-

- (a) medical authority or any other notified competent authority to issue such a certificate in the district of residence of the applicant as mentioned in the proof of residence in the application; or
- (b) the concerned medical authority in a government hospital where he may be undergoing or may have undergone treatment in connection with his disability:

Provided that where a person with disability is a minor or suffering from intellectual disability or any other disability which renders him unfit or unable to make such an application himself, the application on his behalf may be made by his legal guardian or by any organisation registered under the Act having the minor under its care.

(2)The application shall be accompanied by -

- (a) proof of residence;
- (b) two recent passport size photographs; and
- (c) aadhaar number or aadhaar enrollment number, if any.

Note.- No other proof of residence shall be demanded from the applicant who has aadhaar or aadhaar enrollment number.

34.Issue of certificate of disability.- (1) On receipt of an application under rule 33, the medical authority or any other notified competent authority shall, verify the information as provided by the applicant and shall assess the disability in terms of the relevant guidelines issued by the Central Government and after satisfying himself that the applicant is a person with disability, issue a certificate of disability in his favour in Form V, VI and VII, as the case may be.

- (2) The medical authority shall issue the certificate of disability within a month from the date of receipt of the application.
- (3) The medical authority shall, after due examination -
 - (i) issue a permanent certificate of disability in cases where there are no chances of variation of disability over time in the degree of disability; or
 - (ii) issue a certificate of disability indicating the period of validity, in cases where there is any chance of variation over time in the degree of disability.
- (4) If an applicant is found ineligible for issue of certificate of disability, the medical authority shall convey the reasons to him in writing under Form VIII within a period of one month from the date of receipt of the application.
- (5) The UT Administration of Dadra & Nagar Haveli and Daman & Diu shall ensure that the certificate of disability is granted on online platform from such date as may be notified by the UT Administration.

35.Certificate issued under rule 34 to be generally valid for all purposes.- A person to whom the certificate issued under rule 34 shall be entitled to apply for facilities, concessions and benefits admissible for persons with disabilities under schemes of the Government and of non-Governmental organizations funded by the Government.

36. Validity of certificate of disability issued under the repealed Act.-

The certificate of disability issued under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) shall continue to be valid after commencement of the Act for the period specified therein.

CHAPTER XII

APPEAL REGARDING CERTIFICATE OF DISABILITY

37. Appeal against the decision of the authority issuing certificate of disability

- (1) Any person aggrieved with the decision of the authority issuing the certificate of disability may, within ninety days from the date of the decision, prefer an appeal to the appellate authority designated by the UT Administration for the purpose under sub-section (1) of Section 59 of the Act in the following manner:-

- (a) The appeal shall contain brief background and the grounds for making the appeal;
- (b) The appeal shall be accompanied by a copy of the certificate of disability or letter of rejection issued by the certifying authority:

Provided that where a person with disability is a minor or suffering from any disability which renders him unfit to make such an appeal himself, the appeal on his behalf may be made by his legal or limited guardian as the case may be.

- (2) On receipt of such appeal, the appellate authority shall provide the appellant an opportunity to present his case and thereafter pass such reasoned and detailed order as it may deem appropriate.
- (3) Every appeal preferred under sub-rule (1) shall be decided as expeditiously as possible as and not later than a period of sixty days from the date of receipt of the appeal.

38. Appellate Authority for the Purposes of Chapter-X in the Act.-

The Advisor to Hon'ble Administrator shall be the Appellate Authority referred to in sub-section (1) of section 59 of the Act.

CHAPTER XIII

UT ADVISORY BOARD ON DISABILITY

39. Allowances for the members of the UT Advisory Board. - (1) The non-official members of the UT Advisory Board, of UT of Dadra & Nagar Haveli and Daman & Diu, shall be paid an allowance of rupees one thousand per day for each day of the actual meeting.

(2) The non-official members of the UT Advisory Board, shall be paid daily allowance and travelling allowance for each day of the actual meeting at the rate admissible to a Group "A" officer of the UT Administration:

Provided that in case a Member of Parliament is a Member of the UT Advisory Board, the daily allowance and travelling allowance shall be paid at the rate admissible to him as Member of Parliament when the Parliament is not in session and on production of a certificate by the Member that he has not drawn any such allowance for the same journey and halts from any other Government source.

The official member of the UT Advisory Board shall be paid daily allowance and travelling allowance, at the rate admissible under the relevant rules of the concern department of UT Administration under whom he is serving on production of a certificate by him that he has not drawn any such allowance for the same journey and halts from any other Government source.

40. Notice of meeting.- (1) The meeting of the UT Advisory Board on disability shall ordinarily be held in Daman on such dates as may be fixed by the Chairperson:

Provided that it shall meet at least once in every six months.

(2) The Chairperson shall, on the written request of not less than ten members of the UT Advisory Board, call a special meeting of the Board.

(3) The Member -Secretary shall give fifteen clear days' notice of an ordinary meeting and five clear days' notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat.

(4) The Member-Secretary may give notice to the members by delivering the same by messenger or sending it by registered post to his last known place of residence or business or by email or in such other manner as the Chairperson may, in the circumstances of the case, think fit.

(5) No member shall be entitled to bring forward for the consideration of the meeting, any matter of which he has not given ten clear days' notice to the Member- Secretary, unless the Chairperson may permit him to do so.

(6) The UT Advisory Board may adjourn its meeting from day to day or to any particular day.

(7) Where a meeting of the UT Advisory Board is adjourned from day to day, the Member-Secretary shall give notice of such adjourned meeting at the place where the meeting is adjourned, if held, by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(8) Where a meeting of the UT Advisory Board is adjourned not from day to day but from the day on which the meeting is to be held to another day, notice of such meeting shall be given to all the members as provided in sub -rule(4).

41. Presiding officer.- The Chairperson shall preside over every meeting of the UT Advisory Board and in his absence, the Vice-Chairperson shall preside, but when both the Chairperson and the Vice-Chairperson are absent from any meeting, the members present shall elect one of the members to preside over that meeting.

42. Quorum.- (1) One-third of the total members of the UT Advisory Board shall form the quorum for any meeting.

(2) If time fixed for any meeting or during the course of any meeting, less than one-third of the total members are present, the Chairperson may adjourn the meeting to such hours on the following or on some other future date as he may fix.

(3) No quorum shall be necessary for the adjourned meeting.

(4) No matter, which had not been on the agenda of the ordinary or the special meeting, as the case may be, shall be discussed at adjourned meeting.

43. Minutes.- (1) The Member-Secretary shall maintain the record containing the names of members who attended the meeting and of the proceedings at the meetings in a book to be kept for that purpose.

(2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting, and shall be confirmed and signed by the presiding officer at such meeting.

(3) The proceedings shall be open to inspection by any member at the office of the Member-Secretary during office hours.

44. Business to be transacted at meeting.- Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 40 shall be transacted at any meeting.

45. Agenda for the meeting of the UT Advisory Board.- (1) The business of the meeting shall be transacted in the order in which it is entered in the agenda, unless otherwise resolved in the meeting with the permission of the presiding officer.

(2) At the beginning of the meeting or after the conclusion of the debate on a motion during the meeting, the presiding officer or a member may suggest a change in the order of business as entered in the agenda and if the Chairperson agrees, such a change shall take place.

46. Decision by majority.- All questions considered at a meeting of the Committee shall be decided by a majority of votes of the members present and voting and in the event of equality of votes, the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson or in the absence of both the member presiding at the meeting, as the case may be, shall have a second or casting vote.

47. No proceeding to be invalid due to vacancy or any defect.- No proceeding of the UT Advisory Board shall be invalid by reason of existence of any vacancy in or any defect in the constitution of the Board

48. District-level Committee on Disability.-

The District-Level Committee on disability referred to in Section 72 of the Act shall consist of:-

- (i) An Officer of the Civil Service of the Union or of the State not below the rank of the District Collector and Magistrate –ex-officio Chairperson;
- (ii) the District Coordinator of Hospital Services – ex-officio Member;
- (iii) The Project Director, District Rural Development Agency (DRDA) – ex-officio Member;
- (iv) a Psychiatrist of the District Hospital – Member;
- (v) a Public Prosecutor of the District – Member;
- (vi) a Representative of a Registered Organization – member;
- (vii) a Person with bench mark disability as defined in Clause(r) of Section 2 of the Act – Member; and
- (viii) any other member as invited by the Chairperson – Member;
- (ix) Assistant Director for the Welfare of Disabled and Senior Citizens or District Welfare Officer, as the case may be, ex-officio Member Secretary.

49. Functions of the Committee.- The District-Level Committee on disability shall perform the following functions, namely:-

- (a) advise the District authorities on matters relating to rehabilitation and empowerment of persons with disabilities.
- (b) monitor the implementation of the provisions of the Act and the rules made there under by the District authorities.

- (c) assist the District authorities in the implementation of schemes and programmes of the UT Administration for the empowerment of persons with disabilities.
- (d) look into the complaints relating to non implementation of the provisions of the Act by the District authorities and recommend suitable remedial measures to the concerned authorities to redress such complaints.
- (e) look into the appeal made by the employees of UT Administration aggrieved with the action taken by the District level establishments under sub-section (4) of Section 23 of the Act and recommend appropriate measures.
- (f) any other functions as may be assigned by the UT Administration.

CHAPTER XIV

COMMISSIONER FOR PERSONS WITH DISABILITIES

50. Qualification for appointment of UT Commissioner. –No person shall be eligible for appointment as Commissioner, unless

- (a) he is a Graduate from a recognized University :

Provided that preference shall be given to persons having recognised degree or diploma in social work or law or management or human rights or rehabilitation or education of persons with disabilities.

- (b) he is having at least Ten years experience in a Group "A" level post in the Central Government or a State Government or a public sector undertaking or a semi Government or an autonomous body dealing with disability related matters or social sector or as senior level functionary in registered national and international voluntary organizations in the field of disability or social development; and
- (c) he has not attained the age of fifty-six years as on 1st January of the year of recruitment.

51. Method of appointment of the UT Commissioner.– (1) The UT Administration may advertise in News papers as per UT Norms invite applications for the post from eligible candidates fulfilling the qualifications specified in rules 50

- (2) A selection committee shall be constituted to recommend a panel of three suitable candidates for the post of the Commissioner.

(3) The selection committee shall be constituted in accordance with the instructions issued by the UT Administration from time to time.

(4) The panel recommended by the committee may consist of persons from amongst those who have applied in response to the advertisement mentioned in sub-rule (1) and other eligible persons whom the Committee may consider suitable.

(5) The UT Administration shall appoint one of the candidates recommended by the selection committee as the UT Commissioner.

52.Term of the UT Commissioner.- (1) The term of office of the UT Commissioner shall be for a period of three years and may be extended for a period of another two years or till he attains the age of sixty years, whichever is earlier.

(2)A person may serve as UT Commissioner for a maximum period of two terms subject to the condition that he has not attained the age of sixty-five years, or sixty years, respectively.

53.Salary and allowances of the Commissioner- (1) The Commissioner shall be entitled for the salary and allowances as admissible to UT Administration.

(2)Where a UT Commissioner being a retired Government servant or a retired employee of any institution or autonomous body funded by the Government, is in receipt of pension in respect of such previous service, the salary admissible to him under these rules shall be reduced by the amount of the pension, and if he had received in lieu of a portion of the pension, the commuted value thereof, by the amount of such commuted portion of the pension.

54.Other terms and conditions of service of the UT Commissioner.- (1) The UT Commissioner shall be entitled to such leave as is admissible to UT Administration.

(2)The UT Commissioner shall be entitled to such leave travel concession as is admissible to UT Administration.

(3)The UT Commissioner shall be entitled to such medical benefits as is admissible to UT Administration

55.Resignation and removal.- (1) The UT Commissioner may, by notice in writing, under his hand, addressed to the UT Administration, resign from the office Provided that he shall continue in the office till his resignation is accepted.

(2)The UT Administration may remove a person from the office of the UT Commissioner, if he/she:

- (a) becomes an undischarged insolvent;
- (b) engages during his term of office in any paid employment or activity outside the duties of his office;
- (c) is convicted or sentenced to imprisonment for an offence which in the opinion of the UT Administration involves moral turpitude;
- (d) is in the opinion of the UT Administration, unfit to continue in office by reason of infirmity of mind or body or serious default in the performance of his functions as laid down in the Act;
- (e) without obtaining leave of absence from the UT Administration, remains absent from duty for a consecutive period of fifteen days or more; or
- (f) has, in the opinion of the UT Administration, so abused the position of the UT Commissioner as to render his continuance in office detrimental to the interest of persons with disability:

Provided that no person shall be removed under this rule except after following the procedure as is admissible to UT Administration.

(3)The UT Administration may suspend the UT Commissioner, in respect of whom proceedings for removal have been commenced in accordance with sub-rule (2), pending conclusion of such proceedings.

56.Residuary provision.— The conditions of service of the UT Commissioner in respect of which no express provision has been made in these rules shall be determined by the rules and orders for the time being applicable to the Secretary and Deputy Secretary to the UT Administration of Dadra & Nagar Haveli and Daman & Diu, as the case may be.

57.Procedure to be followed by UT Commissioner.- (1) An aggrieved person may present a complaint containing the following particulars in person or by his agent to the UT Commissioner or send it by registered post or by email addressed to the UT Commissioner, namely:-

- (a) the name, description and the address of the aggrieved person;
- (b) the name, description and the address of the opposite party or parties, as the case may be, so far as they may be ascertained;
- (c) the facts relating to complaint and when and where it arose;
- (d) documents in support of the allegations contained in the complaint; and
- (e) the relief which the aggrieved person claims.

(2)The UT Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party or parties mentioned in the complaint, directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the UT Commissioner.

(3)On the date of hearing or any other date to which hearing could be adjourned, the parties or their agents shall appear before the UT Commissioner.

(4)Where the aggrieved person or his agent fails to appear before the UT Commissioner on such days, the UT Commissioner may either dismiss the complaint on default or decide on merits.

(5)Where the opposite party or his agent fails to appear on the date of hearing, the UT Commissioner may take such necessary action under section 82 of the Act as he deems fit for summoning and enforcing the attendance of the opposite party.

(6)The UT Commissioner may dispose of the complaint *ex-parte*, if necessary.

(7)The UT Commissioner may on such terms as he deems fit and at any stage of the proceedings, adjourn the hearing of the complaint.

(8)The UT Commissioner shall decide the complaint as far as possible within a period of three months from the date of receipt of notice by the opposite party.

58.Submission of Annual Report.- (1) The UT Commissioner, shall as soon as possible, after the end of the financial year but not later than the 30th day of September in the next year enusing prepare and submit to the UT Administration, an annual report giving a complete account of his activities during the said financial year.

(2)In particular, the annual report referred to in sub-rule (1) shall contain information in respect of each of the following matters, namely:-

- (a) names of its officers and staff and a chart showing the organizational set up;
- (b) the functions which the UT Commissioner has been empowered under sections 80 and 81 of the Act and the highlights of the performance in this regard;

- (c) the main recommendations made by the Chief Commissioner;
- (d) the progress made in the implementation of the Act; and
- (e) any other matter deemed appropriate for inclusion by the UT Commissioner or specified by the UT Administration from time to time.

CHAPTER XV

UT FUND FOR PERSONS WITH DISABILITIES

59. Management of UT Fund.- (1) There shall be a governing body consisting of following members to manage the UT Fund, namely:-

(a) Advisor to Hon'ble Administrator - Chairperson;

(b) two representatives from the Department of Health and Family Welfare, Department of Education, Department of Labour and Employment, Department of Finance, Department of Rural Development . - Members;

(c) two persons representing different types of disabilities to be nominated by the Social Welfare Department, by rotation – Members;

(d) Secretary, Social Welfare – Convener and Chief Executive Officer.

(2) The governing body shall meet as often as necessary, but at least once in every financial year.

(3) The nominated members shall hold office for not more than three years.

(4) No member of the governing body shall be a beneficiary of the Fund during the period such member holds office.

(5) The nominated non-official members shall be eligible for payment of travelling allowance and daily allowance as admissible to UT Administration.

(6) No person shall be nominated under clause (c) of sub-rule (1) as a member of the governing body if he -

(a) is, or has been, convicted of any offence, which in the opinion of the UT Administration, involves moral turpitude; or

(b) is, or at any time has been, adjudicated as an insolvent.

61. Utilisation of the UT Fund.-

(1) All monies belonging to the Fund shall be deposited in such banks or invested in such manner as the governing body, may, subject to the general guidelines of the UT Administration, decide.

(2) The Fund shall be invested in such manner as may be decided by the governing body.

(3) The Fund shall be utilized for the following purposes, namely:-

(a) financial assistance in the areas which are not specifically covered under any scheme and programme of the Central Government /UT Schemes or are not adequately funded under any scheme or programme of the Central Government/UT ;

(b) for the purpose of implementation of the provisions of the Act;

(c) administrative and other expenses of the Fund, as may be required to be incurred by or under this Act; and

(d) such other purposes as may be decided by the governing body.

(4) Every proposal of expenditure shall be placed before the governing body for its approval.

(5) The governing body may appoint secretarial staff including accountants, with such terms and conditions, as it may think appropriate, to look after the management and utilization of the Fund.

62. Budget.- The Chief Executive Officer of the Fund shall prepare the budget for incurring expenditure under the Fund for each financial year showing the estimated receipt and expenditure of the Fund, in January every year and shall place the same for consideration of the governing body.

63. Annual Report.- The annual report of the Department of Empowerment of Persons with Disabilities shall include a chapter on UT Fund.

Form - 1
(Persons with Disabilities Employer's Return)
[See Rule 25 (1)]

Six monthly return to be submitted to the special Employment Exchange for the half year ended

Name and Address of the Employer

Whether - Head Office

Branch Office

Nature of business / Principal Activity:

1. Employment

(a) Total number of persons including working proprietors / partners / commission agents/ contingent paid and contractual workers, on the pay rolls of the Government establishment excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid by the Government establishment)

On the last working day of previous half year				
Blindness and low vision	Deaf and hard of hearing	Locomotive disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns (1) to (4) including deaf blindness
(1)	(2)	(3)	(4)	(5)

On the last working day of the half year under report				
Blindness and low vision	Deaf and hard of hearing	Locomotive disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns (1) to (4) including deaf blindness
(1)	(2)	(3)	(4)	(5)

Men with disability
 Women with disability
 Total

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5% during the half year.

2. Vacancies – Vacancies carrying total emoluments as per prevailing minimum wage per month and of over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year (Separate figures may be given for men with disability and women with disability).

Number of vacancies which come within the purview of the Act.

Occurred	Notified (Describe the source from which filled)	Filled	Source
Local / Special Employment Exchange		General Employment Exchange	

(b) Reasons for not notifying all vacancies occurred during the half year under report vide 2(a)

3. Manpower Shortages

Vacancies/Posts unfilled because of shortage of suitable applicants.

Name of the Occupation Or Designation Of the posts	Number of unfilled essential qualification	Vacancies /posts essential experience	disability wise experience not necessary
1	2	3	4

Please list any other occupations for which this Government establishment had recently any difficulty in obtaining suitable applicants.

Signature of employer
 Dated.....

To
 The Employment Exchange

Note:- This return related to half yearly ending 31st March / 30th September and shall be rendered to the local Special Employment Exchange within thirty days after the end of the half year concerned.

Form - II
(Persons with Disabilities Employer's Return)
[See rule 25 (1)]

Occupational return to be submitted to the local Special Employment Exchange once in two years.

Name and Address of the Employer

Nature of business

(Describe what the Government establishment makes or does or does as its principal activity)

- Total number of persons on the pay rolls of the Government establishment on (Specify date)..... (This figure should include every person whose wage or salary is paid by the Government establishment) (Separate figures for men with disability and women with disability may be given).
- Occupational classification of all employees as given in item-1 above.
 (Please give below the number of employees in each occupation separately)

Occupation Use exact terms Such as Engineer Such as Engineer (Mechanical);	Men with disability	Number of Employees Women with disability	Total please give as far as possible approximate
--	---------------------	--	---

Teacher (domestic/ Science);
 Officer on duty (actuary);
 Assistant Director
 (Metallurgist);
 Scientific Assistant (Chemist);
 Research Officer (economist);
 Instructor (carpenter);

number of
 vacancies in each
 occupation you are
 likely to fill during
 the next calendar
 year due to
 retirement.

Supervisor (tailor);
 Fitter (internal Combustion engine);
 Inspector
 Sanitary); Superintendent
 Office; apprentice
 Electrician).

Total

Dated.....

Signature of employer

To
 The Employment Exchange
 (Please fill in her the address of your local Special Employment Exchange)

Note : Total of column 5 under item 2 should correspond to the figure given against item- 1 .

Form - III
(Persons with Disabilities Employer's Return)
[See Rule 26]

Name and Address of the Employer
 Whether- Head Office
 Branch Office
 Nature of business / principal activity:

Total number of persons on the pay rolls of the Government establishment (This figure should include every person whose wage or salary is paid by the Government establishment).

Total number of persons with disabilities (disability-wise) on the payroll of the government establishment (This figure should include every with disability whose wage or salary is paid by the Government establishment).

(a) Occupational qualification of all employees (please give below the number of employees in each occupation separately.

Occupation	Men with disabilities	Number of Employees Women with disabilities	Total	
Use exact terms Such as Engineer as far as (Mechanical); Teacher (domestic/science); Officer on duty(actuary); Assistant Director each (metallurgist); you are Scientific Assistant (chemist); during Research Officer (economist); Instructor (carpenter);				Please give possible approximate number of vacancies in occupation likely to fill the next calendar retirement.

Total

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5% during the half year

3. Vacancies: Vacancies carrying total emoluments as per prevailing minimum wage per month and the over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year.

Number of vacancies which come within the purview of the Act				
Occurred	Notified Local Special Employment Exchange	General Employment	Filled	Sources (Describe the source from which filled)
1	2	3	4	5
Total				

(b) Reasons for not notifying all vacancies occurred during the half year under report vide (a) 2above.

4. Manpower shortage

Vacancies / post unfilled because of shortage of suitable applications

Name of the occupation or
Designation of the posts

Number of unfilled vacancies / posts

	Essential Qualification	Essential experience	Experience Not
necessary			
1.	2.	3.	4.

Please list any other occupations for which this Government establishment had recently any difficulty in obtaining suitable applicants.

Signature of employer

FORM-IV

Application for Obtaining Certificate of Disability by Persons with Disabilities

[See rule 33(1)]

(1) Name: _____
(Surname) (First Name) (Middle Name)

(2) Father's Name: _____ Mother's Name: _____

(3) Date of Birth : _____/_____/_____
(Date) (Month) (Year)

(4) Age at the time of application: _____ years

(5) Sex: Male / Female / Transgender _____

(6) Address:

(a) Permanent address (b) Current Address (i.e for communication)

(c) Period since when residing at current address _____

(7) Education Status (please tick as applicable)

- (i) Post Graduate
- (ii) Graduate
- (iii) Diploma
- (iv) Higher Secondary
- (v) High School
- (vi) Middle
- (vii) Primary
- (viii) Non-literate

- (8) Occupation _____
- (9) Identification mark (i) _____ (ii) _____
- (10) Nature of disability :
- (11) Period since when disabled : From Birth // since year _____
- (12) (i) Did you ever apply for issue of a certificate of disability in the past ____ Yes / No
- (ii) if yes , details:
- (a) Authority to whom and district in which applied _____
- (b) Result of application _____

(13) Have you ever been issued a certificate of disability in the past? If yes, please enclose a true copy.

Declaration: I here by declare that all particulars stated above are true to the best of my knowledge and belief, and no material information has been concealed or misstated. I further state that if any inaccuracy is detected in the application, I shall be liable to forfeiture of any benefits derived and other action as per law.

 (signature or left thumb impression
 Of person with disability, or of
 his/her
 Legal guardian in case of persons
 with
 intellectual disability, autism,
 cerebral palsy and multiple
 disabilities, etc)

Date :

Place:

Enclosures:

1. Proof of residence (please tick as applicable)
 - (a) Ration card,
 - (b) Voter identity card,
 - (c) Driving license,
 - (d) Bank passbook,
 - (e) PAN card,
 - (f) Passport,
 - (g) Telephone electricity , water and any other utility bill indication the address of the applicant,
 - (h) A certificate of residence issued by a Panchayat, Municipality, cantonment board, any gazette officer, or the concerned Patwari or Head Master of Government school,
 - (i) In case of an inmate of a residential institution for persons with disabilities, destitute mentally ill, and other disability a certificate of residence from head of such institution.
2. Two recent passport size photographs

 (For office use only)

Date:

Place:

Signature of issuing authority
 Stamp

From - V
Certificate of Disability
(In case of amputation or complete permanent paralysis of limbs or dwarfism and in case of
blindness)
[See rule 34(1)]
(Name and Address of the Medical Authority issuing the Certificate)

Recent passport
size attested
photograph
(Showing face
only) of the person
with disability.

Certificate No.

Date:

This is to certify that I Have carefully examined Shri/ Smt. / Kum. _____
Son/wife/daughter of Shri _____ Date of Birth (DD/MM/YY) _____ Age _____ Years,
male/female _____ registration No. _____ permanent resident of House No. _____
_____ Ward / Village/Street _____ Post Office _____ District _____ State _____
_____, Whose photograph is affixed above, and am satisfied that :

(A) He/she is a case of

- Locomotor disability
- Dwarfism
- Blindness

(Please tick as applicable)

(B) The diagnosis in his / her case is _____

(A) He/she has _____% (in figure) _____ percent (in words) permanent locomotor
disability / dwarfism / blindness in relation to his/her _____ (part of body) as per guidelines
(..... Number and date of issue of the guidelines to be specified).

3. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate

(Signature and Seal of Authorised Signatory

of

Notified Medical Authority)

Signature/ thumb impression
of the person in whose favour
certificate of disability is
issued

From - VI
Certificate of Disability
(In cases of multiple disabilities)
[See rule 34(1)]

(Name and Address of the Medical Authority issuing the Certificate)

Recent passport
size attested
photograph
(Showing face only
) of the person with
disability.

Certificate No.

Date:

This is to certify that we have carefully examined Shri/Smt. / Kum. _____
Son/wife/daughter of Shri _____ Date of Birth (DD/MM/ YY) _____
_____ Age _____ year male/female _____ Registration No. _____ permanent resident of House
No. _____ Ward/ Village / Street _____ Post Office _____ District _____ State _____ whose
photograph is affixed above and am satisfied that:

(A) He/she is a case of Multiple Disability. His/Her extent of permanent physical impairment / disability has been evaluated as per guidelines (..... number and date of issue of the guidelines to be specified) for the disability tricked below, and is shown against the relevant disability in the table below.

Sr. No	Disability	Affected part of body	Diagnosis	Permanent physical impairment / mental disability (in %)
1.	Locomotor disability			
2.	Muscular Dystrophy			
3.	Leprosy cured			
4.	Dwarfism			
5.	Cerebral Palsy			
6.	Acid attack Victim			
7.	Low vision			
8.	Blindness			
9.	Deaf			
10.	Hard of Hearing			
11.	Speech and Language disability			
12.	Intellectual Disability			
13.	Specific Learning Disability			
14.	Autism Spectrum Disorder			
15.	Mental illness			
16.	Chronic Neurological Conditions			
17.	Multiple sclerosis			
18.	Parkinson's disease			
19.	Haemophilia			
20.	Thalassemia			
21.	Sickle Cell disease			

(B) In the light of the above, his/her over all permanent physical impairment as per guidelines (.....number and date of issue of the guideline to be specified), is as follows:-

In figures : percent

2. This condition is progressive / non-progressive / likely to improve / not likely to improve.

3. Reassessment of disability is :

(I) Not Necessary, or \

(II) Is recommended/ after Years months, and therefore this certificate shall be valid till

(DD) (MM) (YY)

@ e.g. Left/ Right/ both arms / Legs

e.g. Single eye

e.g Left / Right/ both ears

4. The application has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

5. Signature and seal of the Medical Authority.

Name and Seal of Member	Name and Seal of Member	Name and Seal of the Chairperson

Signature/thumb impression of the person in whose favour certificate of disability is issued.

From - VII
Certificate of Disability
(In cases other than those mentioned in From V and VI)
(Name and Address of the Medical Authority issuing the Certificate)
[See rule 34(1)]

Recent Passport size
attested photograph
(Showing face only) of
the person with disability

Certificate No. _____

Date: _____

This is to certify that I have carefully examined

Shri / Smt / Kum _____ son/wife / daughter
 _____ Date of Birth (DD/MM/YY) _____

Male / female _____ Registration No. _____ permanent resident of House No. _____
 Ward / Village / Street _____ post Office _____ District _____ State _____

Whose photograph is affixed above, and am satisfied that he/she is a case of _____ disability. His/her extent of percentage physical impairment / disability has been evaluated as per guidelines (.....number and date of issue of the guidelines to be specified) and is shown against the relevant disability in the table below:-

Sr. No	Disability	Affected Part of body	Diagnosis	Permanent physical impairment/mental disability (in %)
	Locomotor disability			
	Muscular Dystrophy			
	Leprosy cured			
	Cerebral Palsy			
	Acid attack Victim			
	Low vision			
	Deaf			
	Hard of Hearing			
	Speech and Language disability			
	Intellectual Disability			
	Specific Learning Disability			
	Autism Spectrum Disorder			
	Mental illness			
	Chronic Neurological Conditions			
	Multiple Sclerosis			
	Parkinson's disease			
	Haemophilia			
	Thalassemia			
	Sickle Cell Disease			

(Please strike out the disabilities which are not applicable)

2. The above condition is progressive / Non-Progressive / likely to improve / Not likely to improve

3. Reassessment of disability is :

(i) Not necessary, or

(ii) is recommended /after _____ year _____ months, and therefore this certificate shall be valid till (DD/MM/YY) _____

@ - e.g. Left/Right/both arms/legs

#- e.g. Single eye/both eyes

\$- e.g. Left/Right/ both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate
--------------------	---------------	--

--	--	--

(Authorised signatory of notified Medical Authority)
(Name and Seal)

Countersigned
{Countersignature and seal of the
Chief Medical Officer / Medical Superintendent/
Head of Government Hospital, in case the
Certificate is issued by a medical authority who is
Not a Government servant (with seal)}

Signature / thumb
impression of the
person in whose
favore certificate of
disability is issued

Note: In case this certificate is issued by a medical authority who is not a Government servant, it shall countersigned by the Chief Medical Officer of the District

From - VIII
[Intimation of rejection of Application for Certificate of Disability]
[See rule 34(4)]

No. _____

Dated: _____

To,
(Name and address of applicant
For certificate of Disability)

Sub: Rejection of Application for Certificate of Disability

Sir/Madam,

Please refer to your application date _____ for issue of a Certificate of Disability for the following disability :

2. Pursuant to the above application, you have been examined by the undersigned / Medical Authority on _____, and I regret to inform that, for the reasons mentioned below, it is not possible to issue a Certificate in your favour:

- (i)
- (ii)
- (iii)

4. In case you are aggrieved by the rejection of your application, you may represent to _____
Requesting for review of this decision.

Yours faithfully,
(Authorised Signature of the notified Medical Authority)
(Name and Seal)

[F.No. 03-01/2017-DD-III]

FORM-A

Application for a Certificate of Registration [See rule 31(1)]

(1) Name of applicant and his address : -----

(2) Institution in respect of which application is made:

a. Name

b. Address (Office/ Project)

c. Phone / Fax/ Telex/ (Office)/Email : _ (Project)

(3) (i) Name of the Act under which the institution is already registered :

(ii) Registration No. and date of registration : -----(Please attach a photocopy)

(4) Memorandum of Association •and Bye-laws of the institution: (Please attach a photocopy)

(5) Name, address, occupation and other particulars of the Members of the Board of Management / Governing Body of the institution:

(6) Present Activities of the institution: -----

(7) Present membership strength and categorization of the institution. List of documents to be attached:

(a) A copy of the annual report for the previous year,

(b) Audited Statement of account duly certified by Chartered Accountant for the last two years .

(i) Receipt and Payment Account (by Chartered Accountant for the last two years)

(ii) Income and Expenditure Account (by Chartered Accountant for the last two years)

(iii) Balance sheet for the last two years (by Chartered Accountant)

(c) Details of staff employed by the institution.

(d) Details of beneficiaries to be covered by the institution

(e) If hostel is maintained, then number of hostellers.

(f) Other terms, if any

(g) Whether the institution is located on its own/rented building (Necessary evidence to be attached).

Signature of Applicant

Name :

Designation:

Address:

Date:

Office Stamp:

* * *