



सत्यमेव जयते

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि वह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (Legislative Department)

*New Delhi, the 1st January, 1996/Pause 11, 1917 (Saka)*

The following Act of Parliament received the assent of the President on the  
1st January, 1996, and is hereby published for general information :-

### THE PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) ACT, 1995

No. 1 of 1996

(1st January, 1996)

**An Act to give effect to the Proclamation on the Full Participation and  
Equality of the People with Disabilities in the Asian and Pacific Region.**

WHEREAS the Meeting to Launch the Asian and Pacific Decade of Disabled Persons  
1993-2002 convened by the Economic and Social Commission for Asia and Pacific held  
at Beijing on 1st to 5th December, 1992, adopted the Proclamation on the Full Participation  
and Equality of People with Disabilities in the Asian and Pacific Region ;

AND WHEREAS India is a signatory to the said Proclamation;

AND WHEREAS it is considered necessary to implement the Proclamation aforesaid.



Be it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows :—

## CHAPTER I

### PRELIMINARY

Short title,  
extent and  
commencement.

1. (1) This Act may be called the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification, appoint.

Definitions.

2. In this Act, unless the context otherwise requires, —

(a) "appropriate Government" means, —

(i) in relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, the Central Government;

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(ii) in relation to a State Government or any establishment wholly or substantially financed by that Government, or any local authority other than a Cantonment Board, the State Government;

(iii) in respect of the Central Coordination Committee and the Central Executive Committee, the Central Government;

(iv) in respect of the State Coordination Committee and the State Executive Committee, the State Government;

(b) "blindness" refers to a condition where a person suffers from any of the following conditions, namely :—

(i) total absence of sight; or

(ii) visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses ; or

(iii) limitation of the field of vision subtending an angle of 20 degree or worse ;

(c) "Central Coordination Committee" means the Central Coordination Committee constituted under sub-section (1) of section 3;

(d) "Central Executive Committee" means the Central Executive Committee constituted under sub-section (1) of section 9;

(e) "Cerebral palsy" means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the pre-natal, peri-natal or infant period of development;

(f) "Chief Commissioner" means the Chief Commissioner appointed under sub-section (1) of section 57;

(g) "Commissioner" means the Commissioner appointed under sub-section (1) of section 60;

(h) "Competent authority" means the authority appointed under section 50;

(i) "disability" means —

(i) blindness;

(ii) low vision;



(iii) leprosy - cured;

(iv) hearing impairment;

(v) locomotor disability;

(vi) mental retardation;

(vii) mental illness;

(j) "employer" means,—

(i) in relation to a Government, the authority notified by the Head of the Department in this behalf or where no such authority is notified, the Head of the Department; and

(ii) in relation to an establishment, the Chief Executive Officer of that establishment;

(k) "Establishment" means a corporation established by or under a Central, Provincial or State Act, or an authority or a body owned or controlled or aided by the Government or a local authority or a Government company as defined in section 617 of the Companies Act, 1956 and includes Departments of a Government;

(l) "hearing impairment" means loss of sixty decibels or more in the better ear in the conversational range of frequencies;

(m) "institution for persons with disabilities" means an institution for the reception, care, protection, education, training, rehabilitation or any other service of persons with disabilities;

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

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

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

(iii) extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation, and the expression "Leprosy Cured" shall be construed accordingly;

(o) "locomotor disability" means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy;

(p) "medical authority" means any hospital or institution specified for the purposes of this Act by notification by the appropriate Government;

(q) "mental illness" means any mental disorder other than mental retardation;

(r) "mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterised by subnormality of intelligence;

(s) "notification" means a notification published in the Official Gazette;

(t) "person with disability" means a person suffering from not less than forty percent of any disability as certified by a medical authority;

(u) "person with low vision" means a person with impairment of visual functioning even after treatment of standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of a task with appropriate assistive device;



- (x) period within which an appeal shall lie under sub-section (1) of section 54;
- (y) the manner in which an institution for persons with severe disabilities shall be maintained and conditions which have to be satisfied under sub-section (3) of section 56;
- (z) the salary, allowances and other terms and conditions of service of the Chief Commissioner under sub-section (3) of section 57;
- (za) the salary, allowances and other conditions of service of officers and employees under sub-section (6) of section 57;
- (zb) intervals at which the Chief Commissioner shall report to the Central Government under clause (d) of section 58;
- (zc) the salary, allowances and other terms and conditions of service of the Commissioner under sub-section (3) of section 60;
- (zd) the salary - allowances and other conditions of service of officers and employees under sub-section (6) of section 60;
- (ze) intervals within which the Commissioner shall report to the State Government under clause (d) of section 61;
- (zf) the form and time in which annual report shall be prepared under sub-section (1) of section 64;
- (zg) the form and time in which annual report shall be prepared under sub-section (1) of section 65;
- (zh) any other matter which is required to be or may be prescribed.

(3) Every notification made by the Central Government under the provision to section 33, proviso to sub-section (2) of section 47, every scheme framed by it under section 27, section 30, sub-section (1) of section 38, section 42, section 43, section 67, section 68 and every rule made by it under sub-section (1), shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, notification or scheme, both houses agree that the rule, notification or scheme should not be made, the rule, notification or scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule, notification or scheme, as the case may be.

(4) Every notification made by the State Government under the proviso to section 33, proviso to sub-section (2) of section 47, every scheme made by it under section 27, section 30, sub-section (1) of section 38, section 42, section 43, section 67, section 68 and every rule made by it under sub-section (1), shall be laid, as soon as may be after it is made, before each House of State Legislature, where it consists of two Houses or where such legislature consists of one House before that House.



- (e) the manner in which a State Government or a Union territory shall be chosen under clause (h) or sub-section (2) of section 9;
- (f) the allowances which the Members shall receive under sub-section (3) of section 9.
- (g) rules of procedure which the Central Executive Committee shall observe in regard to transaction of business at its meetings under section 11;
- (h) the manner and purposes for which a person may be associated under sub section (1) of section 12;
- (i) fee and allowances which a person associated with the Central Executive Committee shall receive under sub-section (3) of section 12;
- (j) allowances which members shall receive under sub-section (7) of section 14;
- (k) rules of procedure which a State Coordination Committee shall observe in regard to transaction of business in its meetings under section 17;
- (l) such other functions which a State Coordination Committee may perform under clause (g) of sub-section (2) of section 18;
- (m) the allowances which Members shall receive under sub-section (3) of section 19;
- (n) rules of procedure which a State Executive Committee shall observe in regard to transaction of business at its meetings under section 21;
- (o) the manner and purposes for which a person may be associated under sub section (1) of section 22;
- (p) fees and allowances which a person associated with the State Executive Committee may receive under sub-section (3) of section 22;
- (q) information or return which the employer in every establishment should furnish and the Special Employment Exchange to which such information or return shall be furnished under sub-section (1) of section 34;
- (r) the form and the manner in which record shall be maintained by an employer under sub-section (1) of section 37;
- (s) the form and manner in which an application shall be made under sub-section (1) of section 52;
- (t) the manner in which an order of refusal shall be communicated under sub-section (2) of section 52;
- (u) facilities or standards required to be provided or maintained under sub-section (3) of section 52;
- (v) the period for which a certificate of registration shall be valid under clause (a) of sub-section (4) of section 52;
- (w) the form in which and conditions subject to which a certificate of registration shall be granted under clause (c) or sub-section (4) of section 52.



(3) The appropriate Governments and local authorities while formulating rehabilitation policies shall consult the non-governmental organisations working for the cause of persons with disabilities.

67. (1) The appropriate Government shall by notification frame an insurance scheme for the benefit of its employees with disabilities.

Insurance scheme for employees with disabilities.

(2) Notwithstanding anything contained in this section, the appropriate Government may instead of framing an insurance scheme frame an alternative security scheme for its employees with disabilities.

68. The appropriate Governments shall within the limits of their economic capacity and development shall by notification frame a scheme for payment of an unemployment allowance to person with disabilities registered with the Special Employment Exchange for more than two years and who could not be placed in any gainful occupation.

Unemployment allowance

#### CHAPTER XIV MISCELLANEOUS

69. Whoever, fraudulently avails or attempts to avail, any benefit meant for persons with disabilities, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to twenty thousand rupees or with both.

Punishment for fraudulently availing any benefit meant for persons with disabilities.

70. The Chief Commissioner, the Commissioners and other officers and staff provided to them shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

Chief Commissioners, Commissioners, officers and other staff to be public servants.

71. No suit, prosecution or other legal proceeding shall lie against the Central Government, the State Governments or the local authority or any officer of the Government in respect of anything which is done in good faith or intended to be done in pursuance of this Act and any rules or orders made thereunder.

Protection of action taken in good faith.

72. The provisions of this Act, or the rules made thereunder shall be in addition to, and not in derogation of any other law for the time being in force or any rules, order or any instructions issued thereunder, enacted or issued for the benefit of persons with disabilities.

Act to be in addition to and not in derogation of any other law.

73. (1) The appropriate Government may, by notification, make rules for carrying out the provisions of this Act.

Power of appropriate Government to make rules.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :—

(a) the manner in which a State Government or a Union territory shall be chosen under clause (k) of sub-section (2) of section 3;

(b) allowances which members shall receive under sub-section (7) of section 4;

(c) rules of procedure which the Central Coordination Committee shall observe in regard to the transaction of business in its meetings under section 7;

(d) such other functions which the Central Coordination Committee may perform under clause (h) of sub-section (2) of section 8;



Commissioner to look into complaints with respect to matters relating to deprivation of rights of persons with disabilities.

62. Without prejudice to the provisions of section 61 the Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to—

- (a) deprivation of rights of persons with disabilities;
- (b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with the appropriate authorities.

Authorities and officers to have certain powers of civil court.

63. (1) The Chief Commissioner and the Commissioners shall, for the purpose of discharging their functions under this Act, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely :—

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- (a) summoning and enforcing the attendance of witnesses;
- (b) requiring the discovery and production of any document;
- (c) requisitioning any public record or copy thereof from any court or office;
- (d) receiving evidence on affidavits; and
- (e) issuing commissions for the examination of witnesses or documents.

(2) Every proceeding before the Chief Commissioner and Commissioners shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Chief Commissioner, the Commissioner, the competent authority, shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

45 of 1860

2 of 1974

Annual report to be prepared by the Chief Commissioner.

64. (1) The Chief Commissioner shall prepare in such form and at such time for each financial year as may be prescribed by the Central Government an annual report giving a full account of his activities during the previous financial year and forward a copy thereof to the Central Government.

(2) The Central Government shall cause the annual report to be laid before each House of Parliament along with the recommendations explaining the action taken or proposed to be taken on the recommendation made therein so far as they relate to the Central Government and the reasons for non-acceptance, if any, of any such recommendation or part.

Annual reports to be prepared by the Commissioners.

65. (1) The Commissioner shall prepare in such form and at such time for each financial year as may be prescribed by the State Government an annual report giving a full account of his activities during the previous financial year and forward a copy thereof to the State Government.

(2) The State Government shall cause the annual report to be laid before each State Legislature along with the recommendations explaining the action taken or proposed to be taken on the recommendation made therein so far as they relate to the State Government and the reasons for non-acceptance, if any, of any such recommendation or part.

### CHAPTER XIII SOCIAL SECURITY

Appropriate Governments and local authorities to undertake rehabilitation.

66. (1) The appropriate Governments and the local authorities shall within the limits of their economic capacity and development undertake or cause to be undertaken rehabilitation of all persons with disabilities.

(2) For purpose of sub-section (1), the appropriate Governments and local authorities shall grant financial assistance to non-governmental organisations.



(5) The officers and employees provided to the Chief Commissioner shall discharge their functions under the general superintendence of the Chief Commissioner.

(6) The salaries and allowances and other conditions of service of officers and employees provided to the Chief Commissioner shall be such as may be prescribed by the Central Government.

58. The Chief Commissioner shall—

(a) coordinate the work of the Commissioners;

(b) monitor the utilisation of funds disbursed by the Central Government;

(c) take steps to safeguard the rights and facilities made available to persons with disabilities;

(d) submit reports to the Central Government on the implementation of the Act at such intervals as that Government may prescribe.

59. Without prejudice to the provisions of section 58 the Chief Commissioner may of his own motion or on the application of any aggrieved person or otherwise look into complaints with respect to matters relating to—

(a) deprivation of rights of persons with disabilities;

(b) non-implementation of laws, rules, bye-laws, regulations, executive orders, guidelines or instructions made or issued by the appropriate Governments and the local authorities for the welfare and protection of rights of persons with disabilities, and take up the matter with the appropriate authorities.

60. (1) Every State Government may, by notification appoint a Commissioner for persons with disabilities for the purpose of this Act.

(2) A person shall not be qualified for appointment as a Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.

(3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Commissioner shall be such as may be prescribed by the State Government.

(4) The State Government shall determine the nature and categories of officers and other employees required to assist the Commissioner in the discharge of his functions and provide the Commissioner with such officers and other employees as it thinks fit.

(5) The officers and employees provided to the Commissioner shall discharge their functions under the general superintendence of the Commissioner.

(6) The salaries and allowances and other conditions of service of officers and employees provided to the Commissioner shall be such as may be prescribed by the State Government.

61. The Commissioner within the State shall—

(a) coordinate with the departments of the State Government for the programmes and schemes for the benefit of persons with disabilities;

(b) monitor the utilisation of funds disbursed by the State Government;

(c) take steps to safeguard the rights and facilities made available to persons with disabilities;

(d) submit reports to the State Government on the implementation of the Act at such intervals as that Government may prescribe and forward a copy thereof to the Chief Commissioner.

Functions of the Chief Commissioner.

Chief Commissioner to look into complaints with respect to deprivation of rights of persons with disabilities.

Appointment of Commissioners for persons with disabilities.

Powers of the Commissioner.



(3) On the revocation of a certificate in respect of an institution, the competent authority may direct that any person with disability who is an inmate of such institution on the date of such revocation, shall be —

(a) restored to the custody of her or his parent, spouse or lawful guardian, as the case may be, or

(b) transferred to any other institution specified by the competent authority.

(4) Every institution which holds a certificate of registration which is revoked under this section shall, immediately after such revocation, surrender such certificate to the competent authority.

Appeal.

54. (1) Any person aggrieved by the order of the competent authority refusing to grant a certificate or revoking a certificate may, within such period as may be prescribed by the State Government, prefer an appeal to that Government against such refusal or revocation.

(2) The order of the State Government on such appeal shall be final.

Act not to apply to institutions established or maintained by the Central or State Government.

55. Nothing contained in this Chapter shall apply to an institution for persons with disabilities established or maintained by the Central Government or a State Government.

## CHAPTER XI

### INSTITUTION FOR PERSONS WITH SEVERE DISABILITIES

Institutions for persons with severe disabilities.

56. The appropriate Government may establish and maintain institutions for persons with severe disabilities at such places as it thinks fit.

(2) Where, the appropriate Government is of opinion that any institution other than an institution, established under sub-section (1), is fit for the rehabilitation of the persons with severe disabilities, the Government may recognise such institution as an institution for persons with severe disabilities for the purposes of this Act:

Provided that no institution shall be recognised under this section unless such institution has complied with the requirements of this Act and the rules made thereunder.

(3) Every institution established under sub-section (1) shall be maintained in such manner and satisfy such conditions as may be prescribed by the appropriate Government.

(4) For the purposes of this section "person with severe disability" means a person with eighty per cent or more of one or more disabilities.

## CHAPTER XII

### THE CHIEF COMMISSIONER AND COMMISSIONERS FOR PERSONS WITH DISABILITIES

Appointment of Chief Commissioner for persons with disabilities.

57. (1) The Central Government may, by notification, appoint a Chief Commissioner for persons with disabilities for the purposes of this Act.

(2) A person shall not be qualified for appointment as the Chief Commissioner unless he has special knowledge or practical experience in respect of matters relating to rehabilitation.

(3) The salary and allowances payable to and other terms and conditions of service (including pension, gratuity and other retirement benefits) of the Chief Commissioner shall be such as may be prescribed by the Central Government.

(4) The Central Government shall determine the nature and categories of officers and other employees required to assist the Chief Commissioner in the discharge of his functions and provide the Chief Commissioner with such officers and other employees as it thinks fit.



such certificate under this section within the said period of six months, till the disposal of such application.

52. (1) Every application for a certificate of registration shall be made to the competent authority in such form and in such manner as may be prescribed by the State Government.

(2) On receipt of an application under sub-section (1), the competent authority shall make such enquiries as it may deem fit and where it is satisfied that the applicant has complied with the requirements of this Act and the rules made thereunder it shall grant a certificate of registration to the applicant and where it is not so satisfied the competent authority shall, by order, refuse to grant the certificate applied for :

Provided that before making any order refusing to grant a certificate the competent authority shall give to the applicant a reasonable opportunity of being heard and every order of refusal to grant a certificate shall be communicated to the applicant in such manner as may be prescribed by the State Government.

(3) No certificate of registration shall be granted under sub-section (2) unless the institution with respect to which an application has been made is in a position to provide such facilities and maintain such standards as may be prescribed by the State Government.

(4) A certificate of registration granted under this section,—

(a) shall, unless revoked under section 53, remain in force for such period as may be prescribed by the State Government.

(b) may be renewed from time to time for a like period; and

(c) shall be in such form and shall be subject to such conditions as may be prescribed by the State Government.

(5) An application for renewal of a certificate of registration shall be made not less than sixty days before the period of validity.

(6) The certificate of registration shall be displayed by the institution in a conspicuous place.

53. (1) the competent authority may, if it has reasonable cause to believe that the holder of the certificate of registration granted under sub-section (2) of section 52 has—

(a) made a statement in relation to any application for the issue or renewal of the certificate which is incorrect or false in material particulars; or

(b) committed or has caused to be committed any breach of rules or any conditions subject to which the certificate was granted, it may, after making such inquiry, as it deems fit, by order, revoke the certificate :

Provided that no such order shall be made until an opportunity is given to the holder of the certificate to show cause as to why the certificate should not be revoked.

(2) Where a certificate in respect of an institution has been revoked under sub-section (1), such institution shall cease to function from the date of such revocation:

Provided that where an appeal lies under section 54 against the order of revocation, such institution shall cease to function—

(a) where no appeal has been preferred immediately on the expiry of the period prescribed for the filing of such appeal, or

(b) where such appeal has been preferred, but the order of revocation has been upheld, from the date of the order of appeal.

Certificate of  
registration.

Revocation of  
certificate.



46. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for—

- (a) ramps in public buildings;
- (b) adaptation of toilets for wheel chair users;
- (c) braille symbols and auditory signals in elevators or lifts;
- (d) ramps in hospitals, primary health centres and other medical care and rehabilitation institutions;

47. (1) No establishment shall dispense with, or reduce in rank, an employee who acquires a disability during his service;

Provided that, if an employee, after acquiring disability is not suitable for the post he was holding, could be shifted to some other post with the same pay scale and service benefits;

Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

(2) No promotion shall be denied to a person merely on the ground of his disability;

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

## CHAPTER IX

### RESEARCH AND MANPOWER DEVELOPMENT

48. The appropriate Governments and local authorities shall promote and sponsor research, *inter alia*, in the following areas —

- (a) prevention of disability;
- (b) rehabilitation including community based rehabilitation;
- (c) development of assistive devices including their psycho-social aspects;
- (d) job identification;
- (e) on site modification in offices and factories;

49. The appropriate Governments shall provide financial assistance to universities, other institutions of higher learning, professional bodies and non-governmental research-units or institutions, for undertaking research for special education, rehabilitation and manpower development.

## CHAPTER X

### RECOGNITION OF INSTITUTIONS FOR PERSONS WITH DISABILITIES

50. The State Government shall appoint any authority as it deems fit to be a competent authority for the purposes of this Act.

51. Save as otherwise provided under this Act, no person shall establish or maintain any institution for persons with disabilities except under and in accordance with a certificate of registration issued in this behalf by the competent authority :

Provided that a person maintaining an institution for persons with disabilities immediately before the commencement of this Act may continue to maintain such institution for a period of six months from such commencement and if he has made an application for

Non-discrimination in the built environment.

Non-discrimination in Government employment.

Research

Financial incentives to Universities to enable them to undertake research.

Competent authority.

No person to establish or maintain an institution for persons with disabilities except in accordance with a certificate of registration.



41. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide incentives to employers both in public and private sectors to ensure that at least five per cent of their work force is composed of persons with disabilities.

Incentives to employers to ensure five percent of the work force is composed of persons with disabilities.

## CHAPTER VII

### AFFIRMATIVE ACTION

42. The appropriate Governments shall by notification make schemes to provide aids and appliances to persons with disabilities.

Aids and appliances to persons with disabilities.

43. The appropriate Governments and local authorities shall by notification frame schemes in favour of persons with disabilities, for the preferential allotment of land at concessional rates for—

Schemes for preferential allotment of land for certain purposes.

- (a) house;
- (b) setting up business;
- (c) setting up of special recreation centres;
- (d) establishment of special schools;
- (e) establishment of research centres;
- (f) establishment of factories by entrepreneurs with disabilities.

## CHAPTER VIII

### NON-DISCRIMINATION

44. Establishments in the transport sector shall, within the limits of their economic capacity and development for the benefit of persons with disabilities, take special measures to—

Non-discrimination in transport.

- (a) adapt rail compartments, buses, vessels and aircrafts in such a way as to permit easy access to such persons;
- (b) adapt toilets in rail compartments, vessels, aircrafts and waiting rooms in such a way as to permit the wheel chair users to use them conveniently.

45. The appropriate Governments and the local authorities shall, within the limits of their economic capacity and development, provide for—

Non-discrimination in the road.

- (a) installation of auditory signals at red lights in the public roads for the benefit of persons with visually handicap;
- (b) causing curb cuts and slopes to be made in pavements for the easy access of wheel chair users;
- (c) engraving on the surface of the zebra crossing for the blind or for persons with low vision;
- (d) engraving on the edges of railway platform for the blind or for persons with low vision;
- (e) devising appropriate symbols of disability;
- (f) warning signals at appropriate places.



34. (1) The appropriate Government may, by notification, require that from such date as may be specified, by notification, the employer in every establishment shall furnish such information or return as may be prescribed in relation to vacancies appointed for persons with disability that have occurred or are about to occur in that establishment to such Special Employment Exchange as may be prescribed and the establishment shall thereupon comply with such requisition.

(2) The form in which and the intervals of time for which information or returns shall be furnished and the particulars, they shall contain shall be such as may be prescribed.

35. Any person authorised by the Special Employment Exchange in writing, shall have access to any relevant record or document in the possession of any establishment and may enter at any reasonable time and premises where he believes such record or document to be, and inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information.

36. Where in any recruitment year any vacancy under Section 33, cannot be filled up due to non-availability of a suitable person with disability or, for any other sufficient reason, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with disability is not available, it may first be filled by interchange among the three categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability:

Provided that if the nature of vacancies in an establishment is such that a given category of person can not be employed, the vacancies may be interchanged among the three categories with the prior approval of the appropriate Government.

37. (1) Every employer shall maintain such record in relation to the person with disability employed in his establishment in such form and in such manner as may be prescribed by the appropriate Government.

(2) The records maintained under sub-section (1) shall be open to inspection at all reasonable hours by such persons as may be authorised in this behalf by general or special order by the appropriate Government.

38. (1) The appropriate Governments and local authorities shall by notification formulate schemes for ensuring employment of persons with disabilities, and such schemes may provide for—

(a) the training and welfare of persons with disabilities;

(b) the relaxation of upper age limit;

(c) regulating the employment;

(d) health and safety measures and creation of a non-handicapping environment in places where persons with disabilities are employed;

(e) the manner in which and the persons by whom the cost of operating the schemes is to be defrayed; and

(f) constituting the authority responsible for the administration of the scheme.

39. All Government educational institutions and other educational institutions receiving aid from the Government, shall reserve not less than three per cent. seats for persons with disabilities.

40. The appropriate Governments and local authorities shall reserve not less than three per cent in all poverty alleviation schemes for the benefit of persons with disabilities.



30. Without prejudice to the foregoing provisions, the appropriate Governments shall by notification prepare a comprehensive education scheme which shall make provision for —

- (a) transport facilities to the children with disabilities or in the alternative financial incentives to parents to guardians to enable their children with disabilities to attend schools;
- (b) the removal of architectural barriers from schools, colleges or other institutions imparting vocational and professional training;
- (c) the supply of books, uniforms and other materials to children with disabilities attending school;
- (d) the grant of scholarship to students with disabilities;
- (e) setting up of appropriate fora for the redressal of grievances of parents regarding the placement of their children with disabilities;
- (f) suitable modification in the examination system to eliminate purely mathematical questions for the benefit of blind students and students with low vision;
- (g) restructuring of curriculum for the benefit of children with disabilities;
- (h) restructuring the curriculum for benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.

31. All educational institutions shall provide or cause to be provide amanuensis to blind students and students with or low vision.

Appropriate Governments to prepare a comprehensive education scheme providing for transport facilities, supply of books etc.

Educational institutions to provide amanuensis to students with visual handicap.

## CHAPTER VI EMPLOYMENT

32. Appropriate Governments shall—

- (a) identify posts in the establishments which can be reserved for the persons with disability;
- (b) at periodical intervals not exceeding three years, review the list of posts identified and up-date the list taking into consideration the developments in technology.

33. Every appropriate Government shall appoint in every establishment such percent-age of vacancies not less than three per cent. for persons or class of persons with disability of which one per cent each shall be reserved for persons suffering from—

- (i) blindness or low vision;
- (ii) hearing impairment;
- (iii) locomotor disability or cerebral palsy, in the posts identified for each disability.

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

Identification of posts which can be reserved for persons with disabilities.

Reservation of posts.



(g) educate the public through the pre-schools, schools, primary health centres, village level workers and anganwadi workers;

(h) create awareness amongst the masses through television, radio and other mass media on the causes of disabilities and the preventive measures to be adopted;

## CHAPTER V EDUCATION

26. The appropriate Governments and the local authorities shall —

(a) ensure that every child with a disability has access to free education in an appropriate environment till he attains the age of eighteen years;

(b) endeavour to promote the integration of students with disabilities in the normal schools;

(c) promote setting up of special schools in Government and private sector for those in need of special education, in such a manner that children with disabilities living in any part of the country have access to such schools;

(d) endeavour to equip the special schools for children with disabilities with vocational training facilities;

27. The appropriate Governments and the local authorities shall by notification make schemes for —

(a) conducting part-time classes in respect of children with disabilities who having completed education up to class fifth and could not continue their studies on a whole - time basis;

(b) conducting special part-time classes for providing functional literacy for children in the age group of sixteen and above;

(c) imparting non-formal education by utilizing the available manpower in rural areas after giving them appropriate orientation;

(d) imparting education through open schools or open universities;

(e) conducting class and discussions through interactive electronic or other media;

(f) providing every child with disability, free of cost special books and equipment needed for his education.

28. The appropriate Governments shall initiate or cause to be initiated research by official and non-governmental agencies for the purpose of designing and developing new assistive devices, teaching aids, special teaching material or such other items as are necessary to give a child with disability equal opportunities in education.

29. The appropriate Governments shall set up adequate number of teachers' training institutions and assist the national institutes and other voluntary organisations to develop teachers' training programmes specialising in disabilities so that requisite trained manpower is available for special schools and integrated schools for children with disabilities.

Appropriate Governments and local authorities to provide children with disabilities free education etc.

Appropriate Governments and local authorities to make schemes and programmes for non-formal education etc.

Research for designing and developing new assistive devices, teaching aids etc.

Appropriate Governments to set up, teachers' training institutions to develop trained manpower for schools for children with disabilities.



20. (1) The State Executive Committee shall be the executive body of the State Coordination Committee and shall be responsible for carrying out the decisions of the State Coordination Committee.

Functions of the State Executive Committee.

(2) Without prejudice to the provisions of sub-section (1) the State Executive Committee shall also perform such other function as may be delegated to it by the State Coordination Committee.

21. The State Executive Committee shall meet at least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the State Government.

Meetings of the State Executive Committee.

22. (1) The State Executive Committee may associate with itself in such manner and for such purposes as may be prescribed by the State Government any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

Temporary association of persons with State Executive Committee for particular purposes.

(2) A person associated with the State Executive Committee under sub-section (1) for any purpose shall have the right to take part in the discussions of the State Executive Committee relevant to that purpose, but shall not have a right to vote at a meeting of the said Committee and shall not be a member for any other purpose.

(3) A persons associated with the said Committee under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the said Committee, as may be prescribed by the State Government.

23. In the performance of its functions under this Act,—

Power to give directions.

(a) the Central Coordination Committee shall be bound by such directions in writing, as the Central Government may give to it; and

(b) the State Coordination Committee shall be bound by such directions in writing, as the Central Coordination Committee or the State Government may give to it;

Provided that where a direction given by the State Government is inconsistent with any direction given by the Central Coordination Committee, the matter shall be referred to the Central Government for its decision.

24. No act or proceeding of the Central Coordination Committee, the Central Executive Committee, a State Coordination Committee or a State Executive Committee shall be called in question on the ground merely on the existence of any vacancy in or any defect in the constitution of such Committees;

Vacancies not to invalidate proceedings.

## CHAPTER IV

### PREVENTION AND EARLY DETECTION OF DISABILITIES

25. Within the limits of their economic capacity and development; the appropriate Governments and the local authorities, with a view to preventing the occurrence of disabilities, shall—

Appropriate Governments and local authorities to take certain steps for the prevention of occurrence of disabilities.

(a) undertake or cause to be undertaken surveys, investigations and research concerning the cause of occurrence of disabilities.

(b) promote various methods of preventing disabilities;

(c) screen all the children at least once in a year for the purpose of identifying "at-risk" cases;

(d) provide facilities for training to the staff at the primary health centres;

(e) sponsor or cause to be sponsored awareness campaigns and disseminate or cause to be disseminated information for general hygiene, health and sanitation;

(f) take measures for pre-natal, perinatal and post-natal care of mother and child;



Functions of  
the State  
Coordination  
Committee.

18. (1) Subject to the provisions of this Act, the function of the State Coordination Committee shall be to serve as the state focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities.

(2) In particular and without prejudice to the generality of the foregoing function the State Coordination Committee may, within the State perform all or any of the following functions, namely: —

(a) review and coordinate the activities of all the Departments of Government and other Governmental and non-governmental Organisations which are dealing with matters relating to persons with disabilities;

(b) develop a State policy to address issues faced by persons with disabilities;

(c) advise the State Government on the formulation of policies, programmes, legislation and projects with respect to disability;

(d) review, in consultation with the donor agencies, their funding policies from the perspective of their impact on persons with disabilities;

(e) take such other steps to ensure barrier free environment in public places, work places, public utilities, schools and other institutions;

Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;

(f) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities;

(g) to perform such other functions as may be prescribed by the State Government;

State Executive  
Committee.

19. (1) The State Government shall, constitute a committee to be known as the State Executive Committee to perform the functions assigned to it under this Act.

(2) The State Executive Committee shall consist of —

(a) the Secretary, Department of Social Welfare, Chairperson, *ex officio*;

(b) the Commissioner, Member, *ex officio*;

(c) nine persons not below the rank of a Joint Secretary to the State Government, to represent the Departments of Health, Finance, Rural Development, Education, Welfare, Personnel Public Grievances, Urban Affairs, Labour and Employment, Science and Technology, Members *ex officio*;

(d) one person to be nominated by the State Government to represent the interest, which in the opinion of the State Government ought to be represented, Member;

(e) five persons, as far as practicable being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members;

Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;

(f) Joint Secretary dealing with the disability division in the Department of Welfare, Member - Secretary, *ex officio*;

(3) Members nominated under clause (d) or clause (e) of sub-section (2) shall receive such allowances as may be prescribed by the State Government.

(4) A Member nominated under clause (d) or clause (e) may at any time resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.



14. (1) Save as otherwise provided by or under this Act, a Member of a State Coordination Committee nominated under clause (f) or clause (h) of sub-section (2) of section 13 shall hold office for a term of three years from the date of his nomination :

Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The term of office of an *ex officio* Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated.

(3) The State Government may, if it thinks fit, remove any Member nominated under clause (f) or clause (h) of sub-section (2) of section 13 before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.

(4) A Member nominated under clause (f) or clause (h) of sub-section (2) of section 13 may at any time, resign his office by writing under his hand addressed to the State Government and the seat of the said Member shall thereupon become vacant.

(5) A casual vacancy in the State Coordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.

(6) A Member nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall be eligible for renomination.

(7) Members nominated under clause (f) and clause (h) of sub-section (2) of section 13 shall receive such allowances as may be prescribed by the State Government.

15. (1) No person shall be a Member of the State Coordination Committee, who —

(a) is, or at any time, has been adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is or has been convicted of an offence which in the opinion of the State Government involves moral turpitude, or

(d) is or at any time has been convicted of an offence under this Act, or

(e) has so abused, in the opinion of the State Government, his position as a member as to render his continuance in the State Coordination Committee detrimental to the interests of the general public.

(2) No order of removal shall be made by the State Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 14, a Member who has been removed under this section shall not be eligible for renomination as a Member.

16. If a Member of the State Coordination Committee becomes subject to any of the disqualifications specified in section 15, his seat shall become vacant.

17. The State Coordination Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

Terms and conditions of service of Members.

Disqualifications.

Vacation of seats.

Meetings of the State Coordination Committee.



(3) A person associated with the said Committee under sub-section (1) for any purpose shall be paid such fees and allowances, for attending its meetings and for attending to any other work of the said Committee, as may be prescribed by the Central Government.

### CHAPTER III

#### THE STATE COORDINATION COMMITTEE

State  
Coordination  
Committee.

13. (1) Every State Government shall, by notification, constitute a body to be known as the State Coordination Committee to exercise the powers conferred on, and to perform the function assigned to it, under this Act.

(2) the State Coordination Committee shall consist of —

(a) The Minister in - charge of the Department of Social Welfare in the State Government, Chairperson, *ex officio*;

(b) the Minister of State in - charge of the Department of Social Welfare, if any, Vice-Chairperson, *ex officio*;

(c) Secretaries to the State Government in-charge of the Departments of Welfare, Education, Woman and Child Development, Expenditure, Personnel Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and employment, Science and Technology, Public Enterprises, by whatever name called Members, *ex officio*;

(d) Secretary of any other Department which the State Government considers necessary, Members, *ex officio*;

(e) Chairman Bureau of Public Enterprises (by whatever name called) Member, *ex officio*;

(f) five persons, as far as practicable, being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the State Government, one from each area of disability, Members;

Provided that while nominating persons under this clause, the State Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;

(g) three Members of State Legislature, of whom two shall be elected by the Legislative Assembly and one by the Legislative Council, if any;

(h) three persons to be nominated by that State Government to represent agriculture, industry or trade or any other interest, which in the opinion of State Government ought to be represented, Members, *ex officio*;

(i) the Commissioner, Member, *ex officio*;

(j) Secretary to the State Government dealing with the welfare of the handicapped, Member - Secretary, *ex officio*.

(3) Notwithstanding anything contained in this section, no State Coordination Committee shall be constituted for a Union Territory and in relation to a Union Territory, the Central Coordination Committee shall exercise the functions and perform the functions of a State Coordination Committee for the Union Territory:

Provided that in relation to a Union Territory, the Central Coordination Committee may delegate all or any of its powers and functions as under this sub-section to such person or body of persons as the Central Government may specify.



- (c) the Director – General for Health Services, Member, *ex officio*;
- (d) the Director – General, Employment and Training, Member, *ex officio*;
- (e) six persons not below the rank of a Joint Secretary to the Government of India, to represent the Ministries or Departments of Rural Development, Education, Welfare, Personnel Public Grievances and Pension, Urban Affairs and Employment, Science and Technology, Members, *ex officio*;
- (f) the Financial Advisor, Ministry of Welfare in the Central Government, Member, *ex officio*;
- (g) Advisor (Tariff) Railway Board, Member, *ex officio*;
- (h) four members to be nominated by the Central Government, by rotation, to represent the State Governments and the Union Territories in such manner as may be prescribed by the Central Government;
- (i) one person to be nominated by the Central Government to represent the interest, which in the opinion of the Central Government ought to be represented, Member;
- (j) five persons, as far as practicable, being persons with disabilities, to represent non-governmental organisation or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members.
- Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;
- (k) Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of the handicapped, Member - Secretary, *ex officio*.

(3) Members nominated under clause (i) and clause (j) of sub-section (2) shall receive such allowances as may be prescribed by the Central Government;

(4) A Member nominated under clause (i) or clause (j) of sub-section (2) may at any time resign his office by writing under his hand addressed to the Central Government and the seat of the said Member shall thereupon become vacant.

10. (1) The Central Executive Committee shall be the executive body of the Central Coordination Committee and shall be responsible for carrying out the decisions of the Central Coordination Committee.

(2) Without prejudice to the provisions of sub-section (1), the Central Executive Committee shall also perform such other functions as may be delegated to it by the Central Coordination Committee.

11. The Central Executive Committee shall meet at least once in three months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the Central Government.

12. (1) The Central Executive Committee may associate with itself in such manner and for such purposes as may be prescribed by the Central Government any person whose assistance or advice it may desire to obtain in performing any of its functions under this Act.

(2) A person associated with the Central Executive Committee under sub-section (1) for any purpose shall have the right to take part in the discussions of the Central Executive Committee relevant to that purpose, but shall not have a right to vote at a meeting of the said Committee, and shall not be member for any other purpose.

Functions of  
the Central  
Executive  
Committee.

Meetings of  
the Central  
Executive  
Committee.

Temporary  
association of  
persons with  
Central  
Executive  
Committee for  
particular  
purposes.



(d) is or at any time has been convicted of an offence under this Act, or

(e) has so abused in the opinion of the Central Government his position as a Member as to render his continuance in the Central Coordination Committee detrimental to the interests of the general public.

(2) No order of removal shall be made by the Central Government under this section unless the Member concerned has been given a reasonable opportunity of showing cause against the same.

(3) Notwithstanding anything contained in sub-section (1) or sub-section (6) of section 4, a Member who has been removed under this section shall not be, eligible for renomination as a Member.

6. If a Member of the Central Coordination Committee becomes subject to any of the disqualifications specified in section 5, his seat shall become vacant.

7. The Central Coordination Committee shall meet at least once in every six months and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by the Central Government.

8. (1) Subject to the provisions of this Act, the function of the Central Coordination Committee shall be to serve as the national focal point on disability matters and facilitate the continuous evolution of a comprehensive policy towards solving the problems faced by persons with disabilities.

(2) In particular and without prejudice to the generality of the foregoing, the Central Coordination Committee may perform all or any of the following functions, namely :—

(a) review and coordinate the activities of all the Departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to persons with disabilities.

(b) develop a national policy to address issues faced by persons with disabilities :

(c) advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to disability;

(d) take up the cause of persons with disabilities with the concerned authorities and the international organisations with a view to provide for schemes and projects for the disabled in the national plans and other programmes and policies evolved by the international agencies;

(e) review in consultation with the donor agencies their funding policies from the perspective of their impact on persons with disabilities;

(f) take such other steps to ensure barrier free environment in public places, work places, public utilities, schools and other institutions;

(g) monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of persons with disabilities;

(h) to perform such other functions as may be prescribed by the Central Government.

9. (1) The Central Government shall constitute a Committee to be known as the Central Executive Committee to perform the functions assigned to it under this Act.

(2) The Central Executive Committee shall consist of —

(a) the Secretary to the Government of India in the Ministry of Welfare, Chairperson, *ex officio*;

(b) the Chief Commissioner, Member, *ex officio*;

Vacation of  
seats by  
Members.

Meetings of the  
Central  
Coordination  
Committee.

Functions of the  
Central  
Coordination  
Committee.

Central  
Executive  
Committee.



(iii) National Institute for the Orthopedically Handicapped, Calcutta;

(iv) Ali Yavar Jung National Institute for the Hearing Handicapped, Mumbai;  
Members, *ex officio*;

(k) four Members to be nominated by the Central Government by rotation to represent the States and the Union Territories in such manner as may be prescribed by the Central Government;

Provided that no appointment under this clause shall be made except on the recommendation of the State Government or, as the case may be, the Union Territory;

(l) five persons as far as practicable, being persons with disabilities, to represent non-governmental organisations or associations which are concerned with disabilities, to be nominated by the Central Government, one from each area of disability, Members :

Provided that while nominating persons under this clause, the Central Government shall nominate at least one woman and one person belonging to Scheduled Castes or Scheduled Tribes;

(m) Joint Secretary to the Government of India in the Ministry of Welfare dealing with the welfare of the handicapped, Member - Secretary, *ex officio*;

(3) The office of the Member of the Central Coordination Committee shall not disqualify its holder for being chosen as or for being a Member of either House of Parliament.

4. (1) Save as otherwise provided by or under this Act a Member of Central Coordination Committee nominated under clause (i) or clause (l) of sub-section (2) of section 3 shall hold office for a term of three years from the date of his nomination:

Provided that such a Member shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office.

(2) The term of office of an *ex officio* Member shall come to an end as soon as he ceases to hold the office by virtue of which he was so nominated.

(3) The Central Government may if it thinks fit remove any Member nominated under clause (i) or clause (l) of sub-section (2) of section 3, before the expiry of his term of office after giving him a reasonable opportunity of showing cause against the same.

(4) A Member nominated under clause (i) or clause (l) of sub-section (2) of section 3 may at any time resign his office by writing under his hand, addressed to the Central Government and the seat of the said Member shall thereupon become vacant.

(5) A casual vacancy in the Central Coordination Committee shall be filled by a fresh nomination and the person nominated to fill the vacancy shall hold office only for the remainder of the term for which the Member in whose place he was so nominated.

(6) A member nominated under clause (i) or clause (l) of sub-section (2) of section 3 shall be eligible for renomination.

(7) Members nominated under clause (i) and clause (l) of sub-section (2) of section 3 shall receive such allowances as may be prescribed by the Central Government.

5. (1) No person shall be a Member of the Central Coordination Committee, who —

(a) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or

(b) is of unsound mind and stands so declared by a competent court, or

(c) is or has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or

Term of office  
of Members.

Disqualifica-  
tions



(v) "prescribed" means prescribed by rules made under this Act;

(w) "rehabilitation" refers to a process aimed at enabling persons with disabilities to reach and maintain their optimal physical, sensory, intellectual, psychiatric or social functional levels;

(x) "Special Employment Exchange" means any office or place established and maintained by the Government for the collection and furnishing of information, either by keeping of registers or otherwise, respecting —

(i) persons who seek to engage employees from amongst the persons suffering from disabilities;

(ii) persons with disability who seek employment;

(iii) vacancies to which person with disability seeking employment may be appointed;

(y) "State Coordination Committee" means the State Coordination Committee constituted under sub-section (1) of section 13;

(z) "State Executive Committee" means the State Executive Committee constituted under sub-section (1) of section 19.

## CHAPTER II

### THE CENTRAL COORDINATION COMMITTEE

3. (1) The Central Government shall by notification constitute a body to be known as the Central Coordination Committee to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

(2) The Central Coordination Committee shall consist of —

(a) the Minister in charge of the Department of Welfare in the Central Government, Chairperson, *ex officio*;

(b) the Minister of State in-Charge of the Department of Welfare in the Central Government, Vice-Chairperson, *ex officio*;

(c) Secretaries to the Government of India in-charge of the Department of Welfare, Education, Woman and Child Development, Expenditure, Personnel, Training and Public Grievances, Health, Rural Development, Industrial Development, Urban Affairs and Employment, Science and Technology, Legal Affairs, Public Enterprises, Members, *ex officio*;

(d) Chief Commissioner, Member, *ex officio*;

(e) Chairman Railway Board, Member, *ex officio*;

(f) Director - General of Labour, Employment and Training, Member, *ex officio*;

(g) Director, National Council for Educational Research and Training, Member, *ex officio*;

(h) three Members of Parliament, of whom two shall be elected by the House of the People and one by the Council of States, Members;

(i) three persons to be nominated by the Central Government to represent the interests, which in the opinion of that Government ought to be represented, Members;

(j) Directors of the —

(i) National Institute for the Visually Handicapped, Dehradun;

(ii) National Institute for the Mentally Handicapped, Secundrabad;

Central  
Coordination  
Committee.



ndment of  
9 of 1987

74. In section 12 of the Legal Services Authorities Act, 1987, for clause (d), the following clause shall be substituted namely :—

(d) a person with disability as defined in clause (i) of section 2 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.”

K.L. Mohanpuria  
Secy, to the Govt. of India.





# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II - खण्ड 3 - उपखण्ड (ii)

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कल्याण मंत्रालय

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 1996

का.आ. 908 (अ).— केन्द्रीय सरकार, निःशक्त व्यक्ति (समान अवसर, अधिकारों का संरक्षण और पूर्ण भागीदारी) अधिनियम 1995 (1996 का 1) की धारा 73 की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, अर्थात् :—

अध्याय 1

आरंभिक

1. संक्षिप्त नाम और प्रारंभ :—

(1) इन नियमों का संक्षिप्त नाम निःशक्त व्यक्ति (समान अवसर, अधिकारों का संरक्षण और पूर्ण भागीदारी) नियम 1996 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं :— इन नियमों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो :—

(क) "अधिनियम" से निःशक्त व्यक्ति (समान अवसर, अधिकारों का संरक्षण और पूर्ण भागीदारी) अधिनियम

1995 (1996 का 1) अभिप्रेत है,

(ख) "अध्यक्ष" से अधिनियम के अधीन नियुक्त अध्यक्ष अभिप्रेत है,

(ग) "उपाध्यक्ष" से अधिनियम के अधीन नियुक्त उपाध्यक्ष अभिप्रेत है,

(घ) "सदस्य" से अधिनियम के अधीन नियुक्त सदस्य अभिप्रेत है,

(ङ) "सदस्य-सचिव" से अधिनियम के अधीन नियुक्त सदस्य-सचिव अभिप्रेत है,

(च) "विशेष रोजगार कार्यालय" से सामान्य रोजगार कार्यालय में विशेष रोजगार कार्यालय, विशेष प्रकोष्ठ तथा ऐसे रोजगार कार्यालय अभिप्रेत है जो राजपत्र में अधिसूचना द्वारा विशेष रोजगार कार्यालयों के रूप में अधिसूचित है।

(छ) "वर्ष" से अप्रैल के प्रथम दिन से प्रारंभ होने वाला वित्तीय वर्ष अभिप्रेत है।

अध्याय 2

विभिन्न निःशक्ताओं के मूल्यांकन के लिए मार्ग-दर्शन सिद्धान्त

3. भारत सरकार के कल्याण मंत्रालय द्वारा सं. 4-2/83- एच. डब्ल्यू 3 तारीख 6 अगस्त, 1986 और समय-समय पर यथासंशोधित

(1)



2	3	4	5	6	7	8	9
Supervisor (tailor) fitter (internal combustion engine); Inspector Sanitary); Superintendent ice); apprentice Electrician)	C A Y	C A Y					
<b>TOTAL</b>							

Dated .....

Signature of Employer

The Employment Exchange .....  
(Please fill in here the address of your local Special Employment Exchange)

Note :- Total of col. 8 under item 2 should correspond to the figure given against item - I.

**FORM DPER - III**

(see rule 41)

Name and address of the employer .....

Whether Head office .....  
Branch office .....

Nature of business/principal activity .....

Total number of persons on the payroll of the establishment. (This figures should include every person whose wage or salary is paid by the establishment)

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

(a) Occupational qualification of all employees as given in item-5 above (Please give below the number of employees in each occupation separately.

Occupation	Numbers of Employees						Total
Use exact terms	Men with Disability			Women with Disability			Nature and extent of disability
Such as engineer (Mechanical);	O	V	H	O	V	H	
Teacher (domestic/ Science); officer on duty (actuary);	R	I	E	R	I	E	
Assistant director Metallurgist);	T	S	A	T	S	A	
Scientific Assistant Chemist); Research Officer	H	U	R	H	U	R	
Economist); instructor (carpenter)	O	A	I	O	A	I	
Supervisor (tailor) fitter (internal combustion engine); Inspector	P	L	N	P	L	N	
	A	L	G	A	L	G	
	E	Y		E	Y		
	D			D			
	I			I			
	C			C			
	A			A			



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

### 3. Manpower Shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/posts Disability wise		
	Essential qualification	Essential experience	Experience not necessary
1	2	3	4

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

Signature of employer

To

The Employment Exchange,

.....  
 .....  
 .....

Note :- This return relates to quarters ending 31st March/30th June/30th September and 31st December and sh be rendered to the local Special Employment Exchange within thirty days after the end of the quarter concerned.

### FORM DPER - II

(see rule 40)

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 establishment makes or does as its principal activity)

1. Total number of persons on the pay rolls of the establishment on (specify date).....(This figure should include every person whose wage or salary is paid by the establishment.) (Separate figures for men with disability a women with disability may be given).

2. Occupational Classification of all employees as given in item - 1 above.  
 (please give below the number of employees in each occupation separately)

Occupation	Numbers of Employees						
Use exact terms	Men with Disability			Women with Disability			Total
Such as Engineer (mechanical);	O	V	H	O	V	H	Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calender year due to retirement.
Teacher (domestic/ science); Officer on Duty (actuary);	R	I	E	R	I	E	
Assistant Director (Metallurgist);	T	S	A	T	S	A	
Scientific Assistant (chemist); Research Officer (economist); Instructor (carpenter);	H	U	R	H	U	R	
	O	A	I	O	A	I	
	P	L	N	P	L	N	
	A	L	G	A	L	G	
	E			E	Y		
	D	Y		D			
	I			I			



**FORM DPFR - I**

(Disabled Persons Employed return)

(See rule 40)

Quarterly return to be submitted to the Special Employment Exchange for the Quarter ended. ....

Name and Address of the Employer .....

Whether — Head Office .....

Branch Office .....

Nature of business/principal activity : .....

**I (a) EMPLOYMENT**

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

On the last working day of the previous quarter :			On the last working day of the quarter under report		
Orthopaedically Handicapped	Visually Handicapped	Hearing Handicapped	Orthopaedically Handicapped	Visually Handicapped	Hearing Handicapped
Men with disability					
Women disability					
<b>TOTAL</b>					

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

2. **Vacancies :-** Vacancies carrying total emoluments as per prevailing minimum wage per month and of over three months duration.

(a) Number of vacancies occurred and notified during the quarter and the number filled during the quarter (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	Filled	Sources	
	Local/Special Employment Exchange	General Employment Exchange	(Describe the source from which filled)	
1	2	3	4	5



**41. Form in which record to be kept by an employer.—**

An employer shall maintain the record of employees with disabilities in Form DPER III, as may be amended from time to time.

**CHAPTER VI — Chief Commissioner for persons with Disabilities.****42. Procedure to be followed by Chief Commissioner.—**

(1) A complaint containing the following particulars shall be presented by the complainant in person or by his agent to the Chief Commissioner of persons with disabilities or be sent by registered post addressed to the Chief Commissioner:—

- (a) The name, description and the address of the complainant;
- (b) The name, description and the address of the opposite party or parties, as the case may be, so far as they can 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 ;
- (e) The relief which the complainant claims ;

(2) The Chief Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party/ 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 Chief Commissioner.

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

(4) Where the complainant or his agent fails to appear before the Chief Commissioner on such days, the Chief Commissioner may in his discretion 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 Chief Commissioner may take such necessary action under section 63 of the Act as he deems fit for summoning and enforcing the attendance of the opposite party.

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

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

(8) The complaint shall be decided, as far as possible, within a period of three months from the date of notice received by the opposite party.

**43. Salary and Allowances of the Chief Commissioner.—**

The Chief Commissioner for Persons with Disabilities shall be entitled to salary, allowances and other perquisites as are available to the Secretary to the Government of India.

**44. Submission of Report to Central Government.—**

The Chief Commissioner shall submit his report to the Central Government on the implementation of the Act at the interval of six months in such a manner that at least two reports are sent in one financial year.

**45. Submission of Annual Report.—** (1) The Chief 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 ensuing prepare and submit to the Central Government 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 officers, staff of the Board and a chart showing the organizational set up ;
- (b) The functions which the Chief Commissioner has been empowered under section 58 and 59 of the Act and the highlights of the performance in this regard ;
- (c) The main recommendations made by the Chief Commissioner ;
- (d) Progress made in the implementation of the Act (Statewise);
- (e) Any other matter deemed appropriate for inclusion by Chief Commissioner or specified by the Central Government from time to time.



notified to the Special Employment Exchanges, namely :—

(a) Vacancies in posts of a technical and scientific nature carrying a basic Pay of Rs. 1400/- or more per month occurring in establishments in respects of which the Central Government is the appropriate Government under the Act, and

(b) Vacancies which an employer may desire to be circulated to the Special Employment Exchanges outside the State or Union Territory in which the establishment is situated, shall be notified to such Special Employment Exchanges as may be specified by the Central Government by notification in the Official Gazette, in this behalf. A copy of the notification of vacancies shall be sent to the concerned Vocational Rehabilitation Centre for Handicapped.

(2) Vacancies other than those specified in sub-rule (1) shall be notified to the local Special Employment Exchange concerned. A copy of the notification of vacancies shall also be sent to the concerned Vocational Rehabilitation Centre for Handicapped.

38. **Form and manner of notification of vacancies.**— The vacancies shall be notified in writing to the concerned Special Employment Exchange, and the following particulars shall be furnished in respect of each type of vacancy, namely :—

1. Name and address of the employer ;
2. Telephone number of the employer, if any ;
3. Nature of vacancy —
  - (a) Type of workers required (Designation)
  - (b) (i) Description of duties;
  - (ii) Physical requirements (i.e. job involves visual accuracy, frequent movement/ walking, continuous long hours sitting etc.)
  - (c) Qualifications require—
    - (i) Essential,
    - (ii) Desirable
  - (d) Age limits, if any ;
  - (e) Whether women are eligible ?
4. Number of vacancies —

Reserved for physically handicapped persons

Orthopaedically handicapped	Visually Handicapped	Hearing Handicapped
-----------------------------	----------------------	---------------------

- (a) Regular
- (b) Temporary
5. Pay and allowances
6. Place of work (Name of town/village and district in which it is situated)
7. Probable date by which the vacancy will be filled.
8. Particulars regarding interview/test of applicants—
  - (a) Date of interview/test.
  - (b) Time of interview/test.
  - (c) Place of interview/test.
  - (d) Designation and address of the person to whom applicants should report.
9. Any other relevant information —
 

The vacancies shall be re-notified in writing to the concerned Special Employment Exchange if there is any change in the particulars already furnished to the Special Employment Exchange and Vocational Rehabilitation Centre for Handicapped under this rule.
39. **Time limit for the notification of vacancies.**— (1) Vacancies, required to be notified to the local Special Employment Exchange, shall be notified at least thirty days before the date on which applicants will be interviewed or tested where interview or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.
- (2) Vacancies, required to be notified to the Special Employment Exchange notified under sub-rule (1) of rule 37 shall be notified at least three weeks before the date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.
- (3) An employer shall furnish to the concerned Special Employment Exchange, the results of selection within fifteen days from the date of selection.
40. **Submission of Returns.**— (1) An employer shall furnish to the local Special Employment Exchange quarterly returns in Form DPER-I and biennial returns in Form DPER-II as may be amended from time to time.
- (2) Quarterly returns shall be furnished within thirty days of the due dates namely, 31st March, 30th June, 30th September and 31st December.
- (3) Biennial return shall be furnished within thirty days of the due date as notified in the Official Gazette.



give notice of the adjourned meeting to other members.

- (b) Where a meeting of the Central Executive Committee is adjourned under sub-rule (2) above for want of quorum not to the following date with sufficient gap, notice of such adjourned meeting shall be given to all the members as provided in sub-rule (4) of rule 22.

25. **Minutes.**—(1) Record shall be kept of the names of members who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-Secretary.

- (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.

26. **Maintaining order at meeting.**—The presiding officer shall maintain order at the meeting.

27. **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 22, shall be transacted at any meeting.

28. (1) At any meeting business shall be transacted in the order in which it is entered in the agenda.

- (2) Either 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.

29. **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 Chairperson, the member presiding at the meeting, as the case may be, shall have a second or casting vote.

30. **No proceeding to be invalid due to vacancy or any defect.**—No proceeding of the Central Executive Committee shall be invalid by reasons of existence of any vacancy in or any defect in the constitution of the Committee.

31. **Manner and Purpose of Association of Persons with Central Executive Committee.**—(1) The Central Executive Committee may invite any person to participate in the deliberations of its meetings, whose assistance or advice, is considered useful in performing any of its functions, under the Act.

- (2) If the person associated with the Central Executive

Committee under Sub-rule (1) happens to be a non-official resident in Delhi, he shall be entitled to get an allowance of rupees seventy five per day for each day of actual meeting of the Committee in which he is so associated.

- (3) If such a person is not a resident in Delhi, he shall be paid daily and travelling allowances for each day of the actual meeting at the highest rates admissible to a Grade I Officer of the Central Government.

- (4) If such person is a Government servant, or an employee in a Government undertaking, he shall be entitled to travelling and daily allowances at the rates admissible under the relevant rules applicable to him 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.

32. **Fee for the associated person.**—Notwithstanding anything in rule 31, the Central Executive Committee may pay the person associated with the committee, with the prior approval of the Central Government, such fees as the Central Government may determine depending on the nature of work assigned and the qualification and experience of the associated person.

33. **Tours by associated person.**—The associated person may, with the prior approval of the Chairperson, undertake tours within the country for the performance of the duties entrusted to him by the Central Executive Committee and in respect of such tours he shall be entitled to travelling and daily allowances at the rates admissible to a Grade I Officer of the Central Government.

34. **Associated Person not to disclose any information.**—The associated person shall not disclose any information either given by the Central Executive Committee or obtained during the performance of the duties assigned to him either from the Central Executive Committee or otherwise, to any person other than the Central Executive Committee without the written permission of the Chairperson of the Committee.

35. **Duties and functions of the associated person.**—The associated person shall discharge such duties and perform such functions as are assigned to him, by the Central Executive Committee.

## CHAPTER V EMPLOYMENT

36. **Computation of vacancies.**—For the purpose of computation of vacancies for persons with disabilities in Group A, B, C and D posts, the manner of computation of vacancies shall be such as may be determined by the Government by instructions or orders in this regard.

37. **Notification of Vacancies to the Special Employment Exchanges.**—(1) The following vacancies shall be



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.

18. **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 Chairperson and the Vice-Chairperson, the member presiding at the meeting, as the case may be, shall have a second or casting vote.

19. **No proceeding to be invalid due to vacancy or any defect.**—No proceeding of the Central Coordination Committee shall be invalid by reasons of existence of any vacancy in or any defect in the constitution of the Committee.

#### CHAPTER IV— The Central Executive Committee

20. **Nomination of State Government representative by rotation.**—The Central Government shall nominate four members—three from the States and one from the Union Territories under clause (h) of Sub-section (2) of section 9 of the Act, by rotation, in such a manner so as to cover all the four regions of the country, every year.

21. **Daily and Travelling Allowances.**— (1) Non-official members of the Central Executive Committee, resident in Delhi, shall be paid an allowance of rupees seventy five per day for each day of the actual meetings of the Central Coordination Committee.

(2) Non-official members of the Central Executive Committee, not resident in Delhi, shall be paid daily and travelling allowances for each day of the actual meetings at the highest rates admissible to a Grade I Officer of the Central Government.

(3) Official members of the Central Executive Committee shall be paid daily and travelling allowances, at the rates admissible under the relevant rules of the respective Government 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.

22. **Notice of Meetings.**— (1) The meetings of the Central Executive Committee shall ordinarily be held in New Delhi on such dates as may be fixed by the Chairperson: Provided that it shall meet at least once in every three months.

(2) The Chairperson shall, upon the written request of not less than ten members of the Central Executive Committee, call a special meeting of the Committee.

(3) 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, shall be given by the Member-Secretary to the members.

(4) Notice of a meeting may be given 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 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, in his discretion, permits him to do so.

(6) (a) The Central Executive Committee may adjourn its meetings from day to day or to any particular day.

(b) Where a meeting of the Central Executive Committee is adjourned from day to day, notice of such adjourned meeting shall be given to the members available at the place where the meeting which is adjourned is held, by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(c) Where a meeting of the Central Executive Committee is adjourned not from day to day but from the day on which the meeting is to be held to another date, notice of such meeting shall be given to all the members as provided in sub-rule (4) of this rule.

23. **Presiding Officer.**—The Chairperson shall preside at every meeting of the Board and in his absence, the members present shall elect one of the members to preside at that meeting.

24. **Quorum.**— (1) One-third of the total members shall form the quorum for any meeting.

(2) If at any 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 what had not been on the agenda of the ordinary or the special meeting, as the case may be shall be discussed at adjourned meeting.

(5) (a) Where a meeting of the Central Executive Committee is adjourned under sub-rule (2) above for want of quorum to the following day, notice of such adjourned meeting shall be given to the members available at the place where the meeting which is adjourned is held, by messenger and it shall not be necessary to



be paid at the rates 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.

- (3) An official member of the Central Coordination Committee shall be paid daily and travelling allowances, at the rates admissible under the relevant rules of the respective Government 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.

**11. Notice of Meetings.**—(1) The meetings of the Central Coordination Committee shall ordinarily be held in New Delhi 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, upon the written request of not less than ten members of the Central Coordination Committee, call a special meeting of the Committee.
- (3) 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, shall be given by Member-Secretary to the members.
- (4) Notice of a meeting may be given 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 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, in his discretion, permits him to do so.
- (6) (a) The Central Coordination Committee may adjourn its meetings from day to day or to any particular day.
- (b) Where a meeting of the Central Coordination Committee is adjourned from day to day, notice of such adjourned meeting shall be given to the members available at the place where the meeting which is adjourned, if held, by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.
- (c) Where a meeting of the Central Coordination Committee is adjourned not from day to day but from the day on which the meeting is to be held to another date, notice of such meeting shall be given to all the members as provided in sub-rule (4) of this rule.

**12. Presiding Officer.**—The Chairperson shall preside at every meeting of the 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 at that meeting.

**13. Quorum.**—(1) One-third of the total members shall form the quorum for any meeting.

(2) If at any 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.

(5) (a) Where a meeting of the Central Coordination Committee is adjourned under sub-rule (2) above for want of quorum to the following day, notice of such adjourned meeting shall be given to the members available at the place where the meeting which is adjourned is held by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(b) Where a meeting of the Central Coordination Committee is adjourned under sub-rule (2) above for want of quorum not to the following date with sufficient gap, notice of such adjourned meeting shall be given to all the members as provided in sub-rule (4) of rule 11.

**14. Minutes.**—(1) Record shall be kept of the names of members who attended the meeting and of the proceedings at the meetings in a book to be maintained for that purpose by the Member-Secretary.

(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 meetings.

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

**15. Maintaining order at meeting.**—The presiding officer shall maintain order at the meeting.

**16. 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 11 shall be transacted at any meeting.

**17.** (1) At any meeting business 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) Either at the beginning of the meeting or after



**MINISTRY OF WELFARE****NOTIFICATION**

New Delhi, the 31st December, 1996

**S.O. 908(E).**—In exercise of the powers conferred by sub-section (1) and (2) of sections 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), the Central Government hereby make the following rules, namely :-

**CHAPTER I — Preliminary**

**1. Short Title and Commencement :—**(1) These rules may be called the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Rules, 1996.

(2) They shall come into force on date of their Publication in the Official Gazette.

**2. Definitions :—** In these rules unless the context otherwise requires :-

- (a) "Act" means the persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1995 (1 of 1996);
- (b) "Chairperson" means a Chairperson appointed under the Act;
- (c) "Vice-Chairperson" means a Vice-Chairperson appointed under the Act;
- (d) "Member" means a Member appointed under the Act;
- (e) "Member-Secretary" means a Member-Secretary appointed under the Act;
- (f) "Special Employment Exchange" means special Employment Exchange, special cell in normal employment exchange and such employment exchanges which are notified Special Employment Exchanges by notification in the Official Gazette.
- (g) "Year" means the financial year commencing on the first day of April.

**CHAPTER II— Guidelines for evaluation and assessment of various disabilities**

3. The general guidance for evaluation and assessment of various disabilities issued by the Government of India in the Ministry of Welfare vide No. 4-2/83-HW.III dated the 6th August, 1986 and as may be amended from time to time, shall be followed for evaluation of various disabilities specified in section 2 (b), (e), (l), (n), (o), (q), (r), (t), and (u) of the Act.

4. **Authorities to give Disability Certificate.**— (1) A Disability Certificate shall be issued by a Medical Board duly constituted by the Central and the State Government.

(2) The State Government may constitute a Medical Board consisting of atleast three members out of which

atleast one shall be a specialist in the particular field for assessing Locomotor/Visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be.

5. (1) The Medical Board shall, after due examination, give a permanent disability certificate in cases of such permanent disabilities where there are no chances of variation in the degree of disability.
- (2) The Medical Board shall indicate the period of validity in the certificate, in cases where there is any chance of variation in the degree of disability.
- (3) No refusal of disability certificate shall be made unless an opportunity is given to the applicant of being heard.
- (4) On representation by the applicant, the Medical Board may review its decision having regard to all the facts and circumstances of the case and pass such order in the matter as it thinks fit.
6. The Certificate issued by the Medical Board under rule 5 shall make a person eligible to apply for facilities, concessions and benefits admissible under schemes of the Government or Non Governmental Organisations, subject to such conditions as the Central or the State Government may impose.

**CHAPTER III— The Central Coordination Committee**

7. **Nomination of State Government representatives by rotation.**—The Central Government shall nominate four members—three from the state and one from the Union Territories under clause (k) of sub-section (2) of section 3 of the Act, by rotation, in such a manner so as to cover all the four regions of the country, every year.
8. **Membership Roll.**—The Member-Secretary shall keep a record of names of members and their addresses.
9. **Change of Address.**—If a member changes his address, he shall notify his new address to the Member-Secretary, who shall thereupon enter his new address, in the official records (but if he fails to notify his new address, the address in the official records shall for all purposes be treated as his correct address.)

10. **Daily and Travelling Allowances.**— (1) Non-official members of the Central Coordination Committee, resident in Delhi, shall be paid an allowance of rupees seventy five per day for each day of the actual meetings of the Central Coordination Committee.
- (2) Non-official members of the Central Coordination Committee, not resident in Delhi, shall be paid daily and travelling allowances for each day of the actual meetings at the highest rates admissible to a Grade I Officer of the Central Government.

Provided that in case of a Member of Parliament who is also a member of the Central Coordination Committee, the said daily and travelling allowance shall



## उपजीविका

## कर्मचारियों की संख्या

सही पदों जैसे इंजीनियर (यांत्रिकी), शिक्षक (गृह/विज्ञान); ड्यूटी अधिकारी (बीमा-कि); सहायक निदेशक (धातुकर्मी); वैज्ञानिक सहायक (रसायनज्ञ); अनुसंधान अधिकारी (अर्थशास्त्री); अनुदेशक (बढ़ई); पर्यवेक्षक (दर्जी); फिटर (आन्तरिक दहन इंजन); निरीक्षक (स्वच्छता); अधीक्षक (कार्यालय); शिक्षु (बिजली मिस्त्री)	निःशक्त पुरुष			निःशक्त महिलाएं			निःशक्ता की प्रकृति और विस्तार	कुल
	अस्थि संबंधी	दृष्टि संबंधी	श्रवण संबंधी	अस्थि संबंधी	दृष्टि संबंधी	श्रवण संबंधी		
	निःशक्ता	निःशक्ता	निःशक्ता	निःशक्ता	निःशक्ता	निःशक्ता		

1	2	3	4	5	6	7	8	9
(ख)	यदि तिमाही के दौरान रोजगार में 5 प्रतिशत से अधिक बढ़ोत्तरी या कमी हुई हो तो इस बढ़ोत्तरी या कमी के मुख्य कारणों को उपदर्शित करें-							
7.	रिक्तियां प्रतिमास विद्यमान न्यूनतम मजदूरी के अनुसार कुल उपलब्धियां प्राप्त होने वाली और तीन मास से अधिक की अवधि से चली आने वाली रिक्तियां।							
(क)	तिमाही के दौरान हुई और अधिसूचित रिक्तियों की संख्या और तिमाही के दौरान भरी गई रिक्तियों की संख्या।							

अधिनियम के कार्यक्षेत्र के अन्तर्गत आने वाली रिक्तियों की संख्या

हुई रिक्ति	अधिसूचित	भरी गई रिक्ति	स्रोत। (उस स्रोत को बताएं जिससे भरी गई)
अधिसूचित	स्थानीय विशेष	भरी गई रिक्ति	स्रोत
रोजगार कार्यालय			(उस स्रोत के बताएं जिससे रिक्तियां भरी गई हैं)।
1	2	3	4
5			

कुल

(ख) तिमाही की रिपोर्ट के दौरान हुई सभी रिक्तियों को अधिसूचित नहीं किए जाने के कारण। देखिए उपरोक्त 2 (क) .....

3. मानव शक्ति की कमी

उपयुक्त आवेदकों के न होने के कारण भरी नहीं गई रिक्तियों/भरे नहीं गए पद

पद की उपजीविका या पदाभिधान

भरी नहीं गई रिक्तियां/भरे नहीं गए पद

आवश्यक अर्हता	आवश्यक अनुभव	अनुभव आवश्यक नहीं
1	2	3
4		

कृपया किसी अन्य ऐसी उपजीविका की सूची दें जिसके लिए स्थापन को हाल ही में उपयुक्त आवेदक मिलने में कठिनाई हुई थी।

नियोक्ता के हस्ताक्षर

[फा. सं. 16-7/96-एन.आई-1]

गौरी चटर्जी, संयुक्त सचिव



- 1 2 3 4 5
- (ख) रिपोर्ट की अवधि (देखिए उपरोक्त 2 (क) के दौरान हुई रिक्तियों को अधिसूचित नहीं किए जाने के कारण)
3. मानव शक्ति की कमी
- उपयुक्त आवेदकों के कमी के कारण भरी नहीं गई रिक्तियां/भरे नहीं

गए पद।

पद की उपजीविका भरी नहीं गई रिक्तियों की संख्या/पद निःशक्ततानुसार या पदाभिधान

आवश्यक अर्हता	आवश्यक अनुभव	अनुभव जरूरी नहीं
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1	2	3	4
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कृपया किसी अन्य ऐसी उपजीविका की सूची दें जिसके लिए स्थापन को हाल में ही उपयुक्त आवेदक मिलने में कठिनाई हुई थी।

नियोक्ता के हस्ताक्षर

सेवा में

रोजगार कार्यालय

**टिप्पण :** यह विवरण 31 मार्च/30 जून/30 सितम्बर और 31 दिसम्बर को समाप्त होने वाली तिमाह के संबंध में होगा और स्थानीय विशेष रोजगार कार्यालय को संबंधित तिमाही के अंत में 30 दिनों के भीतर भेजा जाएगा।

### प्रारूप निःशक्त व्यक्ति रोजगार विवरण-II

(नियम 40 देखिए)

स्थानीय विशेष रोजगार कार्यालय को उपजीविका विवरण दो वर्ष में एक बार प्रस्तुत किया जाएगा।

नियोक्ता का नाम और पता .....

कारबार की प्रकृति .....

(स्थापन क्या बनाता है या उसके मुख्य क्रियाकलाप क्या हैं वर्णन करें)

तारीख (तारीख विनिर्दिष्ट करें) को स्थापन के वेतन पत्रक पर कुल व्यक्तियों की संख्या (इन आंकड़ों में ऐसे प्रत्येक व्यक्ति को सम्मिलित किया जाना चाहिए जिसकी मजदूरी या जिसके वेतन का संदाय स्थापन द्वारा किया जाता है) (निःशक्त पुरुषों और निःशक्त महिलाओं के लिए पृथक आंकड़े दिए जा सकेंगे)।

2. उपरोक्त मद 1 में दिए गए के अनुसार सभी कर्मचारियों की उपजीविका जन्य वर्गीकरण।

(कृपया नीचे प्रत्येक उपजीविका में कर्मचारियों की संख्या पृथक्कृत दें)

### उपजीविका

### कर्मचारियों की संख्या

सही पदों जैसे इंजीनियर (यांत्रिकी), शिक्षक (गृह/विज्ञान); ड्यूटी अधिकारी (बीमा-किंक); सहायक निदेशक (धातुकर्मी); वैज्ञानिक सहायक (रसायनज्ञ); अनुसंधान (अर्थशास्त्री); अनुदेशक (बढ़ई); पर्यवेक्षक (दर्जी); फिटर (आन्तरिक दहन इंजन); निरीक्षक (स्वच्छता); अधीक्षक (कार्यालय); प्रशिक्षु (बिजली मिस्त्री)	निःशक्त अस्थि संबंधी	पुरुष दृष्टि संबंधी	निःशक्त श्रवण संबंधी	महिलाएं अस्थि दृष्टि श्रवण	कुल	कृपया यथासंभव अगले कैलेंडर वर्ष के दौरान सेवानिवृत्ति के कारण प्रत्येक उपजीविका में भरी जाने अधिकारी संभावित रिक्तियों का अनुमान बताएं।
	निःशक्तता	निःशक्तता	निःशक्तता	निःशक्तता	निःशक्तता	

1	2	3	4	5	6	7	8	9
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कुल

तारीख

सेवा में,

रोजगार कार्यालय

(कृपया यहां अपने स्थानीय विशेष रोजगार कार्यालय का पता दें)

नियोक्ता के हस्ताक्षर

**टिप्पण :-** मद सं. 2 के अधीन स्तंभ 8 का कुल योग मद सं. 1 के समक्ष दिए गए आंकड़ों के अनुरूप होना चाहिए।

### प्रारूप निःशक्त व्यक्ति रोजगार विवरण-III

(नियम 41 देखिए)

- नियोक्ता का नाम और पता
- प्रधान कार्यालय/शाखा कार्यालय
- कारबार/प्रधान क्रियाकलाप की प्रकृति
- स्थापन के वेतन-पत्रक पर कुल व्यक्तियों की संख्या (इन आंकड़ों में ऐसे सभी व्यक्तियों को जिनकी मजदूरी और जिनके वेतन का संदाय स्थापन द्वारा किया जाता है सम्मिलित किया जाना चाहिए)।
- स्थापन के वेतन-पत्रक पर कुल निःशक्त व्यक्तियों की संख्या (निःशक्तनुसार) (इन आंकड़ों में ऐसे सभी निःशक्त व्यक्तियों को जिनकी मजदूरी या जिनके वेतन का संदाय स्थापन द्वारा किया जाता है सम्मिलित किया जाना चाहिए)।
- (क) उपरोक्त मद 5 में दिए गए अनुसार सभी कर्मचारियों की उपजीविकाजन्य अर्हता (कृपया नीचे पृथक्कृत: प्रत्येक उपजीविका में कर्मचारियों की संख्या बताएं)



- (ड) राहत जिसके लिए परिवादी ने दावा किया।
- (2) मुख्य आयुक्त परिवाद की प्राप्ति पर परिवाद की एकप्रति, परिवाद में उल्लिखित विरोधी पक्ष/पक्षकारों को निर्दिष्ट करेगा और निदेश देगा कि तीस दिन की अवधि के भीतर या मुख्य आयुक्त द्वारा यथा अनुदत्त 15 दिन से अनधिक विस्तारित अवधि के भीतर अपना वृत्तांत दे।
- (3) सुनवाई की तारीख पर या ऐसी किसी अन्य तारीख पर जिसको सुनवाई स्थागित की जाती है, पक्षकारों या उनके अभिकर्ताओं पर मुख्य आयुक्त के समक्ष हाजिर होना आबद्धकर होगा।
- (4) जहां परिवादी या उसका अभिकर्ता ऐसे दिन मुख्य आयुक्त के समक्ष हाजिर होने में असफल रहता है, मुख्य आयुक्त अपने विवेकानुसार व्यतिक्रम में परिवाद खारिज कर सकता है या गुणावगुण के आधार पर विनिश्चित कर सकता है।
- (5) जहां विरोधी पक्षकार या उसका अभिकर्ता सुनवाई की तारीख को हाजिर होने में असफल रहता है, वहां मुख्य आयुक्त, अधिनियम की धारा 63 के अधीन विरोधी पक्ष को बुलवाने और बलपूर्वक हाजिर करवाने की, जैसा वह ठीक समझे, आवश्यक कार्यवाही कर सकता है।
- (6) मुख्य आयुक्त, परिवाद का निपटान एकपक्षीय भी कर सकता है।
- (7) मुख्य आयुक्त जैसा वह उचित समझे वैसे निबंधनों पर और कार्यवाही के किसी भी प्रक्रम पर परिवाद की सुनवाई स्थगित कर सकता है।
- (8) परिवाद का विनिश्चय जहां तक संभव हो, विरोधी पक्षकार द्वारा नोटिस प्राप्त किए जाने की तारीख से तीन मास की अवधि के भीतर किया जाएगा।

#### 43. मुख्य आयुक्त के वेतन और भत्ते :-

निःशक्त व्यक्तियों के लिए मुख्य आयुक्त, सचिव, भारत सरकार को यथा उपलब्ध वेतन, भत्ते और अन्य परिलब्धियों का हकदार होगा।

#### 44. केन्द्रीय सरकार को रिपोर्ट का प्रस्तुत किया जाना :-

मुख्य आयुक्त अधिनियम के क्रियान्वयन की रिपोर्ट केन्द्रीय सरकार को छह-छह मास के अन्तराल पर ऐसी रीति में प्रस्तुत करेगा कि एक वित्तीय वर्ष में न्यूनतम दो रिपोर्ट भेजी जाएं।

#### 45. वार्षिक रिपोर्ट का प्रस्तुत किया जाना :-

(1) मुख्य आयुक्त वित्तीय वर्ष की समाप्ति के यथासंभव किन्तु पश्चात्पूर्व आगामी वर्ष के 30 सितम्बर के पश्चात् केन्द्रीय सरकार को एक वार्षिक रिपोर्ट प्रस्तुत करेगा जिसमें उक्त वित्तीय वर्ष के दौरान अपने क्रियाकलाप का सही और निष्ठावान लेखा देगा।

(2) विशेषतया, उप नियम (1) में निर्दिष्ट वार्षिक रिपोर्ट में निम्नलिखित विषयों में से प्रत्येक के संबंध में सूचना अन्तर्विष्ट होगी, अर्थात् :-

- (क) बोर्ड के कर्मचारीवृन्द के अधिकारियों के नाम और संगठनात्मक स्थापन दर्शित करने वाला एक चार्ट;
- (ख) अधिनियम की धारा 58 और धारा 59 के अधीन जिन कृत्यों के लिए मुख्य आयुक्त को सशक्त किया गया है और इस संबंध में निष्पादन की मुख्य-मुख्य बातें;

- (ग) मुख्य आयुक्त द्वारा की गई मुख्य सिफारिशें;
- (घ) अधिनियम के क्रियान्वयन में की गई प्रगति-राज्य
- (ड) मुख्य आयुक्त द्वारा अन्तर्दिष्ट किए जाने के लिए सम्मंजसा गया या केन्द्रीय सरकार द्वारा समय-समय विनिर्दिष्ट कोई अन्य विषय।

#### प्रारूप — निःव्य. रो. वि. — I

(निशक्त व्यक्ति रोजगार विवरणी)

(नियम 40 देखिए)

तारीख ..... को समाप्त हुई तिमाही से संबंधित विशेष रोजगार

कार्यालय को प्रस्तुत किया जाने वाला तिमाही विवरण :

नियोक्ता का नाम और पता :

क्या : प्रधान कार्यालय :

शाखा कार्यालय है :

कारबार/प्रधान क्रियाकलाप की प्रकृति .....

#### 1. (क) रोजगार :

अशकालिक कर्मचारों और प्रशिक्षुओं को छोड़कर स्थापन वेतन पत्रक पर व्यक्तियों की कुल संख्या जिसमें क स्वत्वधारी/ भागीदारी/कमीशन अभिकर्ता/आकस्मिक रु संदत्त और संविदात्मक कर्मकार भी सम्मिलित हैं। (इन अ में ऐसे प्रत्येक व्यक्ति को सम्मिलित किया जाना चाहिए स्थापन से मजदूरी या वेतन का संदाय किया जाता है।

पूर्ववर्ती तिमाही के अंतिम कार्य दिवस पर			रिपोर्ट तिमाही के अंतिम कार्य दिवस पर		
अस्थि	दृष्टि	श्रवण	अस्थि	दृष्टि	श्र
संबंधी	संबंधी	संबंधी	संबंधी	संबंधी	सं
निःशक्तता	निःशक्तता	निःशक्तता	निःशक्तता	निःशक्तता	निःश
निःशक्त पुरुष					
निःशक्त महिलाएं					

कुल

(ख) यदि रोजगार में तिमाही के दौरान 5 प्रतिशत से बड़ोत्त कमी हुई हो तो ऐसी किसी बड़ोत्तरी या कमी के मुख्य व को उपदर्शित करें।

2. रिक्तियां :- प्रतिमास विद्यमान न्यूनतम मजदूरी के अ कुल उपलब्धियां प्राप्त होने वाली और तीन मास से अधिक की से चली आने वाली रिक्तियां।

(क) तिमाही के दौरान हुई और अधिसूचित रिक्तियों की संख्या तिमाही के दौरान भरी गई रिक्तियों की संख्या। (अ महिलाओं और अशक्त पुरुषों के पृथक-पृथक आंकड़े जा सकेंगे) अधिनियम के कार्यक्षेत्र के अंतर्गत आने रिक्तियां :

हुई रिक्ति	अधिसूचित स्थानीय विशेष रोजगार कार्यालय	भरी गई सामान्य रोजगार कार्यालय (जी ई ई)	स्रोत (उक्त स्रोत का वर्णन करें जिससे माध्यम से भरी गई
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निमित्त राजपत्र में अधिसूचना द्वारा यथाविनिर्दिष्ट विशेष रोजगार कार्यालयों को अधिसूचित की जाएगी। रिक्तियों की अधिसूचना की एक प्रति असुविधाग्रस्त व्यक्तियों के लिए संबद्ध व्यवसायिक पुनर्वास केन्द्र को भी भेजी जाएगी। (2) उपनियम (1) में विनिर्दिष्ट से भिन्न रिक्तियां संबद्ध स्थानीय विशेष रोजगार कार्यालय को अधिसूचित की जाएगी। रिक्तियों की अधिसूचना की एक प्रति असुविधाग्रस्त व्यक्तियों के लिए संबद्ध व्यवसायिक पुनर्वास केन्द्र को भी भेजी जाएगी।

### 38. रिक्तियों की अधिसूचना का प्ररूप और रीति :

रिक्तियां, संबद्ध विशेष रोजगार कार्यालय को लिखित में अधिसूचित की जाएगी और निम्नलिखित विशिष्टियां, प्रत्येक प्रकार की रिक्ति के संबंध में दी जाएगी :-

1. नियोजक का नाम और पता
2. नियोजक की टेलिफोन सं., यदि कोई हो :
3. रिक्ति की प्रकृति :-
  - (क) अपेक्षित कर्मचारों का प्रकार (पदाभिधान)
  - (ख) (i) कर्तव्यों का वर्णन;
  - (ii) शारीरिक अपेक्षाएं (अर्थात् जो कार्य में अन्तर्वर्तित हैं)- दृष्टिक शुद्धता, बारम्बार का संचालन/चलना, निरंतर दीर्घावधि के लिए बैठना, आदि।
  - (ग) अपेक्षित अर्हताएं :-
    - (i) आवश्यक
    - (ii) वांछनीय
  - (घ) आयु सीमा, यदि कोई हो;
  - (ङ) क्या महिलाएं पात्र हैं?
4. रिक्तियों की संख्या :-
 

शारीरिक रूप से असुविधाग्रस्त व्यक्तियों के लिए आरक्षित शारीरिक रूप से दृष्ट्या श्रव्या असुविधाग्रस्त असुविधाग्रस्त असुविधाग्रस्त

  - (क) नियमित
  - (ख) अस्थायी
5. वेतन और भत्ते
6. कार्य स्थान (उस शहर) ग्राम और जिला जहां स्थित है, का नाम)
7. रिक्ति के भरे जाने की संभाव्य तारीख।
8. आवेदकों के साक्षात्कार (परीक्षण जैसी संबंधित विशिष्टियां)
  - (क) साक्षात्कार परीक्षण की तारीख
  - (ख) साक्षात्कार परीक्षण का समय
  - (ग) साक्षात्कार परीक्षण का स्थान
  - (घ) उस व्यक्ति का पदाभिधान और पता जिसे आवेदक रिपोर्ट करेगा।
9. कोई अन्य सुसंगत जानकारी -
 

संबंध विशेष रोजगार कार्यालय और असुविधाग्रस्त व्यक्तियों के लिए

व्यवसायिक पुनर्वास केन्द्र को इस नियम के अधीन पहले दी गई विशिष्टियों में यदि कोई परिवर्तन होता है तो संबंध विशेष रोजगार कार्यालय को लिखित में रिक्तियां पुनः अधिसूचित की जाएगी।

### 39. रिक्तियों अधिसूचित की जाने के लिए समय-सीमा-

(1) स्थानीय विशेष रोजगार कार्यालय को अधिसूचित किए जाने के लिए अपेक्षित रिक्तियां जहां साक्षात्कार या निरीक्षण किए जाते हैं वहां उस तारीख से कम से कम 30 दिन पहले जिसको आवेदकों का साक्षात्कार या परीक्षण होता है, अथवा जहां साक्षात्कार का परीक्षण नहीं होता है वहां उस तारीख से जिसको रिक्तियां भरी जानी आशयित हैं कम से कम 30 दिन पहले अधिसूचित की जाएगी।

(2) नियम 37 के उपनियम (1) के अधीन विशेष रोजगार कार्यालय को अधिसूचित किए जाने के लिए अपेक्षित रिक्तियां जहां साक्षात्कार या परीक्षण होना है अधिसूचित की जाएगी अथवा जहां साक्षात्कार का परीक्षण नहीं होने है वहां उस तारीख से जिसको रिक्तियां भरी जानी आशयित हैं कम से कम 3 सप्ताह पहले अधिसूचित की जाएगी।

(3) नियोजक, संबद्ध विशेष रोजगार कार्यालय को चयन की तारीख से 15 दिन भीतर चयन के परिणाम भेजेगा।

### 40. विवरणियों का प्रस्तुत किया जाना :-

(1) नियोजक स्थानीय विशेष रोजगार कार्यालय को समय-समय पर यथासंशोधित प्ररूप डी पी ई आर-I में त्रैमासिक विवरणियां और प्ररूप डी पी ई आर-II में द्विवार्षिक विवरणियां प्रस्तुत करेगा।

(2) त्रैमासिक विवरणियां सम्यक् तारीखों अर्थात् 31 मार्च, 30 जून, 30 सितम्बर और 31 दिसम्बर के 30 दिनों के भीतर प्रस्तुत की जाएगी।

(3) द्विवार्षिक विवरणियां राजपत्र में यथा अधिसूचित सम्यक् तारीख के 30 दिन के भीतर प्रस्तुत की जाएगी।

### 41. प्ररूप जिसमें नियोजक द्वारा अभिलेख रखा जाएगा :-

नियोजक, निःशक्त कर्मचारियों का अभिलेख, समय-समय पर यथासंशोधित प्ररूप डी पी ई आर-III में रखेगा।

अध्याय VI- निःशक्त व्यक्तियों के लिए मुख्य आयुक्त

### 42. मुख्य आयुक्त द्वारा अपनाई जाने वाली प्रक्रिया :-

(1) परिवाद जिसमें निम्नलिखित विशिष्टियां अन्तर्विष्ट होगी, परिवादी द्वारा व्यक्तिगत रूप से या उसके अभिकर्ता द्वारा, निःशक्त व्यक्तियों के लिए मुख्य आयुक्त को प्रस्तुत किया जाएगा, अथवा मुख्य आयुक्त को संबोधित करके रजिस्ट्रीकृत डाक द्वारा भेजा जाएगा :-

- (क) परिवादी का नाम, वर्णन और पता;
- (ख) यथास्थिति, विरोधी पक्षकार या पक्षकारों का नाम, वर्णन और पता/पते जहां तक वे अभिनिश्चित किए जा सकें;
- (ग) परिवाद से संबंधित तथ्य और वे कब तथा कहाँ उद्भूत हुए;
- (घ) परिवादी में अन्तर्विष्ट अभिकथन के समर्थन में दस्तावेज;



**25. कार्यवृत्त**

(1) सदस्य सचिव द्वारा उस प्रयोजन के लिए रखी जाने वाली पुस्तक में ऐसे सदस्यों के नाम जिन्होंने अधिवेशन में भाग लिया है और अधिवेशन में की गई कार्यवाहियों का अभिलेख रखा जाएगा।

(2) प्रत्येक पश्चात्पूर्ती अधिवेशन के प्रारम्भ में पूर्ववर्ती अधिवेशन के कार्यवृत्त को पढ़ा जाएगा जिसे उस अधिवेशन में पुष्ट किया जाएगा और पीठासीन अधिकारी द्वारा हस्ताक्षरित किया जाएगा।

(3) प्रत्येक सदस्य को सदस्य-सचिव के कार्यालय में कार्यालय समय के दौरान कार्यवाहियों का निरीक्षण करने की छूट होगी।

**26. अधिवेशन में व्यवस्था का अनुरक्षण करना**

पीठासीन अधिकारी अधिवेशन में व्यवस्था का अनुरक्षण करेगा।

**27. अधिवेशन में किया जाने वाला कारबार**

पीठासीन अधिकारी की अनुमति के बिना ऐसा कोई कारबार जो कार्यसूची में दर्ज नहीं है या जिसके संबंध में किसी सदस्य द्वारा नियम 22 के उपनियम (5) के अधीन सूचना नहीं दी गई है, अधिवेशन में नहीं किया जाएगा।

28. (1) किसी अधिवेशन में कार्यसूची में दर्ज क्रम से कारबार किया जाएगा।

(2) अधिवेशन के आरंभ में या अधिवेशन के दौरान किसी प्रस्ताव पर बहस की समाप्ति पर पीठासीन अधिकारी का कोई सदस्य, कार्यसूची में दर्ज कारबार के क्रम में परिवर्तन के लिए सुझाव दे सकता है और यदि अध्यक्ष सहमत हों तो ऐसा परिवर्तन किया जा सकेगा।

**29. बहुमत द्वारा विनिश्चय**

समिति के अधिवेशन में विचाराधीन सभी प्रश्न उपस्थित और मत देने वाले सदस्यों के बहुमत द्वारा विनिश्चित किए जाएंगे और मतों के बराबर होने की दशा में, यथास्थिति, अध्यक्ष या अध्यक्ष की अनुपस्थिति में अधिवेशन में पीठासीन सदस्य का दूसरा या निर्णायक मत होगा।

**30. कोई कार्यवाही रिक्विजिट या किसी दोष के कारण अविधिमान्य नहीं होगी**

केन्द्रीय कार्यपालक समिति में किसी रिक्विजिट या उसके गठन में किसी दोष के कारण कोई कार्यवाही अविधिमान्य नहीं होगी।

**31. केन्द्रीय कार्यपालक समिति के सहयोजन की रीति और उसका प्रयोजन**

(1) केन्द्रीय कार्यपालक समिति ऐसे किसी व्यक्ति को अपने किसी अधिवेशन में विचार-विमर्श में भाग लेने के लिए आमंत्रित कर सकती है यदि उसकी सहायता या सलाह अधिनियम के अधीन उसके किसी कृत्य के निष्पादन में उपयोगी समझी जाए।

(2) उपनियम (1) के अधीन केन्द्रीय कार्यपालक समिति से सहबद्ध व्यक्ति यदि गैर-सरकारी है और दिल्ली का निवासी है तो वह समिति के वास्तविक अधिवेशन के प्रत्येक दिन के लिए, जिसके लिए उसे सहबद्ध किया जाता है, 75 रुपए प्रतिदिन का भत्ता पाने का हकदार होगा।

(3) यदि ऐसा व्यक्ति दिल्ली का निवासी नहीं है तो वास्तविक

अधिवेशन के प्रत्येक दिन के लिए उसे केन्द्रीय सरकार के श्रेणी-1 अधिकारी को अनुज्ञेय अधिकतम दरों पर दैनिक और यात्रा भत्ते संदत्त किए जाएंगे।

(4) यदि ऐसा व्यक्ति सरकारी सेवक या किसी सरकारी उपक्रम में कर्मचारी है तो उसके द्वारा इस आशय का प्रमाणपत्र प्रस्तुत किए जाने पर कि उसने किसी अन्य सरकारी स्रोत से उस यात्रा और विरामों के लिए ऐसा कोई भत्ता नहीं लिया है, वह उसे लागू सुसंगत नियमों के अधीन अनुज्ञेय दरों पर यात्रा और दैनिक भत्तों का हकदार होगा।

**32. सहबद्ध व्यक्ति की फीस**

नियम 31 में किसी बात के होते हुए भी, केन्द्रीय कार्यपालक समिति के सहबद्ध व्यक्ति, को केन्द्रीय सरकार के पूर्व अनुमोदन से समनुदिष्ट कार्य की प्रकृति और सहबद्ध व्यक्ति की अर्हताओं और अनुभव के आधार पर केन्द्रीय सरकार द्वारा अवधारित फीस का संदाय किया जा सकेगा।

**33. सहबद्ध व्यक्ति द्वारा दौरे**

सहबद्ध व्यक्ति, अध्यक्ष के पूर्व अनुमोदन से, केन्द्रीय कार्यपालक समिति द्वारा उसे सौंपे गए कर्तव्यों के निष्पादन के लिए देश के भीतर दौरे कर सकेगा और ऐसे दौरों की बाबत वह केन्द्रीय सरकार के श्रेणी-1 अधिकारियों को अनुज्ञेय दरों पर यात्रा और दैनिक भत्तों का हकदार होगा।

**34. सहबद्ध व्यक्ति कोई जानकारी प्रकट नहीं करेगा**

सहबद्ध व्यक्ति, केन्द्रीय कार्यपालक समिति द्वारा दी गई कोई जानकारी या केन्द्रीय कार्यपालक समिति द्वारा या अन्यथा उसे समनुदिष्ट कर्तव्यों के निष्पादन के दौरान अभिप्राप्त कोई जानकारी, केन्द्रीय कार्यपालक समिति से भिन्न किसी व्यक्ति पर समिति के अध्यक्ष की लिखित अनुमति के बिना प्रकट नहीं करेगा।

**35. सहबद्ध व्यक्ति के कर्तव्य और कृत्य**

सहबद्ध व्यक्ति, केन्द्रीय कार्यपालक समिति द्वारा उसे समनुदिष्ट कर्तव्यों का पालन करेगा और कृत्यों का निष्पादन करेगा।

**अध्याय 5****नियोजन****36. रिक्तियों की संगणना**

समूह "क", "ख", "ग" और "घ" पदों में निःशक्त व्यक्तियों के लिए रिक्तियों की संगणना के प्रयोजनार्थ रिक्तियों की संगणना की रीति सरकार द्वारा इस संबंध में जारी किए जाने वाले अनुदेशों या आदेशों द्वारा यथावधारित होगी।

**37. विशेष रोजगार कार्यालयों को रिक्तियों की अधिसूचना**

(1) विशेष रोजगार कार्यालयों को निम्नलिखित रिक्तियां अधिसूचित की जाएंगी, अर्थात् :-

(क) तकनीकी और वैज्ञानिक प्रकृति के पदों में रिक्तियां, जिनका मूल वेतन 1400 रु० या अधिक प्रतिमास हो और जो ऐसे स्थापनों में हों जिनकी बाबत अधिनियम के अधीन केन्द्रीय सरकार समुचित सरकार है, और

(ख) ऐसी रिक्तियों जो नियोजक उस राज्य का संघ राज्य क्षेत्र जिसमें वह स्थापन स्थित है के बाहर के विशेष रोजगार कार्यालयों में परिचालित करने की वांछा करे, केन्द्रीय सरकार द्वारा इस



## अध्याय 4

## केन्द्रीय कार्यकारिणी समिति

20. चक्रानुक्रम में राज्य सरकार के प्रतिनिधियों का नाम निर्देशन केन्द्रीय सरकार, चार सदस्य नाम निर्देशित करेगी जिनमें से तीन राज्यों से और एक संघ राज्य क्षेत्रों से, अधिनियम की धारा (9) की उपधारा (2) के खण्ड (ज) के अधीन प्रत्येक वर्ष चक्रानुक्रम में, ऐसी रीति में होगा कि वे देश के चारो क्षेत्रों से हों।

## 21. (1) दैनिक और यात्रा भत्ते :

- (1) दिल्ली में निवासी, केन्द्रीय कार्यकारिणी समिति के अशासकीय सदस्यों को केन्द्रीय समन्वय समिति के वास्तविक अधिवेशनों के प्रत्येक दिन के लिए पचहत्तर रुपए प्रतिदिन भत्ता संदाय किया जाएगा।
- (2) दिल्ली में अनिवासी, केन्द्रीय कार्यकारिणी समिति के अशासकीय सदस्यों को केन्द्रीय सरकार के ग्रेड-1 अधिकारी को अनुज्ञात उच्चतम दरों पर वास्तविक अधिवेशनों के प्रत्येक दिन के लिए दैनिक और यात्रा भत्तों का संदाय किया जाएगा।
- (3) केन्द्रीय कार्यकारिणी समिति के शासकीय सदस्य को दैनिक और यात्रा भत्ते ऐसी दरों पर संदाय किए जाएंगे जो उन्हें अपनी सरकार, जिसके अधीन वे रह सेवा करते हैं, के सुसंगत नियमों के अधीन अनुज्ञात हैं, और उसके द्वारा एक ऐसा प्रमाणपत्र प्रस्तुत किया जाता है कि उसने उसी यात्रा और उन्हीं विषयों के लिए किसी अन्य सरकारी स्रोत से ऐसा कोई भत्ता नहीं निकाला है।

## 22. अधिवेशनों की सूचना

- (1) केन्द्रीय कार्यकारिणी समिति के अधिवेशन समान्यतया नई दिल्ली में ऐसी तारीखों को आयोजित किए जाएंगे जो अध्यक्ष द्वारा नियत की जाएं। परन्तु यह अधिवेशन प्रत्येक छह मास में कम से कम एक बार अवश्य होगा।
- (2) केन्द्रीय कार्यकारिणी समिति के कम से कम दस सदस्यों की लिखित प्रार्थना पर अध्यक्ष समिति का विशेष अधिवेशन बुलाएगा।
- (3) सदस्य सचिव द्वारा सदस्यों को, समय और उस स्थान को, जहां ऐसा अधिवेशन आयोजित किया जाना है और उसमें किए जाने वाले कारबार को विनिर्दिष्ट करते हुए साधारण अधिवेशन के लिए पन्द्रह पूर्ण दिनों की सूचना और विशेष अधिवेशन के लिए पांच पूर्ण दिनों की सूचना दी जाएगी।
- (4) सदस्यों को किसी अधिवेशन की सूचना उसे संदेशवाहक द्वारा परिदान करके या इसे उनके अन्तिम ज्ञात निवास स्थान या कारबार पर रजिस्ट्रीकृत डाक से या ऐसी अन्य रीति में जिसे उस मामले की परिस्थितियों में अध्यक्ष, उचित समझता है, भेजी जा सकती है।
- (5) जब तक कि अध्यक्ष स्वविवेकानुसार ऐसा करना अनुज्ञात न करे, कोई सदस्य अधिवेशन में विचार के लिए किसी ऐसी

विषय को उठाने का हकदार नहीं होगा जिसके लिए उसने सदस्य सचिव को दस पूर्ण दिनों की सूचना नहीं दी है।

(6) (क) केन्द्रीय कार्यकारिणी समिति अपने अधिवेशन को दिन प्रति दिन के लिए या किसी विशिष्ट दिन के लिए स्थगित कर सकती है।

(ख) जहां केन्द्रीय कार्यकारिणी समिति का अधिवेशन दिन प्रति दिन के लिए स्थगित किया गया है वहां ऐसे स्थान अधिवेशन की सूचना ऐसे स्थान पर जहां अधिवेशन स्थगित किया गया है, यदि वहां आयोजित किया जाता है उपलब्ध सदस्यों को संदेशवाहक द्वारा दी जाएगी और अन्य सदस्यों को स्थगित अधिवेशन की सूचना देना आवश्यक नहीं होगा।

(ग) जहां केन्द्रीय कार्यकारिणी समिति का अधिवेशन दिन प्रति दिन के लिए स्थगित न करके किसी अन्य दिन के लिए स्थगित किया जाता है, जहां ऐसा अधिवेशन आयोजित किया जाना है, वहां ऐसे अधिवेशन की सूचना इस नियम के 3 (ख) नियम (4) में यथाउपबन्धित रीति से सभी सदस्यों को दी जाएगी।

## 23. पीठासीन अधिकारी

बोर्ड के प्रत्येक अधिवेशन में अध्यक्ष, पीठासीन होगा और उसकी अनुपस्थिति में उस अधिवेशन को पीठासीन करने के लिए उपस्थित सदस्य अपने में से एक को निर्वाचित करेंगे।

## 24. गणपूर्ति

- (1) किसी अधिवेशन के लिए कुल सदस्यों के एक तिहाई से गणपूर्ति का गठन होगा।
- (2) यदि किसी अधिवेशन के लिए किसी नियत समय पर या किसी अधिवेशन के दौरान कुल सदस्यों के लिए तिहाई से कम सदस्य उपस्थित हैं तो अध्यक्ष अधिवेशन को अगले ऐसे घंटों या किसी अन्य अगली तारीख के लिए जो वह नियत करे, स्थगित कर सकता है।
- (3) स्थगित अधिवेशन के लिए गणपूर्ति की आवश्यकता नहीं है।
- (4) किसी भी ऐसे विषय पर जो यथार्थिती सामान्य या विशेष अधिवेशन की कार्य सूची में नहीं था, ऐसे स्थगित अधिवेशन में विचार नहीं किया जाएगा।
- (5) (क) जब केन्द्रीय कार्यकारिणी समिति का अधिवेशन उपरोक्त उपनियम 2 के अधीन गणपूर्ति के अभाव में अगले दिन के लिए स्थगित कर दिया गया हो तो ऐसे स्थगित अधिवेशन की सूचना ऐसे स्थान पर जहां स्थगित किए गए अधिवेशन का आयोजन किया जाना है, उपलब्ध सदस्यों को संदेशवाहक द्वारा दी जाएगी और स्थगित अधिवेशन की सूचना अन्य सदस्यों को देना आवश्यक नहीं होगा।
- (ख) जब केन्द्रीय कार्यकारिणी समिति का अधिवेशन उपरोक्त उपनियम 2 के अधीन गणपूर्ति के अभाव में अगली तारीख के लिए स्थगित न करके पर्याप्त अन्तराल के पश्चात् किया गया हो, तब ऐसे स्थगित अधिवेशन की सूचना नियम 22 के उपनियम 4 में यथाउपबन्धित रीति सभी सदस्यों को दी जाएगी।



न करे, कोई सदस्य अधिवेशन में विचार के लिए किसी ऐसे विषय को उठाने का हकदार नहीं होगा जिसके लिए उसने सदस्य-सचिव को 10 पूर्ण दिनों की सूचना नहीं दी है।

6 (क) केन्द्रीय समन्वय समिति अपने अधिवेशनों का दिन प्रति दिन के लिए या किसी विशिष्ट दिन के लिए स्थगित कर सकती है

(ख) जहां केन्द्रीय समन्वय समिति का अधिवेशन दिन प्रतिदिन के लिए स्थगित किया गया है, वहां ऐसे स्थगित अधिवेशन की सूचना ऐसे स्थान पर, जहां अधिवेशन स्थगित किया गया है यदि वहां आयोजित किया जाता, उपलब्ध सदस्यों को संदेश वाहक द्वारा दी जाएगी और स्थगित अधिवेशन की सूचना अन्य सदस्यों को देना आवश्यक नहीं होगा।

(ग) जहां केन्द्रीय समन्वय समिति का अधिवेशन दिन प्रतिदिन के लिए स्थगित न करके किसी अन्य तारीख के लिए, जब अधिवेशन का आयोजन किया जाना है, स्थगित किया जाता है तो ऐसे अधिवेशन की सूचना सभी सदस्यों को इस नियम के उपनियम (4) में यथा उपबन्धित रूप में दी जाएगी।

## 2. पीठासीन अधिकारी

बोर्ड के प्रत्येक अधिवेशन में अध्यक्ष पीठासीन होगा और उसकी अनुपस्थिति में उपाध्यक्ष पीठासीन होगा किन्तु जब दोनों, अध्यक्ष और उपाध्यक्ष, किसी अधिवेशन में उपस्थित न हो तब उसे अधिवेशन को पीठासीन करने के लिए उपस्थित सदस्य अपने में से एक को निर्वाचित करेंगे।

## 3. गणपूर्ति

(1) किसी अधिवेशन के लिए गणपूर्ति का गठन कुल सदस्यों के एक तिहाई से होगा।

(2) यदि किसी अधिवेशन के लिए नियत किसी समय पर या किसी अधिवेशन के दौरान कुल सदस्यों के लिए एक तिहाई से कम सदस्य उपस्थित हैं तो अध्यक्ष अधिवेशन को अगले ऐसे घंटों या किसी अगली तारीख के लिए जो नियत करें, स्थगित कर सकता है।

(3) स्थगित अधिवेशन के लिए गणपूर्ति की आवश्यकता नहीं है।

(4) किसी भी ऐसे विषय पर जो सामान्य या विशेष अधिवेशन की कार्य सूची में नहीं था, ऐसे स्थगित अधिवेशन में विचार नहीं किया जाएगा।

(5) (क) जब केन्द्रीय समन्वय समिति का अधिवेशन उपरोक्त उपनियम (2) के अधीन गणपूर्ति के अभाव में अगले दिन के लिए स्थगित कर दिया गया हो तो ऐसे स्थगित अधिवेशन की सूचना, ऐसे स्थान पर जहां स्थगित किए गए अधिवेशन का आयोजन किया जाना है, उपलब्ध सदस्यों को संदेश वाहक द्वारा दी जाएगी और स्थगित अधिवेशन की सूचना अन्य सदस्यों को देना आवश्यक नहीं होगा।

(ख) जब केन्द्रीय समन्वय समिति का अधिवेशन, उपनियम (2) के अधीन गणपूर्ति के अभाव में अगले दिन के लिए स्थगित न करके पर्याप्त अन्तराल के लिए किया गया हो तब ऐसे स्थगित अधिवेशन की सूचना नियम 11 के उपनियम 4 में यथा उपबन्धित रीति सभी सदस्यों को दी जाएगी।

## कार्यवृत्त

14. (1) सदस्य सचिव द्वारा, उस प्रयोजना के लिए रखी जाने वाली पुस्तक में ऐसे सदस्यों के नाम जिन्होंने अधिवेशन में भाग लिया है और अधिवेशन में की गई कार्यवाहियों का अभिलेख रखा जाएगा।

(2) प्रत्येक पश्चातवर्ती अधिवेशन के प्रारंभ में पूर्ववर्ती अधिवेशन के कार्यवृत्त को पढ़ा जाएगा जिसे उस अधिवेशन में पुष्ट किया जाएगा और पीठासीन अधिकारी द्वारा हस्ताक्षरित किया जाएगा।

(3) प्रत्येक सदस्य को सदस्य-सचिव के कार्यालय समय के दौरान कार्यवाहियों का निरीक्षण करने की छूट होगी।

## अधिवेशन में व्यवस्था का अनुरक्षण करना

15. पीठासीन अधिकारी अधिवेशन में व्यवस्था का अनुरक्षण करेगा।

## अधिवेशन में किया जाने वाला कारबार

16. पीठासीन अधिकारी की अनुमति के बिना, ऐसा कोई कारबार जो कार्य सूची में दर्ज नहीं है या जिसके संबंध में किसी सदस्य द्वारा नियम 11 के उपनियम 5 के अधीन सूचना नहीं दी है, अधिवेशन में नहीं किया जाएगा।

17. (1) जब तक कि पीठासीन अधिकारी की अनुमति से अधिवेशन में अन्यथा संकल्पित न हो किसी अधिवेशन में कार्य सूची में दर्ज क्रम से कारबार किया जाएगा।

(2) अधिवेशन के आरंभ में या अधिवेशन के दौरान किसी प्रस्ताव पर बहस की समाप्ति पर, पीठासीन अधिकारी या कोई सदस्य, कार्य सूची में दर्ज कारबार के क्रम में परिवर्तन के लिए सुझाव दे सकता है और यदि अध्यक्ष सहमत हो, तो ऐसा परिवर्तन किया जाएगा।

## 18. बहुमत द्वारा विनिश्चय

समिति के अधिवेशन में विचार किए गए सभी प्रश्न उपस्थित और मत देने वाले सदस्यों के बहुमत द्वारा विनिश्चित किए जाएंगे और मतों के बराबर होने की दशा में, यथास्थिति, अध्यक्ष या अध्यक्ष की अनुपस्थिति में उपाध्यक्ष या अध्यक्ष और उपाध्यक्ष दोनों की अनुपस्थिति में अधिवेशन में पीठासीन सदस्य का दूसरा या निर्णायक मत होगा।

## 19. कोई कार्यवाही रिक्ति या किसी दोष के कारण अविधिमान्य नहीं होगी

केन्द्रीय समन्वय समिति में किस रिक्ति या उसके गठन में किसी दोष के कारण उसकी कोई कार्यवाही अविधिमान्य नहीं होगी।



अधिसूचना द्वारा जारी विभिन्न

- (अ) निशक्तताओं के मूल्यांकन और निर्धारण के लिए सामान्य मार्गदर्शक सिद्धान्तों के अधिनियम की धारा 2(ख) (ड.) (ठ) (ड) (ण) (थ) (द) (न)  
(आ) और (ध) में विनिर्दिष्ट विभिन्न निशक्तताओं के मूल्यांकन के लिए अनुकरण किया जाएगा।

#### 4. निशक्तता प्रमाणपत्र देने के लिए प्राधिकारी

- (1) चिकित्सा प्रमाणपत्र केन्द्रीय और राज्य सरकार द्वारा सम्बद्ध रूप से गठित चिकित्सा बोर्ड द्वारा जारी किया जाएगा।  
(2) राज्य सरकार कम से कम तीन सदस्यों वाले चिकित्सा बोर्ड का गठन करेगी जिसमें कम से कम एक यथास्थिति, उपचारित कम दृष्टि/श्रवण और वाणी विशक्तता मंद मानसिकता और कुष्ठ रोग सहित गति-विषयक/दृष्टि संबंधी निर्धारण के लिए विशिष्ट क्षेत्र का विशेषज्ञ होगा।

5. (1) सम्यक परीक्षा के पश्चात् चिकित्सा बोर्ड ऐसी स्थायी निशक्तताओं के मामलों में एक स्थायी निशक्तता प्रमाण पत्र देगा जिनमें अशक्तता की मात्रा में फेरफार का कोई अवसर नहीं है।  
(2) जहां निशक्तता की मात्रा में फेरफार का कोई अवसर नहीं है वहां चिकित्सा बोर्ड प्रमाणपत्र में वैधता की अवधि को उपदर्शित करेगा।  
(3) आवेदक को सुनवाई का अवसर दिये बिना निशक्तता प्रमाणपत्र देने से इंकार नहीं किया जाएगा।  
(4) आवेदक द्वारा अभ्यावेदन दिए जाने पर, चिकित्सा बोर्ड मामले के सभी तथ्यों और परिस्थितियों को विचार में लेकर अपने विनिश्चय का पुनर्विलोकन कर सकेगा और मामले में ऐसा आदेश पारित करेगा जैसा कि वह उचित समझता है।
6. नियम 5 के अधीन चिकित्सा बोर्ड द्वारा जारी प्रमाण पत्र किसी व्यक्ति को, केन्द्रीय सरकार या राज्य सरकार द्वारा अधिरोपित शर्तों के अधीन सरकारी या गैर सरकारी संगठनों की स्कीमों के अधीन अनुज्ञेय सुविधाओं, रियायतों और प्रसुविधाओं के लिए आवेदन का पात्र बनाएगा।

### अध्याय 3

#### केन्द्रीय समन्वय समिति

#### 7. चक्रानुक्रम में राज्य सरकार के प्रतिनिधियों का नाम निर्देशन-

केन्द्रीय सरकार चार सदस्य नाम निर्देशित करेगी-जिसमें से तीन राज्यों से और एक संघ राज्य क्षेत्रों से अधिनियम की धारा 3 की उपधारा (2) के खंड (ट) के अधीन प्रत्येक वर्ष चक्रानुक्रम में ऐसी रीति में होंगे कि वे देश के चारों क्षेत्रों से हों।

#### 8. सदस्य नामावली

सदस्य-सचिव सदस्यों के नामों और उनके पतों का अभिलेख रखेगा।

#### 9. पते में परिवर्तन

यदि कोई सदस्य अपने पते में परिवर्तन करता है तो वह

सदस्य-सचिव को अपना नया पता अधिसूचित करेगा जो तत्पश्चात् शासकीय अभिलेख उसके नये पते की प्रविष्टि करेगा (किन्तु यदि वह अपने नये पते को अधिसूचित करने में सफल रहता है तो शासकीय अभिलेख में दिया गया पता सभी प्रयोजनों के लिए सदस्य का सही पता माना जाएगा)

#### 10. (1) दैनिक और यात्रा भत्ते

दिल्ली में निवासी केन्द्रीय समन्वय समिति के अशासकीय सदस्यों को केन्द्रीय समन्वय समिति के वास्तविक अधिवेशनों के प्रत्येक दिन के लिए 75/- रुपये प्रतिदिन भत्ता संदाय किया जाएगा।

(2) दिल्ली में अनिवासी केन्द्रीय समन्वय समिति के अशासकीय सदस्यों को केन्द्रीय सरकार के ग्रेड 1 अधिकारी को अनुज्ञात उच्चतम दरों पर वास्तविक अधिवेशनों में प्रत्येक दिन के लिए दैनिक और यात्रा भत्तों का संदाय किया जाएगा।

परन्तु संसद सदस्य के मामले में, जो केन्द्रीय समन्वय समिति का सदस्य भी है, उसे उक्त दैनिक और यात्रा भत्ते संसद सदस्य के रूप में अनुज्ञात दरों पर संदाय किए जाएंगे। यह उस दशा में जब यदि संसद सत्र में नहीं है और सदस्य द्वारा ऐसा प्रमाण पत्र प्रस्तुत किया जाता है कि उसने उसी यात्रा और उन्हीं विरामों के लिए ऐसा कोई भत्ता किसी अन्य सरकारी स्रोत से नहीं निकाला है।

(3) केन्द्रीय समन्वय समिति के शासकीय सदस्य को दैनिक और यात्रा भत्ते ऐसी दरों पर संदाय किए जाएंगे जो उसे अपनी सरकार, जिसके अधीन वह सेवारत है, के सुसंगत नियमों के अधीन अनुज्ञात है और उसके द्वारा एक ऐसा प्रमाण पत्र प्रस्तुत किया जाता है कि उसने उसी यात्रा और उन्हीं विरामों के लिए किसी अन्य सरकारी स्रोत से ऐसा कोई भत्ता नहीं निकाला है।

#### 11. (1) अधिवेशनों की सूचना

केन्द्रीय समन्वय समिति के अधिवेशन सामान्यतः नई दिल्ली में ऐसी तारीखों को आयोजित किए जाएंगे जो अध्यक्ष द्वारा नियत की जाएं।

परन्तु यह प्रत्येक छः माह से कम से कम एक बार अवश्य होगा।

(2) केन्द्रीय समन्वय समिति के कम से कम 10 सदस्यों की लिखित प्रार्थना पर अध्यक्ष केन्द्रीय समन्वय समिति का विशेष अधिवेशन बुलाएगा।

(3) सदस्य-सचिव द्वारा सदस्यों को समय और वह स्थान जहां ऐसा अधिवेशन आयोजित किया जाना है और उसमें किए जाने वाले कारबार को विनिर्दिष्ट करते हुए साधारण अधिवेशन के लिए 15 पूर्ण दिनों की सूचना और विशेष अधिवेशन के लिए 5 पूर्ण दिनों की सूचना, दी जाएगी।

(4) सदस्यों को किसी अधिवेशन की सूचना उसे संदेश वाहक द्वारा परिदान करके या इसे उसके अंतिम ज्ञात निवास स्थान या कारबार पर रजिस्ट्रीकृत डाक से या ऐसी अन्य राति में जिसे उस मामले की परिस्थितियों में अध्यक्ष उचित समझता है, भेजी जा सकती है।

(5) जब तक कि अध्यक्ष स्वविवेकानुसार ऐसा करना अनुज्ञात



न करे, कोई सदस्य अधिवेशन में विचार के लिए किसी ऐसे विषय को उठाने का हकदार नहीं होगा जिसके लिए उसने सदस्य-सचिव को 10 पूर्ण दिनों की सूचना नहीं दी है।

6 (क) केन्द्रीय समन्वय समिति अपने अधिवेशनों का दिन प्रति दिन के लिए या किसी विशिष्ट दिन के लिए स्थगित कर सकती है।

(ख) जहां केन्द्रीय समन्वय समिति का अधिवेशन दिन प्रतिदिन के लिए स्थगित किया गया है, वहां ऐसे स्थगित अधिवेशन की सूचना ऐसे स्थान पर, जहां अधिवेशन स्थगित किया गया है यदि वहां आयोजित किया जाता, उपलब्ध सदस्यों को संदेश वाहक द्वारा दी जाएगी और स्थगित अधिवेशन की सूचना अन्य सदस्यों को देना आवश्यक नहीं होगा।

(ग) जहां केन्द्रीय समन्वय समिति का अधिवेशन दिन प्रतिदिन के लिए स्थगित न करके किसी अन्य तारीख के लिए, जब अधिवेशन का आयोजन किया जाना है, स्थगित किया जाता है तो ऐसे अधिवेशन की सूचना सभी सदस्यों को इस नियम के उपनियम (4) में यथा उपबन्धित रूप में दी जाएगी।

## 2. पीठासीन अधिकारी

बोर्ड के प्रत्येक अधिवेशन में अध्यक्ष पीठासीन होगा और उसकी अनुपस्थिति में उपाध्यक्ष पीठासीन होगा किन्तु जब दोनों, अध्यक्ष और उपाध्यक्ष, किसी अधिवेशन में उपस्थित न हो तब उसे अधिवेशन को पीठासीन करने के लिए उपस्थित सदस्य अपने में से एक को निर्वाचित करेंगे।

## 3. गणपूर्ति

(1) किसी अधिवेशन के लिए गणपूर्ति का गठन कुल सदस्यों के एक तिहाई से होगा।

(2) यदि किसी अधिवेशन के लिए नियत किसी समय पर या किसी अधिवेशन के दौरान कुल सदस्यों के लिए एक तिहाई से कम सदस्य उपस्थित हैं तो अध्यक्ष अधिवेशन को अगले ऐसे घंटों या किसी अगली तारीख के लिए जो नियत करें, स्थगित कर सकता है।

(3) स्थगित अधिवेशन के लिए गणपूर्ति की आवश्यकता नहीं है।

(4) किसी भी ऐसे विषय पर जो सामान्य या विशेष अधिवेशन की कार्य सूची में नहीं था, ऐसे स्थगित अधिवेशन में विचार नहीं किया जाएगा।

(5) (क) जब केन्द्रीय समन्वय समिति का अधिवेशन उपरोक्त उपनियम (2) के अधीन गणपूर्ति के अभाव में अगले दिन के लिए स्थगित कर दिया गया हो तो ऐसे स्थगित अधिवेशन की सूचना, ऐसे स्थान पर जहां स्थगित किए गए अधिवेशन का आयोजन किया जाना है, उपलब्ध सदस्यों को संदेश वाहक द्वारा दी जाएगी और स्थगित अधिवेशन की सूचना अन्य सदस्यों को देना आवश्यक नहीं होगा।

(ख) जब केन्द्रीय समन्वय समिति का अधिवेशन, उपनियम (2) के अधीन गणपूर्ति के अभाव में अगले दिन के लिए स्थगित न करके पर्याप्त अन्तराल के लिए किया गया हो तब ऐसे स्थगित अधिवेशन की सूचना नियम 11 के उपनियम 4 में यथाउपबन्धित रीति सभी सदस्यों को दी जाएगी।

## कार्यवृत्त

14. (1) सदस्य सचिव द्वारा, उस प्रयोजना के लिए रखी जाने वाली पुस्तक में ऐसे सदस्यों के नाम जिन्होंने अधिवेशन में भाग लिया है और अधिवेशन में की गई कार्यवाहियों का अभिलेख रखा जाएगा।

(2) प्रत्येक पश्चातवर्ती अधिवेशन के प्रारंभ में पूर्ववर्ती अधिवेशन के कार्यवृत्त को पढ़ा जाएगा जिसे उस अधिवेशन में पुष्ट किया जाएगा और पीठासीन अधिकारी द्वारा हस्ताक्षरित किया जाएगा।

(3) प्रत्येक सदस्य को सदस्य-सचिव के कार्यालय समय के दौरान कार्यवाहियों का निरीक्षण करने की छूट होगी।

## अधिवेशन में व्यवस्था का अनुरक्षण करना

15. पीठासीन अधिकारी अधिवेशन में व्यवस्था का अनुरक्षण करेगा।

## अधिवेशन में किया जाने वाला कारबार

16. पीठासीन अधिकारी की अनुमति के बिना, ऐसा कोई कारबार जो कार्य सूची में दर्ज नहीं है या जिसके संबंध में किसी सदस्य द्वारा नियम 11 के उपनियम 5 के अधीन सूचना नहीं दी है, अधिवेशन में नहीं किया जाएगा।

17. (1) जब तक कि पीठासीन अधिकारी की अनुमति से अधिवेशन में अन्यथा संकल्पित न हो किसी अधिवेशन में कार्य सूची में दर्ज क्रम से कारबार किया जाएगा।

(2) अधिवेशन के आरंभ में या अधिवेशन के दौरान किसी प्रस्ताव पर बहस की समाप्ति पर, पीठासीन अधिकारी या कोई सदस्य, कार्य सूची में दर्ज कारबार के क्रम में परिवर्तन के लिए सुझाव दे सकता है और यदि अध्यक्ष सहमत हो, तो ऐसा परिवर्तन किया जाएगा।

## 18. बहुमत द्वारा विनिश्चय

समिति के अधिवेशन में विचार किए गए सभी प्रश्न उपस्थित और मत देने वाले सदस्यों के बहुमत द्वारा विनिश्चित किए जाएंगे और मतों के बराबर होने की दशा में, यथास्थिति, अध्यक्ष या अध्यक्ष की अनुपस्थिति में उपाध्यक्ष या अध्यक्ष और उपाध्यक्ष दोनों की अनुपस्थिति में अधिवेशन में पीठासीन सदस्य का दूसरा या निर्णायक मत होगा।

## 19. कोई कार्यवाही रिक्ति या किसी दोष के कारण अविधिमान्य नहीं होगी

केन्द्रीय समन्वय समिति में किस रिक्ति या उसके गठन में किसी दोष के कारण उसकी कोई कार्यवाही अविधिमान्य नहीं होगी।



अधिसूचना द्वारा जारी विभिन्न

- (अ) निशक्तताओं के मूल्यांकन और निर्धारण के लिए सामान्य मार्गदर्शक सिद्धान्तों के अधिनियम की धारा 2(ख) (ड.) (ट) (ठ) (ण) (थ) (द) (न)  
(आ) और (ध) में विनिर्दिष्ट विभिन्न निशक्तताओं के मूल्यांकन के लिए अनुकरण किया जाएगा।

#### 4. निशक्तता प्रमाणपत्र देने के लिए प्राधिकारी

- (1) चिकित्सा प्रमाणपत्र केन्द्रीय और राज्य सरकार द्वारा सम्बद्ध रूप से गठित चिकित्सा बोर्ड द्वारा जारी किया जाएगा।  
(2) राज्य सरकार कम से कम तीन सदस्यों वाले चिकित्सा बोर्ड का गठन करेगी जिसमें कम से कम एक यथास्थिति, उपचारित कम दृष्टि/श्रवण और वाणी विशक्तता मंद मानसिकता और कुष्ठ रोग सहित गति-विषयक/दृष्टि संबंधी निर्धारण के लिए विशिष्ट क्षेत्र का विशेषज्ञ होगा।

5. (1) सम्यक परीक्षा के पश्चात् चिकित्सा बोर्ड ऐसी स्थायी निशक्तताओं के मामलों में एक स्थायी निशक्तता प्रमाण पत्र देगा जिनमें अशक्तता की मात्रा में फेरफार का कोई अवसर नहीं है।  
(2) जहां निशक्तता की मात्रा में फेरफार का कोई अवसर नहीं है वहां चिकित्सा बोर्ड प्रमाणपत्र में वैधता की अवधि को उपदर्शित करेगा।  
(3) आवेदक को सुनवाई का अवसर दिये बिना निशक्तता प्रमाणपत्र देने से इंकार नहीं किया जाएगा।  
(4) आवेदक द्वारा अभ्यावेदन दिए जाने पर, चिकित्सा बोर्ड मामले के सभी तथ्यों और परिस्थितियों को विचार में लेकर अपने विनिश्चय का पुनर्विलोकन कर सकेगा और मामले में ऐसा आदेश पारित करेगा जैसा कि वह उचित समझता है।

6. नियम 5 के अधीन चिकित्सा बोर्ड द्वारा जारी प्रमाण पत्र किसी व्यक्ति को, केन्द्रीय सरकार या राज्य सरकार द्वारा अधिरोपित शर्तों के अधीन सरकारी या गैर सरकारी संगठनों की स्कीमों के अधीन अनुज्ञेय सुविधाओं, रियायतों और प्रसुविधाओं के लिए आवेदन का पात्र बनाएगा।

### अध्याय 3

#### केन्द्रीय समन्वय समिति

#### 7. चक्रानुक्रम में राज्य सरकार के प्रतिनिधियों का नाम निर्देशन-

केन्द्रीय सरकार चार सदस्य नाम निर्देशित करेगी-जिसमें से तीन राज्यों से और एक संघ राज्य क्षेत्रों से अधिनियम की धारा 3 की उपधारा (2) के खंड (ट) के अधीन प्रत्येक वर्ष चक्रानुक्रम में ऐसी रीति में होंगे कि वे देश के चारों क्षेत्रों से हों।

#### 8. सदस्य नामावली

सदस्य-सचिव सदस्यों के नामों और उनके पतों का अभिलेख रखेगा।

#### 9. पते में परिवर्तन

यदि कोई सदस्य अपने पते में परिवर्तन करता है तो वह

सदस्य-सचिव को अपना नया पता अधिसूचित करेगा जो तत्पश्चात् शासकीय अभिलेख उसके नये पते की प्रविष्टि करेगा (किन्तु यदि वह अपने नये पते को अधिसूचित करने में सफल रहता है तो शासकीय अभिलेख में दिया गया पता सभी प्रयोजनों के लिए सदस्य का सही पता माना जाएगा)

#### 10. (1) दैनिक और यात्रा भत्ते

दिल्ली में निवासी केन्द्रीय समन्वय समिति के अशासकीय सदस्यों को केन्द्रीय समन्वय समिति के वास्तविक अधिवेशनों के प्रत्येक दिन के लिए 75/- रुपये प्रतिदिन भत्ता संदाय किया जाएगा।

(2) दिल्ली में अनिवासी केन्द्रीय समन्वय समिति के अशासकीय सदस्यों को केन्द्रीय सरकार के ग्रेड 1 अधिकारी को अनुज्ञात उच्चतम दरों पर वास्तविक अधिवेशनों में प्रत्येक दिन के लिए दैनिक और यात्रा भत्तों का संदाय किया जाएगा।

परन्तु संसद सदस्य के मामले में, जो केन्द्रीय समन्वय समिति का सदस्य भी है, उसे उक्त दैनिक और यात्रा भत्ते संसद सदस्य के रूप में अनुज्ञात दरों पर संदाय किए जाएंगे। यह उस दशा में जब यदि संसद सत्र में नहीं है और सदस्य द्वारा ऐसा प्रमाण पत्र प्रस्तुत किया जाता है कि उसने उसी यात्रा और उन्हीं विरामों के लिए ऐसा कोई भत्ता किसी अन्य सरकारी स्रोत से नहीं निकाला है।

(3) केन्द्रीय समन्वय समिति के शासकीय सदस्य को दैनिक और यात्रा भत्ते ऐसी दरों पर संदाय किए जाएंगे जो उसे अपनी सरकार, जिसके अधीन वह सेवारत है, के सुसंगत नियमों के अधीन अनुज्ञात है और उसके द्वारा एक ऐसा प्रमाण पत्र प्रस्तुत किया जाता है कि उसने उसी यात्रा और उन्हीं विरामों के लिए किसी अन्य सरकारी स्रोत से ऐसा कोई भत्ता नहीं निकाला है।

#### 11. (1) अधिवेशनों की सूचना

केन्द्रीय समन्वय समिति के अधिवेशन सामान्यतः नई दिल्ली में ऐसी तारीखों को आयोजित किए जाएंगे जो अध्यक्ष द्वारा नियत की जाएं।

परन्तु यह प्रत्येक छः माह से कम से कम एक बार अवश्य होगा।

(2) केन्द्रीय समन्वय समिति के कम से कम 10 सदस्यों की लिखित प्रार्थना पर अध्यक्ष केन्द्रीय समन्वय समिति का विशेष अधिवेशन बुलाएगा।

(3) सदस्य-सचिव द्वारा सदस्यों को समय और वह स्थान जहां ऐसा अधिवेशन आयोजित किया जाना है और उसमें किए जाने वाले कारबार को विनिर्दिष्ट करते हुए साधारण अधिवेशन के लिए 15 पूर्ण दिनों की सूचना और विशेष अधिवेशन के लिए 5 पूर्ण दिनों की सूचना, दी जाएगी।

(4) सदस्यों को किसी अधिवेशन की सूचना उसे संदेश वाहक द्वारा परिदान करके या इसे उसके अंतिम ज्ञात निवास स्थान या कारबार पर रजिस्ट्रीकृत डाक से या ऐसी अन्य राति में जिसे उस मामले की परिस्थितियों में अध्यक्ष उचित समझता है, भेजी जा सकती है।

(5) जब तक कि अध्यक्ष स्वविवेकानुसार ऐसा करना अनुज्ञात



1	2	3	4	5	6	7	8	9
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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 quarter .....

7. Vacancies : Vacancies carrying total emoluments as per prevailing minimum wage per month and of over three months duration.

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

Number of vacancies which come within the purview of the Act

Occurred	Notified		Filled	Sources (Describe the Source from which filled.
	Local Special Employment Exchange	General Employment		
1	2	3	4	5

Total

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

### 3. Manpower Shortages

Vacancies/posts unfilled because of shortage of suitable applicants

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 establishment had recently any difficulty in obtaining suitable applicants.

Signature of Employer

[F.No. 16 - 7/96-NI.I]

GAURI CHATTERJI, Jt. Secy.