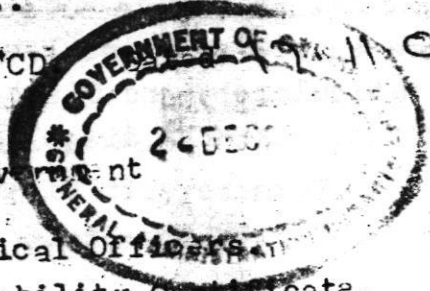


29/12/01 URGENT 61

Government of Orissa
Women & Child Development Department

No. HW-IT-A-74/2001 14920 /WCD



From

Shri P. Singh,
Deputy Secretary to Government

To

All Chief District Medical Officers
Authority to issue Disability Certificate.

Sub:
Sir,

I am directed to say that necessary instructions have been issued vide this Deptt. letter No.12543/WCD. dt.14.9.2001 and letter No.VRCO/M/20025/1/2001/1413 dt.28.8.2001 of Superintendent, Vocational Rehabilitation Centre for Handicapped, Ministry of Labour DGE&T, Govt. of India, SIRD Campus, Unit-VIII, Bhubaneswar that at least three Specialists including specialist of concerned disability, shall sign the Disability Certificates to make the disabled persons be eligible to be registered as persons with disabilities and to avail of the benefits extended by the State.

It is, further clarified that Disability Certificate shall be issued by a Medical Board duly constituted by the Central and State Govt. in accordance with the provisions under Section-4(1) of the "Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996. Section-4(2) of the said Rules states that State Govt. may constitute a Medical Board consisting of at least three members out of which at least 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. As such, the composition of Medical Board vide Govt. of India, Notification No.4-2/83-JW-III dt.6.8.1986 (copy enclosed) stands modified to the above extent as per the provisions of Section-4 of the P.W.D. Rules, 1996.

The general guidelines for evaluation and assessment of various disabilities has been spelt out under Section-3 of the P.W.D.Rules, 1996. A copy of the P.W.D.Rules,1996 is sent herewith for your reference.

State Govt. have the Medical Boards in different Districts and therefore, it is presumed to be covered under Section-4(2) of the PWD Rules, 1996. The certificates issued either by a single doctor or non-specialists/only by the CDMO/countersigned by the

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C.D.M.O. are not valid for the above purpose.

It is, therefore, requested that the instructions issued vide this Department letter under reference may please be followed meticulously and Disability Certificates be issued accordingly to make the disabled persons be eligible to be registered as Persons with Disabilities and to avail of the benefits extended by the State.

Yours faithfully,

[Signature]

Deputy Secretary to Government

Memo No. 14921 /CD.

Dated 17.11.01

Copy forwarded to the Chief Medical Officer, Capital Hospital, Unit-VI, Bhubaneswar for information and necessary action. A copy of this Deptt. letter No.12543/CD. dt.14.9.2001 addressed to all CMOs is sent herewith for his reference alongwith a copy of the P.W.D. Rules, 1996.

[Signature]

Deputy Secretary to Government

Memo No. 14922 /CD.

Dated 17.11.01

Copy forwarded to all Departments of Govt./all Heads of Depts./all Collectors/All DWOs/DRD, TPC, Capital Hospital Campus, Unit-VI, Bhubaneswar/General Secretary, Orissa Association for the Blind, Malgedown Road, Unit-III, Bhubaneswar/General Secretary, Orissa Association for the Deaf, Plot No.105/A, Pallaspalli, Bhubaneswar/General Secretary, All Orissa Orthopaedically Handicapped Welfare Association, Plot No.105/B, Pallaspalli, Bhubaneswar-9 for information and necessary action.

[Signature]

Deputy Secretary to Government

[Handwritten mark]
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Appendix-IV
(To be published in the Gazette of India, Part-I Sec.-1)
No. 4-2/R3-HW-III
Government of India
Ministry of Welfare

dt. 6th August, 1986

Subject : Uniform Definitions of the Physically Handicapped.

At present, different definitions for various categories of ~~hand~~ handicapped are adopted in various schemes/programmes of the Central and State Governments. In order to have a standard set of definitions, authorised certification authorities and standard tests for purpose of objective certification. Govt. of India in Ministry of Welfare set up three committees under the Chairmanship of Director General of Health Services - one each in the area of visual handicaps, speech and hearing disorders and locomotor disabilities and a separate Committee for mental handicaps.

2. After having considered the reports of these committees and with the concurrence of the State Governments/UTs and the concerned Ministries/Departments the undersigned is directed to convey the approval of the President to notify the definitions of the following categories of physically handicapped :-

1. Visually handicaps
2. Locomotor handicaps
3. Speech & hearing handicaps
4. Mental handicaps

Report of the Committee as indicated in the Annexure : I.

3. Each category of handicapped persons has been divided into four groups viz. mild, moderate, severe and profound/total. It has been decided that various concessions/benefits would in future be available only to the moderate, severe and profound/total groups. The minimum degree of disability should be 40% in order to be eligible for any concession/benefits.

4. It has been decided that the authorised certifying authority will be a medical board at the dist. level. The board will consist of the Chief Medical Officer/Sub Divisional Medical Officer in the Dist. and another expert in the specified field viz. ophthalmic surgeon or a specialist in physical medicine and rehabilitation in case of locomotor handicaps, a psychiatrist or a clinical psychologist or a teacher in special education in case of mental handicaps.

5. Specified tests as indicated in Annexure should be conducted by the medical board and recorded before a certificate is given.

6. The certificate would be valid for a period of three years.

1. The State Govts./UT Admn. may constitute the medical boards indicated in para 4 above immediately.

in case of visual handicaps either an ENT Surgeon M.C. NARSINGHAN
or an audiologist in case of speech & hearing handicaps, an orthopaedic surgeon Joint Secretary to the Govt. of India

ORDER

Ordered that the above notifications be published in the Gazette of India for general information. Copies of the Gazette notification may be sent to all Ministers/Depts. of the Central Govt./ all State Govts./U.T Admn. President Sectt. P.M's Office, Lok Sabha, Rajya Sabha Sectt. for information and necessary action.

sd/-

Joint Secy. to the Govt. of India

To
The Manager,
Govt. of India Press,

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MINISTRY OF WELFARE
NOTIFICATION

- 2 -

New Delhi, the 31st December, 1996

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

CHAPTER 1-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 the date of their publication in the Official Gazettee.

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

- (a) "Act" means the persons with Disabilities (Equal Opportunities, Protection of Rights and full Participations) Act, 1995 (1 of 1996)
- (b) "Chairpersons" 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 Act.
- (f) "Special Employment Exchange" means special Employment Exchange special cell in normal employment exchange and such employment exchange which are notified special employment exchanges by notification in the Official Gazettee.
- (g) "Year" means the Financial year commencing on the 1st 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 Govt. of India in the Ministry of Welfare vide No.4-2/83-HW.III dt. 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), (c), (1), (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 Govt.

(2) The State Govt. may constitute a Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field 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 permanent disability certificate in cases of such permanent disabilities where there are no changes 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 change 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 Govt. or Non Governmental Organisations, subject to such conditions as the Central or the State Govt. may impose.

CHAPTER-III : The Central Coordination Committee.

7. Nomination of State Govt. representatives by rotation :-

The Central Govt. 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 Members 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 Members Secretary, who shall there upon 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) New 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 1 Officer of the Central Govt.

Provided that in case of a Member of Parliament who is also a member of the Central Coordination Committee, the said daily and travelling allowances shall 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 Govt. 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 govt. 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 ~~one~~ 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-Secy. 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 thinks 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 meeting from day to day or to any particular day.

// (b) Where a meeting shall be given to the members available at the place where the meeting which is adjourned meeting shall be given to the members

(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-Chair person 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 Co-ordination 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 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.

15. Maintaining order at meetings:- 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 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 Govt. representatives by rotation- The Central Govt. 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 & 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 Govt.

- 6 -

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

(4) Notice of a meeting may be given to the members by delivering the same by messenger or sending it by R.P. 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-Secy., 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 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 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 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-Secy. 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~~ 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 ~~part~~ ^{participate} participate in the deliberations of its meetings, whose assistance or advice is considered useful in performing any of its function 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 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 associated.

(3) If such a person is not 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 Govt.

(4) If such person is a Govt. servant, or an employee in a Govt. 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 Govt. source.

✓

- (c) Qualification required :-
 - (i) Essential
 - (ii) Desirable
- (d) Age limits, if any ?
- (e) Whether women are eligible ?

4. Number of vacancies -

<u>Reserved for physically handicapped person</u>		
Orthopaedically handicapped	Visually Handicapped	Hearing Handicapped

- (a) Regular
- (b) Temporary

5. Pay and allowances

6. Place of work (Name of town/village and dist. 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 Spl. Employment Exchange if there is any change in the particulars already furnished to the Spl. 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 interviews 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 Spl. 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 Spl. Employment Exchange quarterly returns in Form DPER-1 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 Gazettee.

32. Fee for the associated person- Notwithstanding anything in rule the Central Executive Committee may pay the person associated with the committee, with the approval of the Central Govt., such fees as the Central Govt. may determine depending on the nature of work assigned and the qualifications and experience of the associated person.

33. Tours by associated person- The associated person may, with the prior approval of the Chairperson undertake a tour 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 Group I Officer of the Central Govt.

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 Govt. by instructions or orders in this regard.

37. Notification of Vacancies to the Spl. Employment Exchanges- (1) The following vacancies shall be notified to the Spl. 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 respect of which the Central Govt. is the appropriate Govt. 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 Govt. 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 notified to the local Spl. 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 No. 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.)

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

An employer shall maintain the record of employees with disabilities in Form DPFR 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 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 Govt. of India.

44. Submission of Report to Central Govt.- The Chief Commissioner shall submit report to the Central Govt. 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 Govt. 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 sections 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 Govt. from time to time.

FORM DPER-1
(Disabled Persons Employed return)
(See rule-40)

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

Name and Address of the Employer :

Whether - Head Office :

Branch Office :

Nature of business / principal activity :

1(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 persons 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

Orthopaedi Visually Hearing
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dicapped pped capped

Orthopaedi Visually Hearing
cally Han- Handi- Handi-
dicapped capped capped

Men with disability

Women disability

Total :

(b) Please indicate the 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 pending 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).

No. of vacancies which come within the purview of the Act

Occurred Notified Filled Sources

Describe the source from which filled)

Local Special Employment General Employment
Exchange Exchange

1. 2. 3. 4. 5.

(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.	No. 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 shall be rendered to the local Special employment exchange within thirty days after the end of the quarter concerned.

FORM DFER-II
 (See Rule 4(1))

Occupational return to be submitted to the local Spl. 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 persons whose wage or salary is paid by the establishment). (Separate figures for men with disability and women with disability may be given).

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

Occupation	Numbers of Employees						
	Men with Disability			Women with Disability			Total
Use exact items	O	V	H	C	V	H	
Such as engineer (Mechanical;	R	I	E	R	I	E	Please give as far as possible approximate No. of vacancies in each occupation you are likely to fill during the next calendar year due to retirement.
teacher (domestic/	T	S	A	T	S	A	
science; officer on	H	U	R	H	U	R	
duty(actually);	P	A	I	O	A	I	
assistant director	A	L	G	P	L	N	
(metallurgist);	E	L	G	A	L	G	
Scientific Assistant	D	Y		E	Y		
(chemist), Research	I			D			
Officer, (economist,				I			
instructor(carpenter).							

1. 2. 3. 4. 5. 6. 15 7. 8. 9.

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) No. of vacancies occurred and notified during the quarter and the No. filled during the quarter.

No. of vacancies which come within the purview of the Act.

Occurred	Notified		Filled	Filled	Sources
	Local Employment Exchange	Special General Employment			

Describe the Source from which filled.

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	No. 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 any recently any difficulty in obtaining suitable applicants.

Signature of Employee

(F. No.16-7/96-NI.1

Gouri Chatterji, Jt. Secy.