



TAMIL NADU GOVERNMENT GAZETTE

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Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc.,
issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT.

SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME DEPARTMENT.

TAMIL NADU PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS AND FULL PARTICIPATION) RULES, 2002.

[G.O (Ms).No. 120, Social Welfare and Nutritious Meal Programme, 9th August 2002.]

No. SRO A-36(b)/2002.

In exercise of the powers conferred by section 73(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act I of 1996), the Governor of Tamil Nadu hereby makes the following rules:—

RULES.

CHAPTER I.

PRELIMINARY

1. Short title.—These rules may be called the Tamil Nadu Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 2002.

2. Definition.—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 (Central Act I of 1996);

(b) "Chairperson" means a Chairperson appointed for the State Executive Committee or the State Co-ordination Committee, as the case may be, under the Act;

(c) "member" means a member including ex-officio member appointed for State Executive Committee or the State Co-ordination Committee, as the case may be, under the Act;

(d) "member (Ex-officio)" means an Official Member appointed either for State Executive Committee or the State Co-ordination Committee, as the case may be, under the Act;

(e) "Member-Secretary" means a Member-Secretary appointed for the State Executive Committee or the State Co-ordination Committee, as the case may be, under the Act;

(f) "Notification" means Notification published in the Official Gazette;

(g) "prescribed" means prescribed by rules;

(h) "rules" means the Tamil Nadu Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 2002;

(i) "section" means a Section of the Act;

(j) "Special Employment Exchange" includes Special Employment Exchange for disabled persons, Special Cell for disabled persons in normal employment exchange and such employment exchanges which are notified as Special Employment Exchanges for disabled persons by notification in the Official Gazette;

(k) "year" means the financial year commencing on the first day of April.

CHAPTER II.

GUIDELINES FOR EVALUATION OF VARIOUS DISABILITIES.

3. *Guidelines.*— Guidelines for evaluation of various disabilities as published in the Gazette of India, Part I, Section I, No.4-2/83/HW.III, Government of India, Ministry of Welfare, and as may be amended from time to time, shall be followed for evaluation of various disabilities read with sections 2(b), (c), (i), (l), (n), (o), (q), (r), (t) and (u). (Annexure to the rules).

4. *Authorities to give Disability Certificate.*—The Civil Assistant Surgeon who is specialized in the field of Orthopaedics, Ophthalmology, E.N.T and Psychiatric as the case may be, shall examine the persons who claim to be handicapped and issue necessary disability certificate.

5. *Reference to the Medical Board.*—The Civil Assistant Surgeon concerned will, 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. Wherever there is any chance of variation in the degree of disability, the Medical Board will decide the validity in the certificate.

6. *Validity of the Certificate.* The certificate issued under the above rule will be valid for the whole of the country except the State of Jammu and Kashmir and will make a person eligible to apply for facilities, concessions and benefits admissible under any scheme of Government or Non-Governmental Organisations, subject to such conditions as the Central or the State Government may impose from time to time.

CHAPTER III.

STATE CO-ORDINATION COMMITTEE.

7. *Daily and Travelling Allowances.*—(1) Members of the State Co-ordination Committee, resident at State Headquarters, shall be paid an allowance of Rs.75 for each day of the actual meetings of the State Co-ordination Committee.

(2) Members of the State Co-ordination Committee, not resident at State Headquarters, shall be paid daily and travelling allowances for each day of the actual meetings admissible as prescribed in Ruling 2 under Part II of the Tamil Nadu Travelling Allowance Rules:

Provided that in case of a Member of State Legislature, who is also a member of the State Co-ordination Committee, the said daily and travelling allowances will be paid at the rates admissible to him as member of State Legislature, when the Legislature 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.

8. *Notice of meetings.*— (1) The meetings of the State Co-ordination Committee shall ordinarily be held at the State Headquarters on such dates as may be fixed by the Chairperson

(2) The Chairperson shall, upon the written request of not less than 10 members of the State Co-ordination Committee, call a special meeting of the State Co-ordination Committee.

(3) 15 clear days' notice of an ordinary meeting and 5 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 10 clear days' notice to the Member-Secretary, unless the Chairperson, in his discretion, permits him to do so.

(6) (a) The State Co-ordination Committee may adjourn its meetings from day to day or to any particular day.

(b) Where a meeting of the State Co-ordination Committee is adjourned from day to day, notice of such adjourned meeting shall be given to the members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(c) Where a meeting of the State Co-ordination 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).

9. *Presiding Officer.*—The Chairperson shall preside at every meeting of the State Co-ordination Committee at which he is present, and in his absence, the members present shall elect one of the members to preside at that meeting.

10. *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 original meeting shall be discussed at such adjourned meeting.

(5) (a) Where a meeting of the State Co-ordination Committee is adjourned under sub-rule (2) for want of quorum to the following day, notice of such adjourned meeting shall be given to the members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(b) Where a meeting of the State Co-ordination Committee is adjourned under sub-rule (2) 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 8.

11. *Minutes.*—(1) Records 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 and members who attended the previous meeting.

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

12. *Maintaining order at meeting.*—The presiding officer of the State Co-ordination Committee shall maintain order at the meeting.

13. *Business to be transacted at meeting.*—(1) Except with the permission of the Chairperson of the State Co-ordination Committee, 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 8, shall be transacted at any meeting.

(2) 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 Chairperson.

14. *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 person presiding at the meeting shall have casting vote.

15. *No proceeding to be invalid due to vacancy or any defect.*—No proceeding of the State Co-ordination Committee shall be invalid merely by reasons of existence of any vacancy or any defect in the constitution of the Committee.

CHAPTER IV

STATE EXECUTIVE COMMITTEE

16. *Daily and Travelling Allowances.*—(1) Members of the State Executive Committee, resident at State Headquarters, shall be paid an allowance of Rs.75/- for each day of the actual meetings of the State Executive Committee.

(2) Members of the State Executive Committee, not resident at State Headquarters, shall be paid daily and travelling allowances for each day of the actual meetings admissible as prescribed in Ruling 2 under Part II of the Tamil Nadu Travelling Allowance Rules.

17. *Notice of meetings.*—(1) The meeting of the State Executive Committee shall ordinarily be held at the State Headquarters, on such dates as may be fixed by the Chairperson:

Provided that it shall meet atleast once in every three months.

(2) The Chairperson shall, upon the written request of not less than 10 member of the State Executive Committee, call a special meeting of the State Executive Committee.

(3) 15 clear days' notice of an ordinary meeting and 5 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, 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 10 clear days' notice to the Member-Secretary, unless the Chairperson, in his discretion, permits him to do so.

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

(b) Where a meeting of the State Executive Committee is adjourned from day today, notice of such adjourned meeting shall be given to the members available in the city, town or other place where the meeting which is adjourned if held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(c) Where a meeting of the State Executive Committee is adjourned not from day today 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).

18. *Presiding Officer.*—The Chairperson shall preside at every meeting of the State Executive Committee at which he is present, and in his absence, the members present shall elect one of the members to preside at that meeting.

19. *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 original meeting shall be discussed at such adjourned meeting.

(5)(a) Where a meeting of the State Co-ordination Committee is adjourned under sub-rule (2) for want of quorum to the following day, notice of such adjourned meeting shall be given to the members available in the city, town or other place where the meeting which is adjourned is held, either by telephone or by special messenger and it shall not be necessary to give notice of the adjourned meeting to other members.

(b) Where a meeting of the State Co-ordination Committee is adjourned under sub-rule (2) 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 17.

20. *Minutes.*—(1) Records 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 during office hours.

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

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

21. *Maintaining order at meeting.*—The presiding officer at the State Executive Committee shall maintain order at the meeting.

22. *Business to be transacted at meeting.*—(1) The business shall be transacted in the order in which it is entered in the agenda of the meeting.

(2) Except with the permission of the Chairperson of the State Executive Committee, 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 17, shall be transacted at any meeting.

23. *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 person presiding over the meeting shall have casting vote.

24. *No proceeding to be invalid due to vacancy or any defect.*—No proceedings of the State Executive Committee shall be invalid merely by reasons of existence of any vacancy in or any defect in the constitution of the Committee.

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

(2) If the person associated with the State Executive Committee under sub-rule (1) happens to be a non-official, resident at the State Headquarters, he shall be entitled to get an allowance of Rs.75 per day for each day of actual meeting of the State Executive Committee in which he is so associated.

(3) If such a person is not resident at the State Headquarters, he shall be paid daily and travelling allowances for each day of the actual meeting admissible as prescribed in Ruling 2 under Part II of the Tamil Nadu Travelling Allowance Rules.

(4) If such person is a Government servant, or an employee in a Government Undertaking, he shall be entitled to travelling and daily allowances only 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.

26. *Fee for the associated person.*—Notwithstanding anything in rule 25, the State Executive Committee may pay the person associated with the Committee, with the prior approval of the State Government such fees as considered appropriate depending on the nature of work assigned under section 22, and the qualifications and experience of the associated person:

Provided that the State Executive Committee shall not associate any person without the prior approval of the State Government, if the period of association exceeds four months or fees payable to him exceeds Rs.3,000 per month.

27. *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 State Executive Committee and in respect of such tours he shall be entitled to travelling and daily allowances at the rates admissible as per Ruling 2 under Part II of Tamil Nadu Travelling Allowance Rules.

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

29. *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 State Executive Committee.

CHAPTER V.

EMPLOYMENT.

30. *Computation of vacancies.*—For the purpose of computation of vacancies for persons with disabilities in Group A, B, C and D posts, the procedure laid down in the Department of Personnel and Training, Government of India Office Memorandum as in Annexure-B shall be applicable *mutatis mutandis*.

31. *Notification of vacancies to the Special Employment Exchanges.*—Special Employment Exchanges to which vacancies are to be notified:—

(1) Vacancies in posts of Professional except those for which recruitment have to be done through Tamil Nadu Public Service Commission / Teachers Recruitment Board / Uniformed Recruitment Board shall be notified to such Special Employment Exchanges as may be specified by the State Government by Notification in the Official Gazette, in this behalf. However, for vacancies that may arise under the provision of the said Act, the above recruiting agencies have to call for candidates only from Special Employment Exchanges referred to in the said Act.

(2) Vacancies in posts other than those specified in sub-rule (1) shall be notified to such local Special Employment Exchange as may be specified by the State Government by Notification in the Official Gazette in this behalf.

32. *Form and manner of notification of vacancies.*—The vacancies shall be notified in writing to the appropriate Recruiting Agency, viz., Special Employment Exchange and the following particulars shall be furnished, where practicable, in respect of each type of vacancy:—

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 required—

(i) Essential

(ii) Desirable

(d) Age limits, if any

(e) Whether women are eligible

4. Number of vacancies

	Reserved for Physically Handicapped persons		
	OH	VH	HH
(a) Regular			
(b) Temporary			

OH - Orthopaedically Handicapped

VH - Visually Handicapped

HH - Hearing Handicapped

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 vacancies 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 applicant should report
9. Whether there is any obligation or arrangement for the preference to the physically handicapped persons in filling up of the vacancies, and if so, the number of vacancies to be filled by such persons.
10. Any other relevant information

The vacancies shall be renotified in writing to the appropriate Special Employment Exchange if there is any change in the particulars already furnished to the Special Employment Exchange under sub-rule (1).

33. *Time limit for the notification of vacancies.*—(1) Vacancies required to be notified to the Special Employment Exchange under rule 31 shall be notified atleast 30 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) An employer shall furnish to the concerned Special Employment Exchange, the results of selection within 15 days from the date of selection.

34. *Submission of Returns.*—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. Quarterly returns shall be furnished within thirty days of the due dates, namely, 31st March, 30th June, 30th September and 31st December. Biennial return shall be furnished within thirty days of the due date as notified in the Official Gazette.

35. *Form in which record to be kept by an employer.*—(1) An employer shall maintain the record of employees with disabilities in Form-DPER- III, as may be amended from time to time.

(2) Any person authorised by the Special Employment Exchange shall have access to inspect or to take copies of records mentioned in sub-rule (1).

CHAPTER VI

RECOGNITION OF INSTITUTIONS FOR PERSONS WITH DISABILITIES

36. *The form of application.*—Every application for a certificate of registration shall be made in Form -IV.

37. *Order refusing to Grant Certificate.*—The competent authority may, after giving the applicant reasonable opportunity of being heard, make an order refusing to grant a certificate. Such order will contain specific reasons for refusal to grant such a certificate and shall be communicated to the applicant through registered post.

38. *Validity of Certificate of Registration.*—A certificate of registration granted under section 52 shall, unless revoked under section 53, remain in force for a period of three years.

39. *Appeal.*—A person aggrieved by the order of the competent authority refusing to grant a certificate or revoking a certificate may, within a period of 30 days, prefer an appeal to Government against such refusal or revocation:

Provided that the Government may entertain an appeal after the expiry of the said period of 30 days, if it is satisfied that there was sufficient cause for not filing it within that period.

CHAPTER VII

COMMISSIONER FOR PERSONS WITH DISABILITIES

40. *Procedure to be followed by the Commissioner.*—(1) A complaint containing the following particulars shall be presented by the complainant in person or by his agent to the Commissioner for Persons with Disabilities or be sent by registered post addressed to the 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 Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party or parties mentioned in the complaint directing him to give his version of the case within a period of 30 days or such extended reasonable period as may be granted by the 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 Commissioner. Where the complainant or his agent fails to appear before the Commissioner on such days, the Commissioner may in his discretion either dismiss the complaint in default or decide on merits. Where the opposite party or his agent fails to appear on the date of hearing, the 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. He may, however, decide to dispose of the complaint ex-parte also.

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

41. *Salary and Allowances of the Commissioner.*—The Commissioner for Persons with Disabilities shall be entitled to salary, allowances and other perquisites as are available to Secretary to the State Government

42. *Submission of Report to the State Government.*—The Commissioner shall submit report to the State Government on the implementation of the Act under section 61 (d) of the Act at the interval of six months in one financial year.

43. *Submission of Annual Report.*—(1) The 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 State Government an annual report giving a true and faithful 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 of staff of the Office of the State Commissioner for Disabled and a chart showing the organisational set up.
- (b) The functions which the Commissioner has been empowered under section 61 and 62 of the Act and the highlights of the performance in this regard.
- (c) The main recommendations made by the Commissioner.
- (d) Progress made in the implementation of the Act - district-wise.
- (e) Any other matter deemed appropriate for inclusion by the Commissioner or prescribed by State Government from time to time.

C.K.GARIYALI
Secretary to Government.

FORM DPFR - 1

(See rule 34)

“Quarterly return for disabled persons for the quarter ended.....

1. Name and address of the Employer
2. Whether Head Office or Branch Office
3. Nature of business (Principal activity)

4. 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 |
|--|---|---|
| 1. Total men including men with disability | | |
| 2. Men with disability | | |
| (a) Blind | | |
| (b) Deaf | | |
| (c) Locomotor disabled | | |
| 3. Total women including women with disability | | |
| 4. Women with disability | | |
| (a) Blind | | |
| (b) Deaf | | |
| (c) Locomotor disabled | | |
| 5. Total employment including disabled persons | | |
| 6. Total number of disabled persons | | |
| (a) Blind | | |
| (b) Deaf | | |
| (c) Locomotor disabled | | |

5. Vacancies.—Vacancies carrying total emoluments of Rs.60/- or over per month and of over three months duration.

(a) Number of vacancies reserved for disabled persons 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).

Occurred	Notified to		filled	Sources (Describe the source from which filled)
	Local Special Employment Exchange for disabled persons	Central Employment Exchange		
(1)	(2)	(3)	(4)	(5)

(b) Reasons for not notifying all vacancies occurred during the quarter under report *vide* 5(a) above.

.....

6. **Manpower shortages.**—Vacancies / posts reserved for disabled persons unfilled because of shortage of suitable disabled applicants.

Name of the occupation or Designation of the post	Number of unfilled vacancies / posts		
	Essential qualification prescribed	Essential Experience	Experience not necessary
(1)	(2)	(3)	(4)

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

Signature of the Employer.

To

The Special Employment Exchange for Disabled Persons,
 District Employment Office.

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Note.— This return shall relate to quarters ending 31st March / 30th June / 30th September and 31st December and shall be rendered to the Special Employment Exchange for disabled persons within 30 days after the end of the quarter concerned.”

FORM - DPER -II

(See rule 34)

Occupational Return for disabled persons

1. Name and address of the Employer
2. Nature of business : Principal activity

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

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

Occupation	Number of employees			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 expansion or reorganisation
	Men with disability	Women with disability	Total	
Use exact terms such as Engineer (Mechanical), Teacher (domestic/Science), Officer on Special Duty (Actuary), Assistant Director (Metallurgist), Scientific Assistant (Chemist), Research Officer (Economist), Instructor (Carpenter), Supervisor (Tailor), Fitter (Internal Combustion engine), Inspector (Sanitary) Superintendent (Office),Apprentice (Electrician)				
(1)	(2)	(3)	(4)	(5)
Total				

Note. - Total of column (4) under item (2) should correspond to the figure given against item (1)

Signature of the Employer.

To

The Special Employment Exchange for Disabled Persons

District Employment Office

(Please fill in here the address of your local special employment exchange for disabled persons).

FORM - DPER-III

(See rule 35)

1. Name and address of the Employer
2. Whether Head Office/ Branch Office
3. Nature of business/ Principal activity

4. Total number of persons with disability 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 and women with disability may be given).

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

6 (a) Occupational classification of all employees with disability as given in Item-5 above. (Please give below the number of employees with disability in each occupation separately).

Occupation	Number of employees			Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement expansion or reorganisation
	Men with disability	Women with disability	Total	
Use exact terms such as Engineer (Mechanical), Teacher (Domestic/Science), Officer on Special Duty (Actuary), Assistant Director (Metallurgist), Scientific Assistant (Chemist), Research Officer (Economist), Instructor (Carpenter), Supervisor (Tailor), Fitter (Internal Combustion engine), Inspector (Sanitary) Superintendent (Office), Apprentice (Electrician)				
(1)	(2)	(3)	(4)	(5)
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 of Rs.60 or over 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

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

(b) Reasons for not notifying all vacancies occurred during the quarter under report 7(a) above.

Vacancies - posts unfilled because of shortage of suitable disabled applicants

Name of the occupation or Designation of the post.	Number of unfilled vacancies - posts		
	Essential qualification prescribed.	Essential Experience	Experience
(1)	(2)	(3)	(4)

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

Signature of the Employer.

To

The Special Employment Exchange for Disabled Persons,
District Employment Office.

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FORM - IV

(See rule 36)

Application for Certificate / Renewal of Registration.

- 1 Name of the Applicant Organisation :
- 2 Address and Phone Number :
- 3 Applicant is :
 - (a) An organisation registered under the Societies Registration Act, 1860 (Act XXI of 1860)
 - (b) A Public Trust registered under any Law for the time being in force
 - (c) Indian Red Cross Society or its branches
 - (d) Company registered under section 25 of the Companies Act, 1956
 - (e) Any other Organisation (details of registration with the name of the Act) which may be recognised by the Ministry for the purpose of this Scheme (Details of registration with the name of the Act)
- 4 Date of establishment of the Organisation:
- 5 Nature of the Organisation (Please indicate precisely whether it is educational or training institution or a workshop for the blind, the deaf and dumb, the orthopaedically handicaped or mentally retarded persons, etc.,)
- 6 Brief history of the organisation and of its objects and activities:
- 7 Whether recognised by the State Government:
- 8 Whether the organisation is of an All India Character. If so, give the nature of its All India Activities :
- 9 Whether located in its own/rented building:
- 10 Present number of disabled beneficiaries:
- 11 Likely dates of commencement and completion of project:
- 12 Whether the project is likely to be assisted by some other official or non-official source:
- 13 Whether necessary land for the proposed building is available. If so, give details (Please indicate the location of the plot and enclose permission certificate for construction from the competent authority, etc)
- 14 (a) Whether trained staff and other suitable facilities for undertaking the project are available. If so, give details
- (b) In case new staff is to be appointed, give details of the qualifications, academic, professional and experience prescribed for the purpose.
- (c) Number of employees working in the Organisation

- 15 List of papers / statements to be attached:
- (a) Prospectus or a brief descriptive note giving aims and objects/activities of the Organisation :
 - (b) Constitution of the Organisation:
 - (c) Constitution of the Board of Management with particulars of each Member :
 - (d) Latest available Annual Report:
 - (e) Income and Expenditure accounts and Receipt and Payment accounts duly audited by a Chartered Accountant or a Government Auditor for the last two years for the Organisation as a whole (alongwith a copy of the certified balance sheet from the previous financial year for the Organisation as whole) :
 - (f) A statement giving details (year, purpose, amount, etc.) of assistance received during the last five years from the Central/State Government, Central Social Welfare Board, Local Bodies or any other Quasi-Government institution including requests made thereof to any one of those or any other Organisation for the projects under consideration or for any other project :
 - (g) A statement giving item-wise and year-wise details of estimated recurring and non-recurring expenditure on the project :
 - (h) A copy each of the plan of the proposed building (rough sketch giving broad indication of the building to be constructed and area to be covered) and estimated cost of construction :
 - (i) A statement indicating the equipments, apparatus, furniture, library books, etc. (by number of details whichever is possible) already available; and separately a statement indicating the above items purchased year-wise with financial assistance from the Ministry of Welfare :
 - (j) Details of budget estimate of the Organisation as a whole exhibiting the estimated receipts and expenditure during the year for which grant sought for :
- 16 List of additional papers, if any :
- 17 List of additional information, if any :

Date:

Signature of the Head of the Institution.

C.K.GARIYALI
Secretary to Government.

ANNEXURE-A

(See rule 3)

Definitions of the categories of the handicapped for purposes of reservation in employment.**THE BLIND**

The blind are those who suffer from either of the following conditions:-

- (a) Total absence of sight;
- (b) Visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses;
- (c) Limitation of the field of vision subtending an angle of 20 degrees or worse.

THE DEAF

The deaf are those in whom the sense of hearing is non-functional for ordinary purposes of life. They do not hear or understand sound at all events with amplified speech. The cases included in this category will be those having hearing loss more than 90 decibels in the better ear (profound impairment) or total loss of hearing in both ears.

THE ORTHOPAEDICALLY HANDICAPPED

The orthopaedically handicapped are those who have a physical defect or deformity which causes an interference with the normal functioning of the bones, muscles and joints.

ANNEXURE- B

(See rule 30)

GOVERNMENT OF INDIA

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCE & PENSION

(DEPARTMENT OF PERSONNEL & TRAINING)

No - 36035 / 17 / 85 - Estt (SCT)

New Delhi,

Dated April 1, 1986.

OFFICE MEMORANDUM

Sub : Reservation for the Physically Handicapped persons in Group 'C' & Group 'D' posts / services under the Central Government.

The undersigned is directed to refer to the Department of Personnel & A.R, Office Memorandum No. 39016 / 6 / 77 - Estt.(c) dated 4-11-1977 read with O.M.No. 36035 / 14 / 83 - Estt. (SCT) dated 20-1-84 on the subject mentioned above and to say that the question whether the 3% reservation for the physically handicapped is to be computed on the basis of vacancies occurring only in the Group 'C' and Group 'D' posts which have been identified as suitable for the physically handicapped persons or on the basis of the total vacancies occurring in all Group 'C' and Group 'D' posts respectively has been reconsidered in the context of the need for speedy rehabilitation of the physically handicapped. It has now been decided that with effect from 1-1-1986, the 3% reservation for the physically handicapped in Group 'C' and Group 'D' posts shall be computed on the basis of total number of vacancies occurring in all Group 'C' and Group 'D' posts respectively under each Head of Department in a Ministry / Department / Office, although the recruitment of the handicapped would be only in the posts identified to be suitable for them, subject to the overall ceiling of 50% reservation in that post as laid down by the Supreme Court.

2. As 3% reservation shall now have to be computed on the basis of vacancies occurring in both the identified and non-identified Group 'C' and Group 'D' posts, and since there are no reserved points for the physically handicapped in the roster for non-identified posts, the instructions laid down in this Department's office memorandum no.39016/20/80-Estt (c) dated 27th March, 1981, O.M.No. 36035/14/83-Estt.(SCT) dated 20th January, 1984 and O.M.No.36035/4/84-Estt (SCT) dated 10th September, 1984 for effecting and carrying forward the reservation for various categories of physically handicapped, through

fixed points on the rosters, shall be deemed to have been withdrawn with immediate effect. Consequently, the 3% reservation for the physically handicapped shall now be computed in the manner laid down as under.

3. In the beginning of each year, every appointing authority shall assess the number of vacancies, actual as well as anticipated, for making direct recruitment to the various posts / services under its administrative control. These vacancies shall be plotted on the separate rosters being maintained for different grades/ cadres in each office of the appointing authority for giving effect to reservations for Scheduled Castes / Tribes. In the cases of such vacancies occurring in posts identified as suitable for one or more of the categories of the handicapped, the appointing authority shall also work out the number of vacancies which could be reserved for the physically handicapped, after accommodating fresh and the carried forward reservation of Scheduled Castes/ Tribes, within the 50% ceiling as laid down by the Supreme Court. This exercise shall be completed within the month of January itself and the appointing authority shall send a report to the Head of the Department by 31st January of each year intimating the following details about the vacancies available with it:-

- (I) total number of vacancies available and required to be filled by direct recruitment, specifying (a) name of the post, and (b) Groups to which it belongs (Group C or D);
- (II) whether the posts has been identified as suitable for the physically handicapped, and if so, for which sub-categories; and
- (III) in case of identified posts, the number of vacancies out of (I) above which could be reserved for the physically handicapped after adjusting the fresh and carried forward reservations for SC/ST within the 50% ceiling.

If after this exercise in January, more vacancies come up during the recruitment year, they will also be reported to the Head of Department by each appointing authority as and when they occur so that the latter is in a position to reassess the computation of the reservation required to be made for the physically handicapped on a macro basis. If it is less on account of some anticipated vacancies of materialising, that also may likewise be reported to the Head of the Department so as to enable him to make necessary adjustment at his level.

All heads of Departments shall maintain a separate 100 point Register for this purpose, in which each cycle of 100 points shall be divided into three blocks, comprising the following points :—

I st Block	-	Point No.1 to Point No.33
II nd Block	-	Point No.34 to Point No.67
III rd Block	-	Point No.68 to Point No.100

All the vacancies so reported by the different appointing authorities will be entered in this Register for each group of posts (Group C or D) . The account shall be maintained on year to year basis separately for Group 'C' or Group 'D' posts/ services and will be closed on the 31st December of each year. For each Block of vacancies, there shall be reserved one vacancy for the physically handicapped in posts/ grade identified as suitable for one or more of the categories of the physically handicapped. After computing all the vacancies and determining the reservation for the handicapped, blockwise, in the manner indicated above, the Head of Department will be required to distribute these reserved vacancies for the handicapped among different appointing authorities in the light of availability of vacancies in the identified categories under the various appointing authorities . Care should also be taken that 3% reservation for physically handicapped is, as far as possible, distributed equally among the three sub-categories, i.e., the Blind, the Deaf and the Orthopaedically Handicapped , consistent with the appropriate identification. If the number of vacancies is such as to cover only *one* or *two*, discretion as to which category of the handicapped should be accommodated first should vest in the Head of Department, who should decide on the basis of the nature of post, the level of representation of the specific handicapped category in the concerned grade/post, etc. In the event of the reservation not being utilised in the same block in which it fell due, it shall be carried forward to the next block or blocks as the case may be in the same year. In such exigencies where the reservation could not be utilised in any of the blocks during the year, the same shall be carried forward in the subsequent three recruitment years at the end of which the reservation shall be deemed to have lapsed. Mutual exchange in the event of non-availability of specific handicapped category would be permissible according to the instructions contained in this Department's O.M.No.39016/6/77-Estt (C), dated 4-11-1977 and O.M.No.39016/20/80 - Estt (C), dated 30-12-1980.

5. After the reservation for the physically handicapped has been computed in the above manner, the Head of the Department shall inform the appointing authority of the specific category of handicapped who should be appointed in an identified post or grade, against the total distributed vacancies for each appointing authority. The appointing authority shall take on all the vacancies in the respective 40 point / 100 point rosters being maintained for effecting reservation for Scheduled Castes/Scheduled Tribes for posts under its control. In the rosters for the posts identified as suitable for the physically handicapped, and in which vacancies are proposed to be reserved for this category as per the computation made and intimated by the Head of the Department, such number of vacancies to that extent required shall be reserved for the physically handicapped after adjusting the fresh and carry forward reservation for SCs/STs but subject to the overall 50% ceiling as laid down by the Supreme Court.

6. After the appointment has been made against such a reserved vacancy for handicapped, the appointing authority shall furnish a compliance report to the Head of Department to facilitate the latter in assessing the quantum of carry forward as indicated in para 4 above in case of non-availability of physically handicapped candidates to fill up the vacancies reserved for them. In case, any of the reserved vacancies for physically handicapped is filled by the appointment of a person from any of the sub-categories, the reservation would be deemed to have been utilised in pursuance of the principle of inter-se exchange.

7. For the year 1986 the procedure laid down in the previous paragraphs may be followed immediately as if the assessment of vacancies is being made in the beginning of 1986 taking into account the vacancies including those which have arisen in 1986 and already filled up. The appointments of handicapped persons already made in accordance with the roster points as per instructions existing prior to the issue of this O.M may be adjusted against vacancies to be reserved for physically handicapped persons on the basis of the instructions contained in this O.M. After such adjustments the appointing authorities may be intimated the details of the vacancies to be filled up as instructions contained in para 5 of this O.M.

8. Ministry of Finance etc. are requested to bring the above instructions to the notice of all the Heads of Departments and appointing authorities under their control for necessary compliance and also ensure that the reservation as provided in the above manner, is effectively monitored to cut down on all possible delays.

GOVERNMENT OF INDIA
DEPARTMENT OF PERSONNEL & A.H.
MINISTRY OF HOME AFFAIRS
No - 39016 / 6/ 77 - Estt (SCT)

New Delhi,

Dated November 4, 1977

OFFICE MEMORANDUM

Sub : Reservation of posts for the physically handicapped persons in Group 'C' and 'D' posts/ services under the Central Government

The undersigned is directed to say that the question of reservation of posts in the Civil Services for the physically handicapped persons has been under consideration of the Government for some time. While the number of persons physically handicapped in various ways is considerable, the question under consideration has been confined for the purposes of employment of the blind, the deaf and the orthopaedically handicapped persons. The President is now pleased to decide that the reservations in Group C and D posts / services for the physically handicapped persons listed below should be made to the extent indicated against each:

<i>Category of the Handicapped</i>	<i>Percentage of reservation</i>
1. The Blind	1
2. The Deaf	1
3. The Orthopaedically Handicapped	1

2. The categorisation of the physically handicapped persons for purposes of reservations in employment will be on the basis of definition furnished in the Annexure attached to this office memorandum.

3. The reservation of posts should be made separately for each of the aforesaid three categories of the physically handicapped persons but provision may be made for inter-se exchange of vacancies if candidates belonging to a category of persons are not available or if the nature of vacancies in an office is such that a given category of persons cannot be employed. If in any year, the vacancies reserved for those categories are not filled, the reservations should be carried over a period of upto two recruitment years. In order to implement these reservation orders, the jobs which can be performed by various categories of physically handicapped persons without loss of productivity, should be identified by the Ministries/Departments concerned.

4. Where a Department consider that it is not possible to provide for the physically handicapped to the extent of the reservations in view of the nature of duties expected to be performed by the employees in any particular Department, that Department could be partly or fully exempted from the reservation orders. The grant of such exemption shall be decided by an inter-Departmental Committee to be set up by the Department of Social Welfare, on which the Department of Social

Welfare, department of Personnel & A.R., Department of Health and the Administrative Department concerned would be represented.

5. In the categories of jobs which are identified by handicapped persons, other things being equal, preference should be given to handicapped persons for such jobs even in excess of the quota reserved for them in accordance with the instructions contained in Paragraph 1 above.

6. The Ministry of Finance, etc., are requested to bring the contents of this O.M. to the notice of the offices under their administrative control for implementation of these orders.

7. In so far as the persons serving in the Indian Audit & Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India.

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, P.G AND PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING.
OFFICE MEMORANDUM
F.NO. - 36035 / 16 / 91- Estt. (SCT)

Sub : Reservation of posts for the physically handicapped persons in Group 'C' and 'D' posts/services in Government - revised procedure for filling up the vacancies.

The undersigned is directed to refer to the DOPT O.M No.36035/17/85-Estt. (SCT), dated 1-4-86 on the subject mentioned above and to state that the Govt. had under consideration the method of effecting the 3% reservation for physically handicapped persons in the light of the judgement of the supreme court in Indra Sawhney case (W.P.No.930 of 1990). The court has held that reservation for SC/ST/OBCs may be called vertical reservation and the reservation for physically handicapped persons as horizontal reservation. Horizontal reservations cut across vertical reservation (in what is called interlocking reservation) and the persons selected against the physically handicapped quota have to be placed in the appropriate category; if he belongs to SC category he will be placed in that quota by making necessary adjustment and similarly if he belongs to open competition (OC) category he will be placed in that category by making necessary adjustment. Even after providing for these horizontal reservations, the percentage of reservation in favour of backward class of citizens should remain the same.

2. In the light of the above said observations of the Supreme Court, it has been decided that the physically handicapped persons selected under the reservation provided for them should be placed in the appropriate category viz., SC / ST/OBC/ General Category depending upon the category to which they belong. For example, if in a given year there are 200 Group C vacancies, the reservation for SCs will be 54 and for General Category it will be 101. The vacancies reserved for physically handicapped will be calculated as per the instructions on the subject contained in O.M, dated 1-4-86. Suppose the vacancies for the physically handicapped in that year come to 6 and of the 6 physically handicapped candidates selected, 1 belongs to the SC category 1 to the ST category, 2 to the OBC category and 2 to the General category, then the one physically handicapped SC candidate will be adjusted against the 30 SC vacancies, the one physically handicapped ST candidate will be adjusted against the 15 vacancies and the 2 physically handicapped OBC and General category candidates against the 54 OBC and 101 General Category vacancies respectively. The Roster points will be filled up accordingly. The vacancies reserved for the physically handicapped should be indicated alongwith the other vacancies so that the physically handicapped candidates can also supply alongwith the others.

All the Ministries/Departments, are requested to bring the above instructions to the notice of all the Heads of Department and appointing authorities under their control for necessary compliance.