

GOVERNMENT OF GOA

Department of Social Welfare

Notification

5/10/94-S WD/Vol. I

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 (Central Act of 1996), the Government of Goa hereby makes the following rules, namely:

1. Short title and commencement.- (1) these rules may be called the Goa Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1997.

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

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

- (a) 'Act' means the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1996);
- (b) 'Government' means the Government of Goa;
- (c) 'Medical Board' means The Medical Board constituted by the Government vide Government Notification No. 13/140/87-PHD dated 20-7-1988 and such other Medical Boards constituted subsequently for the purpose of this Act;
- (d) 'Appellate Medical Boards' means The Appellate Medical Board which may be constituted by the Government by Notification, publishes' in the Official Gazette;
- (e) 'Notification' means a Notification published in the Official Gazette;

(f) 'Section' means a section of the Act;

(g) 'Special Employment Exchanges' means a Special Employment Exchange, Special Cell in normal employment exchange and such employment exchanges which are notified special employment exchange by notification in the Official Gazette;

(h) 'year' means the financial year commencing on the first day of April;

(i) words and phrases used herein but not defined shall have the same meaning as respectively assigned to them under the Act.

3. Guidelines for evaluation of various disabilities.- The guidelines for evaluation of various disabilities shall be as specified in Annexure 'A' appended to these rules.

4. Authorities to give disability certificate.- A disability certificate shall be issued by a Medical Board duly constituted by the Government of Goa vide Notification No. 13/140/87-PHD, dated 20-7-1988 and appended hereto as Annexure 'B' and such other Medical Boards subsequently constituted by the Government and notified.

5. Grant of permanent disability certificate.- The Medical Board shall after due examination, give a permanent disability certificate in cases of such permanent disabilities where there are no chances of variation in the degree of disability. Wherever there is any chance of variation in the degree of disability the Medical Board shall indicate the period of validity in the certificate.

6. Use of Certificate.- The Certificate issued under the rule 4 above shall make a person eligible to apply for facilities, concessions and benefits admissible under any scheme of the Government or non-Governmental organisation subject to such conditions as the Government or the Central Government may impose from time to time.

7. Appellate Medical Board.-The Appellate Medical Board shall entertain and give its say in any dispute pertaining to disability.

8. *Membership roll.*- The Member Secretary shall keep a record of name^s of members and their addresses.

9. *Change of Address.*-- If a member changes his address, he shall notify his new address to the Member-Secretary who shall thereupon enter his new address, in the official record, but if he fails to notify his new address, the address in the official records shall for all purposes be deemed to be member's correct address.

10. *Daily and travelling allowances.*-Non-official members of the State Coordination Committee residing at State Headquarters and outside State Headquarters shall be paid a sitting allowance of Rs. 500/- for each day of the actual meeting. No separate TA/DA will be paid:

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

11. *Notice of Meetings.*- (1) The meetings of the State Coordination Committee shall ordinarily be held at the State Headquarters on such dates as may be fixed by the Chairperson:

Provided that the State Coordination Committee shall meet at least once in every six months.

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

(3) Eight clear days notice of an ordinary meeting and five clear days notice of a special meeting specifying the time and the place at which such meeting is to be held and the business to be transacted thereat, shall be given by the Member Secretary to the Members.

(4) Notice of a meeting may be given to the members by delivering the same by messenger or sending it by registered post to his/her last known place of residence or business or in such other manner as the Chairperson, may, in the circumstances of the case, think fit.

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

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

(b) Where a meeting of the State Coordination 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 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), above.

12. *Presiding Officer.*- The Chairperson shall preside at every meeting of the State Coordination Committee and in his absence, the Vice Chairperson shall preside, but when both the Chairman and the Vice-Chairperson are absent from a 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 quorum for any meeting.

(2) If at any time fixed for any meeting or during 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 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 Coordination 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 Coordination Committee is adjourned under sub-rule (2) for want of quorum not to the following day but to any other 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 State Coordination Committee 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 confirmed at the beginning of every succeeding meeting and signed by the presiding officer at such meeting.

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

15. *Absence from meetings of State Coordination Committee.*- Any member of the State Coordination Committee absenting himself from three consecutive meetings without leave of the Chairperson shall cease to be a member of the State Coordination Committee.

16. *Maintaining order at meeting.*- The Presiding Officer shall maintain order at the meetings of the State Coordination Committee.

17. *Business to be transacted at meeting.*- (1) 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.

(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 presiding officer.

18. *Decision by majority.*- All questions considered at a meeting of the State Coordination 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 Vice-Chairperson or in the absence of both, the member presiding at the meeting, as the case may be, shall have the casting vote.

19. *No proceeding to be invalid due to vacancy or any defect.*- No proceeding of the State Coordination Committee shall be invalid merely by reasons of existence of any vacancy or any defect in the constitution of the said committee.

20. *Daily and Travelling allowances.*- (1) Non official members of the State Executive Committee, residing at State Headquarters and outside State Headquarters shall be paid a sitting allowance of Rs. 500/- for each day of the actual meeting. No separate TA/DA will be paid.

21. *Notice of Meetings* - (1) The meetings 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 at least once in every three months.

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

() Eight 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 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 members shall be entitled to bring forward for the consideration of the meeting any matter of which he has not given 10 clear days' notice of 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 to day or to any particular day.

(b) Where a meeting of the State Executive Committee is adjourned from day to day, notice of such adjourned meeting shall be given to the members available in the city, town or the 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 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

22. *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.

23. *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 Executive 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 Executive Committee is adjourned under sub-rule (2) for want of quorum not to the following day but to another date, notice of such adjourned meeting shall be given to all the members as provided in sub-rule (4) or rule 21.

24. *Minutes.*- (1) Record shall be kept of the names of the members who attend the State Executive 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 confirmed at the beginning of every succeeding meeting 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.

25. *Absence from meetings of State Executive Committee.* Any member of the State Executive Committee absenting himself from three consecutive meetings without leave of the Chairperson, shall cease to be a member of the State Executive Committee.

26. *Maintaining order at meeting.*- The presiding officer shall maintain order at the meetings of the State Executive Committee.

27. *Business to be transacted at meetings.*- (1) 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 (S) of rule 21, shall be transacted at any meeting.

At any meeting the business shall be transacted in the order

28. *Decision by majority.*- All questions considered at a 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 casting vote.

29. *No proceeding to be invalid due to vacancy or any defect.*--No proceedings of the State Executive Committee shall be invalid merely be reason of existence of any vacancy in or any defect in the constitution of the committee.

30. *Manner and purpose of association of persons with State Executive Committee.*- The State Executive Committee may invite any person to participate in the deliberations of any of its meetings whose assistance or advice, is considered useful in performing any of its functions.

(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. 500/-** per day for each day of actual meeting of the State Executive Committee in which he is so associated. No other TA/DA will be payable.

(3) If such a person is not residing at the State Headquarters, he shall be paid **Rs. 500/-** for each day of the actual meeting. No other TA/DA will be payable.

(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 rate 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.

31. *Fee for the associated person.*- Notwithstanding anything contained in Rule 30, the State Executive Committee may pay the person associated with the Committee, with the prior approval of the Government, such fees as considered appropriate depending on the nature of work assigned 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 Government if the period of association exceeds four months or fees payable to him exceeds **Rs. 30001-** per month.

32. *Tours by associated person.*- The associated person may, with the prior approval of the Chairperson, undertake tours within the State 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 rate admissible to a Grade I Officer of the Government.

33. *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.

34. *Duties and functions of the associated person.*- The associated person shall discharged such duties and perform such functions as are assigned to him, by the State Executive Committee.

35. *Computation of vacancies.*- For the purpose of computation of vacancies for persons with disabilities in Group A, B, C & D posts the procedure laid down by the Department of Personnel and Training vide O. M. No. 39016/6/77-Exit. (SCT) dated 4-11-1977, O. M. No. 36035/14/83-Estt. (SCT) dated 20-1-1984, O. M. No. 36035/17 /85-Estt(SCT) dated 1-4-1986 and O. M. No. 36035116/91-Estt(SCT) dated 20-9-1994 (Annexure C to the Rules) for computation of vacancies in Group C and D posts shall be applicable mutatis mutandis for computation of vacancies in Group A & B posts also.

36. *Notification of vacancies to the Special Employment Exchange.*--(1) Vacancies which are of a technical and scientific nature occurring in establishment shall be notified to such Special Employment Exchanges as may be specified by the Government by Notification in the Official Gazette, in this behalf.

(2) Vacancies other than those specified in sub-rule (1) shall be notified to the local Special Employment Exchange concerned.

37. *Information and return to be furnished by employee to Special Employment Exchange.*- The vacancies shall be notified in writing to the 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) Description of duties.

c) Qualifications required.

i) Essential ii)
Desirable

d) Age limit, if any

e) Whether women are eligible?

(4) Number of vacancies: a)

Regular b) Temporary

(5) Pay and allowances:

(6) Place of work (name of town/village and district in which it is situated.)

(7) Probable date by which the vacancy will be filled:

(8) Particulars regarding in interview/test of applicants:

a) Date of Interview/test b)

Time of Interview/test c)

Place of Interview/test

d) Designation and address of person to whom applicants should report

(9) Whether there is any obligation or arrangement for giving preference to the Physically Handicapped persons in filling up the vacancies, and if so, the number of vacancies to be filled by such persons:

(10) Any other relevant information:

The vacancies shall be notified 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).

38. *Time limit for the notification of vacancies.*- (1) Vacancies, required to be notified to the local Special Employment Exchange, shall be notified at least 15 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 (36) shall be notified at least four weeks before the date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.

(3) An employer shall furnish to the concerned Special Employment Exchange, the results of selection within 15 days from the date of selection.

39. *Submission of returns.*- An employer shall furnish to the local Special Employment Exchange quarterly returns in Form-T and biennial returns in Form ER-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.

40. *Font in which record to be kept by an employer.* An employer shall maintain the record of employees with disabilities in Form No. III as may be modified from time to time.

41. *The font of application* - Every application for a certificate of registration shall be made in Form TV to the competent authority.

42. *Order refusing to give 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 reason for refusal to grant such a certificate and shall be communicated to the applicant through registered post in Form 7.

43. *Validity of certificate of registration.*- A certificate of registration granted under sub-section (2) of section 52 of the Act shall, unless revoked under section 53 of the Act remain in force for a period of three years and shall be in Form VI.

44. *Appeal.*- Any person aggrieved by the order of the competent authority refusing to grant a certificate or revoking a Certificate, as the case may be, may, within a period of thirty days, from the date of order, prefer an appeal to the 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 filling it within that period.

45. *Procedure to be followed by Commissioner.*- A complaint containing the following particulars shall be presented by the complainant in person or by his agent to the Commissioner 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 complaints;

(e) The relief which the complainant claims;

(2) The Commissioner on receipt of a complaint shall give a notice and 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 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 for the parties or their agents to appear before the Commissioner. Where the complainant or his agent fails to appear before the Commissioner on such day, the Commissioner may, in his discretion either dismiss the complaint for 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 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.

46. *Salary and allowances of the Commissioner.*- The Commissioner shall be entitled to salary, allowances and other perquisites as are available to a Secretary to the Government or in case, the Secretary (Social Welfare) to the Government is appointed as the Commissioner, he shall be entitled to draw an honorarium of Rs. 500/- per month.

47. *Submission of report to the Government.*-The Commissioner shall submit a report to the Government on the implementation to the Act at the interval of six months in such a manner that at least two reports are sent in one financial year, a copy thereof, shall also be sent to the Chief Commissioner.

48. *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 year ensuing, prepare and submit to the 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) Name of officers of staff of the Commissioner and a chart showing the organisational set up;
- (b) The functions which the Commissioner has been empowered under sections 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 various provisions of the Act - districtwise;
- (e) Any other matter deemed appropriate for inclusion by the Commissioner or prescribed by the Government from time to time.

FORM

ER-1

(See rule 39)

Quarterly return to be submitted to the Special Employment Exchange for the quarter ended

Name and Address of the Employer:-

Whether at (Head Office):-

(Branch Office):-

Nature of business/principal activity:

(2) 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 (separate figures may be given for men with disability and women with disability.)

Number of vacancies which come within the purview of the Act			
Occurred	Notified	Filled	Sources
Local Spl. Emp. G. E. E. Exchange			(Describe the source from which filled)
1	2	3	4
(b) Reasons for not notifying all vacancies occurred during the quarter underreport vide 2 (a) above			
(3) Man-power Shortages Vacancies/posts unfilled because of shortage of suitable applicants.			
Name of the occupation or designation of the post.			Number of unfilled vacancies/posts.
-	(1)	---	(2)

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

Signature of employer

To,
The Employment Exchange,
.....
.....

NOTE: This return shall relate to quarters ending 31st March/30th June/30th September and 31st December and shall be rendered to the local Special Employment Exchange within 30 days after end of the quarter concerned.

FORM

ER-11

(See rule 39)

Occupational return to be submitted to the local Special Employment Exchange once in two years (on a date to be specified by Notification in the Official Gazette).

Name and address of the employer

Nature of business

(describe what the establishment makes or does as its principal activity).

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

(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 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.
Men with disability	
Women with disability	
Total:	
(h) Please indicate the main reasons for any increase or decrease in employment of the increase of decrease is more than 5% during the quarter	

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(EXTRAORDINARY)

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(2) Occupational classification of all employees is given below, given the number of employees in each occupation; also separately).

(5) Total number of disabled persons (disability-wise on the pay-roll of the establishment. (this figures should include every person with disability whose wage or salary is paid by the establishment).

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

Occupation (1)	(2)	(3)	Number of (4)	employees (5)
Use exact terms such as engineer (mechanical); teacher (domestic/Science); Officer on duty (actuary); Assistant Director (Metallurgist); Scientific Asstt. (Chemist); Research Officer (economist); instructor (carpenter); supervisor (tailor); fitter (internal combustion engine); inspector (sanitary); superintendent (office); apprentice (electrician).	Men with disability	Women with disability	Total	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.

Occupation of employees			
1	2	3	4
Use exact terms such as engineer (mechanical); teacher (domestic/science); officer on duty (actuary); assistant director (metallurgist); scientific asstt. (chemist); research officer (economist); instructor (carpenter); supervisor (tailor); (internal combustion engine); inspector (sanitary); superintendent (office); apprentice (electrician)	Men with disability	Women with disability	Nature and extent of disability
Total:			

(b) Please indicate the main reasons for any increase or decrease in employment if the increase or decrease is more than 5% during the 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	Notified Local Spl. Emp. G.E.E. Exchange	Filled	Sources (Describe the source from which filled.)
L	2.	3.	4.
Total:	-	-	+- -

(b) Reasons for notifying all vacancies occurred during the quarter, by filling report as required by rule 38.

(8) Manpower shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	No. of unfilled post	Essential qualification	Essential experience	Experience not necessary
(1)	(2)	(3)	(4)	(5)

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

Signature of employee

Total

Date:

Signature of employer

To,
The Employment Exchange
(Please fill in here the address of your Local Special Employment Exchange.)

NOTE: Total of Col. (4) under item (2) should correspond to the figures given against item. (1)

FORM - III (See rule-40)

Form in which record shall be maintained by employer of persons with disability employed in his establishment and a required by section 37 of the Act.

(1) Name and Address of the employer

(2) W
Whether Head Office :
..... :
.. Branch Office

(3) Nature of business/principal activity

(4) Total number of persons on the pay-roll of the establishment (this figures should include every person whose wage or salary is paid by the establishment).

FORM - IV(See
rule 41)

Format of application for grant of certificate of registration before competent authority.

- (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- or the time being in force.
- (c) Indian Red Cross Society of 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 or this scheme.

- (4) Data: 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 handicapped or mentally retarded person, etc.).

- (6) Brief history of the organisation and of its objects and activities.
- (7) Whether recognised by the 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 members.

FORM - V

(See rule 42)

Order of refusal of Registration

The application No dated received from(name of the Organisation) based at (address of the Organisation) a/an (Status of the Organisation) established on which is a(nature of the Organisation) was examined as required by the provision of the Persons with Disability (Equal Opportunities, Protection of Rights and full Participation) Act. 1995 and Rules made thereunder enquiries were conducted about the nature of activities and work with which the organisation is involved and it is found thatI am of the opinion that the Organisation cannot be registered for the above reasons.

FORM - VI

(See Rule 43)

Certificate of Registration

(Name of the Organisation) based at..... (Address of the Organisation), (Status of the Organisation) established on is a (Nature of the organisation), have applied for registration of the Organisation vide his application No date

This is to certify that the Organisation mentioned above has been registered at Sr. No..... in the register maintained for the purpose

This certificate is issued as required by sub-section (2) of section 52 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act 1 of 1996) on the following conditions:- (i) This certificate is valid for a period of three years as per rule 43 of the Goa Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation Rules. 1997) unless revoked during this period,

By order and in the name of the Governor of Goa. *E. Silveira.*

Under Secretary (Social Welfare).

GOVERNMENT PRINTING PRESS.
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NOE: - There is vote Extraordinary issue to the Official Gazette, Series - I No 44 dated 30-1-97 from pages 639 to 044 regarding Notification from Department of Social Welfare and Department of Women and Child Development.

GOVERNMENT OF GOA

Department of Law and Judiciary

(Legal Affairs Division)

Notification IO-5-

96/LA

The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act I of 1996), which has been passed by Parliament and assented to by the President of India on 15 January, 1996 and published in the Gazette of India, Extraordinary, Part 11, Section 1, dated 15 January 1996 is hereby published for general information of the public.

P. V. Kadnekar, Joint Secretary (Law).

Panaji, 15 April, 1996.

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

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

AN

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to give effect to the Proclamation on the Full Participation and Equality of the People with Disabilities in the Asian and Pacific

Region.

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

And Whereas India is a signatory to the said Proclamation

And Whereas it is considered necessary to implement the Proclamation aforesaid.

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

in the Forty-sixth Year of the Republic of India as follows :

CHAPTER I

PRELIMINARY

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

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

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

2. In this Act, unless the context otherwise requires, - (a) "appropriate Government" means, -

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

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

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

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

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

(i) total absence of sight; or

(ii) visual acuity not exceeding 6160 or 20/200 (snellen) in the better eye with correcting lenses ; or

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

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

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

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

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

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

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

"disability" means -

(i) blindness;

(ii) low vision;

Short tick, extent and commencement.

Definitions.

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