

**Persons with Disabilities (Equal Opportunities
Protection of Rights & Full Participation) Rules,
1997**

with 1st Amendment, 2001

Published in the
EXTRAORDINARY ISSUE OF TRIPURA GAZETTE



Agartala, Tuesday, June 9, 1998 A D., Jyaistha 19, 1920 S. E.

GOVERNMENT OF TRIPURA
EDUCATION DEPARTMENT
(SOCIAL WELFARE & SOCIAL EDUCATION)

No. F. 21/SW/96(L-I)

Dated, Agartala, the 20th April, 1998.

"THE PERSONS WITH DISABILITIES (EQUAL OPPORTUNITIES, PROTECTION OF RIGHTS & FULL PARTICIPATION) RULES, 1996"

NOTIFICATION

In exercise of the powers conferred by sub-sections (1) and (2) of sections 73 of the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), the Governor is pleased to make the following rules namely :

CHAPTER—I

Preliminary

1. Short Title and Commencement :—

(a) These rules may be called the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1997.

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

2. Definition :—In this rules unless the context otherwise requires :—

(a) "Act" means the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996).

(b) "Chairperson" means a Chairperson appointed under the Act.

(c) "Committee" means the State Coordination Committee.

(d) "Government" means the Government of Tripura.

(e) "Vice Chairperson" means a Vice Chairperson appointed under the Act.

(f) "Member" means a member appointed under the Act.

(g) "Member-Secretary" means a Member-Secretary appointed under the Act.

(h) "Special Employment Exchange" means Special Employment Exchange, Special Cell in normal employment exchange and such employment exchange which may be notified as special employment exchange by Notification in the Official Gazette.

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

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CHAPTER—II

3. Guidelines for evaluation and assessment of various disabilities.

The general guidance for evaluation and assessment of various disabilities issued by the Government of India in the Ministry of Welfare vide No. 4-2/83-HW. III dated the 6th August, 1996 and as may be amended from time to time shall be followed for evaluation of various disabilities specified in section 2(b), (e) (1), (n), (o), (q), (r), (t), and (u) of the Act.

4. Authorities to give Disability Certificate.

(1) A Disability Certificate shall be issued by a Medical Board duly constituted by the State Government.

(2) The State Government shall constitute a Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing Locomotor/visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be.

5. (1) The Medical Board shall, after the examination, give a permanent disability Certificate in case of such permanent disabilities where there are no chances of variation in the degree of disability.

(2) The Medical Board shall indicate the period of validity in the certificate, in case where there is any chance of variation in the degree of disability.

(3) No refusal of disability certificate shall be made unless an opportunity is given to the applicant of being heard.

(4) On representation by the applicant, the Medical Board may review its decision having regard to all the facts and circumstances of the case and pass such order in the matter as it thinks fit.

6. The Certificate issued by the Medical Board under rule 5 shall make a person eligible to apply for facilities, concessions and benefits admissible under schemes of the Government or non Government Organisations subject to such conditions as the Central or the State Government may impose.

CHAPTER—III

7. The State Co-ordination Committee.

The State Government shall constitute a body to be known as State Co-ordination Committee under section 13 of the Act.

8. Membership Roll.

The Member-Secretary shall keep a record of names of members and their addresses.

9. Change of Address :—

If a member changes his address, he shall notify his new address to the Member-Secretary, who shall there-upon enter his new address in the official records (but if he fails to notify his new address, the address in the official records shall for all purpose be treated as his correct address).

10. Daily and Travelling Allowances.

(1) Non-official members of the Committee, resident of Agartala, shall be paid an allowance of rupees seventyfive per day for each day of the actual meeting of the Committee.

(2) Non-official members of the Committee not resident of Agartala shall be paid daily and travelling allowances for each day of the actual meeting at the highest rates admissible to a class I Officer of the State Government.

Provided that in case of a Member of State Legislature/District Council who is also a member of the Committee, the said daily and travelling allowances shall be paid at the rates admissible to him as member of Legislature/Council when the Legislature/Council is not in session and on pro-



duction of a certificate by the member that he has not drawn any such allowance for the same journey and halts from any other Government source.

(3) An official member of the Committee shall be paid daily and travelling allowances at the rates admissible under the relevant rules of the respective Department under whom he is serving on production of a certificate by him that he has not drawn any such allowance for the same journey and halts from his or any other Department/source.

11. Notice of meetings.

(1) The meetings of the Committee shall ordinarily be held in Agartala on such dates as may be fixed by the Chairperson.

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

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

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

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

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

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

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

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

12. Presiding Officer.

The Chairperson shall preside at every meeting of the Committee and in his absence, the Vice-Chairperson shall preside but when both the Chairperson and the Vice-Chairperson are absent from any meeting the members present shall elect one of the members to preside at that meeting.

13. Quorum.

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

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

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

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

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

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

14. Minutes.

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

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

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

15. Maintaining order at meeting.—

The Presiding Officer shall maintain order at the meeting.

16. Business to be transacted at meeting.—

Except with permission of the Presiding Officer no business which is not entered in the agenda or of which notice has not been given his a member under sub-rule (5) of Rule 11, shall be transacted at any meeting.

17. (1) At any meeting business shall be transacted in the order in which it is entered in agenda unless otherwise resolved in the meeting with the permission of the Presiding Officer.

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

18. Decision by majority.

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

19. No proceeding to be invalid due to vacancy or any defect.

No proceeding of the Committee shall be invalid by reasons of existence of any vacancy in or any defect in the constitution of the Committee.

CHAPTER—IV

20. The State Executive Committee.

The State Government shall under section 19 of the Act constitute of the Committee.

21. Daily and Travelling Allowance.

(1) Non-Official members of the State Executive Committee, resident at Agartala shall be paid an allowance of Rupees seventyfive per day for each day of the actual meetings of the State Co-ordination Committee.

(2) Non-Official members of the State Executive Committee, not resident at Agartala shall be paid daily and travelling allowances for each day of the actual meetings at the highest rates admissible to a class I Officer of the State Government.

(3) Official members of the State Executive Committee shall be paid daily and travelling allowances, at the rates admissible under the relevant rules of the respective Department under whom he is serving on production of a certificate by him that he has not drawn any such allowance for the same journey and halts from any other Government source.



22. Notice of Meetings.

- (1) The meetings of the State Executive Committee shall ordinarily be held at Agartala on such dates as may be fixed by the Chairperson. Provided that it shall meet at least once in 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 Committee.
- (3) Fifteen clear days notice of an ordinary meeting and five clear days notice of a special meeting specifying the date, 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 ten 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 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 at the place where the meeting which is adjourned is held, by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.
- (c) Where a meeting of the 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) of this Rule.

23. Presiding Officer.

The Chairperson shall preside at every meeting of the Board and in his absence, the members present shall select one of the members at that meeting.

24. Quorum.

- (1) One-third of the total members shall form the quorum for any meeting.
- (2) If at any time fixed for any meeting or during the course of any meeting less than one-third of the total members are present, the Chairperson may adjourn the meeting to such hours on the following or on some other future date as he may fix.
- (3) No quorum shall be necessary for the adjourned meeting.
- (4) No matter which had not been on the agenda of the ordinary or the special meeting as the case may be, shall be discussed at adjourned meeting.
5. (a) Where a meeting of the State Executive Committee is adjourned under sub-rule (2) above for want of quorum to the following day, notice of such adjourned meeting shall be given to the members available at the place where the meeting which is adjourned is held by messenger and it shall not be necessary to give notice of the adjourned meeting to other members.
- (b) Where a meeting of the State Executive Committee is adjourned under sub-rule (2) above for want of quorum not to the following date with sufficient gap, notice of such adjourned meeting shall be given to all the members as provided in sub-rule (4) of Rule 22.

25. Minutes.

- (1) Record shall be kept of the names of members who attend the meeting and of the proceedings at the meeting in a book to be maintained for that purpose by the Member-Secretary.
- (2) The minutes of the previous meeting shall be read at the beginning of the every succeeding meeting and shall be confirmed and signed by the Presiding Officer at such meeting.

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

26. Maintaining order at meeting.

The Presiding Officer shall maintain order at the meeting.

27. Business to be transacted at meeting.

Except with the permission of the Presiding Officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of the Rule 22, shall be transacted at any meeting.

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

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

29. Decision by majority.

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

30. No proceeding to be invalid due to vacancy or any defect.

No proceeding of the State Executive Committee shall be invalid by the reason of existence of any defect in the constitution of the Committee.

31. Manner and Purpose of Association of Persons with State Executive Committee.

(1) The State Executive Committee may invite and person to participate in the deliberations of its meetings, whose assistance or advice, is considered useful in performing any of its function, under the Act.

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

(3) If such a person is not resident of Agartala he shall be paid daily and travelling allowances for each day of the actual meeting at the highest rates admissible to a class I Officer of the State Government.

(4) If such person is a Government servant, or an employee in a Government undertaking, he shall be entitled to travelling and daily allowances at the rates admissible under the relevant rules applicable to him on production of a certificate by him that he has not drawn any such allowance for the same journey and halts from Government or any other sources.

32. Fee for the Associated person.

Notwithstanding anything in rule 31 the State Executive Committee may pay the person associated with the Committee, with the prior approval of the State Government, such fees as the State Government may determine depending on the nature of work assigned and the qualifications and experience of the associated person.

33. Tours by Associated person.

The Associated person may with the prior approval of the Chairperson undertake 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 rates admissible to a class I Officer of the State Government.



34. 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 by 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.

35. Duties and Functions of the Associated Persons.

The Associated person shall discharge such duties and perform such functions as are assigned to him, by the State Executive Committee.

CHAPTER—V: Employment.

36. Computation of vacancies.

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

37. Notification of Vacancies to the Special Employment Exchanges.

(1) The following vacancies shall be notified to the Special Employment Exchanges, namely:—

- (a) Vacancies in posts of technical and scientific nature carrying a basic pay Rs. 1400/- or more per month occurring in establishments in respect of which the State Government is the appropriate Government under the Act., and
- (b) Vacancies which an employer may desire to be circulated to the Special Employment Exchange outside the State in which the establishment is situated, 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. A copy to the Notification of vacancies shall be sent to the concerned Vocational Rehabilitation Centre for Handicapped.

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

38. Form and manner of Notification of Vacancies.

The Vacancies shall be notified in writing to the concerned Special Employment Exchange and the following particulars shall be furnished in respect of each type of vacancy, namely:—

1. Name address of the Employer:—
2. Telephone number of the Employer, if any:—
3. Number of Vacancies:—
 - (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) Qualification as required:—
 - (i) Essential.
 - (ii) Desirable.
 - (d) Age limits, if any:—
 - (e) Whether women are eligible:—

4. Number of vacancies :—

Received for physically handicapped persons.

Orthopedically handicapped	Visually handicapped	Hearing Handicapped
(a) Regular :—		
(b) Temporary :—		
(c) Ad-hoc etc. :—		

5. Pay and allowances :—

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

7. Probable dated by which the vacancy will be filled.

8. Particulars regarding Interview/Test of Applicants.

(a) Date of Interview/Test.

(b) Time of Interview/Test.

(c) Place of Interview/Test.

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

9. Any other relevant information :—

The vacancies shall be re-notified in writing to the concerned Special Employment Exchange if there is any change in the particulars already furnished to the Special Employment Exchange and Vocational Rehabilitation Centre for Handicapped under this rule.

39. Time limit for the Notification of Vacancies.

(1) Vacancies required to be notified to the local Special Employment Exchange shall be notified at least thirty days before the date on which applicants will be interviewed or tested where 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 local Special Employment Exchange under sub-rule (1) of Rule 37 shall be notified at least three weeks before date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.

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

40. Submission of Returns.

(1) An Employer shall furnish to the local Special Employment Exchange quarterly returns in Form DPER—1 and biennial returns in Form DPER—II, as may be amended from time to time.

(2) Quarterly returns shall be furnished within thirty days of the due dates, namely 31st March, 30th June, 30th September and 31st December.

(3) Biennial returns shall be furnished within thirty days of the due date as notified in the official Gazette.

41. Form in which record to be kept by an Employer.

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

CHAPTER—VI.

Commissioner for persons with Disabilities.

42. Procedure to be following by the Commissioner.

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

(a) The name, description and the address of the complaint

(b) The name, description and the address of the opposite party or parties, as the case may be so far as they can be ascertain.

(c) The facts relating to complaint and when and where it arose.

(d) Documents in support of the allegations contained in the course.

(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/ parties mentioned in the complaint directing him to give his version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the 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.

(4) 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 on default or decide on merits.

(5) 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.

(6) The Commissioner may dispose of the complaint exparte, if necessary.

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

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

43. Salary and Allowances of the Commissioner.

The Commissioner for person with disabilities shall be entitled to salary, allowances and other perquisites as are available to Secretary to the Government of Tripura. The Government may, if it so feels, appoint one of the existing Secretaries to the Government as Commissioner for persons with disabilities and the Secretary on being so appointed shall exercise all powers and discharge all functions of the Commissioner for persons with disabilities under the Act.

44. Submission of Report to State Government.

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

45. 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 Government an annual report giving a complete account of his activities during the said financial year.

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

(a) Names of Officers staff of the Board and a chart showing the Organisational set up.

(b) The functions which the Commissioner has been empowered under sections 60 and 61 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 Commissioner or specified by the Government from time to time.

Sd/-Illegible
Director

Social Welfare & Social Education
Tripura, Agartala.



Registered No. N. E. 930.

TRIPURA



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PART- I Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
EDUCATION DEPARTMENT
(SOCIAL WELFARE AND SOCIAL EDUCATION)
TRIPURA : AGARTALA.



No. F. 85-W-21/SW/96 (L-I)/7392-7452

Dated, Agartala, the 17th July, 2001.

In exercise of the power 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, the Governor is pleased to make the following Rules to amend the "The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1997, namely :-

1. (1) These Rules may be called "The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) First Amendment Rules, 2001.

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

2. In the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules 1997, (hereinafter referred to as the Principal Rules) after clause (g) the following clause shall be in-serted, namely :--

"(gg) Competent Authority means the competent authority appointed under Section 50 of the Act."

3. For Rule 40 of the Principal Rules, the following rules shall be substituted namely :--

"40. SUBMISSION OF RETURNS :--

(1) An employer shall furnish to the local Special Employment Exchange quarterly returns in Form DPER--I within thirty days of the due date namely, 31st March, 30th June, 30th September and 31st December.

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- (2) An employer shall also furnish to local Special Employment Exchange bi-annual returns Form DPER--II within thirty days of the due date as notified in Official Gazette."

4. In the Principal rules, for rule 41 the following rule shall be substituted, namely :--

"41- FORM IN WHICH RECORD TO BE KEPT BY AN EMPLOYER.

An employer shall maintain the record of employees with disabilities in Form DPER- III."

5. After chapter V of the Principal Rules, the following new chapter shall be in-serted, namely :--

CHAPTER-- VA.

36- A Procedure for Registration of Institution :--

- (1) The Application referred to in sub-section (1) of Section 52 shall be made in duplicate in Form IV to the Competent Authority.
- (2) The Application referred to in sub-rule I shall be accompanied by a treasury challan showing payment of fees under appropriate Head of Account.
- (3) Every such application shall be either personally delivered to the Competent Authority or sent to him by registered post.
- (4) On receipt of the application referred to in sub-rule (1), the Competent authority shall after noting there on the date of receipt by him of the application, grant an acknowledgment to the applicant.

36- B ISSUE OF CERTIFICATE OF REGISTRATION.

When an Institution is registered under sub-section 2 of Section 52, the competent authority shall issue a certificate of registration in Form V to the Institution.

36- The Competent Authority shall maintain a register of Institutions in Form VI and shall enter in it the particulars of every Institution registered by it provided that for each Institution, a separate shall be used.

6- D Refused to grant of Certificate of Registration.

On receipt of the application and as soon as possible the competent authority shall make such thereafter enquiry as he considers necessary to satisfy himself about eligibility of the applicant for registration.

- (2) Where the competent authority is of the opinion that the certificate of registration should not be granted, he shall after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.
- (3) The orders shall record the reasons for the refusal and shall be communicated to the applicant.

36- E Terms and conditions of registration.

- (1) Every Certificate of registration issued under sub-section 2 of Section 52 shall be non-transferable.
- (2) The Institution should provide prescribed facilities to the persons with disabilities and follow such standards as may be specified by the State Government.
- (3) It should implement the programmes relating to education and rehabilitation etc. of persons with disabilities without making any discrimination on the basis of caste, creed or religion.

36- E The fees to be paid for issue of certificate of registration shall be Rs. 50/-.

36- G Validity of certificate of registration :--

Every certificate of registration granted under rule 36- B or renewed under Rule 37- A shall remain in force for 3 years from the date it is granted or renewed.

36- H Intimation of changes of particulars of an Institution after registration :--

- (1) Charges which occur in the Board of Management or Executive Committee or ownership of the Institution or any other particulars in respect of the Institution after registration thereof shall be intimated in Form VII to the competent authority within a period of 30 days from the date when such changes occurred.
- (2) On receipt of intimation of charges referred to in sub-rule 1 in respect of an Institution, the competent authority shall enter such changes in the register of Institutions maintained under rule 36- C and shall also make sub-sequent, changes whenever necessary in the certificate over his signature.

36- H (1) Every appeal under sub- section 2 of Section 52 and Section 53 shall be in the form of a Memorandum signed by the appellant or his authorised agent and present it to the Appellate Authority in person or send to him by registered post within 30 days from the date of the order under sub-section 2 of Section 52 or revocation under Section 53.

(2) The Memorandum of appeal shall be accompanied by a certified copy of the order appealed from and a treasury receipt for Rs. 25/-.

(3) The Memorandum shall set forth concisely and under distinct heads the grounds of appeal from.

36- I (1) Where the Memorandum of appeal is in order, the State Govt. shall admit it and send the notice of the appeal to the competent authority from whose orders or revocation the appeal has been preferred and the competent authority send the records of the case to the State Government.

(2) On receipt of the record, the State Govt. shall send a notice to the appellant to appear before him at such date and time as may be specified in the notice for bearing of the appeal.

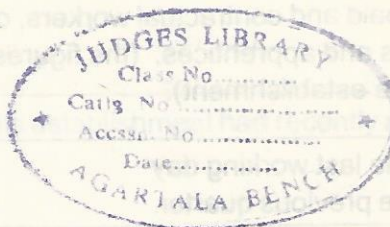
- 36- J (1) If on the date fixed for hearing, the appellant does not appear, the State Govt. may dismiss the appeal for default of appearance of the appellant.
- (2) Where an appeal has been dismissed under sub-rule-1, the appellant may apply to the State Govt. for re-admission of the appeal and where it is proved that he was prevented by any sufficient cause from appearing when the appeal was called on for hearing, the State Govt. shall re-store the appeal on its original number.
- (3) Such an application shall be made within 30 days of the date of dismissal. The State Govt. may extend the time on sufficient reasons.
- 36- K (1) If appellant is present when the appeal is called on for hearing, the State Govt. shall proceed to hear the appellant or his authorised agent and any other person summoned by him for the purpose, and pronounce judgment on the appeal either, confirming, reversing or varying the order appealed from.
- (2) The judgement of the State Govt. shall state the Points for determination, the decisions thereon and the reasons for the decisions.
- (3) The order shall be communicated to the appellant and copy thereof shall be sent to the competent authority from whose order the appeal has been preferred.
- 36- L Copies-copy of the order of the competent authority may be obtained on payment of fees of rupees five for each order on application specifying the date and other particulars of the order made to the competent authority.
- 37- A Renewal of certificate of Registration.
- (1) Every Institution shall apply to the competent authority for renewal of the certificate of registration.
- (2) Every such application shall be in form VII in duplicate and shall be made not less than 60 days before the date on which the certificate of registration expires, and if the application is so made, the certificate of registration shall be deemed to have been renewed until such date when renewal of certificate is granted.
- (3) The fees chargeable for renewal of the certificate of registration shall be the same as for the issue thereof.
- Provided that if the application for renewal of certificate of registration is not received within the time specified in sub-rule 2, late fee of 25% in excess of the fee ordinarily payable for the registration shall be payable for such renewal.
- 37- B Issue of duplicate certificate of registration. Where a certificate of registration has been lost, defaced or accidentally destroyed, a duplicate may be issued on payment of fees of Rs. 25/-.

37- C All fees to be paid under these rules shall be paid in the local Treasury under the Head of Account- 0070 Other Administration Services and a receipt obtained which shall be submitted with the applications or Memorandum of appeal.

37- D Any application for registration of the Institution, renewal of the certificate of registration or duplicate certificate of registration shall be made by the Chief Executive of the Institution, or any person who has been nominated so in this behalf by the Board of Management or Executive Committee of the Institution.

After rule 45 of the Principal Rules, following Forms shall be inserted, namely :--

1. Form DPER-- I.
2. Form DPER-- II.
3. Form DPER-- III.
4. Form DPER-- IV.
5. Form DPER-- V.
6. Form DPER-- VI.
7. Form DPER-- VII.
8. Form DPER-- VIII.



By Order of the Governor

S. Sailo
Secretary to the
Government of Tripura.

FORM DPER- I

(See Sub-rule 1 of Rule 40 (1))

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

Name and Address of the Employer :

Whether-- (Head Office) :

(Branch Office) :

Nature of business/principal activity :

1 (a) EMPLOYMENT

Total number of persons including working proprietors/partners/commission agents/contingent paid and contractual workers, on the pay rules 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 :	

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

2. Vacancies :-- Vacancies carrying total emoluments of Rs. 60/- or over per month and or 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
			(Describe the source from which filled)
			Local Spl. Emp. G. E. E. Exchange
1	2	3	4

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

3. Manpower Shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or Designation of the post	Number of unfilled vacancies/posts		
	Essential Qualification	essential experience	experience not necessary
1	2	3	4

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

Signature of employer

To
The Employment Exchange,

.....

.....

NOTE :-- This return 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 the end of the quarter Consumed.

FORM DPER- II

(See Sub-Rule 2 of Rule 40)

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

Occupation	Number of employees			
Use exact terms such as Egg. 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 calender year due to retire- ment.
1	2	3	4	5

TOTAL :

Dated :

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 DPER- III

(See Rule 41)

1. Name and address of the employer :
2. Whether Head Office :
Branch Office :
3. Nature of business/principal activity :
4. Total number of persons on the pay-roll of the establishment (this figure should include every person whose wage or salary is paid by the establishment).
5. Total number of disabled persons (disability-wise) on the pay-roll of the establishment. (this figure should include every person with disability whose wage or salary is paid by the establishment).
- 6.(a) Occupational qualification of all employees as given in item - 5 above (Please give below the number of employees in each occupation separately).

Occupation	Number of employees		Nature & extent of disability	Total
	Men	Women		
Use exact terms such as Egg. (Mechanical) ; teacher (domestic/science) ; officer on duty (actuary) asistant director (Metallurgist) ; scientific asstt. (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 over three months duration.

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

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

Occurred	Notified	Filled	Sources (Describe the source from which filled)	
			
Local Spl. Emp. G. E. E. Exchange				
1	2	3	4	5

TOTAL :

FORM- IV
(See Rule 36 A (I))

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. :--
 - (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 Act) which may be recognised by this Department for the purpose of this Scheme. :--
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 orthopaedecally handicapped or mentally retarded persons, etc.) :--
6. Brief history of the organisation and its objects and activities. :--
7. Whether recognised by the Central Government. :--
8. Whether located in its own / rented building. :--
9. Present number of disabled beneficiaries. :--
10. Likely dates of commencement and completion of the project. :--
11. Whether the project is likely to be assisted by some other official sources. :--
12. 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. :--

13. (a) Whether trained staff and other suitable facilities for undertaking the project are available, if so give details. :--
- (b) In case new staff to be appointed, give details of the qualification, academic, professional and experience prescribed for the purpose. :--
- (c) Number of the employees working in the organisation. :--

14. 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 Govt. auditor for the last two years for the organisation as a whole (along with a copy of certified balance sheet from the previous financial year for the organisation as a whole).
- (f) A statement giving details (year, purpose, amounts, etc) of assistance received during the last five years from the Central/ State Govt. S C S W B, local bodies or any other quasi Govt. Institution / including requests made thereof of any one of those or any other organisation for the projects under consideration or for any other projects.
- (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 and estimated cost of construction.
 - (i) A statement indicating the equipments, apparatus, furniture, library books, etc. already available, and separately a statement indicating the above items purchased year-wise with financial assistance from the department of social Welfare and Social Education.
15. Details 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. :--

Place :

Signature of the Applicant
(Seal)

Date :

FORM-V
(See Rule 36 B)

CERTIFICATE OF REGISTRATION

A Certificate of registration containing the following particulars is hereby granted under sub-section 2 of Section 52 of the persons with disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the Rules made there under to :--

1. Address of the Institution :--
2. Nature of the organisation of the Institution (Number of registration with the name of the Act). :--
3. Nature of the Institution :--
4. Date of expiry :--

Signature of the
Competent Authority with Seal.

RENEWAL

Date of Renewal	Date of expiry	Signature and Seal of Competent Authority.
1.		
2.		
3.		
4.		

FORM-VI
(See Rule 36 C)

REGISTER OF INSTITUTIONS

Sl. No.	Registration and date	Name & Address of the Institution	Nature of the organisation of the Institution	Name of the Chief-Executive of the Institution or the person so named	Nature of the Institution.	No. of disabled beneficiaries	Amount of fees paid	Signature and seal of competent Authority.
1	2	3	4	5	6	7	8	9

Renewal up to

- 1.
- 2.
- 3.
- 4.

Signature and seal of
Competent Authority.

FORM- VII.
(See Rule 36 H)

1. Name and address of the Institution :--
2. Registration No. :--
3. Name and address of the Chief Executive of the Institution or the persons so nominated by the Board of management or Executive Committee. :--
4. Nature of Change to be made in the certificate of Registration (if needed separate sheet may be used). :--
5. Reasons for Changes :--

Place :

*Signature of the Applicant
with seal.*

Date :

FORM- VIII.

(See Rule 37 A (2))

Application for renewal of the certificate of registration.

1. Name and address of the Institution :--
2. Number and date of Registration :--
3. Date of expiry of the Certificate of registration. :--
4. Whether the Certificate of registration was revoked. :--
5. No. and date of Treasury challan enclosed. :--

Place :

Signature of the Applicant.

Date :