रजिस्ट्री सं० डी० एल० – 33004/96 REGISTERED No. DL-33004/96

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 1
PART II—Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 1] नई दिल्ली, सोमवार, जनवरी 1, 1996/पौष 11, 1917
No. 1] NEW DELHI, MONDAY, JANUARY 1, 1996/PAUSA 11, 1917

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

CR1996010101

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

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

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

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

No. 1 OF 1996

[1st January, 1996]

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

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

AND WHEREAS India is a signatory to the said Proclamation;

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

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

CHAPTER I

PRELIMINARY

Short title, extent and commencement.

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

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

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

Definitions.

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

(*a*) "appropriate Government" means,—

(*i*) in relation to the Central Government or any establishment wholly or substantially financed by that Government, or a Cantonment Board constituted under the Cantonment Act, 1924, the Central Government; 2 of 1924.

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

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

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

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

(*i*) total absence of sight; or

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

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

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

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

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

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

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

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

(*i*) "disability" means—

(*i*) blindness;

(*ii*) low vision;

(*iii*) leprosy-cured;

(*iv*) hearing impairment;

(*v*) locomotor disability;

(*vi*) mental retardation;

(*vii*) mental illness;

(*j*) "employer" means,—

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

(*ii*) in relation to an establishment, the chief executive officer of that establishment;

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

1 of 1956.

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

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

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

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

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

(*iii*) extreme physical deformity as well as advanced age which prevents him from undertaking any gainful occupation,

and the expression "leprosy cured" shall be construed accordingly;

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

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

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

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

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

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

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

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

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

(*x*)[2] Special Employment Exchange" means any office or place established and maintained by the Government for the collection and furnishing of information, either by keeping of registers or otherwise, respecting—

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

(*ii*) persons with disability who seek employment;

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

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

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

CHAPTER II

THE CENTRAL COORDINATION COMMITTEE

Central Coordination Committee.

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

(2) The Central Coordination Committee shall consist of—

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

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

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

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

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

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

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

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

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

(*j*) Directors of the—

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

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

(*iii*) National Institute for the Orthopaedically Handicapped, Calcutta;

(*iv*) All Yavar Jung National Institute for the Hearing Handicapped, Bombay,

Members, *ex officio*;

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

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

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

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

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

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

Term of office of Members.

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

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

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

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

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

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

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

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

Disqualifications.

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

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

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

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

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

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

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

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

Vacation of seats by Members.

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

Meetings of the Central Coordination Committee.

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

Functions of the Central Coordination Committee.

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

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

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

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

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

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

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

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

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

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

Central Executive Committee.

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

(2) The Central Executive Committee shall consist of—

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

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

(*c*) the Director-General for Health Services, Member, *ex officio;*

(*d*) the Director-General, Employment and Training, Member, *ex officio;*

(*e*) six persons not below the rank of a Joint Secretary to the Government of India, to represent the Ministries or Departments of Rural Development, Education, Welfare, Personnel Public Grievances and Pension and Urban Affairs and Employment, Science and Technology, Members, *ex officio;*

(*f*) the Financial Advisor, Ministry of Welfare in the Central Government, Member, *ex officio;*

(*g*) Advisor (Tariff) Railway Board, Member, *ex officio;*

(*h*) four members to be nominated by the Central Government, by rotation, to represent the State Governments and the Union territories in such manner as may be prescribed by the Central Government;

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

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

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

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

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

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

Functions of the Central Executive Committee.

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

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

Meetings of the Central Executive Committee.

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

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

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

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

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

CHAPTER III

THE STATE COORDINATION COMMITTEE

State Coordination Committee.

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

(2) the State Coordination Committee shall consist of—

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

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

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

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

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

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

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

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

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

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

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

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

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

Terms and conditions of service of Members.

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

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

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

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

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

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

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

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

Disqualifications.

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

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

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

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

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

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

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

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

Vacation of seats.

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

Meetings of the State Coordination Committee.

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

Functions of the State Coordination Committee

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

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

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

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

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

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

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

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

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

State Executive Committee.

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

(2) The State Executive Committee shall consist of—

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

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

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

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

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

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

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

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

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

Functions of the State Executive Committee.

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

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

Meetings of the State Executive Committee.

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

Temporary association of persons with State Executive Committee for particular purposes

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

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

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

Power to give directions.

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

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

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

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

Vacancies not to invalidate proceedings.

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

CHAPTER IV

PREVENTION AND EARLY DETECTION OF DISABILITIES

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

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

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

(*b*) promote various methods of preventing disabilities;

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

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

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

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

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

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

CHAPTER V

EDUCATION

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

26. The appropriate Governments and the local authorities shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) transport facilities to the children with disabilities or in the alternative financial incentives to parents or guardians to enable their children with disabilities to attend schools;

(b) the removal of architectural barriers from schools, colleges or other institutions imparting vocational and professional training;

(c) the supply of books, uniforms and other materials to children with disabilities attending school;

(d) the grant of scholarship to students with disabilities;

(e) setting up of appropriate fora for the redressal of grievances of parents regarding the placement of their children with disabilities;

(f) suitable modification in the examination system to eliminate purely mathematical questions for the benefit of blind students and students with low vision;

(*g*) restructuring of curriculum for the benefit of children with disabilities;

(*h*) restructuring the curriculum for benefit of students with hearing impairment to facilitate them to take only one language as part of their curriculum.

Educational institutions to provide amanuensis to students with visual handicap.

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

CHAPTER VI

EMPLOYMENT

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

32. Appropriate Governments shall—

(*a*) identify posts, in the establishments, which can be reserved for the persons with disability;

(*b*) at periodical intervals not exceeding three years, review the list of posts identified and up-date the list taking into consideration the developments in technology.

Reservation of posts.

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

(i) blindness or low vision;

(ii) hearing impairment;

(iii) locomotor disability or cerebral palsy,

in the posts identified for each disability:

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

Special Employment Exchange.

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

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

Power to inspect record or document in possession of any establishment.

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

Vacancies not filled up to be carried forward.

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

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

Employers to maintain records.

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

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

Schemes for ensuring employment of persons with disabilities.

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

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

(b) the relaxation of upper age limit;

(c) regulating the employment;

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

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

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

All educational institutions to reserve seats for persons with disabilities.

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

Vacancies to be reserved in poverty alleviation schemes.

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

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

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

CHAPTER VII

AFFIRMATIVE ACTION

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

Aids and appliances to persons with disabilities.

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

Schemes for preferential allotment of land for certain purposes.

(*a*) house;

(*b*) setting up business;

(*c*) setting up of special recreation centres;

(*d*) establishment of special schools;

(*e*) establishment of research centres;

(*f*) establishment of factories by entrepreneurs with disabilities.

CHAPTER VIII

NON-DISCRIMINATION

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

Non-discrimination in transport.

(*a*) adapt rail compartments, buses, vessels and aircrafts in such a way as to permit easy access to such persons;

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

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

Non-discrimination on the road.

(*a*) installation of auditory signals at red lights in the public roads for the benefit of persons with visually handicap;

(*b*) causing curb cuts and slopes to be made in pavements for the easy access of wheel chair users;

(*c*) engraving on the surface of the zebra crossing for the blind or for persons with low vision;

(*d*) engraving on the edges of railway platforms for the blind or for persons with low vision;

(*e*) devising appropriate symbols of disability;

(*f*) warning signals at appropriate places.

Non-discrimination in the built environment.

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

(*a*) ramps in public buildings;

(*b*) adaptation of toilets for wheel chair users;

(*c*) braille symbols and auditory signals in elevators or lifts;

(*d*) ramps in hospitals, primary health centres and other medical care and rehabilitation institutions.

Non-discrimination in Government employment.

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

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

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

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

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

CHAPTER IX

RESEARCH AND MANPOWER DEVELOPMENT

Research.

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

(*a*) prevention of disability;

(*b*) rehabilitation including community based rehabilitation;

(*c*) development of assistive devices including their psycho-social aspects;

(*d*) job identification;

(*e*) on site modifications in offices and factories.

Financial incentives to Universities to enable them to undertake research.

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

CHAPTER X

RECOGNITION OF INSTITUTIONS FOR PERSONS WITH DISABILITIES

Competent authority.

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

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

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

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

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

Certificate of registration.

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

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

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

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

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

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

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

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

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

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

Revocation of certificate.

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

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

(*b*) committed or has caused to be committed any breach of rules or any conditions subject to which the certificate was granted,

it may, after making such inquiry, as it deems fit, by order, revoke the certificate:

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

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

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

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

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

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

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

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

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

Appeal.

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

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

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

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

CHAPTER XI

INSTITUTION FOR PERSONS WITH SEVERE DISABILITIES

Institutions for persons with severe disabilities.

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

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

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

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

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

CHAPTER XII

THE CHIEF COMMISSIONER AND COMMISSIONERS FOR PERSONS WITH DISABILITIES

Appointment of Chief Commissioner for persons with disabilities.

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

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

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

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

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

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

Functions of the Chief Commissioner.

58. The Chief Commissioner shall—

(*a*) coordinate the work of the Commissioners;

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

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

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

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

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

(*a*) deprivation of rights of persons with disabilities;

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

and take up the matter with the appropriate authorities.

Appointment of Commissioners for persons with disabilities.

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

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

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

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

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

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

Powers of the Commissioner.

61. The Commissioner within the State shall—

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

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

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

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

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

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

(*a*) deprivation of rights of persons with disabilities;

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

and take up the matter with the appropriate authorities.

Authorities and officers to have certain powers of civil court.

63. The Chief Commissioner and the Commissioners shall, for the purpose of discharging their functions under this Act, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 while trying a suit, in respect of the following matters, namely:— 5 of 1908.

(*a*) summoning and enforcing the attendance of witnesses;

(*b*) requiring the discovery and production of any document;

(*c*) requisitioning any public record or copy thereof from any court or office;

(*d*) receiving evidence on affidavits; and

(*e*) issuing commissions for the examination of witnesses or documents.

(2) Every proceeding before the Chief Commissioner and Commissioners shall be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code and the Chief Commissioner, the Commissioner, the competent authority, shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973. 45 of 1860. 2 of 1974.

Annual report to be prepared by the Chief Commissioner.

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

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

Annual reports to be prepared by the Commissioners.

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

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

CHAPTER XIII

SOCIAL SECURITY

Appropriate Governments and local authorities to undertake rehabilitation.

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

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

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

Insurance scheme for employees with disabilities.

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

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

Unemployment allowance.

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

CHAPTER XIV

MISCELLANEOUS

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

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

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

70. The Chief Commissioner, the Commissioners and other officers and staff provided to them shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code. 45 of 1860.

Protection of action taken in good faith.

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

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

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

Power of appropriate Government to make rules.

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

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

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

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

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

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

(*e*) the manner in which a State Government or a Union territory shall be chosen under clause (*h*) of sub-section (*2*) of section 9;

(*f*) the allowances which the Members shall receive under sub-section (*3*) of section 9;

(*g*) rules of procedure which the Central Executive Committee shall observe in regard to transaction of business at its meetings under section 11;

(*h*) the manner and purposes for which a person may be associated under sub-section (*1*) of section 12;

(*i*) fees and allowances which a person associated with the Central Executive Committee shall receive under sub-section (*3*) of section 12;

(*j*) allowances which members shall receive under sub-section (*7*) of section 14;

(*k*) rules of procedure which a State Coordination Committee shall observe in regard to transaction of business in its meetings under section 17;

(*l*) such other functions which a State Coordination Committee may perform under clause (*g*) of sub-section (*2*) of section 18;

(*m*) the allowances which Members shall receive under sub-section (*3*) of section 19;

(*n*) rules of procedure which a State Executive Committee shall observe in regard to transaction of business at its meetings under section 21;

(*o*) the manner and purposes for which a person may be associated under sub-section (*1*) of section 22;

(*p*) fees and allowances which a person associated with the State Executive Committee may receive under sub-section (*3*) of section 22;

(*q*) information or return which the employer in every establishment should furnish and the Special Employment Exchange to which such information or return shall be furnished under sub-section (*1*) of section 34;

(*r*) the form and the manner in which record shall be maintained by an employer under sub-section (*1*) of section 37;

(*s*) the form and manner in which an application shall be made under sub-section (*1*) of section 52;

(*t*) the manner in which an order of refusal shall be communicated under sub-section (*2*) of section 52;

(*u*) facilities or standards required to be provided or maintained under sub-section (*3*) of section 52;

(*v*) the period for which a certificate of registration shall be valid under clause (*a*) of sub-section (*4*) of section 52;

(*w*) the form in which and conditions subject to which a certificate of registration shall be granted under clause (*c*) of sub-section (*4*) of section 52;

(*x*) period within which an appeal shall lie under sub-section (*1*) of section 54;

(*y*) the manner in which an institution for persons with severe disabilities shall be maintained and conditions which have to be satisfied under sub-section (*3*) of section 56;

(*z*) the salary, allowances and other terms and conditions of service of the Chief Commissioner under sub-section (*3*) of section 57;

(*za*) the salary, allowances and other conditions of service of officers and employees under sub-section (*6*) of section 57;

(*zb*) intervals at which the Chief Commissioner shall report to the Central Government under clause (*d*) of section 58;

(*zc*) the salary, allowances and other terms and conditions of service of the Commissioner under sub-section (*3*) of section 60;

(*zd*) the salary, allowances and other conditions of service of officers and employees under sub-section (*6*) of section 60;

(*ze*) intervals within which the Commissioner shall report to the State Government under clause (*d*) of section 61;

(*zf*) the form and time in which annual report shall be prepared under sub-section (*1*) of section 64;

(*zg*) the form and time in which annual report shall be prepared under sub-section (*1*) of section 65;

(*zh*) any other matter which is required to be or may be prescribed.

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

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

Amendment of Act 39 of 1987

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

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

K. L. MOHANPURIA.
Secy. to the Govt. of India.