



File No: A/11/2021-S&TW

THE ADMINISTRATION OF UNION TERRITORY OF LADAKH
Department of Social & Tribal Welfare
Civil Secretariat, Ladakh

Notification

Ladakh, the 9th of December, 2021

S.O 64.- The following draft of the Rights of Persons with Disabilities Rules, which the Administration of Union Territory of Ladakh proposes to make, in exercise of the powers conferred by sub-section (1) of Section 101 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016) is hereby published for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft rules shall be taken into consideration after the expiry of a period of thirty days from the date on which the copies of the Official Gazette in which this notification is published are made available to the public;

Objections and suggestions, if any, may be addressed to **Director, Social & Tribal Welfare, UT of Ladakh** or by email at directorsocialwelfareladakh@gmail.com.

The objections and suggestions which may be received from any person with respect to the said draft rules before the expiry of the period specified above, will be considered by the Administration of Union territory of Ladakh.

CHAPTER-I

PRELIMINARY

1. Short title and Commencement.- (1) These rules may be called the Ladakh Rights of Persons with Disabilities Rules, 2021.

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

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Rights of Persons with Disabilities Act, 2016 (49 of 2016);

(b) "Certificate" means a certificate of disability issued by a certifying authority referred to in sub-section (1) of section 57 of the Act;

- (c) "Certificate of registration" means a certificate of registration issued by the competent authority under section 50 of the Act;
- (d) "Form" means a form appended to these rules; and
- (e) "Section" means the section of the Act.

(2) Words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER-II

RIGHTS AND ENTITLEMENTS

3. establishment not to discriminate on the ground of disability.- (1) The head of the establishment shall ensure that the provision of sub-section (3) of section 3 of the Act are not misused to deny any right or benefit to persons with disabilities covered under the Act.

(2) On receipt of a complaint from an aggrieved person regarding discrimination on the ground of disability, the head of the private establishment employing twenty or more persons or a Government establishment shall-

- (a) Initiate action in accordance with the provisions of the Act; or
- (b) Inform the aggrieved person in writing as to how the impugned act or omission is a proportionate means of achieving a legitimate aim.

(3) If the aggrieved person submits a complaint to the UT Commissioner for Persons with Disabilities, the complaint shall be disposed of within a period of sixty days:

Provided that in exceptional cases, UT Commissioner may dispose of such complaint within thirty days.

Provided that in exceptional cases, keeping in view the urgency of the subject matter of the complaint, such a complaint may be disposed of in a time period of less than thirty days, as decided by the State Commissioner.

(4) No establishment shall compel a person with disability to partly or fully pay the costs incurred for reasonable accommodation.

4. Union Territory Committee for Research on Disability.- (1) The Committee for Research on Disability at the Union territory Level shall consist of the following members, namely:-

- (a) Administrative Secretary, Health and Medical Education Department, or Head of an Institution dealing in the field of Science and Medical research to be nominated by the Administration of UT of Ladakh, ex-officio Chairperson;

- (b) Representative from the Directorate of Health Services – Member;
- (c) Representative from Medical College, preferably a doctor with disability - Member;
- (d) Five members as representatives from a registered Union territory level organization representing each of the five groups of specified disabilities in the Schedule of the Act , to be nominated by the Administration – Members:

Provided that at least one representative of the registered organizations is a woman;

- (e) Representative from an autonomous institution in the field of Disability under the Administration of UT Ladakh - Member;
 - (f) Director Social Welfare – Member Secretary;
- (2) The Chairperson may co-opt any expert in the subject matter of disability in which the research is proposed.
- (3) The term of office of the nominated members shall be for a period of three years from the date on which they enter upon office but the nominated members shall be eligible for re-nomination for one more term.
- (4) One half of the members shall constitute the quorum of the meeting.
- (5) The non-official members and special invitees shall be entitled for travelling allowance and dearness allowance as admissible to a Group A or equivalent officer of the Administration of UT Ladakh.
- (6) The Committee shall be provided with such clerical and other staff as the Administration of UT Ladakh may consider necessary.

5. Person with disability not to be a subject of research.- No person with disability shall be considered to be a subject of research except when the research involves physical impact on his body.

6. Procedure to be followed by Executive Magistrate.- For the purposes of dealing with the complaints under section 7 of the Act, the Executive Magistrate shall follow the procedure provided in sections 133 to 143 of the Code of Criminal Procedure, 1973 (2 of 1974).

CHAPTER-III

LIMITED GUARDIANSHIP

7. Limited Guardianship.- (1) Chief Judicial Magistrate on its own, or on an application filed by the person with disability, or through a blood relative or filed on behalf of the person with disability through a Government organization or a Registered organization

under whose care the person with disability is residing, shall grant the support of a limited guardian to take a legally binding decision on behalf of the person with disability in consultation with such person.

(2) Chief Judicial Magistrate, before granting the support of a limited guardian for the person with disability shall satisfy itself that such a person is not in a position to take legally binding decision on one's own.

(3) Chief Judicial Magistrate shall hold hearings to determine the legal capacity of the person with disabilities; During such hearings, the person with disabilities shall be present. If required, expert opinion shall be sought by the court to determine the legal capacity of the person with disabilities.

(4) The validity period for limited guardianship as appointed under sub-rule (1) shall be initially for a period of three years which can be further extended by the Chief Judicial Magistrate as the case may be:

Provided that the Chief Judicial Magistrate shall follow the same procedure while extending the validity of the limited guardianship as followed while granting the initial guardianship.

(5) Chief Judicial Magistrate shall take a decision preferably within a period of one month from the date of receipt of an application regarding grant of limited guardianship or from the date of coming to its notice of the need of such limited guardianship:

Provided that the consent of the person to act as a limited guardian shall also be obtained before grant of such limited guardianship:

Provided that the Chief Judicial Magistrate shall follow the same procedure while extending the validity of the limited guardianship as followed while granting the initial guardianship.

(6) While granting the support of such limited guardianship, the Chief Judicial Magistrate shall consider a suitable person to be appointed as a limited guardian in the following preference of merit, namely:-

- (a) The parents or adult children of the person with disability;
- (b) Immediate brother or sister;
- (c) Other blood relatives or care givers or prominent personality of the locality; and
- (d) In case the family of the person with disability is not known, Superintendent of the Government Institution or In-charge of the Registered organization under whose care the person with disability is residing, may be considered.

(7) Only those individuals who are over the age of 18 years and who have not been previously convicted of any cognizable offence as defined in the Code of Criminal Procedure, 1973 (1 of 1974) shall be appointed as a limited Guardian.

(8) The limited guardian appointed under sub-rule(1) shall consult the person with disability in all matters before taking any legally binding decisions on behalf of the person with disability.

(9) The appointed limited guardian shall ensure that the legally binding decisions taken on behalf of the person with disability are in the interest of the person with disability.

8. Appellate Authority. - The Appellate authority to appeal against any decision of the Chief Judicial Magistrate for appointment of limited Guardian under sub- rule(1) of rule 7, shall be the District Court.

9. Designated authority.-The Dy. Commissioners of the concerned District, Administration of Union Territory of Ladakh shall be the designated authority under sub-section (1) of section 15 of the Act to take measures for creating social awareness to support persons with disabilities in exercising their legal capacity.

CHAPTER-IV

EDUCATION

10. Appointment of Nodal Officer.- (1)) A nodal officer shall be designated in each Chief Education Office of the Department of School Education, every Urban Local Body and in the Directorate of Social Welfare within three months of the notification of these rules, to deal with all matters relating to admission of children with disabilities and the facilities to be provided to them in schools in accordance with the provisions of sections 16 and 31 of the Act.

(2) **Functions of Nodal Officer, District Education Office:** The Nodal Officer shall endeavour that all educational institutions funded or recognised by Administration provide inclusive education to the children with disabilities and towards that end shall—

- (i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others;
- (ii) make building, campus and various facilities accessible;
- (iii) provide reasonable accommodation according to the individual's requirements;
- (iv) provide necessary support individualised or otherwise in environments that maximise academic and social development consistent with the goal of full inclusion;
- (v) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication;

- (vi) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them;
 - (vii) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability;
 - (viii) provide transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.
 - (ix) Ensure that every child with benchmark disability has access to free education in an appropriate environment till s/he attains the age of eighteen years.
- (3) The Education Department shall conduct survey of school going children in every 05 (five) years for identifying children with disabilities, ascertaining their special needs and the extent to which these are being met:

Provided that the first survey shall be conducted within one year of issuance of this notification.

- (4) The Education Department shall arrange proper educational institutions like special schools, accessible free text books, scholarships, learning material, assistive devices, resource centres etc for children studying in all educational institutions.

11. Terms and conditions of recognition of educational institutions.- (1) The terms and conditions of grant of recognition to the educational institutions by the competent authority in the UT may include the requirements to comply with the provisions of section 16 of the Act.

(2) The Administration of Union Territory of Ladakh shall develop norms for recognition of special schools run by the Government and private institutions within one year of the notification of the rules.

CHAPTER-V

EMPLOYMENT AND VACANCIES FOR PERSONS WITH BENCHMARK DISABILITIES

12. Manner of publication of equal opportunity policy.- (1) Every establishment shall publish equal opportunity policy for persons with disabilities within a period of six months from the notification of these rules.

(2) The establishment shall display the equal opportunity policy preferably on their website, failing which, at conspicuous places in their premises.

(3) The equal opportunity policy of a private establishment having twenty or more employees and the Government establishments shall inter alia, contain the following, namely:-

- (a) Facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment;
- (b) List of posts identified suitable for persons with disabilities in the establishment;
- (c) the manner of selection of persons with disabilities for various posts, post-recruitment and pre-promotion training, preference in transfer and posting, special leave, preference in allotment of residential accommodation if any, and other facilities;
- (d) provisions for assistive devices, barrier-free accessibility and other provisions for persons with disabilities;
- (e) appointment of liaison officer by the establishment to look after the recruitment of persons with disabilities and provisions of facilities and amenities for such employees.

(4) The equal opportunity policy of the private establishment having less than twenty employees shall contain facilities and amenities to be provided to the persons with disabilities to enable them to effectively discharge their duties in the establishment.

13. Form and manner of maintaining records by the establishments.-(1)Every establishment covered under sub-rule (3) of rule 12, shall maintain records containing the following particulars,namely:-

- (a) The number of persons with disabilities who are employed and the date from when they are employed;
- (b) The name, gender and address of persons with disabilities;
- (c) The nature of disability of such persons;
- (d) The nature of work being rendered by such employed person with disability; and
- (e) The kind of facilities being provided to such persons with disabilities.

(2) Every establishment shall produce records maintained under these rules, to the District level Committee on Disability for inspection on demand and shall supply such information which may be required for the purpose of ascertaining whether the provisions have been complied with.

14. Manner of maintenance of register of complaints by the Government establishments.- (1) Every Government establishment shall appoint an officer not below the rank of a Gazetted Officer as Grievance Redressal Officer:

Provided that where it is not possible to appoint any Gazetted Officer, the Government establishment may appoint the senior most Officers as a Grievance Redressal Officer.

(2) The Grievance Redressal Officer shall maintain a register of complaints of persons with disabilities with the following particulars, namely:-

- (a) Date of complaint;
- (b) Name of complainant;
- (c) Name of the person who is enquiring the complaint;
- (d) Place of incident;
- (e) The name of establishment or person against whom the complaint is made;
- (f) Gist of the complaint;
- (g) Documentary evidence, if any;
- (h) Date of disposal by the Grievance Redressal Officer;
- (i) Details of disposal of the appeal by the district level committee; and
- (j) Any other information.

15. Computation of vacancies.- (1) Every Government establishment shall take into account four percent of the total number of vacancies including vacancies arising in the identified and non-identified posts in the cadre strength in each group of posts, for the purpose of computation of vacancies for the persons with benchmark disabilities:

Provided that the reservation in promotion shall be in accordance with the instructions issued by the appropriate Government from time to time.

(2) Every Government establishment shall maintain a vacancy based roster for the purpose of calculation of vacancies for persons with benchmark disabilities in the cadre strength as per the instructions issued by the appropriate Government from time to time.

(3) While issuing advertisement to fill up vacancies, every Government establishment shall indicate the number of vacancies reserved for each class of persons with benchmark disabilities in accordance with the provisions of section 34 of the Act.

(4) The reservation for persons with disabilities in accordance with the provisions of section 34 of the Act shall be horizontal and the vacancies for persons with benchmark disabilities shall be maintained as a separate class.

16. Interchange of vacancies.- The Government establishment shall interchange vacancies in accordance with the provisions of section 34 of the Act, only if due process of recruitment to fill up the vacancies reserved for persons with benchmark disabilities has been complied with.

17. Submission of Returns on Vacancies.- (1) Every Government establishment shall furnish to the local special employment exchange, returns in Form - I once in every six months for the period from 1st April to 30th September and from 1st October to 31st March, and in Form-II once in every two years.

(2) The six monthly return shall be furnished within thirty days of the respective dates which is, 31st March and, 30th September of every financial year.

(3) The two yearly return shall be furnished within thirty days of the closing of every alternate financial year

18. Form in which record to be kept by an employer.- Every Government establishment shall maintain the record of employees with disabilities in Form-III.

CHAPTER-VI

ASSISTANCE TO PERSONS WITH HIGH SUPPORT NEEDS

19. (1) Any person with bench mark disability who is having High support needs or any person or organization on behalf of such person with bench mark disability may approach the District Social Welfare Officer of the district in which s/he ordinarily resides, who shall refer the case to the assessment board.

(2) Only the persons with benchmark disabilities having permanent certificate of disability shall be eligible for applying for high support requirement.

(3) The Union Territory Administration shall constitute Assessment Board at the District comprising the following:-

(a) District Chief Medical Officer or Civil Surgeon or Medical Superintendent : Chairperson;

(b) District Social Welfare Officer : Member;

(c) Five rehabilitation specialists [Physical Medicine and Rehabilitation or Orthopaedic specialist, ENT specialist, Ophthalmologist, General Physician (if the applicant is 18 years or above) or Pediatrician (if the applicant is less than 18 years), Psychiatrist]: Members;

(d) Occupational therapist or speech therapist or Clinical Psychologist or Physiotherapist (as per requirement) : Member;

(e) Any other expert as the Chairperson deems appropriate : Member.

(4) The Assessment Board shall invite the applicant of high support requirements for assessment and may, if necessary, seek clinical assessment.

(5) The Assessment Board shall assess the applicant on the basis of the six parameters (a) to (f) and assign scores on the basis of the 100-point graded weightage indicated below:-

Parameters		Weightage
(a) Severity of physical disability (Max. weightage – 25)	(a) 40% - 59% (b) 60% - 79% (c) 80% - 100%	15 20 25
(b) Severity of mental/developmental disability (which restricts the person to take any informed decision) (Max. weightage - 25)	(a) 40% - 59% (b) 60% - 79% (c) 80% - 100%	15 20 25
(c) The extent to which daily activities in a person is hampered (Max. weightage - 35)	(i) Bathing, Brushing, combing, Dressing (ii) Toilet hygiene (getting to the toilet, cleaning oneself, getting backup etc) (iii) Functional mobility (ability to work, get in and out of bed, get in and out of a chair, moving from one place to other while performing activities) (iv) Self-feeding (not including cooking)	10 10 10 5
(d) Cognitive Abilities like ability to take safety measures to use transport, logistics, gadgets, not to get lost (Max. weightage – 5)	-	5
(e) Environmental Barriers like access to health care or support systems for rehabilitation or health needs (Max. weightage - 5)	-	5
(f) Socio-economic status (Max. weightage - 5)	APL BPL	0 5
Total		100

(6) Any person with benchmark disability with a score 60 out of 100 point mentioned in sub-rule (5) may be recommended by the Assessment Board for high support needs.

(7) The Assessment Board shall submit its recommendations to the authority notified under sub-rule (1) within a period of 90 days from the date of receiving request for assessment from the said authority.

(8) The Union Territory Administration shall develop dedicated schemes to provide high support to such persons with benchmark disabilities.

(9) The authority notified under sub-rule (1) shall consider the application for high support requirement on the basis of the recommendations of the Assessment Board keeping in view the schemes or programmes of the Union Territory Administration.

CHAPTER-VII

ACCESSIBILITY

20. Rules for Accessibility.- (1) Every establishment shall comply with the following standards relating to physical environment, transport and information and communication technology, namely:-

- (a) standard for public buildings as specified in the Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disabilities and Elderly Persons as issued by the Government of India, Ministry of Urban Development in March, 2016;
- (b) standard for Bus Body Code for transportation system as notified by the Government of India, Ministry of Road Transport and Highways, vide notification number G.S.R.895(E), dated the 20th September, 2016;
- (c) Information and Communication Technology,
 - (i) Website standard as specified in the guidelines for Indian Government websites, as adopted by Department of Administrative Reforms and Public Grievances, Government of India;
 - (ii) Documents to be placed on websites shall be in Electronic Publication (ePUB) or Optical Character Reader (OCR) based pdf format:

(2) The respective Departments shall ensure compliance of the standards of accessibility specified under this rule through the concerned domain regulators or otherwise.

CHAPTER-VIII**Certificate of Registration of Institution**

21. The Director in the Department of Social Welfare, Administration of Union Territory of Ladakh shall be the competent authority under section 49 for the purpose of registration of Institutions for Persons with Disabilities and grants to such Institutions:

Provided that in case no person is occupying the post of Director, the competent authority, shall be the person occupying the post next in the hierarchy.

22. Application for, and grant of certificate of registration.- (1) A person desirous of establishing or maintaining an institution for person with disabilities may make an application in Form A to the competent authority referred to in rule 21.

- (2) Every application made under sub-rule(1) shall be accompanied with,
- (a) Documentary evidence of work or proposed work in the area of disability;
 - (b) The Constitution or byelaws or regulations governing the institution;
 - (c) Audited statement, annual report and details of grants received if any in the last three years from the Government, preceding the date of application;
 - (d) A statement regarding total number of persons employed in the Institution along with their respective duties;
 - (e) The number of professionals employed in the Institution;
 - (f) A statement regarding qualifications of the professionals employed by the Institution; and
 - (g) The proof of residence of the applicant.
- (3) Every application made under sub-rule(1) shall comply with the following requirements in respect of the concerned institution, namely:-
- (a) that the institution is registered under the Indian Societies Registration Act, 1860 (XXI of 1860)/Indian Trust Act and a copy of such registration certificate/trust deed along with the bye-laws and memorandum of association of the society shall accompany the application.
 - (b) that the institution has not been running to profit any individual or a body of individuals;
 - (c) that the institution has employed professionals registered with the Rehabilitation Council of India to cater to the special needs of Persons with disabilities;
 - (d) that the institution has adequate teaching and learning material in accessible format for the persons with disabilities;

- (e) that the institution is working or proposing to work in the field of rehabilitation of persons with disabilities on the date on which the application is made.
- (4) The certificate of registration under this rule, unless revoked under section 52 of the Act, shall remain in force for a period of five years from the date on which it is granted or renewed.
- (5) An application for the renewal of certificate of registration shall, be made in the same manner as the application for grant of certificate under sub-rule(1) accompanied with the previous certificate of registration and a statement that the applicant is applying for renewal of the certificate so accompanied:

Provided that such application shall be made before sixty days of the expiry of the validity of such certificate:

Provided further that the competent authority may consider application for renewal of the certificate of registration after 60 days but not later than 120 days, if he is satisfied that sufficient reasons have been provided for such delay.

- (6) If the application for renewal of certificate of registration is made before its expiry as specified in the proviso to sub-rule (5), the certificate of registration shall continue to be in force until orders are passed on the application and the certificate of registration shall be deemed to have expired if application for its renewal is not made within sixty days as specified in the said proviso.

- (7) Every application made under sub-rule (1) or sub rule (5), in which the competent authority referred to in sub-section (1) of section 51 of the Act, is satisfied that the requirements for grant of certificate of registration under the Act and these rules have been complied with, shall be disposed of by it within a period of ninety days thereafter.

- (8) Form of issue of Certificate of Registration, refusal and revocation.-

- (a) Upon making suitable enquires into the functioning of the organization and being satisfied that the organization can be registered under the provisions of section 51, the competent authority shall issue the Certificate of registration to the organization in Form-B.
- (b) The Competent authority may refuse to grant the certificate of Registration after suitable enquires and the same shall be communicated to the organization within a period of ninety days of its application for registration in Form C.

Provided that such communication shall be preceded by the granting of opportunity to the applicant organisation to state its case before the competent authority on a date not later than 15 days from the date of issue of the letter intimating the grant of opportunity.

- (c) A certificate of Registration granted under section 51 of the Act may be revoked by the competent authority under provisions of sub-section(1) of section 52 of the Act and such revocation shall be communicated to the organization in Form–D.

23. Appeal against the order of competent authority.- Any person aggrieved by the order of the competent authority referred to in sub-section (1) of section 51 of the Act, refusing to grant a certificate of registration or revoking a certificate of registration may, within thirty days from the date of the order, prefer an appeal against that order to the Secretary, Social Welfare who shall function as appellate authority under sub-section (1) of section 53 of the Act. The Secretary, Social Welfare may, after such enquiry into the matter as is considered necessary and after giving the appellant an opportunity of hearings, make such order as deemed fit:

CHAPTER-IX

CERTIFICATE OF DISABILITY

24. Application for certificate of disability.- (1) Any person with specified disability, may apply in Form -IV for a certificate of disability, and submit the application to,-

- (a) A medical authority or any other notified competent authority to issue such a certificate in the district of residence of the applicant as mentioned in the proof of residence in the application; or
- (b) The concerned medical authority in a government hospital where the person with specified disability may be undergoing or may have undergone treatment in connection with such disability:

Provided that where a person with disability is a minor or having intellectual disability or any other disability which renders the person with disability unfit or unable to make such an application, the application on behalf of the person with disability may be made by the legal guardian of such a person with disability or the authorized representative of a Government organization having the person with disability under its care or any organization registered under the Act having the person with disability under its care.

(2) The application shall be accompanied by,-

- (a) Proof of residence;
- (b) Two recent passport size photographs; and
- (c) Aadhaar number or aadhaar enrollment number, if any.

Note.- No other proof of residence shall be demanded from the applicant who has aadhaar or aadhaar enrollment number.

25. The Department of Health and Family Welfare, Administration of Union Territory of Ladakh shall notify the certifying authorities who shall be competent to issue a certificate of disability and the jurisdiction and terms and conditions subject to which the certifying authority shall perform its certification functions as per the provisions of sub-sections (1) and (2) of section 57 of the Act.

26. Issue of certificate of disability.- (1) On receipt of an application under rule 25, the medical authority or any other notified competent authority shall, verify the information as provided by the applicant and shall assess the disability in terms of the relevant guidelines issued by the Central Government and after satisfying itself that the applicant is a person with disability, issue a certificate of disability in favor of the applicant in Form V, VI and VII, as the case may be.

(2) The medical authority shall issue the certificate of disability within a month from the date of receipt of the application.

(3) The medical authority shall, after due examination,-

(i) issue a permanent certificate of disability in cases where there are no chances of variation of disability over time in the degree of disability; or

(ii) issue a certificate of disability indicating the period of validity, in cases where there is any chance of variation over time in the degree of disability.

(4) If an applicant is found ineligible for issue of certificate of disability, the medical authority shall convey the reasons to the applicant in writing under Form VIII within a period of one month from the date of receipt of the application.

27. Validity of Certificate issued under rule 26.- A person to whom the certificate is issued under rule 26 shall be entitled to apply for all facilities, concessions and benefits admissible for persons with disabilities under schemes of the Government and of non-Governmental organizations funded by the Government.

28. Validity of certificate of disability issued under the repealed Act.-The certificate of disability issued under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) shall continue to be valid after commencement of the Act for the period specified therein.

29. Appeal against the decision of the authority issuing certificate of disability.- (1) Any person aggrieved with the decision of the certifying authority issuing the certificate of disability may within ninety days from the date of the decision, prefer an appeal to the appellate authority as notified by the Administration of Union Territory of Ladakh for the purpose under sub-section (1) of section 59 of the Act in the following manner:-

(a) The appeal shall contain brief background and the grounds for making the appeal;

- (b) The appeal shall be accompanied by a copy of the order of rejection issued by the certifying authority:

Provided that where a person with disability is a minor or having any disability which renders the person with disability unfit to make such an appeal, the appeal on behalf of the person with disability may be made by his legal or limited guardian as the case may be.

(2) On receipt of such an appeal, the appellate authority shall provide the appellant an opportunity to present the appellant's case and thereafter pass such reasoned and detailed order as it may deem appropriate.

(3) Every appeal preferred under sub-rule (1) shall be decided as expeditiously as possible and not later than a period of sixty days from the date of receipt of the appeal.

CHAPTER-X

UT ADVISORY BOARD

30. Constitution of Union Territory Advisory Board and Allowances for the Members thereof.- (a) The Administration of Union Territory of Ladakh shall by notification constitute Union Territory Advisory Board as per the composition provided under Section 66 of the Act which shall include elected representatives, official members as ex-officio members besides non official members to be nominated by the Administration of the Union territory of Ladakh.

(b) The non-official Members of the UT Advisory Board on disability shall be paid an allowance of Rs 2000/- (rupees two thousand) per day for each day of the actual meetings of the said Board.

31. Notice of the Meeting.- (1) The meetings of the UT Advisory Board on disability constituted under sub-section (1) of section 66 of the Act (here in after in this Chapter referred to as 'the Board') shall ordinarily be held in the office of the Chairperson:

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

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

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

(4) Notice of a meeting may be given to the members of the Board by delivering the same to them by messenger or sending it by registered post to their respective last known

places of residence or business or by email or in such other manner as the Chairperson of the Board may, in the circumstances of the case, thinks fit.

(5) No member of the Board shall be entitled to bring forward for the consideration of the meeting any matter of which the member has not given ten clear days' notice to the Member Secretary of the Board, unless permission is granted to the member to do so on the discretion of the Chairperson of the Board.

(6) The Board may adjourn its meeting from day to day or to any particular day as under:-

- (a) Where a meeting of the Board is adjourned from day to day, notice of such adjourned meeting shall be given, to the members of the Board available at the place where the meeting which was adjourned was to be held and it shall not be necessary to give notice of the adjourned meeting to the rest of the members;
- (b) Where a meeting of the Board 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 of the Board in the manner as specified in sub-rule(4).

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

33. Quorum.-(1)One-third of the total members of the Board 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 of the Board are present, the Chairperson thereof may adjourn the meeting to such hours on the following or on some other future date as may be fixed by the Chairperson.

(3) No quorum shall be necessary for the adjourned meeting of the Board.

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

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

(b) Where a meeting of the Board is adjourned under sub-rule(2) for want of quorum not to the following day, but on a date with sufficient gap, notice of such adjourned meeting shall be given to all the members of the Board in the manner as specified in sub-rule(4) of rule 31.

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

(2) The minutes of the previous meeting of the Board shall be read at the beginning of 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 of the Board at the office of the Member-Secretary of the Board during office hours.

35. Business to be transacted at meeting.- Except with the permission of the presiding officer, no business which is not entered in the agenda or of which notice has not been given by a member under sub-rule (5) of rule 31 shall be transacted at any meeting of the Board.

36. Agenda for the meeting of the UT Advisory Board.- At any meeting of the Board, business shall be transacted in the order in which it is entered in the agenda, unless otherwise resolved in the meeting with the permission of the presiding officer:

Provided that either at the beginning of the meeting of the Board or after the conclusion of the debate on a motion during the meeting, the presiding officer or a member of the Board may suggest a change in the order of business as entered in the agenda and if the Chairperson of the Board agrees, such a change shall take place.

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

38. No proceeding to be invalid due to vacancy or any defect.- No proceeding of the Board shall be invalid by reasons of existence of any vacancy in or any defect in the constitution of the Board.

39. District level Committee.-(1)The District Level Committee on disability referred to in section 72 of the Act, shall consist of the following persons,namely:-

- (i) An officer of the civil services not below the rank of a District Magistrate or Deputy Commissioner,as the case may be of the district.....Ex-officio Chairperson;
- (ii) Chief Medical Officer of District..... Member;
- (iii) Psychiatrist of a District Hospital..... Member;

- (iv) Public Prosecutor of the District..... Member;
- (v) Asstt.Commissioner (Labour)..... Member;
- (vi) One Representative from the local bodies, ICDS Project and Public Works Department of the Administration of Union Territory of Ladakh..... Member;
- (vii) Representative of a Registered Organization Having at least five years experience of working in the field of disability..... Member;
- (viii) Person with disability as defined in clause(s) of section 2 of the Act..... Member;
- (ix) Any other member as invited by The Chairperson..... Member;
- (x) District Social Welfare Officer, concerned District..... Member Secretary;

(2) The District Level Committee for each District shall be constituted by an order issued by the Dy. Commissioner of the District and its tenure shall be for a period of three years from the date of its constitution.

40. Functions of the Committee.- The District-Level Committee on disability shall perform the following functions, namely:-

- (a) Advise the District authorities on matters relating to rehabilitation and empowerment of persons with disabilities;
- (b) Monitor the implementation of the provisions of the Act and the rules;
- (c) assist the District authorities in implementation of schemes and programmes of the Government for empowerment of persons with disabilities;
- (d) look into the complaints relating to non-implementation of the provisions of the Act by the District authorities and recommend suitable remedial measures to the concerned authority to redress such complaints;
- (e) look into the appeal made by the employees of Government establishments aggrieved with the action taken by the District level establishments under sub-section (4) of section 23 of the Act and recommend appropriate measures; and
- (f) any other functions as may be assigned by the Administration of Union Territory of Ladakh.

CHAPTER-XI

UNION TERRITORY COMMISSIONER FOR PERSONS WITH DISABILITIES

41. Qualification for appointment of UT Commissioner.— A person shall not be qualified to be appointed as the UT Commissioner for Persons with Disability under sub-section(1) of section 79 of the Act unless the person:-

- (i) has special knowledge or practical experience in respect of the matters relating to rehabilitation of persons with disabilities;
- (ii) has not attained the age of sixty years on the 1st January of the year in which the last date for receipt of applications, as specified in the advertisement inviting applications for appointment of the State Commissioner, occurs;
- (iii) if in service under the Central Government or a State Government, shall seek retirement from such service before being appointed to the post; and
- (iv) possesses the following educational qualifications and experience, namely:-
 - (a) Educational qualifications:-
 - (i) Essential: Graduate from a recognized university;
 - (ii) desirable: recognized degree or diploma in social work or law or management or human rights or rehabilitation or education of disabled persons.
 - (b) Experience: at least twenty years experience in a Group'A' level or equivalent post:-
 - (i) In Central or State Government or
 - (ii) Public Sector Undertakings or Semi Government or Autonomous Bodies dealing with disability related matters or social sector or
 - (iii) Works in the capacity of a senior level functionary in a registered State or national or international level voluntary organization working in the field of disability or social development:

Provided that out of the total twenty years experience mentioned in this sub-clause, at least ten years of experience in the recent past had been in the field of empowerment of persons with disabilities.

42. Mode of appointment of the UT Commissioner.—(1) At least six months before the post of UT Commissioner is due to fall vacant, an advertisement shall be published in at least two national or state level daily newspapers, one in English and the other in the vernacular language inviting applications for the post from eligible candidates fulfilling the criteria mentioned in rule 41.

(2) A Search-cum-Selection Committee shall be constituted by the Administration of Union Territory of Ladakh to recommend to it a panel of three suitable candidates for the post of the State Commissioner.

(3) **Composition of the Search-cum-Selection Committee.-** The Search cum Selection committee shall be headed by the Chief Secretary and shall consist of Principal Secretary/ Secretary Social Welfare, Principal Secretary/Secretary Health & Family Welfare, Divisional Commissioner and Principal Secretary/ Secretary, Education.

(4) The panel recommended by the Search-cum-Selection Committee under sub-rule (2) may consist of persons from amongst those who have applied in response to the advertisement made under sub-rule (1) as well as from other willing eligible persons in the employment of Central or State Government whom the Committee may consider suitable.

(5) The Administration of Union Territory of Ladakh shall appoint one of the candidates out of the panel recommended by the Search-cum-Selection Committee under sub-rule(2) as the UT Commissioner.

43. Term of the UT Commissioner.- (1) The State Commissioner shall be appointed on full-time basis for a period of three years from the date of assumption of office, or till the attainment of the age of sixty-five years, which ever is earlier.

(2) A person may serve as UT Commissioner for a maximum of two terms, subject to the upper age limit of sixty-five years.

44. Salary and allowances of the UT Commissioner.- (1) The salary and allowances of the UT Commissioners shall be the salary and allowances as admissible to a Secretary to the Administration of UT Ladakh.

(2) Where a UT Commissioner, being a retired government servant or a retired employee of any institution or autonomous body funded by the Central or State Government, is in receipt of pension in respect of such previous service, the salary admissible to the UT Commissioner under these rules shall be reduced by the amount of the pension, and if in lieu of a portion of the pension, the commuted value thereof has been received, by the amount of such commuted portion of the pension.

45. Other terms and conditions of service of the UT Commissioner.- The other terms and conditions of service of UT Commissioner shall be such as specified below, namely:

- (a) Leave: The UT Commissioner shall be entitled to such leave as is admissible to Group A officer under the relevant provisions of the Civil Service Rules applicable on them.
- (b) Leave Travel Concession: The UT Commissioner shall be entitled to such Leave Travel Concession as is admissible to Group 'A' officers under relevant provisions of the Civil Service Rules applicable on them.

- (c) **Medical Benefits:** The UT Commissioner shall be entitled to such medical benefits as is admissible to Group 'A' officers under the relevant provisions of the Civil Service Rules applicable on them.

46. Resignation and removal.- (1) The UT Commissioner may resign from the post by giving a notice in writing, addressed to the Administration of Union Territory of Ladakh.

(2) The Administration of Union Territory of Ladakh shall remove the person appointed to the office of the UT Commissioner, if the person:-

- (a) Becomes an undischarged insolvent; or
- (b) Engages during the term in office in any paid employment or activity outside the duties of the office; or
- (c) is convicted and sentenced to imprisonment for an offence which in the opinion of the Administration of Union Territory of Ladakh involves moral turpitude; or
- (d) is in the opinion of the Administration of Union Territory of Ladakh so unfit to continue in office by reason of serious default in the performance of functions of the UT Commissioner as laid down in the Act; or
- (e) without obtaining leave of absence from the Administration of Union Territory of Ladakh remains absent from duty for a consecutive period of fifteen days or more; or
- (f) has, in the opinion of the Administration of Union Territory of Ladakh so abused the position of the State Commissioner as to render continuance in the office detrimental to the interest of persons with disability: Provided that no State Commissioner shall be removed from office under this rule except after following the procedure, mutatis mutandis, applicable for removal of a Group 'A' officer of the Administration of Union Territory of Ladakh so.

(3) The Administration of Union Territory of Ladakh may suspend a UT Commissioner, in respect of whom proceedings for removal have been commenced in accordance with sub-rule (2), pending conclusion of such proceedings.

47. Residuary provision.- The other conditions of service of the UT Commissioner, in respect of which no express provision has been made in these rules, shall be determined by the rules and orders for the time being applicable to the Secretary to the Administration of UT Ladakh.

48. Advisory Committee to assist the UT Commissioner.- (1) The Administration of Union Territory of Ladakh shall appoint an Advisory Committee comprising five experts to

represent each of the five groups of specified disabilities mentioned in the Schedule to the Act, of whom two shall be women

(2) The UT Commissioner may invite subject or domain expert as per the need who shall assist the State Commissioner in meeting or hearing and in preparation of the report.

(3) The tenure of the members of the Advisory Committee shall be for a period of three years and the members shall not be eligible for re-nomination.

(4) The non-official members of the Advisory Committee shall be paid an allowance of rupees two thousand per day for each day of the actual meeting.

49. Procedure to be followed by UT Commissioner.- (1) A complainant may present a complaint containing the following particulars in person or through an agent to the State Commissioner or send it by registered post or by email addressed to the State Commissioner, namely:-

- (a) The name, description and the address of the complainant;
- (b) The name, description and the address of the opposite party or parties, as the case may be, so far as they may be ascertained;
- (c) The facts relating to complaint and when and where it arose;
- (d) Documents in support of the allegations contained in the complaint; and
- (e) the relief which the complainant claims.

(2) The UT Commissioner on receipt of a complaint shall refer a copy of the complaint to the opposite party or parties mentioned in the complaint directing to submit their version of the case within a period of thirty days or such extended period not exceeding fifteen days as may be granted by the UT Commissioner.

(3) On the date of hearing or any other date to which hearing could be adjourned, the parties or their agents shall appear before the UT Commissioner.

(4) Where the complainant or the complainant's agent fails to appear before the State Commissioner on such days, the UT Commissioner may either dismiss the complaint on default or decide on merits.

(5) Where the opposite party or the opposite party's agent fails to appear on the date of hearing, the UT Commissioner may take such necessary action under section 82 of the Act as he deems fit for summoning and enforcing the attendance of the opposite party.

(6) The UT Commissioner may dispose of the complaint ex-parte, if necessary.

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

(8) The UT Commissioner shall decide the complaint as far as possible within a period of three months from the date of receipt of notice by the opposite party.

50. Submission of annual reports.- (1) The UT Commissioner shall as soon as may be 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 Administration of Union Territory of Ladakh, an annual report giving a complete account of activities of the office of the UT Commissioner during the said financial year.

(2) In particular, the annual report referred to in sub-rule (1) shall be in the form so that the details of separate matters be provided under separate heads inter-alia containing there in information in respect of each of the following matters, namely:-

- (a) Names of officers and employees in the office of the UT Commissioner and a chart showing the organizational setup;
- (b) The functions which the State Commissioner has been empowered with under the Act and the highlights of the performance in this regard;
- (c) The main recommendations made by the UT Commissioner;
- (d) Progress made in the implementation of the Act in the Administration of Union Territory of Ladakh; and
- (e) Any other matter deemed appropriate for inclusion by the UT Commissioner or specified by the Administration of Union Territory of Ladakh from time to time to be included in the report.

CHAPTER-XII

PUBLIC PROSECUTOR

51. Appointment of Public Prosecutor.-(1)The Public Prosecutor to be appointed under section 85 of the Act in every Special Court shall have,-

- (a) Practical experience of handling cases preferably of persons with disabilities;
- (b) Experience at the Bar of not less than seven years; and
- (c) Shall be well versed with local language and customs.

(2) The fee and other remunerations of the Special Public Prosecutor specified or appointed under sub-section (1) of section 85 of the Act shall be the same as that of Public Prosecutor appointed by the Administration of Union Territory of Ladakh under the Code of Criminal Procedure, 1973 (1 of 1974) for conducting the cases before a court of session.

CHAPTER-XIII

UT FUND FOR PERSONS WITH DISABILITIES

52. UT Fund for Persons with Disabilities and its management.-(1)There shall be credited to the UT Fund for persons with disabilities herein after referred to as ' the UT Fund' ,-

- (a) All sums received by way of grant, gifts, donations, benefactions, bequests or transfers;
- (b) all sums received from the Administration of Union Territory of Ladakh including grants- in-aid;and
- (c) all sums received from Corporate houses/ PSUs under CSR or from such other sources as may be decided by the Administration of Union Territory of Ladakh.

(2) There shall be a governing body consisting of following members to manage the UT Fund, namely:-

- (a) Principal Secretary or Secretary, Department of Social Welfare-Chairperson;
- (b) One representative from the Department of Finance
- (d) One representative from the Department of Planning
- (e) One representative of the Department of Health and Family Welfare,
- (f) One representative of Department of School Education,
- (g) One representative of Department of Labour and Employment,
- (h) One representative of Department of Rural Development,
- (i) One representative of Department of Training and Technical Education
- (j) One representative of Department of Urban Development,.....Members
- (k) two persons representing different types of disabilities to be nominated by the Administration of Union Territory of Ladakh,by rotation—Members;
- (l) Director in the Department of Social Welfare—Convener and Chief Executive Officer.

(3) The governing body shall meet as often as necessary, but at least once in every financial year.

(4) The nominated members shall hold office for not more than three years.

(5) No member of the governing body shall be a beneficiary of the Fund during the period such Member holds office.

(6) The nominated non-official members shall be eligible for payment of travelling allowance and dearness allowance as admissible to a Group A officer of the Administration of Union Territory of Ladakh for attending the meetings of the governing body.

(7) No person shall be nominated under clause (b) and (c) of sub-rule 2 as a member of the governing body who-

- (a) is, or has been, convicted of an offence, which in the opinion of the Administration of Union Territory of Ladakh involves moral turpitude; or
- (b) is, or at any time has been, adjudicated as an insolvent.

53. Utilization of the State Fund.-(1)The UT Fund shall be utilized for the following purposes, namely:-

- (a) Financial assistance in the areas which are not specifically covered under any scheme and programme of the Administration of Union Territory of Ladakh;
- (b) Administrative and other expenses of the Fund, as may be required to be incurred by or under the Act;and
- (c) Such other purposes as may be decided by the governing body.

(2) Every proposal of expenditure shall be placed before the governing body for its approval.

(3) The governing body may appoint secretarial staff including accountants with such terms and conditions as it may think appropriate to look after the management and utilization of the State Fund based on need based requirement.

(4) The State Fund shall be invested in such manner as may be decided by the governing body.

54. Budget.-The Chief Executive Officer of the UT Fund shall prepare the budget for incurring expenditure under the UT Fund in each financial year showing the estimated receipt and expenditure of the Fund, in January every year and shall place the same for consideration of the governing body.

55. Annual Report.-The annual report prepared by the UT Commissioner for persons with Disabilities shall include a chapter on the State Fund.

Application for Certificate of Registration

[See rule 22 (1) of Ladakh Rights of Persons with Disabilities Rules, 2021]

- (1) Name of the Organization :.....
- (2) Institution/Project in respect of which application is made:.....
 - a. Address & Ph. No.(Registered Office):
 - b. Name of Project Office :
 - c. Address (Project Office) :.....
 - d. Phone/Fax/Telex/(Office)/email id:.....(Project)
- (3) (i) Name of the Act under which the organization is registered:.....
 - (ii) Registration No. And date of registration:.....(Please attach a photocopy)
- (4) Memorandum of Association and Bye-laws of the organization: (Please attach a photocopy)
- (5) Name, address, occupation and other particulars of the members of the Board of Management/Governing Body of the organization:
- (6) Present Activities of the Organization:.....
- (7) List of documents to be attached:
 - (a) A copy of the annual reports for the last three years,
 - (b) Audited Statement of accounts (receipt and payment, income and expenditure and Balance sheet) for the last three financial years duly certified by Chartered Accountant with membership no. And seal.
- (8) Nature of the organisation (Please indicate precisely : whether it is educational or training or residential institution or a workshop for visually/hearing impaired/physically challenged/mentally Challenged persons,etc.)
- (9) Whether the institution is located in its own building/Rented building/building allotted by any agency):(Necessary evidence to be attached).
- (10) If hostel is maintained, the number of hostellers:
- (11) Details of barrier free environment for persons with disabilities :
 - (a) Area of the Building_____
 - (b) Rooms available for activities/residential use_____
 - (c) Rooms for administrative use;
 - (d) No. of accessible toilets_____

(e) Other accessible features available (lift/ramp/ tactilepath/ railing): _____

(f) Whether accessible transport facility available: _____ If yes, give details: _____

(12) Details of staff employed by the institution in following format;

Name	M/F	Age	Educational Qualification	Address	Contact Details	Responsibility	Salary	Aadhaar No.	RCI registration no.(enclose copy of RCI registration certificate)

Note: In case of foreign volunteers, verification of credentials and criminal record from country of origin or birth through the policies mandatory.

(13) Details of covered /proposed beneficiaries to be covered bythe institution and nature of disability in followingformat;

Sl.No.	Name	Father's name	M/F	Age	Address	Contact Details	Type of Disability	Aadhaar No.

(Name, Designation and signature of the authorized Signatory with seal)

**The Administration of Union Territory of Ladakh
Department of Social Welfare**

Certificate of Registration

[Issued under the provision of rule 22(8)(a) of Ladakh Rights of Persons with Disabilities Rules, 2021]

Registration No.....

Date:

Certified hereby that _____ (Name of the NGO) as registered under Society Registration Act, 1860/Trust Act has completed all the formalities and procedures for issuance of registration certificate under sub –section(2)of section 51 of the Rights of Persons with Disabilities Act, 2016.

This registration certificate issued on date _____ is valid till date _____.

1. Name and registered address of the Organisation

2. Name and address of the branch/projects of the organization

3. Full Name and Address of the Authorized representative of the Organization

This registration certificate is issued on Day..... Month.....Year.....by the authorized signatory /competent authority of the Department of Social Welfare, Administration of Union Territory of Ladakh subject to compliance of the Terms and Conditions laid down herein, by the authorized representative of the organization.

The holder of the certificate of Registration shall apply for renewal of the certificate not less than sixty days before the date of expiry of the period of validity.

**Signature and Seal of the Competent Authority
Department of Social Welfare,
Administration of UT Ladakh**

Terms and Conditions of Registration Certificate

- (1) The holder of this Certificate of Registration shall provide the beneficiaries of the organization with:-
 - (a) Adequate accessible accommodation and accessible sanitary conditions.
 - (b) Proper medical care and treatment.
 - (c) Facilities for recreation.
 - (d) Education and vocational or professional training.
- (2) Residential premises, if any, for girls shall be separate from residential premises for boys.
- (3) The holder of this Certificate of Registration shall not employ or shall allow others to employ any beneficiary of the organization for any private purposes whether of own or others.
- (4) The incharge/Project Manager shall maintain a visitor's book, which shall contain the records of visit to the organization by the competent authority or any person authorized by it to inspect the organization. The incharge/Project Manager shall furnish to the competent authority a copy of remarks if any recorded in the said book within seven days from the date of visit, as also compliance report if any.
- (5) The holder of this Certificate of Registration shall facilitate inquiry in accordance with provisions of the Rights of Persons with Disabilities Act 2016 by the Competent Authority or any person authorized by it.
- (6) The certificate shall be exhibited in a conspicuous place in the office of the incharge/Project Manager.
- (7) Any change in the office bearers shall be immediately intimated to the Competent Authority and the concerned District Social Welfare Officer.
- (8) The holder of this Certificate of Registration shall ensure the safety and security of the beneficiaries against all forms of abuse, violence and exploitation as per Section 6 & 7 of the Rights of Persons with Disabilities Act' 2016.
- (9) The holder of this certificate should ensure that in case of foreign volunteers, verification of credentials and criminal record from country of origin or birth through the police has been conducted and verified before giving permission for visit/stay in the institution/homes.
- (10) The holder of this Certificate of Registration shall ensure adequate safety measures against man made /natural disasters such as fire, earthquake, flood etc.
- (11) The holder of this Certificate of Registration shall abide by the conditions of this Certificate of Registration and the provisions of the Rights of Persons with Disabilities Act' 2016 and the rules/regulations and orders made there under.

**The Administration of Union Territory of Ladakh
Department of Social Welfare**

Refusal to grant Certificate of Registration

[Issued under the provision of rule 22(8)(b) of the Ladakh Rights of Persons with Disabilities Rules, 2021]

Date:.....

Whereas Sh----- (Authorised representative) of the organization-(Name and registered address of the organization)----- has applied for issuance of registration certificate under sub –section(2) of section 51 of the Rights of Persons with Disabilities Act, 2016 for the project (Name and address of the branch/projects of the organization)-----, and whereas the competent authority, not being satisfied upon causing enquiries to be made about the eligibility of the organization for such issuance due to the following deficiencies:

- 1.
- 2.
- 3.

hereby refuses to grant such certificate of registration under sub rule (8) of rule 22 of the Ladakh Rights of Persons with Disabilities Rules 2021 and directs that a fresh application be submitted through authorized representative of the organization after removal of the said deficiencies.

**Signature and Seal of the Competent Authority
Department of Social Welfare,
Administration of UT Ladakh**

**The Administration of Union Territory of Ladakh
Department of Social Welfare**

Revocation of Certificate of Registration

[Issued under the provision of Rule 22(8)(c) of the Ladakh Rights of Persons with Disabilities Rules, 2021]

Whereas Sh.....(Authorized epresentative) of the organization- (Name and registered address of the organization)..... had applied for issuance of / renewal of registration certificate under sub –section(2) of section 51 of Rights of Persons with Disabilities Act, 2016 for the project (Name and address of the branch/projects of the organization), and whereas the competent authority, had issued the certificate of Registration under the relevant provisions of the Act and Rules on date and whereas now, thecompetent authority has reason to believe that the holder of the certificate of Registration had-

- a) made a statement in relation to the application for the issue / renewal of the registration certificate under subsection(1) of Section 51 of the Rights of Persons with Disabilities Act 2016 , which is incorrect or false in material particulars: or
- b) committed or has caused to be committed breach of rules or Terms and conditions subject to which the certificate was granted.

Now therefore revokes the certificate of Registration granted to the organization under the provision of subrule(8)of rule 22 of the Ladakh Rights of Persons with Disabilities Rules 2021.

**Signature and Seal of the Competent Authority
Department of Social Welfare,
Administration of UT Ladakh**

FORM-I**(Persons with Disabilities Employer's Return)**

[See Rule 17(1) and Rule 13(1) of Ladakh Rights of Persons with Disabilities Rules, 2021]

Six monthly return to be submitted to the Special Employment Exchange for the half year ended.....

Name and Address of the Employer.....

Whether - Head Office.....

Branch Office.....

Nature of business/principal activity:.....

1. Employment

(a) Total number of persons including working proprietors/partners/commission agents/contingent paid and contractual workers, on the payrolls of the Government establishment excluding part-time workers and apprentices. (The figures should include every person whose wage or salary is paid by the Government establishment).

On the last working day of the previous half year				
Blindness and Low vision	Deaf and Hard of hearing	Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns(1) to (4) including deaf blindness
(1)	(2)	(3)	(4)	(5)

On the last working day of the half year under report				
Blindness and Low vision	Deaf and Hard of hearing	Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy	Autism, intellectual disability, specific learning disability and mental illness	Multiple disabilities from amongst persons with disabilities under columns(1) to (4)including deaf blindness
(1)	(2)	(3)	(4)	(5)

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 half year.

2. Vacancies.- Vacancies carrying total emoluments as per prevailing minimum wage per month and of over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year(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.....

Source.....(Describe the source from which filled)

Local/Special Employment Exchange General Employment Exchange

(b) Reasons for not notifying all vacancies occurred during the half year under report vide 2(a)

3. Manpower Shortages

Vacancies/posts unfilled because of shortage of suitable applicants.

Name of the occupation or Designation of Posts	Number of unfilled vacancies/posts		Disability wise experience not necessary
	Essential Qualification	Essential Experience	
1	2	3	4

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

Dated.....

Signature of employer

To

The Employment Exchange

Note.-This return relates to half yearly ending 31st March/30th September and shall be rendered to the local Special Employment Exchange within thirtydays after the end of thehalf year concerned.

Form-II (Persons with Disabilities Employer's Return)

[See rule 17(1) and rule 13(1) of Ladakh Rights of Persons with Disabilities Rules, 2021]

Occupational return to be submitted to the local Special Employment Exchange once in two years.

Name and Address of the Employer.....

Nature of business.....

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

1. Total number of person the payrolls of the Government establishment on (Specify date) (This figure should include every person whose wage or salary is paid by the Governmen testablishment) (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 Employee		
Use exact terms	Men with disability	Women with disability	Total
Such as Engineer (Mechanical); Teacher(domestic/science); Officer on duty (actuary); Assistant Director(Metallurgist); Scientific Assistant (chemist); Research Officer (economist); Instructor(carpenter); Supervisor(tailor); Fitter(internal Combustion engine); Inspector (Sanitary); Superintendent Office; Apprentice(Electrician).			Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement
Total			

Dated.....

Signature of employer

To
The Employment Exchange

(please fill in here the address of your local Special Employment Exchange)

Note:Total of column 5 under item 2 should correspond to the figure given against item-1.

FORM-III

(Persons with Disabilities Employer’s Return)

[See rule 18 of Ladakh Rights of Persons with Disabilities Rules, 2021]

Name and Address of the Employer.....

Whether-Head Office.....

Branch Office.....

Nature of business/principal activity:.....

Total number of persons on the payrolls of the Government establishment(This figure should include every person whose wage or salary is paid by the Government establishment).

Total number of persons with disabilities (disability-wise) on the payroll of the Government establishment (This figure should include every person with disability whose wage or salary is paid by the Government establishment).

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

Occupation Use exact terms	Number of Employee		
	Men with disability	Women with disability	Total

- Such as
- Engineer (Mechanical);
- Teacher (domestic/science);
- Officer on duty (actuary);
- Assistant Director (Metallurgist);
- Scientific Assistant (chemist);
- Research Officer (economist);
- Instructor (carpenter);

Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next calendar year due to retirement.

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 half year.....

2. Vacancies: Vacancies carrying total emoluments as per prevailing minimum wage per month and of over six months duration.

(a) Number of vacancies occurred and notified during the half year and the number filled during the half year.

Number of Vacancies which come within the purview of the Act					
Occured	Notified Special Employment Exchange	Local	General Employment	Filled	Sources (Describe the source from which filled)
1	2	3	4	5	

Total

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

3. Man power short ages

Vacancies/post sun filled because of shortage of suitable applicants			
Name of the occupation or Designation of the posts	Number of unfiled vacancies/posts		
	Essential qualification	Essential experience	Experience Not necessary
1	2	3	4

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

Signature of employer

Dated....

(12) (i) Did you ever apply for issue of a certificate of disability in the past. _____ Yes/No

(ii) If yes, details:

(a) Authority to whom and district in which applied: _____

(b) (b) Result of application: _____

12. Have you ever been issued a certificate of disability in the past? If yes, please enclose a true copy.

Declaration: I hereby declare that all particulars stated above are true to the best of my knowledge and belief, and no material information has been concealed or misstated. I further state that if any inaccuracy is detected in the application, I shall be liable to for forfeiture of any benefits derived and other action as per law.

(signature or left thumb impression of person with disability, or of his/her legal guardian in case of persons with intellectual disability, autism, cerebral palsy and multiple disabilities, etc)

Date:

Place:

Enclosures:

1. Proof of residence (Please tick anyone, as applicable).
 - (a) Ration card,
 - (b) Voter identity card,
 - (c) Driving license,
 - (d) Bank pass book,
 - (e) PAN card,
 - (f) Passport,
 - (g) Telephone, electricity, water and any other utility bill indicating the address of the applicant,
 - (h) A certificate of residence issued by a Panchayat, municipality, cantonment board, any gazetted officer, or the concerned Patwari or Head Master of a Government school,
 - (i) In case of an inmate of a residential institution for persons with disabilities, destitute, mentally ill, and other disability, a certificate of residence from head of such institution.
 - (j) Aadhaar number or Aadhaar enrollment number, if any.
2. Two recent passport size photographs

(For office use only)

Date:

Place:

Signature of issuing authority

Stamp

Form V
Certificate of Disability

(In cases of amputation or complete permanent paralysis of limbs or dwarfism and in case of blindness)

[See Rule 26(1) of Ladakh Rights of Persons with Disabilities Rules, 2021]

(Name and Address of the Medical Authority issuing the Certificate)

Recent passport size
attested photograph

(Showing face only) of
the person with
disability.

Certificate No.

Date:

This is to certify that I have carefully examined Shri/Smt./Kum. _____ son/wife/daughter of Shri _____ Date of Birth (DD/MM/YY) __ Age _____ years, male/female __ registration No. __ permanent resident of House No. _____ Ward/Village/Street __ _____ Post Office _____ District _____ State __, whose photograph is affixed above, and am satisfied that:

(A) he/she is a case of:

- locomotor disability
- dwarfism
- blindness

(Please tick as applicable)

(B) the diagnosis in his/her case is.....

(C) he/she has..... % (in figure)percent (in words) permanent locomotor disability/ dwarfism/ blindness in relation to his/her.....(part of body)as per guidelines(.....number and date of issue of the guidelines to be specified).

2. The applicant has submitted the following document as proof of residence:-

Nature of Document	Date of Issue	Details of authority issuing certificate

(Signature and Seal of Authorised Signatory of
Notified Medical Authority)

Signature/thumb
impression of the
person in whose favour
certificate of disability is
issued

Form – VI
Certificate of Disability

(In cases of multiple disabilities)

[See Rule 26(1) of Ladakh Rights of Persons with Disabilities Rules,2021]

(Name and Address of the Medical Authority issuing the Certificate)

Recent passport size attested photograph (Showing face only)of the person with disability.

Certificate No.

Date:

This is to certify that we have carefully examined Shri/Smt./Kum.....son/wife/daughter of Shri.....Date of Birth (DD/MM/YY).....Age.....years, male/female..... Registration No..... permanent resident of House No.....Ward/Village/Street___Post Office___District_____State_____, whose photograph is affixed above, and satisfied that:

(A) he/she is a case of Multiple Disability. His/her extent of permanent physical impairment/disability has been evaluated as per guidelines (.....number and date of issue of the guidelines to be specified) for the disabilities ticked below,and is shown against the relevant disability in the table below:

S.No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability (in%)
-------	------------	-----------------------	-----------	---

1.	Locomotor disability	@		
2.	Muscular Dystrophy			
3.	Leprosy cured			
4.	Dwarfism			
5.	Cerebral Palsy			
6.	Acid attack Victim			
7.	Low vision	#		
8.	Blindness	#		
9.	Deaf	£		
10.	Hard of Hearing	£		
11.	Speech and Language disability			
12.	Intellectual Disability			
13.	Specific Learning Disability			
14.	Autism Spectrum Disorder			
15.	Mental illness			
16.	Chronic Neurological Conditions			
17.	Multiple sclerosis			
18.	Parkinson's disease			
19.	Hemophilia			
20.	Thalassemia			
21.	Sickle Cell disease			

(B) In the light of the above, his/her overall permanent physical impairment as per guidelines(----- number and date of issue of the guidelines to be specified), is as follows:-In figures percent In words----- percent.

2. This condition is progressive/non-progressive/ likely to improve/not likely to improve.

3. Re-assessment of disability is:

(i) Not necessary, or

(ii) Is recommended/after..... years.....months, and therefore this certificate shall be valid till..... (DD) (MM) (YY)

@ e.g.Left/right/botharms/legs# e.g. Single eye

£ e.g.Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

5. Signature and seal of the Medical Authority.

Name and Seal of Member	Name and Seal of Member	Name and Seal of the Chairperson

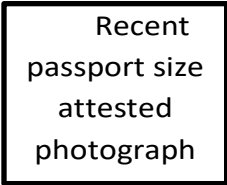
<p style="text-align: center;">Signature/thumb impression of the person in whose favour certificate of disability is issued.</p>
--

Form – VII Certificate of Disability

(In cases other than those mentioned in Forms V and VI)

(Name and Address of the Medical Authority issuing the Certificate)

(See Rule 26(1) of Ladakh Rights of Persons with Disabilities Rules, 2021)



Certificate No.

Date:

This is to certify that I have carefully examined Shri/Smt/Kum.....
son /wife/daughter of ShriDate of Birth (DD/MM/YY).....
Age.....years, male /female Registration No.....permanent
resident of House No.....Ward/Village/Street.....Post
Office.....District.....State..... whose photograph is affixed above, and am
satisfied that he/she is a case of.....disability. His/her extent of percent age physical
impairment/disability has been evaluated as per guidelines(.....number and date of issue of
the guidelines to be specified) and is shown against there levant disability in the table below:-

S.No.	Disability	Affected part of body	Diagnosis	Permanent physical impairment/mental disability(in%)
1.	Locomotor disability	@		
2.	Muscular Dystrophy			
3.	Leprosy cured			
4.	Cerebral Palsy			
5.	Acid attack Victim			

6.	Low vision	#		
7.	Deaf	€		
8.	Hard of Hearing	€		
9.	Speech and Language disability			
10.	Intellectual Disability			
11.	Specific Learning Disability			
12.	Autism Spectrum Disorder			
13.	Mental illness			
14.	Chronic Neurological Conditions			
15.	Multiple sclerosis			
16.	Parkinson's disease			
17.	Hemophilia			
18.	Thalassemia			
19.	Sickle Cell disease			

(Please strike out the disabilities which are not applicable)

2. The above condition is progressive/non-progressive/ likely to improve/not likely to improve.

3. Reassessment of disability is:

(i) Not necessary, or

(ii) is recommended/after.....years.....months, and therefore this certificate shall be valid till (DD/MM/YY)

@-eg.Left/Right/botharms/legs

#-eg.Single eye/both eyes

€-eg.Left/Right/both ears

4. The applicant has submitted the following document as proof of residence:-

Nature of document	Date of issue	Details of authority issuing certificate

(Authorised Signatory of notified Medical Authority)
(Name and Seal)

Counter signed
{Counter signature and seal of the Chief Medical Officer/Medical Superintendent/Head of Government Hospital, in case the Certificate is issued by a medical authority who is not a Government servant (with seal)}

Signature/thumb impression of the person in whose favour certificate of disability is issued
--

Note.-In case this certificate is issued by a medical authority who is not a Government servant, it shall be valid only if counter signed by the Chief Medical Officer of the District.

FORM-VIII

[Intimation of rejection of Application for Certificate of Disability]

[See Rule 26(4) and Rule 17(4) of Ladakh Rights of Persons with Disabilities Rules,2021]

No.....

Dated :

To,

(Name and address of applicant for Certificate of Disability)

Sub:Rejection of Application for Certificate of Disability

Sir/Madam,

Please refer to your application dated.....for issue of a Certificate of Disability for the following disability:.....

2. Pursuant to the above application, you have been examined by the undersigned/Medical Authority on....., and I regret to inform that, for the reasons mentioned below, it is not possible to issue a Certificate of Disability in your favour:

(i)

(ii)

(iii)

3. In case you are aggrieved by the rejection of your application, you may represent to.....,requesting for review of this decision.

Yours faithfully,

(Authorized Signatory of the notified Medical Authority)

(Name and Seal)