

**GOVERNMENT OF THE PUNJAB
SOCIAL WELFARE AND ZAKAT DEPARTMENT
LAHOHE, DATED THE 20th OCTOBER, 1988.**

NOTIFICATION

No.US (SW&ZU)7-15/84.P.II In exercise of the powers conferred on him under sub-section (2) of section 22 of the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981

(XL of 1981), the Governor of the Punjab pleased to make the following rules, namely:-

1. **SHORT TITLE AND COMMENCEMENT:** - (1) These rules may be called the Punjab Disabled Persons (Employment and Rehabilitation) Rule, 1987.

(2) They shall come into force at once.

2. **DEFINITIONS:-** In these rules, unless there is anything repugnant in the subject or context,

- i) "Administrative Department" means the Administrative Department as defined in the Punjab Government Rules of Business 1974.
- ii) "Board" means District Assessing Board constituted by the Council under the Ordinance.
- iii) "Council" means the Punjab Provincial Council constituted under the Ordinance.
- iv) "Chairman" means Chairman of the Council.
- v) "Manager" means Manager of the Employment Exchange.
- vi) "Regional Manager" means Regional Manager of Employment Exchange.
- vii) "Member" means Member of the Council.
- viii) "Ordinance" means the Disabled Persons (Employment & Rehabilitation) Ordinance, 1981.
- ix) "Provincial Government" means Government of the Punjab.
- x) "Secretary" means Secretary of the Council.
- xi) "Assistant Director" means Assistant Director of Social Welfare and Zakat Department of a District.

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3. **OFFICE OF THE COUNCIL :-** (1) The Head Office of the Council shall be at Lahore. (2) The Council may establish such other sub-offices as it may deem necessary.

4. **FUNCTIONS AND RESPONSIBILITIES OF THE COUNCIL.**The administrative and financial powers of the Council shall be as provided in the schedule. In matters not included in the schedule; the council shall have financial and administrative powers of an Administrative Department.

5. **RESIGNATION OF MEMBERS AND FILLING OF CASUAL VACANCIES.**

(1) A member other than an ex-office member of the council may, by writing under his hand and addressed to Chairman, resign from office and his resignation shall take effect on the date specified by him in this behalf or on the date of the receipt of his resignation by the Chairman, whichever is later.

(2) When a casual vacancy occurs by reason of death or resignation of a member of the Council, or for any other reason, a report shall forthwith be made by the Chairman to the Provincial Government to fill in the vacancy.

6. **DUTIES OF THE CHAIRMAN.** The Chairman shall exercise such powers and perform such functions as may be assigned to him by the Council.

7. **STAFF OF THE COUNCIL:-** (1) Subject to the approval of the chairman, the council may appoint such administrative and other staff as may be required for it from time for the effective performance of the functions.

(2) The powers and duties of officers and staff of the council shall be such as may be laid down by it from time to time.

(3) All officers and staff of the Council shall retire on attaining the age of sixty years but the Council may, in its discretion, re-employ any officer or member of the staff if a substitute of his qualifications and efficiency is not available.

8. **MEETING OF THE COUNCIL:-**

(1) The Council shall ordinarily meet quarterly but a special meeting of the council may be convened at any time by the Chairman.

(2) The Secretary shall convene a meeting of the council as directed by the Chairman and record minutes of such meetings.

(3) The secretary shall keep all record of the proceedings of the meetings of the council and its committees and of such others matters as are dealt with by the Council.

9. **NOTICE OF MEETING AND AGENDA:-** (1) Notice of a meeting shall be dispatch by the secretary to each member of the Council not less than fifteen days before the date of the meeting .provided that an emergency meeting of the Council, may be called on three days' notice.

(2) The secretary shall issue with the notice of the meeting a preliminary agenda showing the business to be brought before the meeting along with the name of the movers of the motions.

10. **INCLUSION OF MOTION IN THE AGENDA:-**(1)A member who wishes to move any motion not included in the agenda or an amendment to any item of the agenda shall give notice thereof to the secretary not less than seven days before the date fixed for the meeting.

(2) A motion shall not be admissible:-

- a) If the matter to which it relates is not within the scope of the council's function;
- b) If it raises substantially the same question as a motion or an amendment which has been moved or withdrawn with the leave of the Council within one year of the date of the meeting at which it is proposed to be moved;
- c) If it does not raise or clearly and precisely express a definite issue; and
- d) If it contains arguments, reference or ironical expressions of defamatory statement.

(3) The Chairman may disallow any motion which, in his opinion, is inadmissible.

Provided that if a motion can be rendered admissible by amendment, the Chairman may admit it in an amended form.

(4) When the Chairman disallows or amends a motion, the Secretary shall inform the member who gave notice of the motion of the order of disallowance or, as the case may be of the amended form in which the motion has been admitted.

11. **ADJOURNMENT OF MEETING:-** If, at the time appointed for a meeting, a quorum is not present, the meeting shall not commence until a quorum is present and if the quorum is not present on the expiration of thirty minutes from the time appointed for the meeting, the meeting shall stand adjourned for the next following day at the same time and place for such adjourned meeting no quorum shall be required.

12. **DECISION OF THE COUNCIL:-** (1) Every matter to be determined by the Council shall be determined on a motion moved by a member and put to the Council by the Chairman.

(2) Voting on a motion under sub-rule (1) may be by a show of hands or by division or by ballot, as the chairman may direct.

Provided that the voting shall be by ballot if majority of the members so demand

(3) The result of the voting shall be announced by the Chairman and it shall not be challenged.

(4) In the event of equality of votes, Chairman shall have a casting vote.

13. **MOTIONS:-** (1) Every motion or amendment shall be seconded and if not seconded it shall be deemed to have been withdrawn.

(2) When motions identical in purpose stand in the names of two or more members, the chairman shall decide whose motion shall be moved and the others motion or motions shall thereupon be deemed to have been withdrawn.

(3) When a motion has been seconded, it shall be so stated by the Chairman.

(4) When a motion has been stated, it may be discussed as a question to be resolved either in the affirmative or in the negative and any member may move amendment to the motion.

Provided that the Chairman shall not allow an amendment to be moved which if it had been a substantive motion would have been inadmissible under sub-rule (2) of rule 10.

14. **AMENDMENT:-** (1) An amendment must be relevant to, and within the scope of the motion to which it is proposed.

(2) The Chairman shall not allow an amendment to be moved which has merely the effect of negative vote.

(3) The Chairman may refuse to allow an amendment which, in his opinion, is frivolous.

(4) A motion may be amended by the omission, insertion, substitution or addition of words.

(5) When a motion or amendment is under debate, no proposal with reference thereto shall be made other than:-

- a) an amendment of the motion or of the amendment. as the case may be;
- b) a motion for the adjournment of the debate on the motion or amendment either to a specified date and hour or sine-die;
- c) a motion for closure, that is to say, a motion that the question be now put; or
- d) a motion that the Council, instead of proceeding to deal with the motion, do pass to next item on the agenda.

(6) It shall be in the discretion of the Chairman to put or to refuse to put to the Council a proposal of the nature referred to in paragraph (b) of sub-rule(5).

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15. MOTION FOR CLOSURE:- Unless the Chairman is of the opinion that the motion for closure curtails the right of reasonable debate, he shall forthwith put a motion that the question be now put, and if that motion is carried, the substantive motion or amendment under debate shall be put forward:

Provided that the Chairman may allow the mover or the substantive motion to exercise his right of address or reply before the substantive motion under debate is put.

16. ADJOURNMENT OF DEBATE:- A proposal to adjourn the debate to a specified date and hour may be made at any time provided that it shall not interrupt a speech and it shall be in the discretion of the Chairman to put or to refuse to put such a proposal to the council.

17. ORDER OF SPEECHES AND RIGHT OF REPLY:- (1) When a motion has been moved and seconded, members, other than the mover and the seconded, may speak on the motion in such order as the Chairman may direct:

Provided that mover and the seconded of a motion may, with the permission of the Chairman, speak thereon at any subsequent stage of the debate:

Provided further that any member at any stage of the debate may rise on a point of order but no speech shall be allowed on the point.

Provided also that a member who has spoken on a motion may speak again on an amendment subsequently moved to the motion.

(2) During the meeting, the Chairman may give at any time any objection, suggestion or information to elucidate any point to help the members in the discussion.

(3) The mover of an original motion and the mover of an amendment, if permitted by Chairman, shall have the right of final reply.

(4) No member shall, save with the permission of Chairman; speak for more than five minutes.

(5) The speech shall be strictly confined to the subject matter of the motion or amendment on which it is being made.

(6) Any motion or amendment standing in the name of a member who is absent from the meeting or unwilling to move it may be brought forward by any other member with the permission of the Chairman.

18. **ORDER OF AMENDMENT TO A MOTION,etc.** (1) When an amendment to any motion is moved and seconded or when two or more such amendments are moved and seconded, the chairman shall before taking the consensus of the Council thereon, state or read to the council the text or the original motion and of the amendment or amendments proposed.

(2) An amendment to a motion shall be put to the vote first.

(3) If there be more than one amendment to a motion, the chairman shall decide in what order the amendments shall be taken.

(19) **CHAIRMAN TO DECIDE POINT OF ORDER, etc** (1) When any motion involving several points has been discussed, it shall be in the discretion of the Chairman to divide the motion and put each or any point separately to the vote as he may think fit.

(2) The Chairman shall decide any point of order which arises and his decision thereon shall be final.

(3) If any question of procedure arises in respect of a matter for which these rules make no provision, the Chairman shall decide the same and his decision shall be final.

(20) **MINUTES OF THE MEETINGS.** (1)A record of the proceedings of the meetings of the Council and its Committees shall be preserved in the form of the minutes.

(2) A copy of the minutes of each meeting of the council shall be submitted to Chairman within fifteen days of the meeting which shall be authenticated by him and shall then be sent to each member within thirty days of such authentication.

(3) The minutes of each meeting of the Council shall contain such motions and amendments as have been moved and adopted or negated with the names of movers and the seconders but without any record of comments or observations made by any member at the meeting.

(4) If any objection regarding the correctness of the minutes is received by the Secretary within fifteen days of dispatch of minutes, such objection together with the minutes as recorded and attested shall be put before the next meeting of Council for information and no question shall be raised except as to correctness of records of the meeting objections relating to typographic mistakes and inaccuracies of figures etc., may be disposed of suitably by the Secretary at his own level.

Provided that if no objection regarding a decision taken at a meeting is received within fifteen days of the dispatch by the Secretary, such decision may, if expedient, be put into effect before the confirmation of the minutes at the next meeting.

Provided further that the Chairman may direct that action be taken on any decision of the Council before the expiry of the period of fifteen days.

(5) The Minutes of the meetings of the Council shall as soon as practicable after their confirmation be printed in any appropriate form to be decided by the Chairman and shall be preserved permanently.

(21) **REPORT OF COMMITTEES:** The Convener of a Committee appointed by the Council under section 9 of the Ordinance shall submit the report of the Committee to the Council.

(22) **REGISTRATION OF DISABLED PERSONS.** (1) Any disabled person desirous of being employed or otherwise rehabilitated may apply for registration with the Employment Exchange of the area in form NCRDP-I (in triplicate).

(2) Every Employment Exchange shall keep a register in Form NCRDP-II for registering the names, addresses, qualifications and other particulars of disabled persons who apply for registration under sub-rule (1).

(3) The Employment Exchange shall, after registration issue its Card in Form X-10 (DP) to the registered disabled persons.

(4) The Employment Exchange shall send a duplicate copy of Form NCRDP-II on fortnightly basis to the Assistant Director concerned.

(23) **ASSESSMENT OF DISABLED PERSONS:** (1) The Assistant Director shall fix a date for the meeting of the Board in consultation with the Medical Superintendent, District Headquarters Hospital/ Chairman of the Board and notify the disabled persons concerned to appear before the Board at the time and date specified by him.

(2) The Board shall, after examining each disabled person, record its Assessment on Form NCRDP-III which shall be authenticated by each member of the Board participating in the meeting.

(3) The Assistant Director shall forward on copy each of Authenticated Form NCRDP-III to the Manager and one copy each of Form NCRDP-II & III to the Secretary of the Council as soon as practicable after the meeting of the Board.

(4) The Secretary shall place the report of the Board before an Assessing Committee of the Council which shall, after considering whether or not a disabled person is fit to work, make its recommendations in terms of sub-section (3) or (4) of section 12 of the Ordinance, as the case may be, within five weeks of the receipt of the report from the Board and shall forward a copy of the said recommendations to the Council and to the Manager Concerned.

(5) The Manager shall make necessary endorsement against the name of each registered disabled persons in Form NCRDP-II in accordance with the recommendations of the Assessing Committee of the Council and shall forward an authenticated copy thereof to the Assistant Director.

(24) **EMPLOYMENT OF DISABLED PERSONS:**(1) Every establishment shall furnish to the Manager and Assistant Director concerned in the first week of each quarter of the year a statement in form NCRDP-IV in duplicate indicating the total number of persons employed on the last day, of the preceding quarter total number of disabled persons employed on that day, total number of disabled persons required to be employed on the basis of 1% quota of the total employees of the establishment and the number of vacancies / occupations against which disabled persons could be employed by it.(2) After the receipt of the statement from any establishment the Manager shall scrutinize the same and investigate with regard to the particulars given in such statement, if necessary and forward a copy of his report verifying the particulars given in the statement to the Assistant Director concerned.(3) The Manager shall send to the establishment a panel of disabled persons selected from amongst the persons registered in the register (NCRDP-II) against whose names there exists an endorsement to the effect that they are fit to work. The Manager shall refer each one of them on a Form (NCRDP-V) to the establishment where a vacancy exists keeping in view the qualification / experience required for such vacancy and shall also send a copy of the same to the Assistant Director.(4) Where any establishment employs the disabled persons referred by the Manager, it shall inform the Manager of such employment on a Form NCRDP-V. After the receipt of such information from the establishment, the Manager shall make suitable entries on the statement (NCRDP-IV) and also send a copy thereof to the Assistant Director concerned. The Manager shall also strike the name of the disabled person so employed from the register (NCRDP-II).(5) In the event of the establishment not employing a disabled person in accordance

with recommendations of the Manager, it shall send a report to this effect together with the reasons for non-compliance in Form NCRDP-V to the Assistant Director, with a copy thereof to the Manager.

(25) PAYMENT BY THE ESTABLISHMENT IN TO THE FUND: (1)

Where an establishment does not comply with the provision of Section 10 of the Ordinance, the Assistant Director shall send a notice by registered post in Form NCRDP-VI to the Principal Officer of such establishment and require him to pay into “Disabled Persons Rehabilitation Fund “each month the sum of money. it would have paid as salary or wages to a disabled person.(2)The establishment shall thereupon pay the sum due by the third of each month either through a bank draft or a crossed cheque payable to the Council by remitting the same to the Assistant Director.(3)The Assistant Director shall transmit by the seventh of each month all such bank draft or cross cheques to the Secretary of the Council duly entered in a consolidated statement in Form NCRDP-VII showing also the name and address of the Principal Officer of each establishment who has failed to pay any sum due from it till that date.(4)The Assistant Director shall cause a notice in Form NCRDP-VII to be sent to the Principal Officer of each establishment under his own signatures requiring him to pay any or all the sums due to the fund within 30 days from the date of dispatch of such notice and to show cause within the same period as to why penalty contemplated by Section 20 of the Ordinance may not be imposed upon him .A copy of the same shall also be forwarded to the Secretary of the Council.

(5) The reply to the show case notice, if any, furnished by the Principal Officer shall be communicated by the Assistant Director with his comments to the Chairman for consideration and his decision thereon, shall be communicated to the Principal Officer within 7 days from the date of such decision in Form NCRDP-IX with a copy endorsed to the Assistant Director. The decision of the Chairman shall be final.

(6) In case no reply to the show Cause Notice has been received from the principal Officer of an establishment within the stipulated period or in case of failure of such Principal Officer to make payment of sums due within 7 days from the communication of the final decision of the Chairman, the Assistant Director shall make a complaint on Form NCRDP-X to the competent court of the area in whose jurisdiction such establishment is

situated and shall endorse a copy thereof to the Secretary of the Council.

(26) REHABILITATION OF DISABLED PERSONS NOT FIT TO WORK:

(1) The Assistant Director shall prepare a list of disabled persons declared by the Assessing Committee of the Council as “Not fit for work” and shall place it before a Rehabilitation Committee to be constituted by the Council for consideration.

(2) The Rehabilitation Committee shall take into account the disability, age, education training, marital status and number of dependent family members of each disabled person and take suitable measures of his rehabilitation.

Provided that the Council may prescribe a standard, uniform measure of rehabilitation for all the disabled persons falling into a particular disability group, age limit, education / trade level or marital status.

(3) The Assistant Director shall take appropriate steps to implement the decision in respect of each disabled person.

(27) TRAINING OF DISABLED PERSONS: (1) The Assistant Director shall place a list of all disabled persons for whom training in different trades and vocations has been recommended by the Assessing Committee before a Training Committee to be constituted by the Council for consideration.

(2) The Training Committee shall consider the level, nature and duration of training recommended for different disabled persons and shall determine the Polytechnic Institute, Technical Training Center, Government Vocational Training Institute, Apprenticeship Training Centre of the Provincial Government, Crash or any other Training Programme of the Federal Government or a recognized private Technical Training Institute in which on the terms and conditions on which such training may be imparted.

(3) The Assistant Director shall take appropriate steps to implement the decision of the Training Committee in each case and shall, inter alia, approach the various authorities of the Provincial / Federal Government and the management of the recognized private Technical Training Institute, as the case may be, for this purpose.

(28) ESTABLISHMENT OF TRAINING CENTRES BY THE COUNCIL:

(1) The Council may establish Training Centre for such trade / vocations as are deemed necessary.

(2) The Council may arrange training for Disabled Persons in a trade or vocation at any appropriate institute.

(3) The Council may allow a stipend to be paid to each registered disabled persons receiving training in a trade or vocation on the recommendation of Training Committee for such period and on such terms and conditions as may be determined by it.

(29) FINANCIAL ASSISTANCE TO DISBALED PERSONS: (1) The Council may provide financial assistance to disabled persons who have been declared by the Assessing Committee to be not fit for work and such assistance shall be subject to such terms and conditions as the Council may determine.

(2) The Council may disburse financial assistance to voluntary organizations engaged in the welfare of disabled persons on such terms and conditions as it may determine.

(30) PROVISION OF PROTHESIS TO DISABLED PERSONS:(1) The Council may, on the basis of the report of the Assessing Committee, provide prosthesis to the disabled persons on such terms and conditions as it may determine.

(2) The Council may on the basis of the report of its Assessing Committee provide surgical therapy or medical treatment to a disabled person on such terms and conditions as it may determine.

(3) The Council may at any appropriate time after the supply of prosthesis, surgical therapy and medical treatment to a disabled person, direct the Board to re-examine the functional disability of the disabled person and make suitable recommendations in that behalf.

(31) FINANCE AND ACCOUNTS: (1) The Council shall maintain its funds in the National Bank of Pakistan.

(2) All funds of the Council shall be paid into the Council's Account only.

(3) The funds of the Council shall be utilized for the purposes specified in the Ordinance and for meeting such expenditures as may be necessary in connection with the salary and allowances of the staff and for other contingency items.

(4) Monthly account shall be compiled in the classified abstract according to the appropriations and suitable secondary units may be opened at the discretion of the Secretary who shall be responsible for the due preparation and maintenance of all accounts.

(5) All cheques drawn on the fund shall be signed by the Chairman and the Secretary.

The Chairman may, in his discretion, authorize any other member of the Council to sign the cheques on his behalf.

(6) The cheque books shall remain in the personal custody of the Secretary.

(7) The Secretary shall be the countersigning officer in respect of traveling, daily and other allowances to members, officers and staff of the Council and the Chairman shall be the countersigning officer in respect of the Secretary.

(32) **ESTIMATES OF RECEIPTS & EXPENDITURES:** (1) The financial year of the Council shall be from the 1st July to the 30th June.

(2) The Secretary shall prepare detailed estimates of the receipts and expenditures for the next financial years and shall submit the same for approval at the meeting to be held for the purpose and for sanction by the Council.

(3) The funds of the Council shall not be appropriated to expenditure on any item which has not been sanctioned by the Council.

(4) The Chairman may re-appropriate funds from one unit of appropriation to another within the total sanctioned estimates and the copies of the orders of sanctions of such re-appropriation by the Chairman shall be placed before the Council.

(5) The Chairman may sanction cash expenditure of an amount not exceeding two thousand five hundred rupees in each case, and the Secretary may sanction expenditure of a contingent nature of an amount not exceeding five hundred rupees.

(6) A permanent grant of two thousand rupees as imprest amount shall be made to the Secretary.

(33) **REGISTERED TO BE KEPT BY THE COUNCIL:** The council shall keep the following accounts and registered, namely:-

(1) Cash Books

(2) A classified abstract

- (3) A Register of Funds Received
- (4) A Register of Stock and Furniture
- (5) A Register of leave account
- (6) A Register of Provident Fund Contribution

(34) **AUDIT:** (1) The accounts of the Council shall be audited by the Auditor General of Pakistan.

(2) The Audit report shall be placed by the Secretary before the Council for consideration.

(35) **RELAXATION:** The Provincial Government may by general or special order, relax the operation of any rules in any case of hardship to a disabled person.

BY THE ORDER OF THE GOVERNOR, PUNJAB

Lahore, dated the
9th April, 1989.S

(DR. SAFDAR MEHMOOD)
SECRETARY TO THE GOVERNMENT OF THE PUNJAB
SOCIAL WELFARE & ZAKAT DEPTT.

No.US (SW&ZU) 7-15/84-P-II

Dated 9th April, 1989

A copy is forwarded for information & necessary action to:-

1. All Administrative Secretaries to Government of the Punjab.
2. Secretary to Governor, Punjab.
3. Secretary to Chief Minister, Punjab.
4. All Head of attached Departments in the Punjab.
5. All Regional Heads of the Departments in the Punjab.
6. All Commissioners of Division in the Punjab.
7. All Deputy Commissioners in the Punjab.
8. All District & Session Judges in the Punjab.
9. The Secretary, Punjab Public Services Commission Lahore.
10. The Registrar, Lahore High Court, Lahore.
11. The Chairman, Chief Minister's Inspection team, Punjab.
12. The Secretary, Provincial Council Punjab, Lahore.
13. Superintendent, Government Printing Press Punjab, Lahore with the request that the above notification may be published in an extraordinary issue of the Punjab Gazette. 1000 printed copies may be supplied to undersigned.
14. Private Secretaries to Chief Secretary / Additional Chief Secretary SGA&I Department, Punjab.
15. All Deputy Directors, Social Welfare in Punjab

SD/-

ASGHAR HUSSAIN GILANI
DEPUTY SECRETARY (SOCIAL WELFARE)
