

**UT Administration of Dadra & Nagar Haveli and Daman and Diu,**  
**Social Welfare Department,**  
**Collectorate,**  
**Dholar,**  
**Moti Daman.**

**Draft of Dadra & Nagar Haveli and Daman and Diu Rights of Persons with Disabilities**  
**Rules, 2021**

Whereas the Parliament enacted the Rights of Persons with Disabilities Act, 2016 (Central Act 49 of 2016) which received the President's assent on the 27<sup>th</sup> day of December 2016 and was subsequently published in the official Gazette of Central Government on the 28<sup>th</sup> day of December 2016;

Now, therefore the following draft of the Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021, which the UT Administration of Dadra & Nagar Haveli and Daman & Diu proposes to make in exercise of the powers conferred by sub-sections (1) and (2) of section 101 of the Rights of Persons with Disabilities Act, 2016 (central Act 49 of 2016) is hereby published (to be uploaded on Dadra & Nagar Haveli and Daman & Diu NIC website) 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 30 days from the date on which this draft is made available to the public;

Objections and suggestions, if any may be addressed to The Deputy Secretary (Social Welfare), Social Welfare Department, 1<sup>st</sup> Floor, Collectorate campus, Dholar, Moti Daman or by e-mail: [sotsp-dmn-dd@nic.in](mailto:sotsp-dmn-dd@nic.in) within 30 days from the date of publication.

The objections and suggestions which may be received from any person/government offices/institutions with respect to the said draft rules before the expiry of the period specified above will be considered by the UT Administration.

*Jatini Singh*

Deputy Secretary(SW/WCD)  
Dadra & Nagar Haveli and Daman & Diu  
Daman.

No. RPWD / 2021-22 / 16

Date: 15/04/2021

## **CHAPTER-I**

### **PRELIMINARY**

- 1. Short title, extent and commencement:-** (1) These rules may be called the Dadra & Nagar Haveli and Daman & Diu Rights of Persons with Disabilities Rules, 2021.  
(2) They extend to the whole of Union Territory of Dadra & Nagar Haveli and Daman & Diu.  
(3) They shall come into force from the date of their publication in the Official Gazette.
  
- 2. Definitions :-** (1) In these rules, unless the context otherwise requires,-
  - (i) "Act" means the Rights of Persons with Disabilities Act, 2016 (49 of 2016);
  - (ii) "Central Government" means the Government of India;
  - (iii) "Certificate" means a certificate of disability issued by a certifying authority referred to in sub-section (1) of Section 57 of the Act;
  - (iv) "Certificate of registration" means a certificate of registration issued by the competent authority under Section 50 of the Act;
  - (v) "District Level Committee" means the District Level Committee constituted by the State Government under Section 72 of the Act and in terms of rule 33 of these rules;
  - (vi) "Form" means a form appended to these rules;
  - (vii) "UT Commissioner" means the UT Commissioner appointed by the UT Administration of Dadra & Nagar Haveli and Daman and Diu under Section 79 of the Act and in terms of Rule 51 of these rules;
  - (viii) "UT Administration" means the Union Territory Administration of Dadra & Nagar Haveli and Daman & Diu;(2) Words and expressions used herein and not defined but defined in the Act shall have the same 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) If the head of the Government establishment or a private establishment employing twenty or more persons receives a complaint from an aggrieved persons regarding discrimination on the ground of disability, he 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.