



GOVERNMENT OF SIKKIM
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT
GANGTOK.

No. *7/SJC/1008*

Dated the *25/11/13*

NOTIFICATION

Whereas the State Government has deemed it expedient and necessary to frame rules regulating the grant of award to a married couple in which either of the parties or both are disabled persons with the object to encourage normal persons to accept disabled person as a life partner and to assimilate the handicapped persons in the mainstream of society;

Now, therefore, the State Government is hereby pleased to make the following rules regulating the grant of award to a married couple in which either of the parties or both are disabled persons, namely:-

Short title and commencement

1. (1) These rules may be called the Sikkim Grant of Award for Marriages with Disabled Persons Rules, 2013.
(2) They shall come into force at once.
2. In these rules, unless the context otherwise requires:-
 - a) "Government" means Government of the State of Sikkim;
 - b) "Department" means the Social Justice, Empowerment and Welfare Department;
 - c) "Form" means the form appended to these rules;
 - d) "Disabled Persons", means a person having the following categories of disabilities;
 - (i) Visual Impairment;
 - (ii) Low vision;
 - (iii) Leprosy-cured;
 - (iv) Hearing impairment;
 - (v) Locomotor disability;
 - (vi) Mental retardation;
 - (vii) Mental illness;
 - e) "Local resident" means a person belonging to either Bhutia, Lepcha or Nepali Community possessing Sikkim Subject Certificate or Certificate of Identification;

- f) "Marriage Couple", means a couple in which either one or both The married partners are disabled with a minimum of 40% disability and who belongs to Below Poverty Line;
- g) "Marriage Certificate", means a certificate issued by Registrar/Sub-Registrar appointed for the purpose by the Government showing that a marriage has been registered in his Office;
- h) "Medical Certificate", means a certificate issued by The Competent Authority constituted by the State Government from time to time;
- i) "Medical Authority" means District Hospital, Community Health Center, Primary Health Center under State Government and other hospitals run by statutory local bodies.
- j) "Secretary" means the Secretary of the Social Justice Empowerment and Welfare Department;

Grant of Award

3. The grant of award payable to each couple shall be such as may be notified by the Government from time to time.

Selection Committee

4. There shall be a Selection Committee for the purpose of selection of the beneficiaries consisting of the following members, namely:-

- (1) Secretary/ Social Justice Empowerment and Welfare Department - Chairperson;
- (2) Joint Secretary, Social Welfare Division - Member;
- (3) Social Welfare Officer/ Social Welfare Division - Member;
- (4) The Committee may Co-opt any other members if deem necessary.

Conditions of a Eligibility for grant of award

5 (1) The applicant or his spouse should be in possession of Certificate issued by the Medical Authority constituted by the Health Care, Human Services and Family Welfare Department.

Cessation of grant of award

- 6 (1) The grant of award for marriages with disabled persons shall be ceased from the date of the death of the beneficiary. The amount due up to the corresponding month of death shall be paid to the immediate members of the beneficiary .
- (2) In case of permanent migration of the beneficiary outside Sikkim, the grant of award shall cease to be payable from the date of his/her migration. In such event the family/ Panchayat of the beneficiary shall inform to the Department.
- (3) If the beneficiary enters into re-marriage and in the event of death or divorce of his/her spouse, no grant of award for the second marriage shall be admissible.

Authority competent to sanction grant of award

7. The Authority Competent to sanction grant of award shall be the Secretary, Social Justice, Empowerment and Welfare Department.

Procedure for Application

- 8.(1) The application for grant of award for Marriage with Disabled Person should be submitted to the Secretary through the respective Gram Vikash Adhikari. The application shall be signed by both the wife and the husband and shall be accompanied by the following documents namely:-(a) marriage certificate, (b) medical certificate (c) certificate issued by the Gram Vikash Adhikari stating that both the husband and wife are living together for more than 2 (two) years.
- (2) Application for grant of award shall be made in the Form appended to these rules which can be obtained free of cost and submitted, along with 3 (three) passport size photographs, Sikkim Subject Certificate or Certificate of Identification, Below Poverty Line Certificate and medical certificate duly attested for the same.

Procedure for selection of beneficiary

- 9 (1) On receipt of the application in the prescribed Form, the Committee shall scrutinize the age, Sikkim Subject Certificate/or Certificate of Identification, Below Poverty Line Certificate, Marriage Certificate and Medical Certificate etc. and after scrutinization of the complete documents, approval shall be accorded by the Secretary;
- (2) A copy of the order for the grant of award shall be endorsed to the District Collector, Sub-Division Magistrate, Gram Vikash Adhikari and Panchayat where the applicant actually resides and the applicant himself/herself;

Payment of grant of award

- 10 (1) The Secretary shall be the Competent Authority to make the payment of grant of award;
- (2) The grant of award shall be disbursed to the beneficiary through Direct Benefit Transfer or any other means the Competent Authority decides from time to time;
- (3) Each beneficiary shall submit "Life Certificate" in the prescribed format in the month of November every year failing which, it will be presumed that the beneficiary is either dead or migrated outside Sikkim and the Payment of grant of award or pension shall be stopped forthwith without further notice;
- (4) The details of the grant of award /maintenance of accounts etc. shall be maintained by the Department;

Verification

11. The concerned officer of the Department shall make tour to village to verify the continued existence of the beneficiary and other relevant particulars.

Intimation of death of beneficiary

12 In the event of death of the beneficiary, the family member/Panchyat shall make report and also surrender the passbook to the Department, immediately.

Penalty

13 The Sanctioning Authority shall have the right to recover payments made on the basis of false or mistaken information, if any, about eligibility and death of beneficiaries.

By order and in the name of the Governor

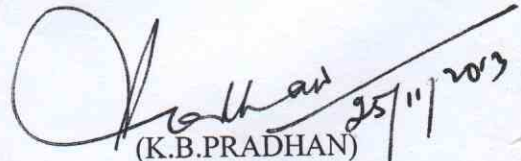
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G.P. UPADHYAYA, IAS
(Principal Secretary)

Social Justice, Empowerment and Welfare Department

Copy for information to:-

1. The Principal Secretary to Hon'ble Governor
2. The Principal Secretary to Hon'ble Chief Minister
3. All Secretaries /Head of the Department
4. Secretary, IPR- for publication in Sikkim Herald and other selected local papers in two consecutive issues for wide publicity
5. District Collectors, (East, West, South and North)
6. Joint Secretary, Home Department – for publication in Official Gazette
7. P.S. to Hon'ble Speaker, Sikkim Legislative Assembly
8. P.S. to Hon'ble Deputy Speaker, Sikkim Legislative Assembly
9. P.S. to Hon'ble Ministers,
10. P.S. to all Hon'ble Chairmen/ chairpersons
11. Principal P.s. to the Chief Secretary
12. All sub-Divisional Magistrates
- 13 All Gram Vikash Adikari –for information of Panchayat concerned within the jurisdiction
14. All Officers in the Department
15. Notice Board
16. File
17. Guard file
18. Guard File


(K.B.PRADHAN) 25/11/2013

JOINT SECRETARY
(SOCIAL WELFARE DIVISION)
SOCIAL JUSTICE, EMPOWERMENT AND WELFARE DEPARTMENT
FILE NO. GOS/SJE&WD /2013/6(7)