CHHATTISGRH NIJI NIYOJAN ABHIKARAN (VINIYMAN) NIYAM, 2014

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2. RULES Short title, extent and commencement.— (1) These rules may be called the Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014. (2) These rules shall be applicable in the whole State of Chhattisgarh. (3) These rules shall come into force from the date of its publication in the Official Gazette. Definitions.— (1) In these rules, unless the context otherwise requires,- (a) "Act" means the Chhattisgarh Private Placement Agencies (Regulation) Act, 2013 (No. 23 of 2013); (b) "Agency" means a Private Placement Agency as defined under clause (h) of Section 2 of the Act; (c) "Appellate Authority" means the Principal Secretary, Department of Home, Government of Chhattisgarh; 2' 2014 924 (23) 3. (d) "Authorized Officer" means any officer authorized by the Controlling Authority; (e) "Controlling Authority" means the District Magistrate of the concerned district; (f) "Form" means Forms appended to these rules; (g) "Licensing Authority" means an officer or authority empowered to grant or renew licenses under these rules; (h) "Licensee" means the agency to which license has been granted under the Act. (2) Words and expressions used in these rules but not defined shall have the sa_me meaning as assigned to them in the Act. Manner of making application for grant and renewal of license.- (1) Every application by a_n Agency for .the grant of a license under sub-section (1) of Section 5 of the Act shall be made to the Controlling Authority in

Form-I. (2) Every application referred to in sub-rule (1) shall be submitted alongwith fee, in the form of crossed bank draft/ demand draft or banker's cheque payable to the Controlling Authority, as under:- (a) If the Private Placement Agency is operating in one district, then agency has to furnish fee of rupees five thousand along with bank guarantee of rupees one lakh; (b) If the Private Placement Agency is operating in more than one district but not exceeding five districts, then agency has to furnish fee of rupees five thousand along with bank guarantee of rupees one lakh; 924 (24) 21 4. (c) If Private Placement Agency is operating in the whole of the state, then the agency has to furnish fee of rupees twenty five thousand along with bank guarantee of rupees one lakh; (3) Every application referred to in sub-rule (l) shall be either delivered personally to the Controlling Authority or through a representative. (4) On receipt of the application referred to in sub-rule the Controlling Authority shall after noting the date of receipt of the application, provide an acknowledgement to the applicant Verification of character and antecedents of the applicant. (1) Every applicant while making an application to the Controlling Authority for issue of fresh license or renewal shall enclose with the application Form-hl for verification of its antecedents. In case, the applicant is a company or a firm, separate Form-II for every proprietor, majority shareholder, partner or director, as the case may be, shall be enclosed, as if they are also the applicants. (2) On receipt of the application the Controlling Authority or Authorized Officer may, for verification of the contents of the application, forward it to the Superintendent of Police of the concerned district where the agency intends to .-commence its activities and make such inquiiy as he considers necessary for verification of particulars - of the app!icant. (3) After •verification, the Contr.olling Authority or any. Officer Authorized. by:him shall obtain:- (a) No Objeetion Certificate from the concerned Superintendent of Police; 21 924 (23) 5. (b) The verification report shall be prepared by SupenntenaeiiL of Police, in which particulars of the applica_nt and every person in whose name the antecedent form is filled up. (4) The Superintendent of Police of the concerned police district shall furnish the no objection certificåte within thirty days of receipt of the application to the Controlling Authority or any other Authorized Officer for the said purpose. (5) The Superintendent of Police shall also furnish the verification report within thirty days Of receipt of the application to the Controlling Authority or the Authorized. Officer containing the following information, namely: — (a) •Whether the applicant is/ was indulged in activities which are prejudicial to national security or public order and if so, details thereof, (b) Whether the applicant earlier operated any agency either individually or in a partnership and if so the details thereof; and (c) Whether the applicant possesses any special qualificatiöfi skill which may be considered to be facilitatigg thé operations of the agency. Verification of character- apd• antece«ents of the domestic worker.— (l) No „,,.prrsop shall be employed or engaged as a domestic worker by the egency unless he fulfills the conditions specified in spGtion 7 of the Act and the agency is satisfied about the character and antecedents of such person in the following manner, namely:- 924 (26) 2014 (a) After verification of the character and antecedent by Itsen; (b) After verification of the character and antecedent certificate produced by the person: Provided that the certificate is valid and the agency has no adverse report regarding his character and antecedent from any other sources; (c) After receiving the character and antecedent report from the Superintendent of Police. (2) A person seeking employment as domestic worker shall submit the information in •Form-III to the agency and in case the person has stayed in more than one district during the last five years then separate forms shall be submitted for each district. (3) The agency may make an enquiry for verifying the particulars of the person seeking employment as domestic worker, either by itself or by the Authorized Officer for this purpose or may forward Form-Ill to the concerned Superintendent of Police, as the case may be. nerson shall deposit the verification charges as prescribed (4) The in sub-rule (9) in Of each individual case for verification of to the concerned Superintendent of character and antecedenuä' Police or the Authorized OffiCer foi (5) The concerned Superintendent of Pö_lice or the Authorized Officer fpr this purpose, for establishing the identity and for verifying the character and antecédents of the person may make such inquiries from the -respectable residents within tl.he locality 2014 and the District Police Headquarters and by residence, as he rnay consider necessary. 924 (27) (6) The concerned Superintendent. • of Police or the Authorized Officer for this purpose shall furnish the character and a_ntecedent verification report within thirty days of receipt of the Form-III to the designated officer of the agency, containing the following information, namely: (a) The comments of the police on the particulars filled by the person in Form-111; 'b) A general report about other activities including his means of liveiihood during the period of verification; - the criminal investigation or (c) Disclosure about proceedings, registered or commenced or

pending or disposed of at any point of time; (d) Regarding his conviction, if any, in criminal offencC punishable with imprisonment; (e) Whether the engagement or employment of the person under verification by the agency will pose a threat to national security or not. (7) The character and antecedent verification report shall be mavked as confidential and forwarded in the sealed cover and shall remain valid for three years from the date of verification. (8) On the basis of the character and antecedent verification report submitted by the concerned police station or the Suoerintendent of Police of the concerned district or the 924 (28) 2014 6. Authorized Officer for this purpose or of the agency Itseu, agency shall issue a character certificate to the person in Form- I V, which shall not be taken 'back even if the person ceases to be part of the agency. (9) A fee of rupees two hundred and fifty shall be payable to the concerned Superintendent of Police or the Authorized Officer for this purpose, by way of cash or bank draft, for verifying the character and antecedents of a person to be employed by an Agency as domestic worker. Grant of licence.' (l) The Controlling Authority, after receiving a report from the Authorized Officer on the application received under sub-rule (1) of rule after completing all the formalities and satisfying itself about the suitability of the applicant and also the need for ganting license for the area of operation applied for, shali grant a license to the private placement agency in Form-V: Provided that the Controlling Authority either by itself or through the Authorized Officer may verify the training and skills imparted to the private security guard, domestic workers and supervisors of any Private Placement Agency; (2) Thc Controlling Authority may, after making such inquiries as it considers necessary and after obtaining no objection certificate from Che concerned police authority, by order in 'writing either grant or refuSe to grant the license within a period of sixty days from the •date Of' feceipt of application with cöffipltte particulars and the fees: 2 1 2014 924 (29) 7. Provided that when the Controlling Authority does not agree with the no objection certificate issued from the concerned police authority, he would briefly record the reasons of his disagreement and place the matter before the Government and proceed to grant or refuse to grant the license as per decision of the Government: Provided further that if the Coritrolling Authority decides to grant a license then he shall- grant license in Form-V. The license shall be valid for a period of 5 years unless the same is cancelled by the Controlling Authority under sub-section (l) of section 6 of the Act. (3)The Controlling Authority may review the continuation of license of such Private Placem(•nt Agency, which did not adhered to the conditions of ensuring the required training. (4) The Controlling Authority shall not refuse the license unless the applicant has been given a reasonable opportunity of being heard and the ground on which license is refused is mentioned in the order. (5)The Agency shall not use in its name the words like "Indian", "National" or any other such words, which give the impression of any Government patronage. Conditions for grant of license.— (1) The Licensee shall intimate the name, name of parent; date of birth, permanent address, Address for correspondence and the principle profession of each person forming the Agency within fifteen days of receipt of the license to the Controlling Authority. 924 (30) 2014 8. 9. (2) The licensee shall inform the Controlling Authority regarding any change in the address of persons forming the Agency and management within seven days of such change. (3) The licensee shall immediately intimate the Controlling Authority about any criminal charge framed against the persons forming the Agency or the supervisor engaged or employed by the Agency, in the course of their performance of duties as private security agency. A copy of such communication shall also be sent to the officer in charge of the police station, where the accused person resides. (4) Save as provided in these rules, the fees paid for the grant of license shall be non-refundable, Renewal of license.— (1) Every Agency shall apply to the Controlling Authority for renewal of the license within period of 90 days from the date of expiry of license. (2) The Controlling Authority may renew a license up to a further period of five years. (3) Thé fees chargeable for renewal of the license shall be same fee as applicable for the grant of license. Conditions for renewal of license.— (1) The renewal of the license shall be granted subject to the following conditions, namely:- (a) The applicant continues to maintain his principal place of business in the_jurisdiction df the Controlling Authority. 21 2014 (b) The applicant continues to adhere to the license conditions; (c) The police have no objection to the renewal of the license of the applicant; for renewal of license shall also be in Form-I. IO. Suspension or cancellation of licenses.- (1) No license granted under this Act shall be cancelled or suspended until the licensee has been given a reasonable opportunity of being heard after giving due service of show cause as to why his license should not be cancelled or suspended, as the case may be; (2) No such opportunity of being heard shall be necessa_ry on temporary suspension of license, when license is suspended temporarily pending an enquiry against the

licensee for contravention of sub-section (1) of Section 8 of the Act or any order made there under or of any of the conditions of the license granted to him

11. Appeals and Procedure.- (1) Any person aggrieved by any order passed by the Controlling Authority refusing to grant a license, varying the conditions Of a license, suspending or revoking a license may prefer an appeal against the said order to Appellate Authority. (2) No appeal shall be entertained, unless it is submitted within a period of 90 days from the date of receiving a copy of the order: Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant has sufficient cause. for delay. 924 (32) 2014 (3) Every appeal under sub-section (l) of Section 7 of the Act shall be preferred in

Form-VI signed by the aggrieved person or his advocate to the Appellate Authority in person or sent by registered post

13. Identity card for domestic workers.- The Agency shall issue an identity card to every domestic worker in

Form-VIII, it shall contain a full-face colour-photo, name of the agency, name of the domestic worker, designation, identification number and the period of validity and the photo identity card shall be maintained upto date and any change in the particulars shall be entered therein and in a situation where an employee is no longer engaged or employed by the agency, the photo identity card issued to domestic worker/ supervisor shall be returned to the agency issuing it, once domestic workers is no longer engaged or employed by it. Bv ordCF ul*d in thc name of lhe erner of Chhattisgarh. D K. i UR . Deputy Secretary. 21 2014 Form-I (See rule 3) APPLICATION FOR NEW LICENCE/ RENEWAL OF LICNECE TO ENGAGE IN THE BUSINESS OF PRIVATE PLACEMENT AGENCY To The Controlling Authority The undersigned hereby applies for obtaining a license to run their business in the area of Private Placement Agencies: Full name of the applicant I. Nationality of the applicant 2. Son/ Daughter- / Wife Of 3, Residential Address 4. Address where. the applicant desires.to start •his Agency 5

6. Name of the.private placement Agency (NOTE ; Registration Number of the Agency also be indicated) Name and Address of Proprietor, Partner, Majority shareholder, 7, Director and Chairman of the Agency (NOTE: Nationality Of each partner, Majority Shareholder, Director and Chairman of the Agency be indicated) 8. *Name and extent of Facilities available Qualification of staff engaged for imparting instruction: 9. Na_me : Age : Designation IO. Particulars of the uniform including colour, in case the applicant intends to use any uniform for the private domestic work and supervisors of the Agency

11. Does the applicant intend to operate in more than one district? If so, please mention name of the districts - 1.2. 3. 4. 5. .9i4 (33) 924 (34) 12. 13. 21 2014 Does the applicant intend to operate in the entire state? (Yes, Does the applicant possess the training facility on its own or will get it on outsourcing basis? The details of training facility should be furnished (as annexure) Enclosure : Address of applicant Telephone number of the applicant Date of application r. Copy of current Income Tax Clearance Certificate 2. Affidavit as prescribed in sub-Section(2) of Section 7 thc Act 3. Other enclosures 21

Form-Il (See rule 4) Form for verification of Antecedents *Thumb Impression* of the Applicant Signature of the Applicant 924 (35) Recent Passport Size Photograph Attested By A Class-I Gazetted Officer Date For official use only Form Number Fee Amount Rs. Name ofr the station, sent for verification Cash/D.D. police police Name of Bank & Branch D.D.N0. Date of Issue Please read the instructions carefully before filling the form. Please fill in BLOCK LE?TERS: correct information. Furnishing of incorrect (Note: Please furnisxa ' material information in the form will information or suppression of as; render the candidate unsuitable for grant oi i.;cense) l. Name of applicant (Initials not allowed) First Name Middle Name Last Name 2. 3. 4. 5. 6. 7. 8, If you have ever changed your name, please indicate the previous name in full Sex (male/female) Qate of Birth Place of Birth: Village/ Town District State U Country Father's full name/ Legal Guardian's Full Narne (including surname, if any):(lnitials not allowed) Mother's full name (including surname, if any): (Initials not allowed) If Married. Full name of spouse (including surname, if not allowed) 924 (36) 2014 9. Present Residential Address including Street No. / Police Station, Village and code) Telephone District No. / Mobile No. Res. Email iD {with PIN Off. Fax IO. Please give the date from which applicant residing at the above- mentionéd address: DD/MM/YY I L Permanent Address including Street No. / Police Station, Village and District (with PIN code) 12. If you have not resided at the address given at column (9) continuously for the last five years, please furnish the other address (addresses) with duration (s) resided L You should furnish additional photocopies of this form for each additional place of stay during the last five years. Forms may be photocopied; but photograph and signature in original are required on each form. Address FtOtti 13. In Case stay abroad, particulars •of all places where you have resided for •more than one year after attaining the age of twenty-one years

14. Other Details: a) Educational Qualifications: b) Previous• positions held, - if any, employer(s).along with- name and address of c) Reason for leaving: last employment:- d) Visible Distinguishing Mark: 15. 16. 17. 18. 19. 2014 924 (37) e)' Have you ever been dismissed/ •removed from Government sei account of misconduct or moral turpitude? Did you earlier operated any Private Placement Agency or were its partner, majority share holder, or Director? [f yes, then furnish the name, address of the agency and its license particulars. Are you a citizen of India by: (Birth/ Descent/ Registration/ Naturalisation? If you have ever possessed any other citizenship, please indicate (the same). Have you, at any time, been convicted by a court in India for any offence and sentenced to imprisonment? [f so, give name of the court, case number, and offence.(Attach copy judgment) (a) Are any criminal proceedings pending against you before a court in India? If so, give name of court, case number, and offence (b) Have you been keeping links any organization or association which is banned under any law on account of their activities which pose threat to national security or public order? Self- Declaration: The infdrrnation given by me in this form and the enclosures is true & correct and I am solely responsible for its accuracy. (Signature/ Thumb Impression.' of applicant) Date: Place: 924 (38) 20. Enclosures : 2014 (Signature/ Thumb impression *of applicant) (*Left Hand Thumb Impression if Male and Right Hand thumb Impression if Female) FOR OFFICE USE ONLY : File No. Date of issue of C&A report (Signature of Police Station In-charge) Name of Police Station Name of Police District Note:- {i) Three passport-size photographs duly attested by G.O. photograph in respect of applicants. (ii) Proof of Age (iii) Certificate of incorporation issued by ROC, Sale Tax No. LiceriSe, Registration ülider ESI- ACt & EPF Act, 1952 (iv) Site Plan of office (v) Proof of residence of Applicants (vi).- Prescribéd, Fees on reverse of (ST-2), Labour (vii) NOC from landlord for carrying on trade of Placement Agency Business at the premises. 21 z-TiRa2014

Form-Ill (See rule 5) Form for verification of Character & Antecedents of Domestic Worker Thumb Impression of the Applicant . Signature of the Applicant . Fee Amount Rs.... 924 (39) For official use only Form number Name of Bank & Branch D.D. No. . Name of the police station sent for police verification Cash/D.D. . . Date of Issue . Date N.B. Please read the instructiori" carefully before filling the form. Please in BLOCK LEITERS. (Note: Please furnish correct inforrnation. Furnishing of incorrect information or suppression of any material information in the form will render the candidate unsuitable for employment/ engagement in private agencies.) l. Name of application (Initials not allowed) First Name , . . -Middle Name ....Last Name

2. If you have ever changed your name, please indicate the previous name (s) in full 3. Sex (male/ female)

4. Date of Birth

5. Place of Birth: Village/ Town State & Country . Distt.

6. Father's full name/ Legal Guardian's. Full Name (including surname, if not allowed) 7. Mother's full name (includirig surname if not allowed) 8. If married Full name of spouse (including surname if any):(lnitials not alloweä)..

9. Present Residential Address including Street No./ Police Station, Village and District (with PIN code) . Telephone No. / Mobile No. 924 (40) Off. . Email [D . 21 2014 Res. . . Fax. . i O. Please give the date from which applicant is residing at above- mentioned address: DD/MM/YY .....„/ I I . Pertnanent Address including Street No. / police Station, Village and District (with PIN code). ....

12. If you have not resided at the address given at column (9) continuously for the last five year, please furnish the other address with duration (s) resided. You should furnish additional photocopies of this forrn for each additional place of stay during the last five years. Forms may be photocopied, but photograph and signature in original are required on each from. Address From To 13. In case of abroad stay, particulars of all places where you have resided for more than one year after attaining the age of twenty-one years

14. Other Dctnilo: (a) Educational Qualifications: (b) Previous posts held along with name and address of employer (s) .(c) Reason (s) for leaving last employment." .... (d) Have you ever been dismissed/ removed from Government service on account of misconduct or moral turpitude? (Yes/ No) (e) Visible Distinguishing Mark : (f) Height (cms)

15. Are you working in Central Government/ State Sector Undertakings/Statutory Bodies (Yes/ No) Government/ Public

16. Are you citizen of India by: (Birth/ Descent/ Registration/ Naturalisation) If you have ever possessed any other citizenship. Please indicate previous citizenship? 17. (a) Have you, at any time, been convicted by a court in India for any offence & sentenced to imprisonment? [f so, give name of the cpurt, case 21 2014 (Signature/ T.I.* of applicant) 924 (41) number and offence. of (Attach judgment) copy (b) Are any criminal proceeding pending against you before a count in India? If so, give name of court, case number, and offence (c) Did any court issued a warrant or summons for appearance (as an accused) or warrant for arrest .or an order prohibiting your departure from so, offence... .....„..... India? give narne, case number and (d) Are you associated with any organizations or associatipn which is banned under any law on account of their activities which posts threat to national security or public order? 18. Self Declaration: The ilifortn•atiQb by: me Chis form and enclosures is true & correct •ant* solely respopeiVl? its Accuracy. (Signature/ T.I.* of applicant) (* Left Hand Thumb Impression if Male and Right Hand thumb Impression if Female) Date: . Place:

19. Particulars of person to be in the event of death or accident: Name . Address: Mobile/Te1.N0.

20. Enclosures: .... 924 (42) FOR OFFICE USE ONLY File No. . Pai* 2014 Date of issue of C&A report (Signature of Pohce Station In-charge) Name of Police Station .... Name of Police District Note :- (i) Three passport-size photographs (iii Proof of age (Birth certificate, School leaving Certificate, Matriculation Certificate) (iii) Proof of residence (iv)Trajning certificate 21 2014 Form-IV (See rule 5) CHARACTER & ANTECEDENT CERTIFICATE This is to certify that' Mr. / Ms. Shri whose particulars are -given below, has good moral character and reputation and that the applicant has been staying at the following address continuously for the last one year. Date of Birth : Place of Birth :

Educational Qualification : .... „ Profession: Present Address: Permanent Address: Issuing Authority . Signature: . Name Designation Address/ Tel. No. Date of Issue 924 (43) 924 (44) Serial . Date Shri/Smt./Ku.,... granted the license by Placement agency in the Place of Issue .... Date of Issue . This license is valid upto . This license is renewed upto ...,.. Signature Name of Renewal Authority Designation Official address Date of renewa_l 21 21314 Form-V (See rule 6) LICENCE- TO ENGAGE IN BUSINESS OF PRIVATE PLACEMENT AGENCY . (Name of The Applicant) . (full address) the Controlling Authority for the State of ....to run the business of private district(s) of/ State of (cancel the inapplicable with office at .....(address of the office) Signature Name of Granting Authority Designation Official Address 924 (45) Form-VI (See rule 11) FORM FOR APPEAL An appeal under Rule 1 1 of the Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014 against the order of the Controlling Authority Appellant Age Rio Above appeal is presented to the Principal Secretary/ Secretary (Home) against the order dated of the Controlling Authority refusing to grant/ renew license to run Private Placement Agency on the following grounds, namely:- 1. 2. 3

4. Enclosed list of documents Signature Name, Designation & Address of the Appellant Dxte Place 924 (46) S. No. 1 S.N0 1 S.No. S.No. 2014

Form- vn (See rule 12) REGISTER OF PARTICULARS (Part-I Management details) Name of Person(s) managing the agency Parent's/ Father' s Name Presen t address & phone no Permanent address Nationality Date of joining/ leaving the agency (Part-II Private Security Guards and Supervisor) Name of guard/ superv- sor Father's Present Name Address phone no. Date of joining/ leaving the gg_enqy_ Permanent photo Address graph Badge Salary with no. date Name of the Customer & phone (Part-III Customers) of Date of Number Date and ranks commencement discontinuation Address of the place where domestic work is rovided Address of domestic worker provided of Services no. Name the private (Part-IV Duty •Roster) of Whether Date and time of commencement of du ty of services Date and time of ending of duty domestic worker / su ervlsor of the provided place of with any arms/ ammunition 924 (47) Form- vm (See rule 13) PHOTO-IDENTITY CARD FOR PRIVATE DOMESTIC WORKER/ SUPERVISOR Name of the Priva te Placement Agency Photograph Of The Holder Duly Attested By The Issuing Authori Name of the Private Domestic Worker/ Supervisor Official Designation Identification no: of the domestic worker/ Supervisor Date of Issue Valid upto Signature of the cardholder Signature of the issuing Au thority Official Designation - 2014.