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NOTIFICATION

No. B.11014/1/2015-HM (PPA), the 21st June, 2017. In exercise of the powers conferred by sub-section (1) of section 12 of the Mizoram Private Placement Agencies (Regulation) Act, 2015 (Act No. 15 of 2015), the Governor of Mizoram is pleased to make the following rules, namely:-

1. Short title, extent and commencement :

- (1) These rules may be called the Mizoram Private Placement Agencies (Regulation) Rules, 2017.
- (2) These rules shall apply to the whole of Mizoram.
- (3) These rules shall come into force from the date of publication in the Official Gazette.

2. Definition :

- (1) In this Act, unless the context otherwise requires,-
 - (a) "Act" means the Mizoram Private Placement Agencies (Regulation) Act, 2015 (Act No. 15 of 2015);
 - (b) "Appellate Authority" means the Secretary, Government of Mizoram, Home Department;
 - (c) "Form" means forms appended to these rules;
 - (d) "Licence" means the agency to which licence has been granted under the Act;
- (2) Words and expressions used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. Manner of making application for Grant and Renewal of Licence :

- (1) Every application by an Agency for the grant of a licence under sub-section (1) of section 5 of the Act shall be made to the Controlling Authority in Form — 1.
- (2) Every application referred to in sub-rule (1) shall be submitted along with fee as prescribed under sub-section (1) of Section 5 of the Act, in the form of crossed bank draft/demand draft or banker's cheque payable to the Controlling Authority.
- (3) Every application referred to in sub-rule (1) shall be either delivered personally to the Controlling Authority or through a representative.
- (4) On receipt of the application referred to in sub-rule (1), the Controlling Authority shall after noting the date of receipt of the application, provide an acknowledgment to the applicant.

4. Verification of character and antecedents for the applicant:

- (1) Every applicant while making an application to the Controlling Authority for issue of fresh licence or renewal shall enclose with the Application Form-II for verification of his/her

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 applicant.

- (2) On receipt of the application, the Controlling Authority 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 run his/her business and make such inquiry as he/she considers necessary for verification of particulars of the applicant.
- (3) After verification, the Controlling Authority shall obtain:-
 - (a) No Objection Certificate from the concerned District Superintendent of Police;
 - (b) The Verification report shall be prepared by concerned District Superintendent of Police, in which particulars of the applicant and every person in whose name the antecedent form is filled up.
- (4) The Superintendent of Police of the District concerned may furnish the No Objection Certificate within thirty days of receipt of the application to the Controlling Authority for the said purpose.

Provided that if the applicant is from outside the State, a period of ninety days shall be extended for issue of No Objection or Objection Certificate;

Provided further that the Controlling Authority may, for sufficient reasons, grant further extension of ten days for applicant within the State and twenty days for applicant outside the State.
- (5) The concerned District 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 indulging/has indulged in activities which are prejudicial to national security or public order and if so, details thereof; and
 - (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 qualification or skills which may be considered to be facilitating the operations of the agency.
- (6) The Controlling Authority shall refuse to grant any license after the lapse of the prescribed period under rule 4.
- (7) Where the Controlling Authority refuses to grant a license to any applicant, it shall record in writing the reasons for such refusal and furnish to that applicant on demand, a brief statement of the same.

5. Verification of character and antecedents of the applicant for domestic worker .-

- (1) No person shall be employed or engaged as a domestic worker by the agency unless he fulfils the conditions specified in rule 7 and 8 and the agency is satisfied about the character and antecedents of such person 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, he/she shall submit details thereof
- (3) The person shall deposit the verification charges as prescribed in sub-rule (8) in respect of each individual case for verification of character and antecedents to the concerned District Superintendent of Police for this purpose.
- (4) The concerned District Superintendent of Police for this purpose, for establishing the identity and for verifying the character and antecedents of the person may make such inquiries from the respectable residents within the locality and the District Police Headquarters and by residence, as he may consider necessary.

- (5) The concerned District Superintendent of Police for this purpose shall furnish verification report of the character and antecedent 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 particular filled by the person in Form-III;
 - (b) A general report about other activities including his/her means of livelihood during the period of verification;
 - (c) Disclosure about the criminal investigation or proceedings, registered or commenced or pending of disposal of at any point of time;
 - (d) Regarding his/her conviction, if any, in criminal offence 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.
- (6) The character and antecedent verification report shall be marked as confidential and forwarded in the sealed cover and shall remain valid for three years from the date of verification.

Provided that if his/her current employer request for disclosure of the report, the Agency concerned may disclose it after consultation with concerned Superintendent of Police. -
- (7) On the basis of the verification report of the character and antecedent submitted by the concerned Police Station, the agency shall issue a Character Certificate to the person in Form-IV, which shall not be taken back even if the person ceases to be part of the agency.
- (8) The Agency shall submit a fee of Rs.250/- (Rupees Two Hundred and Fifty only) along with each application to the concerned Superintendent of Police or the authorized officer for this purpose, by bank draft, for verifying the character and antecedents of a person to be employed by an Agency as domestic worker.

6. Grant of Licence :

- (1) The Controlling Authority on receiving the application under sub-rule (1) of rule 3 after completing with all the required formalities and satisfying itself about the suitability of the applicant and also the need for granting licence for the area of operation applied for, shall grant a licence to the private placement agency in Form-V:
- (2) The Controlling Authority may, after making such inquiries as it considers necessary and after obtaining No Objection Certificate from the concerned Superintendent of Police of the District, by order in writing either grant or refuse to grant the licence within a period of sixty days from the date of receipt of application with complete particulars and on payment of the prescribed fees:

Provided that when the Controlling Authority does not agree with the No Objection Certificate issued from the concerned Superintendent of Police of the District, he/she would briefly record the reasons of his disagreement and place the matter before the Government and proceed to grant or refuse to grant the licence as per decision of the Government:

Provided further that if the Controlling Authority decides to grant a licence then he/she shall grant licence in Form-V. The licence shall be valid for a period of 5 years unless the same is cancelled by the Controlling Authority under sub-section (1) of section 6 of the Act.
- (3) The Controlling Authority may review the continuation of licence of such Private Placement Agency, which did not adhere to the conditions for which the licenses was granted and did not impart training as per prescribed syllabus.
- (4) The agency shall not use in its name the words like "Indian", "National" or any other such words, which can give the impression of any Government patronage.

7. Pre-placement training for Domestic Worker :

- (1) The Controlling Authority shall frame the detailed training syllabus required for training of Domestic Worker. This training shall be for a minimum period of fifty hours of classroom instruction and thirty hours of practical training spread over at least ten working days.

- (2) The training shall include the following subjects, namely:
 - (a) General conduct and dress etiquette;
 - (b) Manners & etiquette including table manner;
 - (c) Operation of Kitchen including planning menus and creating meals;
 - (d) Operation of household appliances such as Washing Machine, Oven, Dryer, Dishwasher etc.
 - (e) Maintenance of personal hygiene, cleanliness, health & sanitation;
 - (f) Crisis response & first aid in case of earthquake, flash flood, terrorist attack etc.;
 - (g) Rudimentary knowledge of Passport, Visa etc.;
 - (h) Old age & Child care tips;
 - (i) Culture, values, traditions, language of Country/State of placement.

8. Eligibility for Domestic worker :

- (1) A person shall be eligible for being engaged or employed as Domestic Worker if he/she fulfils the conditions specified below:-
 - (i) If he/she is 18 years and above;
 - (ii) If he/she is not physically handicapped or unsound mind;
 - (iii) If he/she is not having past criminal records.

9. Conditions for grant of Licence :

- (1) 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.
- (2) The licensee shall immediately intimate the Controlling Authority about any criminal charge framed against the persons forming the agency employees of the Agency, in the course of their business transaction as Private Placement agency. A copy of such communication shall also be sent to the officer in charge of the concerned Superintendent of Police Station, where the accused person resides.
- (3) Save as provided in these rules, the fees paid for the grant of licence shall be non-refundable.

10. Renewal of License :

- (1) Every Agency shall apply to the Controlling Authority for renewal of the license within a 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) The fees chargeable for renewal of the licence shall be the same as applicable for the grant of license.

11. Conditions for renewal of Licence :

- (1) Every license shall, unless the Controlling Authority for reasons to be recorded in writing otherwise decides in any case, be renewable for the same period for which the license was originally granted and shall be so renewable, from time to time and the provisions of rule 6 and 7 shall apply to the renewal of a license as they apply to the grant thereof.
- (2) Application for renewal of licence shall also be in Form-V.

12. Suspension or cancellation of License :

- (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 licence should not be cancelled or suspended, as the case may be;
- (2) No such opportunity of being heard shall be necessary on temporary suspension of licence, when licence is suspended temporarily pending an enquiry against the licence for contravention of section 8 of the Act or any order made thereunder or of any of the conditions of the license granted to him.

13. Appeals and Procedure :

- (1) Any person aggrieved by any order passed by the Controlling Authority refusing to grant a licence, varying the conditions of a licence, suspending or revoking a licence 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.
- (3) Every appeal under sub-section (1) of Section 7 of the Act shall be preferred in Form-VI duly signed by the aggrieved person or his advocate to the Appellate Authority in person or sent by registered post.

14. Register to be maintained by the Agency :

The agency shall maintain a register in Form-VII, which shall be open for inspection by the Controlling Authority or the Authorized Officer.

15. Identity Card for Domestic Worker :

The agency shall issue an identity card to every domestic worker in Form- VIII which 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 also be maintained up to 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 immediately to the Issuing authority.

Lalrinliana Fanai,
Commissioner & Secretary to the Govt. of Mizoram,
Home Department.

**Form-I
(See rule 3)**

**APPLICATION FOR NEW LICENCE/RENEWAL OF LICENCE 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:

1. Full name of the applicant(s) : _____
2. Nationality of the applicant(s) : _____
3. Son/Daughter /Wife of : _____
4. Residential Address : _____
5. Address where the applicant desires to start his Agency :
6. Name of the Private Placement Agency :
(NOTE: Registration Number of the Agency also be indicated)
7. Name and Address of Proprietor, Partner, Majority shareholder, 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 :
9. Qualification of staff engaged for imparting instruction :
Name :
Date of birth :
Designation :
10. 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.
12. Does the applicant intend to operate in the entire state? **(Yes/No)**
13. Does the applicant possess the training facility on its own or will get it on outsourcing basis? The details of training should be furnished (as *annexure*)

Enclosure :-

Address of applicant
Telephone number of the applicant
Date of applicant

1. Copy of current Income Tax Clearance Certificate, if the applicant is non-tribal.
2. Affidavit as prescribed in sub-section (2) of Section 7 the Act.
3. Other enclosures.

FORM-II
(See rule 4)

Form for Verification of Antecedents

*Thumb Impression * of the Applicant _____

Signature of the Applicant _____



For official use only

Form Number	Name of the police station, sent for people verification	Date

Amount of fees Rs. _____ Cash/D.D _____

Name of Bank & Branch _____

D.D. No. _____ Date of Issue _____

N.B. : Please read the instructions carefully before filling the form.

Please fill in BLOCK LETTERS :

(Note : Please furnish correct information, Furnishing of incorrect information or Suppression of any material information in the form will render the candidate unsuitable for grant of license)

- Name of applicant (*Initials not allowed*)
First Name _____ Middle Name _____ Last name _____
- If you have ever changed your name, please indicate the previous name in full

- Sex (Male/female) _____
- Date of Birth _____
- Place of Birth : Village /Town _____
District _____ State & Country _____
- Father's full name/Legal Guardian's Full Name (including surname, if any); (Initials not allowed)
- Mother's full name (including surname, if any) : (Initials not allowed) _____
- If Married. Full name of spouse (including surname, if any) : (Initials not allowed) _____
- Present Residential Address including Street No./Police Station, Village and District (with Pin Code)
_____ Telephone No./Mobile No. _____ Off. _____
Res. _____ Fax _____ Email ID _____
- Please give the date from which applicant residing at the above mentioned address:
DD/MM/YY _____
- Permanent Address including Street No. /Police Station, Village-and District
(*with PIN Code*) _____
- 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. 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 _____ From _____ To _____

13. In case of stay abroad, particular 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, along with name and address of employer (s).

c) Reason for leaving last employment: _____

d) Visible Distinguishing Mark:

e) Have you ever been dismissed / removed from Government set account of misconduct or moral turpitude?

15. Did you earlier operated any Private Placement Agency or were its partner, majority share holder, or Director? If yes, then furnish the name, address of the agency and its license particulars.

16. Are you a citizen of India by: (Birth/Descent/Registration/Naturalization)? If you have ever possessed any other citizenship please indicated (the same).

17. Have you, at any time, been convicted by a court in India for any offence and sentenced to imprisonment ? If so, give name of the court, case number, and offence. *(Attach copy judgment)*.

18. (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 with any organization or association which is banned under any law on account of their activities which pose threat to national security or public order?

19. Self Declaration:

The information 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 :

20. Enclosure:

(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 of the applicants.
- (ii) Proof of Age
- (iii) Certificate of incorporation issued by Registrar of Company(RoC), if any; Labour License, Registration under ESI Act & EPF Act, 1952.
- (iv) Proof of residence of Applicants.
- (v) Prescribe Fees.
- (vi) Detailed addresses of Placement Agency.

FORM-III
[See rule 5(2)]

Form for verification of Character & Antecedents of Domestic Worker

Thumb Impression of the Applicant _____
Signature of the Applicant _____
For official use only

Form number	Name of the police station sent for police verification	Date

Amount of fees Rs. _____ Cash/D.D _____
Name of Bank & Branch _____
D.D. No. _____ Date of Issue _____

N.B. : Please read the instructions carefully before filling the form.
Please fill in BLOCK LETTERS:

(Note : Please furnish correct information, Furnishing of incorrect information or Suppression of any material information in the form will render the candidate unsuitable for grant of license)

1. Name of applicant (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 _____ District _____
State & Country _____
6. Father's full name/Legal Guardian's Full Name (including surname, if any):
(Initials not allowed) _____

- 7. Mother's full name (including surname, if any) : (Initials not allowed) _____
- 8. If Married Full name of spouse (including surname, if any) : (Initials not allowed) _____
- 9. Present Residential Address including Street No./Police Station, Village and District (with PIN Code) _____ Telephone No./Mobile No. _____
Off. _____ Res. _____ Fax _____ Email ID _____
- 10. Please give the date from which applicant residing at the above mentioned address:
DD/MM/YY _____/_____/_____
- 11. 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. 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 _____ From _____ To _____

- 13. In case of stay abroad, particular 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, along with name and address of employer (s).

 - c) Reason for leaving last employment:

 - d) Visible Distinguishing Mark : _____
 - e) Height (cms) : _____
- 15. Are you working in Central Government/State Government/Public Sector Undertakings/Statutory Bodies (Yes/No) _____
- 16. Are you a 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 and sentenced to imprisonment? If so, give name of the court, case number, and offence. (Attach copy judgment)

(b) Are any criminal proceedings pending against you before a court 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 India? So, give name, case number and offence

(d) Are you associated with any organizations or association which is banned under any law on account of their activities which posts threat to national security or public order?

18. Self Declaration:

The information 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 :

19. Particulars of person to be in the event of death or accident:

Name : _____

Address : _____

Mobile/Tel. No. : _____

20. Enclosures : _____

(Signature/T.I.* of applicant)

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.
- (ii) Proof of Age.
(Birth Certificate, School Leaving Certificate. HSLC)
- (iii) Proof of residence.
- (iv) Training certificate.

Form-IV
[See rule 5(7)]
CHARACTER & ANTECEDENT CERTIFICATE

This is to certify that Mr./Ms. _____
S/o D/o Shri _____ R/o _____
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 : _____
Education Qualification : _____
Profession : _____
Present Address : _____
Permanent Address : _____
Issuing Authority : _____

This assessment is arrived on the basis of the verification report of concerned Superintendent of Police vide No _____ Dated _____

Signature :
Name : _____
Designation : _____
Address/Tel. No. : _____

Date of Issuing: _____

Form-V
[See rule 6(1)]
LICENCE TO ENGAGE IN BUSINESS OF PRIVATE PLACEMENT AGENCY

Serial No _____ Date _____
Shri/Smt./Ku _____ (Name of the applicant)
S/o W/o D/o _____ *R/o* _____ (full address)
is granted the license by the Controlling Authority for the State of _____
to run the business of private Placement agency in the district(s) of /State of (cancel the inapplicable words)
_____ with office at _____
(address of the office)
Place of Issue _____
Date of Issue _____
This license is valid upto _____

Signature
Name of Granting Authority
Designation
Official Address

This license is renewed upto _____

Signature
Name of Granting Authority
Designation
Official Address

Date of renewal

Form -VI
[See rule 13(3)]
FORM FOR APPEAL

An appeal under rule 13 of the Mizoram Private Placement Agencies (*regulation*) Rules, 201 6 against the Order of the Controlling Authority

Appellant : _____
S/oW/o D/o : _____
Date of birth : _____
Addresses : _____

Above appeal is presented to the Home Secretary 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.

Date :
Place :

FORM - VII
(See rule 14)
REGISTER OF PARTICULARS
(PART-I Management details)

Sl. No.	Name of Person(s) managing the agency	Parent's/Father's Name	Present address & Phone no	Permanent address	Nationality	Date of joining leaving the agency

(Part-II Private Security Guards and Supervisors)

Sl. No.	Name of guard/supervisor	Father's Name	Present Address & Phone No.	Date of joining/leaving the agency	Permanent address	Photograph	Badge no.	Salary with date

(Part-III Customers)

Sl. No.	Name of the Customer & Phone No.	Address of the place where domestic work is provided	Number and ranks of domestic worker provided	Date of commencement of services	Date of discontinuation of services

(Part-IV Duty Roster)

Sl. No.	Name of the Private domestic worker/supervisor	Address of the place of duty	Whether provided with any arms ammunition	Date and time of commencement of duty	Date and time of ending of duty

FORM - VIII
(See rule 13)
Photo IDENTITY CARD FOR PRIVATE DOMESTIC WORKER/SUPERVISOR

Name of the Private Placement Agency

Name of the Private Domestic Workers/Supervisor

Official Designation _____

Identification no. of the domestic worker/Supervisor

Date of Issue _____

Valid upto _____

Signature of the cardholder _____

Photograph of the Holder duly attested by the Issuing Authority
--

Signature of the issuing Authority

Official Designation _____