

# Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014

CHHATTISGARH

India

## Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014

### Rule

### CHHATTISGARH-PRIVATE-PLACEMENT-AGENCIES-REGULATION-RULES of 2014

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Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014Published vide Notification No. F 2-58/Two-Home/2013, dated 21.8.2014Last Updated 17th September, 2019Notification No. F 2-58/Two-Home/2013 dated the 21st August, 2014. - In exercise of the powers conferred by sub-section (1) of Section 12 of the Chhattisgarh Private Placement Agencies (Regulation) Act, 2013 (No. 23 of 2013), the State Government, hereby, makes the following rules for regulating Private Placement Agencies and matters connected therewith or incidental thereof, namely : -

### 1. 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.

### 2. 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;(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 same meaning as assigned to them in the Act.

### **3. Manner of making application for grant and renewal of license.**

(1)Every application by an 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 along with 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;(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 (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 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-II 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 inquiry as he considers necessary for verification of particulars of the applicant.(3)After verification, the Controlling Authority or any Officer Authorized by him shall obtain : -(a)No Objection Certificate from the concerned Superintendent of Police;(b)The verification report shall be prepared by 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 concerned police district shall furnish the no objection certificate 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 qualification or skill which may be considered to be facilitating the operations of the agency.

## 5. Verification of character and antecedents of the domestic worker.

(1) No person shall be employed or engaged as a domestic worker by the agency unless he fulfills the conditions specified in section 7 of the Act and the agency is satisfied about the character and antecedents of such person in the following manner, namely : - (a) After verification of the character and antecedent by itself; (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-III to the concerned Superintendent of Police, as the case may be. (4) The person shall deposit the verification charges as prescribed in sub-rule (9) in respect of each individual case for verification of character and antecedents to the concerned Superintendent of Police or the Authorized Officer for this purpose. (5) The concerned Superintendent of Police or the Authorized Officer 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. (6) The concerned Superintendent of Police or the Authorized Officer for this purpose shall furnish the character and antecedent 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-III; (b) A general report about other activities including his means of livelihood during the period of verification; (c) Disclosure about the criminal investigation or proceedings, registered or commenced or pending or disposed of at any point of time; (d) Regarding his 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. (7) 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. (8) On the basis of the character and antecedent verification report submitted by the concerned police station or the Superintendent of Police of the concerned district or the Authorized Officer for this purpose or of the agency itself, 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. (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.

## 6. Grant of licence.

(1) The Controlling Authority, after receiving a report from the Authorized Officer on the application received under sub-rule (1) of rule 3 after completing all the formalities and satisfying itself about the suitability of the applicant and also the need for granting license for the area of operation

applied for, shall 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)The Controlling Authority may, after making such inquiries as it considers necessary and after obtaining no objection certificate from the 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 receipt of application with complete particulars and the fees :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 Controlling 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 (1) of Section 6 of the Act.(3)The Controlling Authority may review the continuation of license of such Private Placement Agency, which did not adhere 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.

## **7. 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.(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.

## **8. 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)The fees chargeable for renewal of the license shall be same fees as applicable for the grant of license.

## **9. 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 of the Controlling

Authority.(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;(2)Application for renewal of license shall also be in Form-I.

## **10. 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 necessary 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 thereunder 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.(3)Every appeal under sub-section (1) 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.

## **12. Register to be maintained by the Agency.**

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

## **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 worker is no longer engaged or employed by it.

Form-I[See rule 3]Application for New Licence/renewal of Licence to Engage in the Business of Private Placement AgencyTo,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
2. Nationality of the applicant
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:.....  
Age:.....  
Designation:.....  
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.
10. Does the applicant intends to operate in more than one district? If so, please mention name of the districts -  
1.....  
2.....  
3.....  
4.....  
5.....
11. Does the applicant intend to operate in the entire state ?  
(Yes/No)
12. 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)
- 13.

Enclosure : -

Address of applicant

Telephone number of the applicant

Date of application

1. Copy of current Income Tax Clearance Certificate.

2. Affidavit as prescribed in sub-section (2) of Section 7 of the Act.

3. Other enclosures.

Form-II[See rule 4]Form for verification of Antecedents

\*Thumb Impression\* of  
theApplicant.....

Recent Passport  
SizePhotographAttested By  
A Class-IGazetted Officer

Signature of  
theApplicant.....

For official use only

Form Number Name of the police station, sent for policeverification Date

Fee Amount Rs.....Cash/D.D.....Name of Bank and  
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 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, 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, 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 operate 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/ Naturalisation ? If you have ever possessed any other citizenship, please indicate (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**

.....  
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 and correct and I am solely responsible for its accuracy.**

(Signature/Thumb Impression.\* of applicant)Date :.....Place : .....

**20. Enclosures :**

.....  
Impression \* of applicant)(\*Left Hand Thumb Impression if Male and RightHand 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. on reverse of photograph in respect of applicants.(ii)Proof of Age.(iii)Certificate of incorporation issued by ROC, Sale Tax No. (ST-2), Labour License, Registration under ESI Act and EPF Act, 1952.(iv)Site Plan of office.(v)Proof of residence of Applicants.(vi)Prescribed Fees.(vii)NOC from landlord for carrying on trade of Placement Agency Business at the premises.Form-III[See rule 5]Form for verification of Character and Antecedents of Domestic WorkerThumb Impression of the Applicant.....Signature of the Applicant.....For official use only.

Form Number Name of the police station, sent for policeverification Date

Fee Amount Rs.....Cash/D.D.....Name of Bank and Branch.....D.D. No.....Date of Issue.....N.B. Please read the instruction 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 employment/engagement in private agencies.)

**1. 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.....Distt..... State and 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.....E-mail ID.....

**10. Please give the date from which applicant is residing at abovementioned 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 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 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 Details :**

(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 Government/Public Sector Undertakings/Statutory Bodies (Yes/No)**

**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 and sentenced to imprisonment? If so, give name of the court, case number and offence. (Attach copy of judgment).....**

(b)Are any criminal proceeding pending against you before a court in India ? If so, give name of court, case number, and offence.....(c)Did any court issue 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 enclosures is true and correct and I am solely responsible for 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/Tel. No.....

**20. Enclosures :.....**

(Signature/T.I.\* of applicant)For Office Use OnlyFile 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, Matriculation Certificate)(iii)Proof of residence(iv)Training certificateForm-IV[See rule 5]Character and Antecedent CertificateThis is to certify that Mr./Ms.....S/o D/oShri.....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 : .....Educational Qualification : .....Profession : .....Present Address : .....Permanent Address : .....Issuing Authority : .....Signature : .....NameDesignationAddress/Tel. No.Date of IssueForm-V[See rule 6]Licence to Engage in Business of Private Placement AgencySerial 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.....SignatureName of Granting AuthorityDesignationOfficial AddressThis license is renewed upto.....SignatureName of Renewal AuthorityDesignationOfficial AddressDate of renewalForm - VI[See rule 11]Form for AppealAn appeal under Rule 11 of the Chhattisgarh Private Placement Agencies (Regulation) Rules, 2014 against the order of the Controlling AuthorityAppellant.....S/o W/o

D/o.....Age.....R/o.....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 documentsSignatureName, Designation and Address of the AppellantDate :Place :Form-VII[See rule 12]Register of Particulars(Part-I Management details)

S. No.	Name of Person (s) managing the agency	Parent's/ Father's Name	Present address and phone no	Permanent address	Nationality	Date of joining/ leaving the agency
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1

(Part-II Private Security Guards and Supervisor)

S. No.	Name of guard/ supervisor	Father's Name	Present Address and phone no.	Date of joining/ leaving the agency
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1

Permanent Address Photograph Badge No. Salary with date

(Part-III Customers)

S. No.	Name of the Customer and phone no.	Address of the place where domestic work is provided	Number and ranks of domestic worker provided	Date of commencement of service	Date of discontinuation of services
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(Part-IV Duty Roster)

S. 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
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Form-VIII[See rule 13]Photo-Identity Card For Private Domestic Worker/supervisor

Name of the Private Placement Agency.....	Name of the	Photograph of
Private Domestic Worker/Supervisor.....	Official	Holder
Designation.....	Identification no. of the domestic	Duly Attested by
worker/Supervisor.....		the Issuing Authority
Date of Issue.....	Valid upto.....	Signature of the cardholder.....
issuing Authority	Official Designation.....	Signature of the