



Guidelines for the Local Level Committee Members and Applicant
THE NATIONAL TRUST
For the welfare of persons with Autism, Cerebral Palsy,
Mental Retardation & Multiple Disabilities
(Ministry of Social Justice & Empowerment, Govt. of India)



1. Objective of the Trust

As per Section (10) of The NT Act the objects of the Trust shall be -

- a) To enable and empower persons with disability to live as independently and as fully as possible within and as close to the community to which they belong;
- b) To strengthen facilities to provide support to
- c) . persons with disability to live within their own families;
- d) To extend support to registered organizations to provide need based services during period of crisis in the family of persons with disability;
- e) To deal with problems of persons with disability who do not have family support;
- f) To promote measures for the care and protection of persons with disability in the event of death of their parents or guardians;
- g) To evolve procedure for the appointment of guardians and trustees for persons with disability requiring such protection;
- h) To facilitate the realization of equal opportunities, protection of rights and full participation of persons with disability; and
- i) To do any other act which is incidental to the aforesaid objects?

2. What is Guardianship?

A guardian is a person who is appointed to look after another person or his property.

He/ She assume the care and protection of the person for whom he/she is appointed as guardian.

2.1. Category of Guardianship

- (a) **Natural Guardian** - It denotes the natural or biological parent of the child.
- (b) **Court Appointed Guardian** - As per Indian Contract Act, 1872. And existing law of minority and guardianship it is open to any person (including parents and relatives) to submit an application to the district judge within whose jurisdiction the applicant person and the child is living. There is a Mental Health Act where the District Judge dispose off the application covered for mental illness.
- (c) **Testamentary Guardian** - Under section 60 of the Indian Succession Act, 1925 it is open to a father of a minor to appoint a guardian of a minor by writing a “will” in which it may be indicated the a certain person may become the guardian of a minor in the even of the death of the father/mother.



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3. Disability as a Ground for Legal Guardianship under the NT Act

Before the National Trust Act, 1999 there was no provision in the law for appointment of the guardian for adults who are Person with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

The National Trust Act 1999 for the first time enable person with the above disabilities who have a guardian to representing him/her throughout their life.

At present the ambit of the above act cover only Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities.

3.1. Why legal guardian is necessary for Person with Disability

The National Trust disability person may require legal representation in several areas of life depending upon the facts and circumstance e.g. person may need physical, medical and social care and maintenance at all times in the course of day to day living:-

- (i) Guardianship may be needed for Loans and concessions – from the National Handicapped Finance Development Corporation (NHFDC) and other Govt. Housing Schemes etc.
- (ii) State Govt. Disability Pension and being a ward of Central Govt./State Govt. Employee (Family Pension).
- (iii) Guardianship may be needed for managing investments and for opening bank accounts/ banking transaction/post office account etc.



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4. Local Level Committee

As per Section 13 (1) of the National Trust Act 1999, the Board shall constitute a Local Level Committee for such area as may be specified from time to time.

As per section 13(2) a local level committee shall consist of -

- An Officer of the Civil Service of the Union or of the State, not below the rank of a District Magistrate or a District Commissioner of a district;
- A Representative of a Registered Organization; and
- A Person with disability as defined in Clause (t) of Section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Right & Full Participation) Act, 1995 (1 of 1996).

4.1. Members of LLC

- (i) District Collector/Dy. Commissioner - Chairperson
- (ii) NGO registered with National Trust - Member
- (iii) Person with Disability -Member
- (iv) Other specialists & parents can be co-opted if necessary

4.1.1. Role of LLC Chairperson

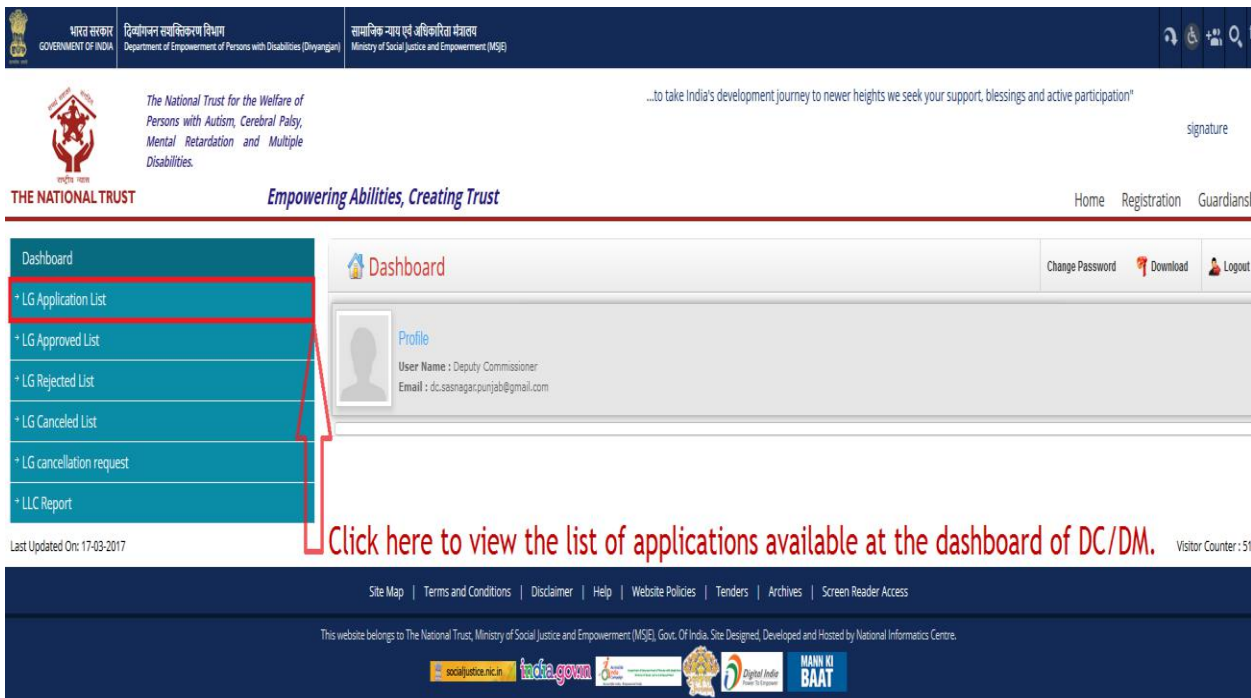
- Issue a Recommendation Letter to Registered Organization and PwD for the LLC membership.
- With the login id and password issued by the National Trust DC to check his/her dashboard for processing the LG application.
- DC/DM can call the LLC NGO/PwD for the disposing of the LG application.
- In case no LLC NGO/PwD is available in the district, DC/DM can alone take a decision on the LG application as the quorum for any meeting is 1/3rd as per NT Rule-10(1).
- While disposing the LG application DC/DM can also take the help of co-opted members i.e. civil surgeon, senior lawyer etc.
- The LLC Chairperson should submit online LLC quarterly report which is available on DC/DM dashboard by clicking on “LLC Quarterly Report”.

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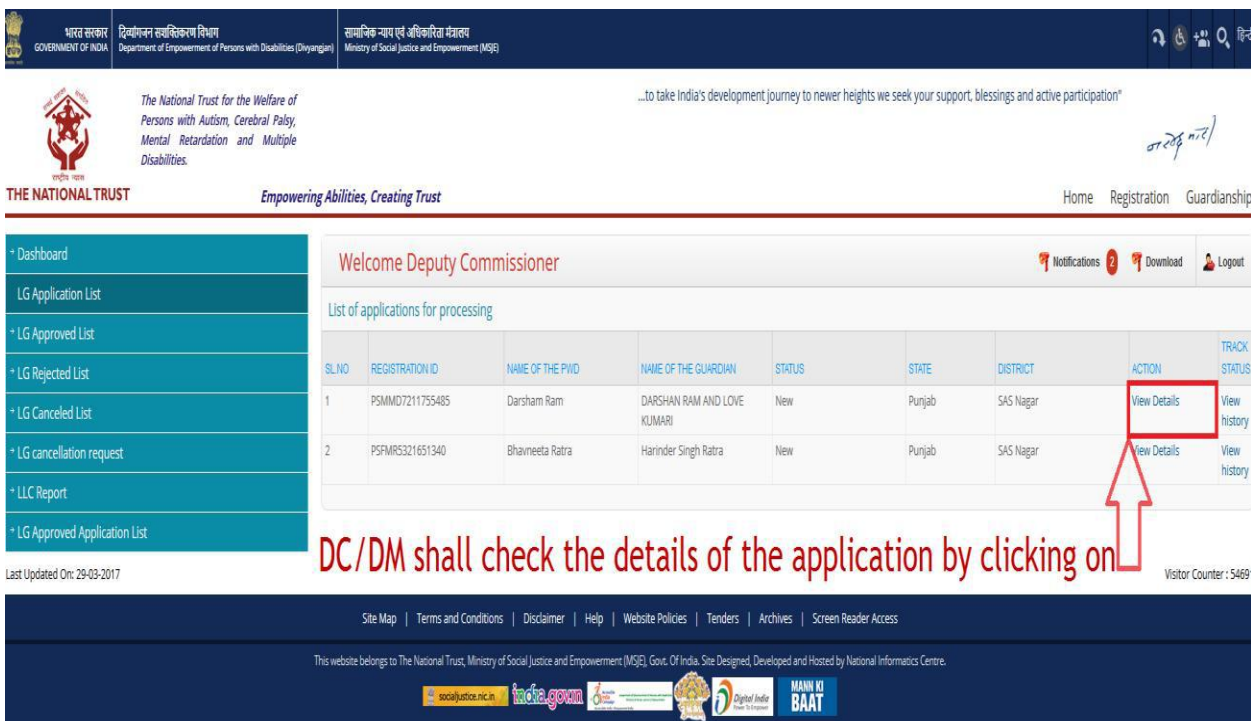
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- (iii) Click on the “LG Application List” which will show the list of applications available at the dashboard of DC/DM.



The screenshot shows the dashboard of The National Trust. The sidebar on the left contains a list of links: Dashboard, LG Application List (highlighted with a red box), LG Approved List, LG Rejected List, LG Canceled List, LG cancellation request, and LLC Report. The main content area shows a user profile for a Deputy Commissioner with the email dc.sasagarpunjab@gmail.com. A red arrow points from the 'LG Application List' link to the text: "Click here to view the list of applications available at the dashboard of DC/DM."

- (iv) DC/DM shall check the details of the application by clicking on “View Details”.








The screenshot shows the dashboard of The National Trust. The sidebar on the left contains a list of links: Dashboard, LG Application List (highlighted with a red box), LG Approved List, LG Rejected List, LG Canceled List, LG cancellation request, and LLC Report. The main content area shows a table of applications for processing. A red arrow points from the 'View Details' link in the 'ACTION' column to the text: "DC/DM shall check the details of the application by clicking on View Details".

SL.NO	REGISTRATION ID	NAME OF THE PWD	NAME OF THE GUARDIAN	STATUS	STATE	DISTRICT	ACTION	TRACK STATUS
1	PSMMD7211753485	Darshan Ram	DARSHAN RAM AND LOVE KUMARI	New	Punjab	SAS Nagar	View Details	View history
2	PSFMR5321651340	Bhavmeeta Ratra	Harinder Singh Ratra	New	Punjab	SAS Nagar	View Details	View history

- (v) DC/DM shall check all attachments of the application and after checking these select “Yes” option and for checking more details of the application click on “Click here to view the application”

Attached Documents List

Residence Proof of PWD		Verified?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Disability certificate		Verified?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Attachment of movable property proof		Verified?	<input type="radio"/> Yes <input checked="" type="radio"/> No
proof of consent attachment		Verified?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Signed consent form of other person		Verified?	<input type="radio"/> Yes <input checked="" type="radio"/> No

View Complete Form : [Click here to view the application](#)

Comments :

Enter Comments Here

Attachment :

Select Action

Select Action

- Select Action
- Approve
- Send for modification
- Reject

[Back](#) [Submit](#)

Select Yes after checking all attachment or for further processing.

- (vi) After checking all details before taken any action record the comments in “comment box”.
- (vii) DC/DM have three options i.e. “Approve, Reject and Send for modification”. After selection click on “Submit” button.



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- (viii) If DC/DM satisfied with the content of the application and Approved then go to “Approved Application List” which is on left side of the DC/DM dashboard for getting system generated LG Certificate.

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Department of Empowerment of Persons with Disabilities (Dhyangjan)

सामाजिक न्याय एवं अधिकारिता मंत्रालय
Ministry of Social Justice and Empowerment (MSJE)

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Home Registration Guardianship

Welcome Deputy Commissioner

Notifications Download Logout

List of Approved applications (LG)

DC/DM shall check and generate certificate by click here

SL.NO	ENROLLMENT ID	NAME OF THE PWD	NAME OF THE GUARDIAN	OBLIGATIONS	STATE, DISTRICT	DOWNLOAD LG CERTIFICATE	VIEW APPLICATION	STATUS	ACTED ON	STATUS	CERTIFICATE
27	ACMMD4291711140	RUPANKAR ROY	RATI RANJAN ROY	A,B	Assam,Cachar	Not yet verified	View Application	Approved	30-03-2017	Verification pending	View/Generate Certificate

Obligations hint:
A -Maintenance and Residential Care B -Management of immovable property C -Management of movable property D -Other

DC/DM shall check Approved applications by click here

Last Updated On: 29-03-2017

Visitor Counter : 54867

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- (ix) DC/DM shall click on “view/generate certificate” link for getting system generated LG Certificate.

- (x) The system generated certificate should be downloaded by DC/DM office and DC/DM will sign on and affixed a rubber stamp and a dispatch number on the set certificate to be given by the office of DC/DM. The sets sign copy of the certificate has to be again uploaded in the system by again click on “view/generate certificate”.

Welcome Deputy Commissioner

Change Password Download Logout

LG Certificate Generation

Certificate Status

Application Id : ACMMMD4291711140
Certificate No. : 3458897952
Certified Date : 0000-00-00 00:00:00
Status : Not yet verified
Date of Issue : 2017-04-03 12:41:50

Verify

LG Certificate Process

Generate Certificate

Application Id : ACMMMD4291711140

Upload Certificate(Signed and stamped) : Browse... No file selected.

Comments *

Comment Box

Submit

Click here to get System Generated Certificate

DC/DM shall upload system generated certificate in the system after sign on certificate by DC/DM office

After upload certificate and enter comments click here

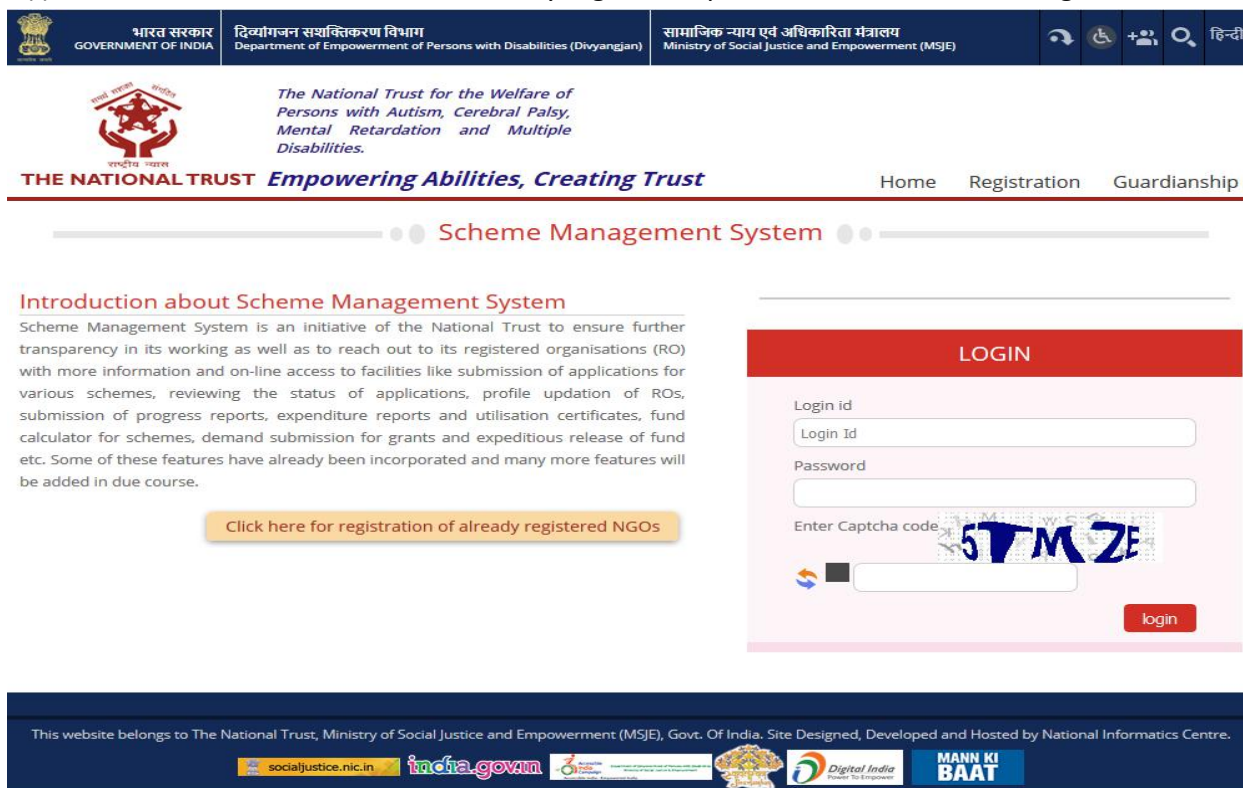
4.1.3. Role of Local Level Committee NGO Member

- If the RO is an LLC NGO member in the new Scheme Management System then few details of the LG Applicant will be available on the dashboard of LLC NGO member for scrutiny/verification of credential of the proposed guardian.
- The LLC NGO can do the home visit collect the information of the proposed guardian and give his comment in the online system comment box which will go to the dashboard of LLC Chairperson.
- LLC NGO can also remind to the office of LLC chairperson for holding the quarterly meeting as per NT act and help in disposal of online LG application.

4.1.4. Steps to become Local Level Committee NGO Member

One form is to be submitted for one district (LLC) membership. If the RO wants to apply for more than one membership, it should obtain separate recommendation letter for those districts from the concerned District Collector and should fill separate form for every district.

- (i) Go to the National Trust website by log IN - <http://www.thenationaltrust.gov.in/>



The screenshot shows the National Trust website interface. At the top, there is a header with the Government of India logo, the National Trust logo, and navigation links: Home, Registration, Guardianship. Below the header, there is a section titled "Scheme Management System". On the left, there is a text box titled "Introduction about Scheme Management System" which describes the system's purpose. On the right, there is a login form with fields for "Login id", "Password", and "Enter Captcha code". A "login" button is at the bottom right of the form. Below the login form, there is a footer with various logos and text: "This website belongs to The National Trust, Ministry of Social Justice and Empowerment (MSJE), Govt. Of India. Site Designed, Developed and Hosted by National Informatics Centre." and logos for socialjustice.nic.in, india.gov.in, Digital India, and MANN KI BAAT.

- (ii) Use your log-in and password issued at the time of registration (Applicable only for RO).



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- (iii) Fill the online form and upload the recommendation letter of DC/DM/LLC Chairperson.
- (iv) Fill the bank account details of Local Level Committee (no other details should be filled) in the online form.

RO Details

RO name * : Registered Organization Name

Address * : Registered Organization Address

District of LLC NGO

State * : State Name

Parent District * : Parent District Name

Select District for LLC * : Apply District Name

Pincode * : pincode

City : City Name

Mobile No * : Mobile Number

Phone No : Phone Number

Email ID * : Email Id

(v) Click on submit button.

Details of Authorised person of the RO who will participate in the LLC meeting

Name * :
 Mobile No * :
 Phone No :
 Email ID * :
 Upload recommendation letter of the DC/DM of the said district FILE FORMAT(pdf) * : No file selected.
 Why do you want to become The National Trust LLC NGO? * :

Bank Details of LLC (Open a joint account with DC/LLC chairperson in the name of LLC & Provide details of that account)

Name of the Account Holder * :
 Bank account no. * :
 Bank Name * :
 Branch Name * :
 Branch City * :
 IFSC code * :

4.1.5. Format of Recommendation Letter for LLC NGO

- On the official stationary/ letter head of the DC/DM/Chairperson of the Local level committee.
 - This letter should be addressed to the National Trust.
- This is to inform that ----- (Name of the NGO registered with the National Trust) is a good organization and working in the National Trust Disability. I am recommending this registered organization to work as the member of the Local Level Committee.
 - The Name of the LLC Chairperson should be clearly mentioned along with the seal/Official stamp, issuance of date etc.

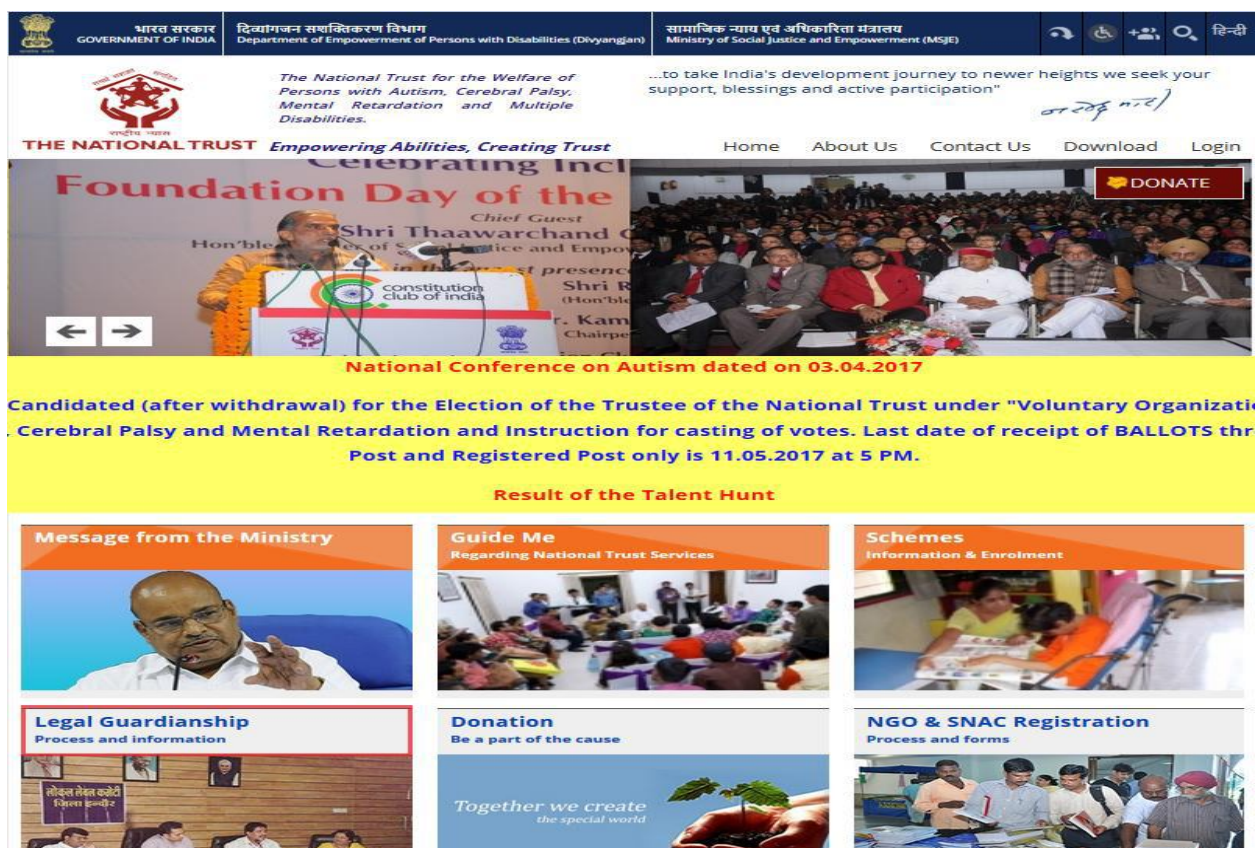
4.1.6. Role of Local Level Committee PwD Member

- If there is LLC PwD member in the new Scheme Management System then few details of the LG Applicant will be available on the dashboard of LLC PwD member for scrutiny/verification of credential of the proposed guardian.
- The LLC PwD can do the home visit collect the information of the proposed guardian and give his comment in the online system comment box which will go to the dashboard of LLC Chairperson.
- LLC PwD can also remind to the office of LLC chairperson for holding the quarterly meeting as per NT act and help in disposal of online LG application.

4.1.7. Steps to become Local Level Committee PwD Member

First of all PwD who want to become LLC PwD member should optain a recommendation letter from the LLC Chairperson i.e. DC/DM.

- (i) Go to the National Trust website - <http://www.thenationaltrust.gov.in/>




The screenshot shows the homepage of The National Trust website. The header includes the Government of India logo, the Department of Empowerment of Persons with Disabilities (Divyangjan), and the Ministry of Social Justice and Empowerment (MSJE). The main banner features the National Trust logo and a quote: "...to take India's development journey to newer heights we seek your support, blessings and active participation". Below the banner, there is a section titled "National Conference on Autism dated on 03.04.2017" with a photo of a speaker. A yellow banner below that states: "Candidated (after withdrawal) for the Election of the Trustee of the National Trust under 'Voluntary Organization' for Autism, Cerebral Palsy and Mental Retardation and Instruction for casting of votes. Last date of receipt of BALLOTS through Post and Registered Post only is 11.05.2017 at 5 PM." Below this, there is a "Result of the Talent Hunt" section. The footer contains six tiles: "Message from the Ministry" (with a photo of a minister), "Guide Me Regarding National Trust Services", "Schemes Information & Enrolment", "Legal Guardianship Process and information", "Donation Be a part of the cause" (with a photo of a hand holding a plant), and "NGO & SNAC Registration Process and forms" (with a photo of people at a desk).



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(ii) Click for Local Level Committee PwD Application.




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Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय एवं अधिकारिता मंत्रालय
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Home » Legal Guardianship » Local Level Committee

Local Level Committee

Introduction Functions of LLC Funding Pattern for LLC


Forms in the National Trust Act, Rules and Regulations Conduct of Proceedings of LLC

Local Level Committee PwD Form PDF

Local Level Committee NGO Form PDF

Introduction

Click for Local Level Committee PwD Application



As per Section 13 (1) of the National Trust Act 1999, the Board shall constitute a Local Level Committee for such area as may be specified from time to time.

As per section 13(2) a local level committee shall consist of -

Click here to fill LLC PwD Form

1. An Officer of the Civil Service of the Union or of the State, not below the rank of a District Magistrate or a District Commissioner of a district;
2. A Representative of a Registered Organization; and
3. A Person with disability as defined in Clause (t) of Section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Right & Full Participation) Act, 1995 (1 of 1996).

Source- Section 13(1) and (2) of National Trust Act-1999.

Co-opted additional Members



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- (iii) Fill the online form and upload the recommendation letter of DC/DM/LLC Chairperson

Select Pwd (Auto fill PwD details by Name)* :

-----Select PwD-----

LLC PwD Details

LLC PwD name * :

State * :

Select State

LLC PwD District * :

Select district

Address * :

Pincode * :

City :

Mobile No * :

Phone No :

Email ID* :

Upload recommendation letter of the DC/DM of the said district
FILE FORMAT(pdf)* :

Browse...

 No file selected.

Upload disability certificate
FILE FORMAT(pdf)* :

Browse...

 No file selected.

- (iv) Fill the bank account details Local Level Committee (no other details should be filled) in the online form.

Bank Details of LLC PwD (Open a joint account with DC/LLC chairperson in the name of LLC & Provide details of that account)

Name of the Account Holder * :

Bank account no. * :

Bank Name * :

Branch Name * :

Branch City * :

IFSC code * :

Captcha :

- (v) Click on submit button

4.1.8. Format of Recommendation Letter for LLC PwD

- On the official stationary/letter head of the DC/DM/Chairperson of the Local level committee.
- This letter should be addressed to the National Trust.
- (a) This is to inform that ----- (Name of the PwD with full address, telephone number and email-id etc.) as defined clause (t) of the PwD Act, 1995 is a good person and working in the National Trust Disability. I am recommending its name as the member of the Local Level Committee.
- (b) The Name of the LLC Chairperson should be clearly mentioned along with the seal/official stamp, issuance of date etc.



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4.2. Present Role of Local Level Committees – Statutory

- (a) Examines the need for Guardianship.
- (b) Finds suitable Guardian
- (c) Plans for care & Support
- (d) Acts on application of guardianship
- (e) Selection of guardian
- (f) Monitoring and Reporting
- (g) Removal of guardian (if necessary)
- (h) The decision of an LLC can be reviewed by the LLC itself or it can be challenged only in a Court of Law by way of writ jurisdiction.

4.3. General public/Applicant can apply for Legal Guardianship under the NT Act

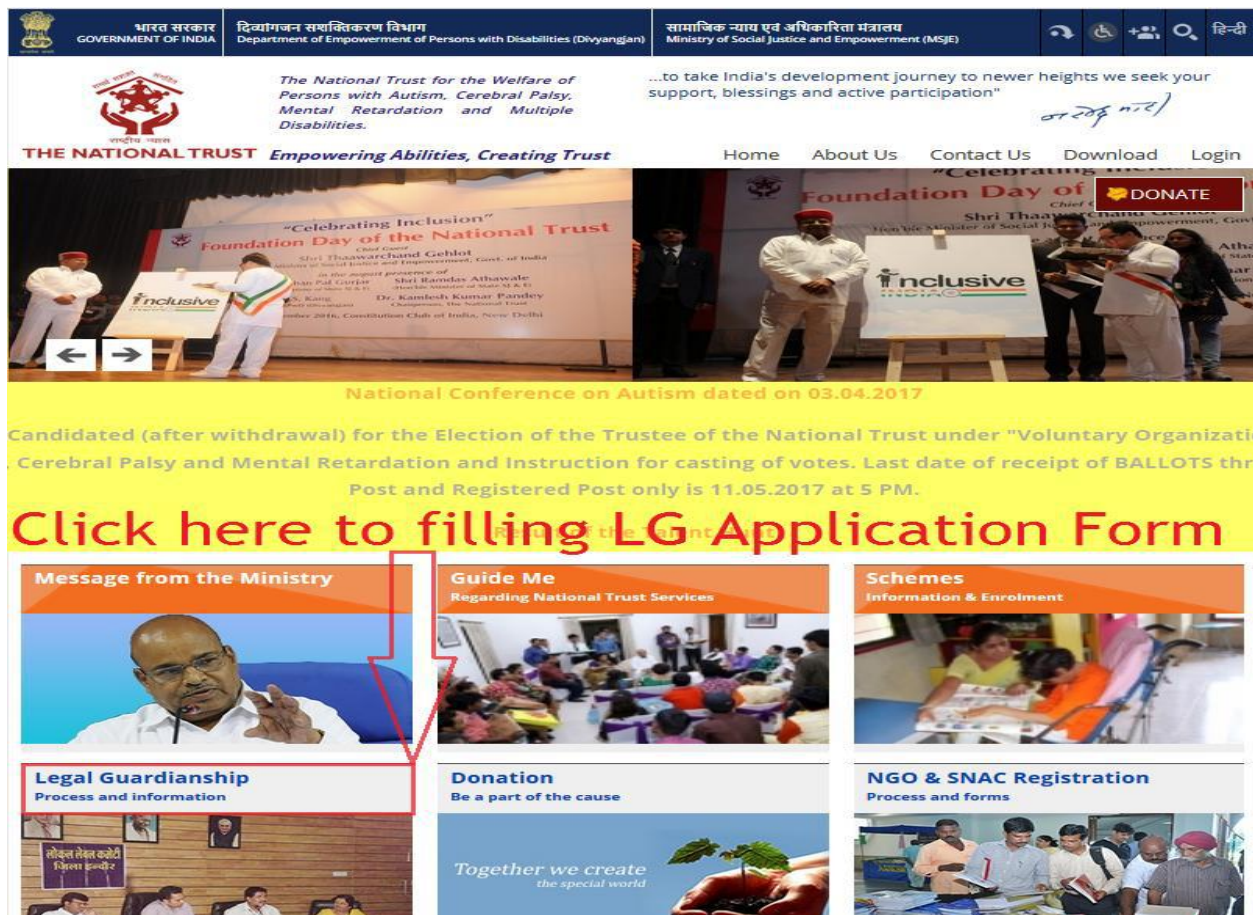
Who may apply for Guardianship i.e. Applicant.

Section 11 of Regulations 2001 -

- Both the parents may jointly, or, in the event of the absence of one due to death, divorce, legal separation, desertion or conviction, may singly apply for guardianship of their or as the case may be his ward beyond the age of 18 years.
- In the event of death, desertion, conviction of both the parents, the siblings (including half and step siblings) jointly or singly (reason of single application to be explained separately) may apply for guardianship of a disabled member of the family.
- In the event of non-application of sub-regulation (1) and (2) above, a relative may make an application for guardianship.
- In the event of non-application of sub-regulation (1), (2) and (3), any registered organization may make an application for guardianship.
- The Local Level Committee may direct a registered organization to make an application for guardianship in case of a destitute or abandoned person.

4.3.1. Steps to follow while filling Legal Guardianship (LG) Form

- (i) Applicant go to national trust website <http://www.thenationaltrust.gov.in>
- (ii) Go to Home page 4th tile i.e. **“Legal Guardianship (Process and information)”** click on it for find Legal Guardianship form.



The screenshot displays the homepage of The National Trust website. At the top, there is a header with the Government of India logo, the text 'भारत सरकार GOVERNMENT OF INDIA', 'दिव्यांगजन सशक्तिकरण विभाग Department of Empowerment of Persons with Disabilities (Divyangjan)', and 'सामाजिक न्याय एवं अधिकारिता मंत्रालय Ministry of Social Justice and Empowerment (MSJE)'. Below this, the National Trust logo and name are shown, along with the tagline 'Empowering Abilities, Creating Trust'. A navigation bar includes links for Home, About Us, Contact Us, Download, and Login. The main content area features a large banner for the 'Foundation Day of the National Trust' with a photo of a group of people. Below the banner, there is a yellow box with text about the 'National Conference on Autism dated on 03.04.2017' and a link to 'Click here to filling LG Application Form'. At the bottom, there are several tiles: 'Message from the Ministry' (with a photo of a man), 'Legal Guardianship Process and information' (highlighted with a red box), 'Guide Me Regarding National Trust Services', 'Schemes Information & Enrolment', 'Donation Be a part of the cause', and 'NGO & SNAC Registration Process and forms'.



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- (iii) Click on sidebar heading i.e. **“Guardianship”** which is on left side of the page for find Legal Guardianship form.

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→ Donation
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→ **Guardianship**
→ FAQs
→ NGO & SNAC Registration
→ Associated Organisations
→ Graffiti Wall
→ Message from the Ministry
→ Success Stories
→ Grievance Redressal & Feedback
→ Right To Information
→ Aids and Assistive Devices
→ Trained caregivers
→ Registered Organisations, SNAC & LLC Information

Home » [Legal Guardianship](#) » Local Level Committee

Local Level Committee

Introduction Functions of LLC Funding Pattern for LLC
Forms in the National Trust Act, Rules and Regulations Conduct of Proceedings of LLC

[Local Level Committee PwD Form PDF](#) [Local Level Committee NGO Form PDF](#)

[Click for Local Level Committee PwD Application](#)

Introduction

Click here to filling LG Applicant form

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Source- Section 13(1) and (2) of National Trust Act-1999.

Co-opted additional Members

- (iv) Go to Guardianship page and click for Legal Guardianship Application link for filling of **“Legal Guardianship Form”**.

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→ Aids and Assistive Devices
→ Trained caregivers
→ Registered Organisations, SNAC & LLC Information

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Guardianship

What is Guardianship? Why Guardian? Who may apply for guardianship
Documents to be Attached with Form A Section 17 of National Trust Act - Removal of Guardian Home Visits

[Legal Guardianship Form PDF](#) [Click for Legal Guardianship Application](#)

What is Guardianship?

Click here to filling LG application form

A guardian is a person who is appointed to look after another person or his property. He or she assumes the care and protection of the person for whom he/she is appointed the guardian. The guardian takes all legal decisions on behalf of the person and the property of the ward. The occasion for taking care of another person may be his minority that is, a person who has not completed 18 years of age. It can also refer to guardianship of a person who because of physical and mental deficiencies is unable to take care of himself or his property. From early times, the condition of minority has been the ground for appointment of guardians in all societies. This is due to the fact that a minor person is considered unfit to take decisions for himself, which can be binding on him as regards others. Therefore, a minor person is treated in law as incompetent to enter into contract with a person who is an adult. In all matters therefore, a minor has also been considered unfit to represent himself except through his guardian. A guardian takes decision on behalf of the minor for protecting the interests of the minor and his property.

Source - Guardianship and Wards Act, 1890. Indian Contract Act-1872. Mental Health Act 1987

Special situation of persons with Autism, Cerebral Palsy, Mental Retardation and Multiple disabilities.

Persons with autism, cerebral palsy, mental retardation and multiple disabilities are in a special situation as even after they have acquired 18 years of age, they may not always be capable of managing their own lives or taking legal decisions for their own betterment. Therefore, they may require someone to represent their interests in the legal areas



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- (v) Before start filling and opening LG form please see the left side the draft pdf form of the LG and arrange the documents accordingly and then start filling the LG form for applicant.
- (vi) Normally, applicant should have details/Scan copy of the following document before starting to fill up LG form and each document should not have more than 5 MB size and format of document should be pdf which is as under:-
 - (a) Proof of Residence of PwD.
 - (b) Disability Certificate issued by competent authority.
 - (c) Details of Movable and immovable property of the PwD.
 - (d) Combined photo of Proposed guardian with PwD.
 - (e) Attach proof of consent.
 - (f) Attach proof of residence of proposed guardian.
- (vii) Select following undertaking by the applicant that the proposed Guardian is:-
 - (a) A citizen of india
 - (b) Is not of unsound mind or is currently undergoing treatment for mental illness.
 - (c) Does not have a history of criminal conviction.
 - (d) Is not a destitute and dependent on others for his own living (proof of income source to be attached)
 - (e) Has not been declared insolvent or bankrupt.
- (viii) Fill final page of the LG form which contains the details of Applicant (Proposed Guardian and PwD should be of same district/place).
- (ix) Before submitting please take a print out of the entire form and recheck complete details within 10 minutes and then immediately submit form.
- (x) After submission of the form whose print the applicant has already taken the system generated Application ID number and contact number of the LLC Chairperson i.e. DC/DM office will be available to the applicant. For future correspondence with this applicant id number.



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Disabilities.*

...to take India's development journey to newer heights we seek your support, blessings and active participation"

जयदेव नरे

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1

Personal
Details

2

Attachments
Details

3

Proposed Guardian's
Details

4

Applicant
Details

Personal Details

Personal Details of Person with Disability

Name of Person with Disability (PWD) * :

Date of Birth * :

Age :

Gender * : ☐ Male ☐ Female

Marital Status * : ☐ Single ☐ Married

Father's Name * :

Mother's Name * :

Address * :

State * :

District * :

Pincode * :

PWD Aadhaar Card No. :

Next



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PWD DOCUMENT DETAILS

Attach Proof of Residence of PWD*

Browse...

No file selected.

Select Disability Type*

--Select Disability Type

percentage *

%

Issuing Authority of Disability Certificate *

The Disability Certificate should be from any recognized Government Hospital.

ISSUING AUTHORITY NAME	DESIGNATION	ADDRESS	CONTACT NUMBER

Attach Disability Certificate*

Browse...

No file selected.

PERSON WITH DISABILITY ASSETS DETAILS

☐ PwD does not have Movable Property (Select this option in case of No movable property)

Details of Movable property on which PwD has share *

Attach proof *

Browse...

No file selected.

Details of Immovable property on which the PwD has share as per format *

☐ PwD does not have Immovable Property (Select this option in case of No Immovable property)

Survey No.	Village/Town	Measurement of the immovable property	Other Information

Save & Next



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Proposed Guardian's Detail

Proposed Guardian * ☒ Individual or Both Guardian ☐ Organisation

In case the proposed guardian is a parent, then the name of the other parent must also be included.

Individual or Both Guardian's Detail

Guardian's Name * :

Name of other parent :

Address * :

State * : Select State

District * :

Pin code * :

UID No :

Aadhaar Card No. :

Relationship of PwD with Proposed Guardian * : ☐ Parent ☐ Relative ☐ Registered Organization ☐ Any Other

Email ID * :

Contact Details * :

If Any Other Email, please specify :

Combined photo of proposed guardians with PwD (jpg.png) * : Browse... No file selected.

Consent of the person proposed to be appointed Guardian. * : ☐ Yes ☐ No



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Attach proof of residence of proposed Guardian. * : No file selected.

Undertaking by the applicant that the proposed Guardian is: *

☐ A citizen of India

☐ Is not of unsound mind or is currently undergoing treatment for mental illness.

☐ Does not have a history of criminal conviction.

☐ Is not a destitute and dependent on others for his own living (proof of income source to be attached)

☐ Has not been declared insolvent or bankrupt.

Applicant Details

Name of Applicant * :

Address * :

State * :

District * :

Pincode * :

UID No. :

Aadhaar Card No. :


Relationship of PwD with Applicant. * : ☐ Parent ☐ Relative(relative means related by blood,adoption,marriage) ☐ Registered Organization ☐ Any Other

Tick the obligations for which Guardianship is to be given * : ☐ Maintenance and Residential Care ☐ Management of immovable property ☐ Management of movable property ☐ Any other?



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First Witness Name*	:	<input type="text"/>
Address*	:	<input type="text"/>
Contact No*	:	<input type="text"/>
Aadhaar Card No.	:	<input type="text"/>
Second Witness Name*	:	<input type="text"/>
Address*	:	<input type="text"/>
Contact No.*	:	<input type="text"/>
UID No	:	<input type="text"/>
Aadhaar Card No.	:	<input type="text"/>
Guardianship Application is normally required to be filed jointly by either both the Parents or all the siblings as the case may be. Please confirm whether this application is joint or not.*	:	<input type="radio"/> Single Application <input type="radio"/> Joint Application
<input checked="" type="checkbox"/> We confirm that all the facts given above by me/us are true and correct to the best of my/ our knowledge and as stipulated under the National Trust Act and its Rules and Regulations		
Captcha	:	<div> <input type="text" value="Enter captcha code"/></div>
		<input type="button" value="Submit"/>

4.3.2. Steps to Download Legal Guardianship Certificate

After uploading LG certificate by DC/DM a system generated alert will go on email id of the applicant and applicant can download LG certificate by following steps:-


- (i) Go to the National Trust website <http://www.thenationaltrust.gov.in/>



The screenshot shows the homepage of The National Trust. The header features the Government of India logo, the National Trust logo, and the text 'THE NATIONAL TRUST Empowering Abilities, Creating Trust'. Navigation links include Home, About Us, Contact Us, Download, and Login. A red box highlights the 'Login' button. Below the header is a large banner image showing a group of people, including children and adults, at an event. Below the banner is a yellow section with text about the National Conference on Autism dated 03-04-2017. At the bottom are three orange boxes: 'Message from the Ministry', 'Guide Me Regarding National Trust Services', and 'Schemes Information & Enrolment'.

- (ii) Go to the Home page and click on “Login”.


- (iii) Go to login page and click on “**Registration**”.
- (iv) After click on Registration some links will be visible on the page. One of them will be “**LG/LLC PwD/LG Certificate Status**” then a form will be display which contains Form Type and LG Application ID.




भारत सरकार
GOVERNMENT OF INDIA

दिव्यांगजन सशक्तिकरण विभाग
Department of Empowerment of Persons with Disabilities (Divyangjan)

सामाजिक न्याय एवं अधिकारिता मंत्रालय
Ministry of Social Justice and Empowerment (MSJE)





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Disabilities.

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[Home](#)
[Registration](#)
[Guardianship](#)

Scheme Management System

Introduction about Scheme Management System

Scheme Management System is an initiative of the National Trust to ensure further transparency in its working as well as to reach out to its registered organisations (RO) with more information and on-line access to facilities like submission of applications for various schemes, reviewing the status of applications, profile updation of ROs, submission of progress reports, expenditure reports and utilisation certificates, fund calculator for schemes, demand submission for grants and expeditious release of fund etc. Some of these features have already been incorporated and many more features will be added in due course.

[Click here for registration of already registered NGOs](#)

[Apply for NGO Registration](#)
[Previous Registered NGOs](#)
[Edit Registration Form](#)
[View Application Status](#)
[LG/LLC PwD/LG Certificate Status](#)
[NGO Renewal](#)

Login id

Login Id

Password

Enter Captcha code

3D6MN

login

To know the status of LG certificate or to download certificate click here


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- (v) The applicant should select “**LG Application**” in the list of Form Type and insert Application Id number in the application id field and submit it.




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Ministry of Social Justice and Empowerment (MSJE)



हिन्दी



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Check Application Status :

Form Type

LG Application

▼

Application ID

ABCD1234567890

submit

Select LG Application option from the providing list

Enter LG Application ID as provided at the time of LG fom submission in the above filed.

Click on Submit button to know status of LG application and download LG certificate sign by DC/DM office.

LG Application status

Application ID

: ABCDE1234567890

Pwd Name

: PwD Name

State

: State Name :

Districts

District Name :

Current Status

: Approve

Certificate status

: verified

Download LG Certificate



Click here to download LG Certificate sign by DC/DM office.

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- (vi) After submitting the form LG application status with certificate will be visible. For download LG certificate click on “**PDF icon**”.



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4.4. Frequently Asked Questions (FAQs)

4.4.1. FAQs on Legal Guardianship & LLC

Q1. Is it mandatory and absolutely necessary that a legal guardian be appointed for each person with disability?

Ans: Though it is not mandatory to apply for legal guardianship of a person with disability, since the National Trust Act, 1999 has made provision for such appointment it is always advantageous to apply for legal guardianship under the provisions of the said Act. Such occasion may arise when a person with disability has to deal with issues related to himself, his interests and his properties and since he/she may not always be able to take appropriate decisions in those respects, it would be in the best interests if represented by a legal guardian in such matters.

Elaboration of Section 14(3) of NT Act read with Form B under National Trust Rules.

Q2. Does the Local Level Committee have any inherent powers as the Courts have?

Ans: A friend of a person with disability cannot apply for guardianship but he can be appointed as a guardian if a parent or a sibling or a relative recommends / applies for the appointment of such a person as legal guardian.

Elaboration of Section 14(1) of National Trust Act.

Q3. Can a society apply for guardianship of a person with disability?

Ans: Under Section 14(2) of the National Trust Act, 1999, it is open to a registered organization to be the Local Level Committee for appointment of a guardian for a person with disability. The registered organization may apply to a registered society, trust or association of persons who have been registered under Section 12 of the- National Trust Act by the Board. Such an organization must fulfil the criteria laid down for them to make such application.

Q4. Can a minor act as a guardian?

Ans: A “minor” is a person who has not completed 18 years of age. Such minor cannot act as guardian of a person with disability under the National Trust’s Regulations.

Q5. Can an application for guardianship be made for a ward who lives abroad?

Ans: No. It would not be possible for a Local Level Committee to appoint a guardian who is living abroad since applicability of National Trust Act is the whole of India under Section 1(2) of the Act. As per Section 17(1)(iii)(a) of National Trust Rules the person whose name has been suggested for appointment as guardian should be a citizen of India. Further under the Trust’s Regulation 12(6), both the guardian and the ward must be living within the jurisdiction of the Local Level Committee.



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Q6. What is the position of a 'testamentary guardian' appointed under a 'Will'?

Ans: It is open to a parent to appoint a guardian for his minor child (who may also be a person with disability) under a 'Will' or other testamentary instrument. Where such testamentary guardian has been appointed there is intended to be the legal guardian under the National Trust Act. The LLC may take into consideration the facts and circumstances of the testamentary guardianship.

Q7. Can separate guardians be appointed for the care of the person and for the care of the property of a person with disability?

Ans: Yes, it is possible that guardians are appointed separately for the care of the person and for the care of the property of the person with disability. However, the Local Level Committee will look into all the facts and circumstances of the case before taking such a decision.

Q8. Can a foreigner apply for guardianship?

Ans: No, a person who is not a citizen of India cannot apply for guardianship of a person with disability in India under the Trust's Rules Section 17(1)(iii)(a).

Q9. What will happen if the guardian is convicted by a court of law and sent to prison or develops serious incapacity to discharge his duties or develops interests adverse to that of the ward or leaves the district permanently or becomes bankrupt?

Ans: In all of these circumstances, the guardian will be liable to be removed and the Local Level Committee will have to appoint another guardian. It may also place the ward in the charge of an eligible person or institution till a guardian is appointed on regular basis.

4.4.2. FAQs on scope of LLC with regard to Legal Guardianship

Q1. What is the jurisdiction of a Local Level Committee?

Ans: The territorial jurisdiction of a Local Level Committee is defined under Section 13(1) of the National Trust Act, 1999. The Local Level Committee may be constituted for such 'area' as may be specified by the Board from time to time. This area may be comprised of one or more districts. It is also open to the Board to alter the area specified by it, thus, the territorial jurisdiction of the Local Level Committee will extend over the area so specified by the Board. Applicants for guardianship and their wards will have to belong to those areas and be residing there.



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Q2. Does the Local Level Committee have any inherent powers as the Courts have?

Ans: National Trust Act, 1999 has not bestowed any inherent powers to LLCs akin to those exercised by the courts. However, LLCs may reconsider and amend their own orders if they feel that the ends of justice have not been achieved through their earlier orders. This is possible as part of natural justice.

Q3. Can a Local Level Committee vary the powers of a guardian after appointing one?

Ans: The Local Level Committee can vary the powers of a guardian after having appointed him but this will depend upon the developments and the circumstances of a given case and should be properly illustrated.

Q4. Can the Local Level Committee ask for “security” from the proposed guardian to ensure that he fulfills his obligations?

Ans: A Local Level Committee can ask for security to be provided by a proposed guardian to ensure that the guardian will fulfill his obligations and in case of any breach thereof, the guardian will be liable to the Committee for a given sum of money. Normally, such security is given by way of guarantees/ undertaking or bonds, which can be enforced.

Q5. Can a Local Level Committee appoint a guardian without any formal application before it?

Ans: Where a Local Level Committee finds that a guardian has to be appointed for a person with disability for whom no formal application for guardianship has been made, it may under Regulation 13(4) ask a registered organization to initiate the process of guardianship for such person. Such person may be a vagrant, destitute or an abandoned person with disability.

Q6. What about suits filed to restrain Local Level Committee from granting applications for guardianship?

Ans: A Local Level Committee will be bound by any restraint order passed by any Court restraining it from granting an application for guardianship. Until the restraint order is revoked, a Local Level Committee is not free to proceed further with the guardianship case and has to keep it in abeyance.

Q7. Since Local Level Committee has no powers of Court, will it have any power over third parties? Can it summon other persons or take evidence as courts can do?

Ans: In order to consider applications for guardianship impartially and fairly, a Local Level Committee may call for other persons and take their evidence or hear them depending upon the facts and circumstances of the case. In the event a third person called by the Committee does not appear, it will have to do without the appearance of such person as it has no powers to



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enforce such presence. The Committee can also take affidavits by way of evidence from witnesses and applicants and allow cross-examination by objectors to guardianship applications.

Q8. How does Local Level Committee serve notice, as summons?

Ans: Though the Local Level Committee cannot issue a summons to a person as is the procedure of a regular court, it can send a letter requesting a person to appear before it, or produce any documents or tender evidence.

Q9. Can a Local Level Committee ask for production of the person with disability before it?

Ans: A Local Level Committee can ask for production of a person with disability before it in order to assess the needs of such person.

Q10. Can a Local Level Committee appoint a guardian for property outside its jurisdiction?

Ans: Yes, a Local Level Committee can appoint a guardian for managing property of a person with disability even if such property is outside its jurisdiction. However, it will have to be clarified by the Committee as to how the guardian will manage such property and submit reports and inventories to the Local Level Committee, which has appointed the guardian.

Q11. When there is a dispute about the property of a person with disability and there are other claimants, what can the Local Level Committee do?

Ans: It will be necessary for the Committee in cases of disputes between parties in regard to immovable properties to ask the contending parties to get the disputes over property resolved by a Civil Court of Law. Till then, appointment of guardian to manage the disputed property will have to be kept in abeyance.

Q12. When a Local Level Committee finds fraud or other offence against guardian, can it complain to the Area Magistrate for criminal action?

Ans: It is open to the Local Level Committee to complain to the area magistrate to take action if any act of criminal nature such as fraud, forgery, defalcation or breach of trust is discovered in a given case. Alternatively, the Committee can request the aggrieved person to institute such complaint and report to the Committee.



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4.5. Actions to be taken by DC/DM Office in constitution /working of LLC

1. Issue a recommendation letter in favor of NGO registered with National Trust saying “This is a good NGO and working in the field of disability and I recommend this NGO for Local Level Committee”.
2. In case no NGO is registered in the district, find a good NGO working in the field of disability and motivate that NGO to get registered with the National Trust. After registration, give the NGO a recommendation letter for LLC NGO membership.
3. Till then, DC office can recommend RO from the neighbouring district if the RO is willing to work as LLC NGO for that district. Issue Recommendation letter for that NGO also.
4. Find a suitable person with disability (Divyangjan) as per PwD Act and issue a recommendation letter to that person also as per the language given above.
5. Open a joint bank account with NGO/PwD member in the name of “Local Level Committee – District name” and if there is no NGO/PwD member alone DC/DM can be signatory to run the “Local Level Committee – District name” Account.
6. Ask recommended NGO and PwD to fill online form for LLC membership. NGO can fill the online form with the login ID and password issued at the time of registration with National Trust. PwD can directly fill the form.
7. Bank account details of Local Level Committee are to be filled in the online form by both the recommended members i.e. NGO and PwD member.
8. Instruct your office to follow up with recommended NGO and PwD member if they have completed the formalities of online form.
9. The proposed Guardian and person with disability (Divyangjan) should be of same district, not only for the smooth functioning of the system but it is physically & emotionally in the interest of PwD.



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4.6. Contact Details

(i) Shri. U.K. Shukla

(Assistance Legal Adviser), The National Trust,
Department for Empowerment of Persons with Disabilities,
Ministry of Social Justice & Empowerment,
Government of India,
16B, Bada Bazar Road,
Old Rajinder Nagar, New Delhi – 110060
Ph. 011-43187804
Email – ala@thenationaltrust.in

(ii) Smt. Shreshtha Sahni

(PA), The National Trust,
Department for Empowerment of Persons with Disabilities,
Ministry of Social Justice & Empowerment,
Government of India,
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Old Rajinder Nagar, New Delhi – 110060
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(iii) Shri. Himanshu Aggarwal

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