

Memorandum of Agreement (MOA)

This Agreement has been made and agreed upon between the parties mentioned below, signed on the _____ day of _____, _____.

BETWEEN

The Department of Empowerment of Persons with Disabilities (**DEPwD**), which is a Department under Ministry of Social Justice & Empowerment, Government of India, is a nodal department for making policy on empowerment of persons with disability (PwD), having its office presently located at 5th Floor, Pt. Deendayal Antyodaya Bhavan, CGO Complex, Lodi Road, New Delhi – 110003, hereinafter referred to as DEPwD, in short, as the party of the first part.

And

(Name and full address of the Coaching Institute), hereinafter referred to as party of the second part.

1. Background

Article 41 of Part IV (“Directive Principles of State Policy”) of the Constitution provides that the State shall make effective provisions for securing the right to work, to education and to public assistance in the cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

Article 46 of Part IV (“Directive Principles of State Policy”) of the Constitution enjoins upon the State to promote with special care of the educational and economic interests of the weaker sections of the people. Article 38(2) of the same Part also enjoins upon the State to minimize inequalities in income and to endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

In view of the above, the Department of Empowerment of Persons with Disabilities has introduced a Central Sector Plan scheme namely “Free Coaching for Students with Disabilities” with effect from 1st April, 2017. This scheme is to be implemented in partnership with reputed coaching institutions/institutions etc and provides for giving financial assistance for providing free coaching to persons with disabilities in accordance with the terms and conditions laid down in the O.M No. 14-24/2013-Sch dated 30th March, 2017

I. PURPOSE OF MOA

The purpose of the MoA is to establish responsibilities of each party in providing coaching of good quality for Students with Disabilities under the Scheme referred to herein-above and to enable them to appear in competitive/ entrance examinations and succeed in obtaining an appropriate job in Public/Private Sector or to pursue desired course.

(Authorised Signatory)
Coaching Institute

(Authorised Signatory)
DEPwD

II. DURATION

This MoA IS EFFECTIVE UPON signature of both the parties and remain in effect for a period of three years, unless cancelled in writing by either of the party before the said period.

III. COURSES AND QUANTUM OF FEE

The Course (S) for which coaching will be imparted and fee is/ are as follows:

Sl. No.	Course (S)	Location of Centre	Duration of Course	Fee per Candidate	Anticipated Number of Candidates/ students in each course
1					
2					

IV. ELIGIBILITY CRITERIA FOR CANDIDATES / STUDENTS

- i) Free coaching will be available to students with disabilities who are covered under the Rights of Persons with Disabilities Act, 2016 and the National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 and any other relevant Act issued by the Govt of India from time to time.
- ii) The students should be selected by the coaching institute based on academic criteria prescribed by institute. The institute can relax these criteria in special cases only, in consultation with the DEPwD.
- iii) The candidates should be eligible to appear at the examinations/course for which he/she wants coaching under this scheme.
- iv) Only students with disability having total family income from all sources of Rs.6.00 lakh or less per annum will be eligible for benefits under the Scheme. For the purpose, income declaration of self employed parents/ guardian should be in the form of a certificate issued by Revenue Officer not below the rank of Tehsildar. Employed parents/guardians are required to obtain income certificate from Revenue Officer for any other additional source of income, or give a self declaration if they have no other income other than from employment.
- v) Benefits under the Scheme can be availed of by a particular student not more once, irrespective of the number of chance he/she may be entitled to take in a particular competitive examination. The coaching institute will be also be required to take an affidavit from the students that they have not taken benefit more than once under the Scheme, as well as their Aadhaar number, or alternate identification as prescribed.
- vi) Where examination is conducted in two stages viz. Preliminary and Main, the candidates will be entitled for free coaching for both the examination. However, there will be no restriction in number of chance for coaching for Interview, if the candidate is selected for interview.
- vii) In the event of any student remaining absent for more than 15 days without any valid reason, benefit of free coaching to him/her shall be discontinued under intimation to this Department.

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V. FUNDING

- (i) The Department of Empowerment of Persons with Disabilities, Government of India will fund the entire coaching fee in respect of the selected students with disabilities as per the terms and conditions of the Scheme and the MOA. The coaching institute shall not charge any fee/charge from the students in the name of examination fee, tuition fee, or any other name whatsoever.
- ii) Fee component will be released directly to the coaching institutes/centres concerned in the form of Grant-in-Aid(GIA).
- iii) GIA will be released to the institutions concerned in two equal instalments for every batch of coaching.
- iv) The first instalment amounting to 50% of course fees will be released to the institutes after enrolment of candidate and on receipt of their details in the prescribed format (**Annexure-A**). The second instalment of grant-in-aid will be released (in shape of reimbursement) to the coaching institutes on production of Utilization Certificate of the first instalment, details of expenditure made, audited accounts certified by a Chartered Accountant, details of courses conducted and number of students trained. At the time of sending proposal for 2nd instalment and in subsequent years the proposal would be submitted as per the Performa given in **Annexure-B**.
- v) The coaching institute shall have bio-metric attendance of SwDs. The details of bio-metric attendance shall be provided by the coaching institutes. Only SwDs who are having more than 50% attendance in a particular month will be eligible for full amt. of monthly stipend and special allowance.
- vi) In case of discontinuation of a student, the institute shall be allowed to charge the tuition fees pro-rata for months attended. For the purpose of simplicity, if the student discontinues before half the month is over, no fee shall be given.
- vii) The performance of the institutes will be assessed before releasing the fund for the subsequent year. The release of fund after every year will depend on the satisfactory performance of the institution during the previous year.
- viii) Utilization certificate should be submitted on expenditure of all grants received in the previous financial year within 6 months of closure of the financial year as per **Annexure-D**. Along with the UC, audited statement of accounts reflecting details of all students coached with previous year's grants, details of course fee and stipend paid should be submitted.
- ix) For all students coached in the previous financial year, a statement on performance in the examination, for which coached, as per **Annexure-E** may be submitted.
- x) For purpose of release of grant for the next subsequent financial years duly filled in Performa as per **Annexure-A and B** shall be submitted by the institute.
- xi) Stipend and special allowance admissible to the candidates shall be released directly to their Bank account through PFMS portal by DEPwD.

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Coaching Institute

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xii) The grant-in-aid would be released only in respect of actual number of candidates enrolled for-coaching based on the information received in **Annexure-A**.

VI. TERMS AND CONDITIONS

- i) The institute shall maintain full progress record of the coaching and selection of the candidates.
- ii) Grant-in-aid released to the institutes shall be dealt with in a separate account by them.
- iii) The institutes shall utilize the grant-in-aid only for the purpose laid down in the Scheme terms and conditions and this MoA. In the event of the grantee institutions acting in contravention of this condition, the institution will be liable to refund the amount received with interest and other action on it as deemed necessary by the Government.
- iv) The coaching/training institution will also be required to take an undertaking from the student that they have not already taken the benefit under the Scheme.
- v) For enabling E-payment directly into the account of the Empanelled Coaching Institutes through ECS/RTGS/NEFT system, an authorised letter from the payee, with full details of e-payment i.e., name of payee, bank IFSC code number, bank branch number, bank branch name, bank branch address etc. should be provided **(as per Annexure-C)**. The authorization letter must be counter-signed by the manager of the respective bank branch to avoid wrong account number. Only one authorization letter is required for the entire financial year or till the account number is changed during the year.
- vi) Fees charged by the Institution for beneficiary students under this Scheme shall not be more than the fee charged from the other student availing the same course.
- vii) In case of violation of terms and condition of the Agreement and Scheme guidelines and, or this Agreement, where the Ministry is of the view that violation has taken place, the ministry will issue a Show Cause Notice giving 30 days time to reply. If reply found unsatisfactory, the institute shall be blacklisted for the purpose of receiving any grant from Govt. of India or States in addition to the liability for paying penalty with interest. Names and particulars of blacklisted institutes will be circulated to all concerned. The blacklisting shall be for a period of 3 years.
- viii) The selected institution will not, without Ministry`s prior written consent, disclose the Contract, or any provisions thereof, furnished by or on behalf of Ministry in connection with the Scheme to any person other than a person employed by the institute in the performance of the Contract. Disclosure to any such employed person will be made in confidence and to the extent necessary.
- ix) The selected institution will not outsource the training to any other associate / third party under any circumstances.
- x) The institute shall submit information of (i) employment secured by the candidates coached and (ii) exams cleared by them as the case may be.

(Authorised Signatory)
Coaching Institute

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- xi) The grantee institute will be open to inspection by the officers of the Ministry and audit as may be necessary.
- xii) The grantee institution shall adhere to directions received from Ministry from time to time. Violations of such directions shall be treated as violations of terms of this MoA.
- xiii) The institutions should have the following facilities for students with disabilities.
 - a. It must have barrier free environment having ramps, accessible toilets, large print display and Braille signage etc.
 - b. It must have well lit, ventilated and noise free classrooms.
 - c. It must have facility for power point presentation.
 - d. It must provide Sign language Interpreter on demand.
 - e. It should provide 25% extra classes for SwDs.
 - f. It must conduct two extra practice exams for SwDs.
 - g. It must have suitable accessible hardware & software facilities for providing coaching to SwDs.

VII. Applicable law

The work order shall be governed by the laws and procedures established by Govt. of India within the framework of applicable legislation and enactment made from time to time concerning such commercial dealing/processing. Any default in the terms and conditions of the document by the institution / coaching centre will lead to cancellation of empanelment.

VIII. Jurisdiction

The jurisdiction of courts shall be of those situated at New Delhi for all the purposes.

The terms and condition of this Memorandum of Agreement are agreed by the both the parties.

2. Other Covenants

This Agreement will come into effect on date of signature by both the parties. This Agreement may be varied at any time by mutual agreement of the parties in writing. It shall be reviewed three months before the end of contract date or at a time mutually agreed by the parties for possible renewal.

Both the parties have set their hands in presence of the witness on the date as stated above.

Signature of witness 1.

Name & Address ()

2.

Name & Address ()

(Authorised Signatory)
Coaching Institute
Date
Stamp

(Authorised Signatory)
DEPwD
Date
Stamp

Annexure-A

Format for sending detailed list of student admitted by the institute for coaching under the scheme “Free Coaching for Students with Disabilities” for first instalment.

Course :

Number of slots allotted for the course :

1. On enrolment of candidates and before release of first instalment :

S. No	Name of the student	Father's Name	Aadhar No/ alternate Identification	Address and Tel No.	Community (SC/ST/OBC)	Male/ Female	Annual Income of family	Local or out station	Nature & % of disability	Course allotted	Aadhar linked Bank A/c No.	IFSC code of the bank
1	2	3	4	5	6	7	8	9	10	11	12	13

2. Course fee per person :

3. Course fee claimed (50% of total course fee) : Rate x Number of students/2

4. For stipend/allowance for students :

(i) Number of outstation students :

(ii) Number of local students :

(iii) Number of students seeking special allowance with details :

5. Attested photocopies of disability certificate and family income certificates of the PwD students :

(Authorised Signatory)
With stamp and date

Format for sending detailed list of PwD students coached/trained by the institute under the scheme “Free Coaching for Students with Disabilities”

1. At the time of sending proposal for IInd instalment on completion of the course and in subsequent years :

S. No	Name of the student	Father’s Name	Aadhar No /Alternate identification	Address and Tel No	Community (SC/ST/OBC)	Male or female	Annual Family income	Local or out station	Nature & % of disability	Detail of performance in Exam for which coached			Aadhar linked bank A/c No	IFSC code of the bank
										Name of exam	Roll No	Result		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

2. Course fee per person :

3. Course fee claimed (Number of students completed the course x course fee) :

4. No of students who left the course without completing it and the months for which they attended the coaching in the following format :

S.No	Name of the Student	No of months for which coaching attended	Total reimbursement eligible

5. Total amount of course fee(3+4) :

6. Ist instalment received :

7. Net claim (5-6) :

8. Biometric details of the Students with Disabilities :

**(Authorised Signatory)
With stamp and date**

Format of authorization letter for sending funds directly into the bank account

(I/we (Organisation Name) would like to receive the sums disbursed by the Department of Empowerment of Persons with Disabilities to me/us electronically to our bank account detailed below. The bank account details are duly verified by the bank concerned.

Payee`s Particulars

S. No	Name of the Empanelled Coaching Institute as in bank in account	Full Address (including Pin code No)	Telephone Number with STD Code	Name of Bank	Bank Branch (with full address and tele phone No).	Bank account number	IFSC code of the bank	MICR Code of the bank
1	2	3	4	5	6	7	8	9

Name

Authentication by the concerned Bank

Signature

Stamp of the Bank with date

**(Authorised Signatory of the coaching institute)
With stamp and date**

FORM OF UTILISATION CERTIFICATE
FORM GFR 19-A [See Rule 212 (1)]
[To be submitted after receipt of grant-in-aid]

Sl. No.	Letter No. and date	Amount
	Total	

Certified that out of Rs..... of Grant in aid sanctioned during the year.....in favour ofunder Department letter No. given in the margin and Rs..... on account of unspent balance of the previous year, a sum of Rs..... has been utilized for the purpose offor which it was sanctioned and that the balance of Rs.....remaining un-utilized at the end of the year has been surrendered to Government (vide No.dated) /will be adjusted towards the grant-in-aid payable during the next year..... .

2. Certified that I have satisfied myself that the conditions on which the grant-in-aid was sanctioned have been dully fulfilled/are being fulfilled and that I have exercised the following checks to see that the money was actually utilized for the purpose for which it was sanctioned.

Kinds of checks exercised

- 1.
- 2.
- 3.
- 4.
- 5.

(Signature and seal of the Auditor with date)

(Authorised Signatory of the coaching institute)
With stamp and date

Format for sending detailed performance of students coached/trained by the institutes under the scheme “Free Coaching for Students with Disabilities”.

S No	Name of the student	Father's Name	Aadhar No/Alternate identification	Address and Tel No.	Community (SC/ST/OBC)	Disability	% of disability	Male or Female	Annual family Income	Details of performance in Examination for which coached.		
1	2	3	4	5	6	7	8	9	10	11	12	13