

National Trust for
Welfare of Persons with
Autism, Cerebral Palsy,
Mental Retardation and
Multiple Disabilities Act,

1999♦

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Short title and extent.

- ◆ (1) This Act may be called the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.
- ◆ (2) It extends to the whole of India

Definitions

In this Act, unless the context otherwise requires--

- ◇ (a) "autism" means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviour;
- ◇ (b) "Board" means Board of trustees constituted under section 3;
- ◇ (c) "cerebral palsy" means a group of non-progressive conditions of a person characterised by abnormal motor control and posture resulting from brain insult or injuries occurring in the pre-natal, perinatal or infant period of development;
- ◇ (d) "Chairperson" means the Chairperson of the Board appointed under clause (a) of sub-section (4) of section 3;
- ◇ (e) "Chief Executive Officer" means the Chief Executive Officer appointed under sub-section (1) of section 8;
- ◇ (f) "Member" means a Member of the Board and includes the Chairperson;

Definitions

- ◇ g) "mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterised by sub-normality of intelligence;
- ◇ (h) "multiple disabilities" means a combination of two or more disabilities as defined in clause (i) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996);
- ◇ (i) "notification" means a notification published in the Official Gazette;
- ◇ (j) "persons with disability" means a person suffering from any of the conditions relating to autism, cerebral palsy, mental retardation or a combination of any two or more of such conditions and includes a person suffering from severe multiple disability;
- ◇ (k) "prescribed" means prescribed by rules made under this Act;

Definitions

- ◇ (l) "professional" means a person who is having special expertise in a field which would promote the welfare of persons with disability;
- ◇ (m) "registered organisation" means an association of persons with disability or an association of parents of persons with disability or a voluntary organisation, as the case may be, registered under section 12;
- ◇ (n) "regulations" means the regulations made by the Board under this Act;
- ◇ (o) "severe disability" means disability with eighty per cent. or more of one or more multiple disabilities;
- ◇ (p) "Trust" means the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability constituted under sub-section (1) of section 3.

Goals

- ◇ 1) With effect from such date as the Central Government may, by notification, appoint there shall be constituted, for the purposes of this Act, a body by the name of the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities, which shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.
- ◇ (2) The general superintendence, direction and management of the affairs and business of the Trust shall vest in a Board which may exercise all powers and do all acts and things which may be exercised or done by the Trust.

Goals

- ◆ The 1999 Act sets up a National Trust to enable persons with disability to live independently by: (i) promoting measures for their protection in case of death of their parents, (ii) evolving procedures for appointment of their guardians and trustees, and (iii) facilitating equal opportunities in society.

Structure of committee

- ◆ The Board shall consist of--
- ◆ (a) a Chairperson to be appointed by the Central Government from amongst the persons having expertise and experience in the field of autism, cerebral palsy, mental retardation and multiple disability;
- ◆ (b) nine persons to be appointed in accordance with such procedure as may be prescribed from amongst the registered organisations out of which three members each shall be from voluntary organisations, association of parents of persons with autism, cerebral palsy, mental retardation and multiple disability and from association of persons with disability, Members:

The objects of the Trust

- ◇ (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 persons with disability to live within their own families;
- ◇ (c) to extend support to registered organisations to provide need based services during period of crisis in the family of persons with disability;
- ◇ (d) to deal with problems of persons with disability who do not have family support;
- ◇ (e) to promote measures for the care and protection of persons with disability in the event of death of their parents or guardians;

The objects of the Trust

- ◆ (f) to evolve procedure for the appointment of guardians and trustees for persons with disability requiring such protection;
- ◆ (g) to facilitate the realisation of equal opportunities, protection of rights and full participation of persons with disability;
- ◆ (h) to do any other act which is incidental to the aforesaid objects.

Finance

Grants by the Central Government

- ◆ The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Trust a one-time contribution of rupees one hundred crores for a corpus, the income whereof may be utilised to achieve the objects of the Trust under this Act.

Finance

Fund

- ◆ (1) There shall be constituted a Fund to be called National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Fund and there shall be credited thereto- (a) all moneys received from the Central Government; (b) all moneys received by the Trust by way of grants, gifts, donations, benefactions, bequests and transfers; (c) all moneys received by the Trust in any other manner or from any other source.
- ◆ (2) All moneys belonging to the fund shall be deposited in such banks or invested in such manner as the Board may, subject to the approval of the Central Government, decide. 14
- ◆ (3) The Funds shall be applied towards meeting the administrative and other expenses of the Trust including expenses incurred in the exercise of its powers and performance of duties by the Board in relation to any of its activities under section 10 or for anything relatable thereto.