

**THE NATIONAL TRUST FOR
WELFARE OF PERSONS WITH
AUTISM, CEREBRAL PALSY,
MENTAL RETARDATION
AND MULTIPLE DISABILITIES
ACT, 1999**

**THE NATIONAL TRUST FOR WELFARE OF PERSONS WITH
AUTISM, CEREBRAL PALSY, MENTAL RETARDATION AND
MULTIPLE DISABILITIES ACT, 1999**

Objectives of the Act

This Act provides for the constitution of a national body for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities. Such a national body will be a trust whose objects shall be as under:

- (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 organisation to provide need based services during the 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 parent or guardian;
- (f) to evolve procedure for the appointment of guardians and trustees for persons with disability requiring such protection;
- (g) to facilitate the realization of equal opportunities, protection of rights and full participation of persons with disability; and
- (h) to do any other act which is incidental to the aforesaid objects.

The Act received the assent of the President on 30th December, 1999 and extends to the whole of India.

Definitions

- (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;
- (c) “**cerebral palsy**” means a group of non-progressive conditions of a person characterised by abnormal motor control posture resulting from brain insult or injuries occurring in the prenatal, perinatal or infant period of development;
- (g) “**mental retardation**” means a condition of arrested or incomplete development of mind of a person which is specially characterised by subnormality 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. These are blindness, low vision, leprosy cured, hearing impairment, locomotor disability, mental retardation and mental illness;
- (j) “**person 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;
- (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 of this Act;
- (o) “**severe disability**” means disability with eighty percent or more of one or more of multiple disabilities;
- (p) “**Trust**” means the National Trust for Welfare of Persons with Autism , Cerebra Palsy, Mental Retardation and Multiple Disability constituted under sub-section (1) of section 3 of this Act.

Registration of Associations with the Board

Any Association of persons with disability or any association of parents of disabled persons or voluntary organizations can apply to the Board for registration. If application is genuine and is accompanied with necessary documents and fees, the association will be registered. Upon registration, the association can have access to or obtain copy of any book and documents maintained by the Board. The Board will determine the pre-funding status of registered organizations seeking financial assistance in accordance with regulations. The Board will also hold every year a meeting of registered organizations.

Local Level Committees

The Board will have to constitute Local Level Committees for different areas comprising of District Magistrate or the District Commissioner along with one representative from a registered organization and a person with disability for a period of three years to act as a Local Level Committee. These Local Level Committees have to meet at least once in three months.

Appointment of Guardians for Persons with Disability

A parent or relative of a person with disability may apply to the Local Level Committee for appointment of a guardian/or a person with disability. A registered organisation can also make such an application with consent of the natural guardian of the disabled person. The Local Level Committee will examine whether the person with disability needs a guardian and for what purpose and also lay down the duties of the guardian. The guardian will be responsible for the maintenance of the person with disability. The guardian will also submit to the Local Level Committee inventory and annual accounts of the property and assets, claims and liabilities in respect of such person with disability. A guardian so appointed can be removed for negligence or for misappropriating the property of the person with disability.