

Government of India
Ministry of Social Justice and Empowerment
Department of Empowerment of Persons with Disabilities

Proposal for Amendment in Rehabilitation Council of India (RCI) Act 1992

The Rehabilitation Council was set up through an Act of Parliament namely Rehabilitation Council of India Act, 1992. The Council is responsible for regulating and monitoring the training of rehabilitation professionals and personnel, promoting research in rehabilitation and special education, maintenance of a Central Rehabilitation Register, promotion of research in rehabilitation and special education and for matters connected therewith or incidental thereto.

The need for amendment to the said Act has arisen in view of developments in the rehabilitation and the education sector in the intervening years from 1992 onwards. These include enactment of the Rights of Persons with Disabilities Act, 2016 under which the scope and coverage of disabilities has been broadened. Consequently, this impacts the education of rehabilitation professionals and hence there is a requirement to align Rehabilitation Council of India Act with the RPwD Act, 2016. Further, in view of introduction of the National Education Policy, several changes would be warranted in existing programme and course objectives, deliverables, curriculum, design, content, pedagogy, duration, evaluation criteria etc. A need has also arisen to benchmark all programmes and courses with those being conducted at the national and international levels to ensure quality in rehabilitation education and to bridge the gap in quality rehabilitation care human resource.

Keeping the aforesaid in view, the Department of Empowerment of Persons with Disabilities has prepared the draft amendment to RCI Act, 1992. The proposed amendments *vis-à-vis* existing provisions of the RCI Act are at **Annexure-I**. The Department hereby invites the comments of all the stakeholders including State Governments/UT Administrations, Civil Society/Non-Government Organisations, Academicians, Public and Private Sector organizations, Multilateral Institutions and members of the public to submit their comments on proposed amendments as indicated in **Annexure-I** within a period of **21 days**.

Stakeholders may submit their suggestions by mail at kvs.rao13@nic.in latest by **23rd December 2020**.

Proposed Amendments in RCI Act

<u>The Act with Amendments 2000</u>	<u>Proposed Amendments</u>
An Act to provide for the constitution of the Rehabilitation Council of India for regulating the training of rehabilitation professionals and monitoring the training of rehabilitation professionals and personnel, promoting research in rehabilitation and special education and the maintenance of a Central Rehabilitation Register and for matters connected therewith or incidental thereto.	An Act to provide for the constitution of the Rehabilitation Council of India to provide for accessible, quality and affordable habilitation and rehabilitation education; to regulate the conduct of such education; to meet the demand of high quality professionals and personnel in all parts of the country; to encourage professionals to adopt latest research in their work and contribute to research; to maintain and enforce high ethical standards in services provided by professionals and personnel; and for matters connected therewith or incidental thereto in line with the provisions of Rights of Persons with Disabilities Act, 2016 (49 of 2016).
1. (1) <i>This Act may be called the Rehabilitation Council of India Act 1992.</i>	No change
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette appoint.	No change
2. (1) In this Act, unless the context otherwise requires: (a) “Chairperson” means the Chairperson of the Council appointed under sub-section (3) of section 3	No change (aa) “Bachelor’s” means a course of study after completion of Class 12, or Diploma with 60-66 credits, leading to the award of a bachelor’s degree requiring receipt of 120-130 credits, or 60-66 credits, respectively. (ab) “Certificate” means a course of

<p>(b) "Council" means Rehabilitation Council of India constituted under section 3;</p>	<p>study after completion of Class 10 leading to the award of a certificate requiring up to one year of study.</p> <p>No Change</p> <p>(ba) "Course" means a unit of teaching lasting one term that could lead to receipt of credit(s).</p> <p>(bb) "Credit" means the weight assigned to a course depending on the number of contact hours spent in class per week in a term, also known as a term credit hour (TCH), corresponding to one contact hour in class per week or a minimum of sixteen hours in class in a term; or two to three contact hours in laboratory or field work per week or thirty two –forty eight hours in laboratory or field work in a term.</p> <p>(bc) "Diploma" means a course of study after completion of Class 12 leading to the award of a diploma requiring two years or 60-66 credits, respectively.</p> <p>(bd) "Doctor of Philosophy" means a course of study and research leading to the award of Doctor of Philosophy degree after acquiring Master's degree or Master of Philosophy degree, requiring receipt of 120-130 credits or 90-96 credits, respectively, including sixty credits for dissertation.</p> <p>(be) "Grade" means evaluation of performance for participating in a course represented by a letter of the English alphabet, corresponding to a grade point average.</p> <p>(c) "Habilitation" means a process</p>
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<p>(c) “handicapped” means a person suffering from any disability referred to in clause (i) of section 2 of the Persons With Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act 1995.</p>	<p>aimed at helping persons born with disabilities attain, keep, or improve skills and functioning for daily living.</p>
<p>(d) Omitted (e) Omitted</p> <p>(f) “member” means a member appointed under sub-section (3) of section 3 and includes the Chairperson</p> <p>(g) “Member Secretary” means the Member Secretary appointed under sub-section (1) of section 8.</p> <p>(h) “Mental Retardation” means a condition of arrested or incomplete development of mind of a person which is specially characterized by sub-normality of intelligence.</p>	<p>d) No change e) No change</p> <p>(ca) “Master’s” means a course of study after acquiring Bachelor’s degree or Post Graduate Diploma in any recognised qualification leading to the award of a Master’s degree requiring receipt of 60-66 credits or 30 - 33 credits, respectively, including twelve credits for dissertation.</p> <p>(cb) “Master of Philosophy” means a course of study after acquiring Master’s degree in any recognised qualification leading to the award of a Master of Philosophy degree requiring receipt of 30-33 credits, including twelve credits for dissertation.</p> <p>(f) “member” means a member appointed under sub-section (3) of section 3 and does not include the Chairperson.</p> <p>No change</p> <p>Delete</p> <p>(ga) “person with disability” as defined under clause (s) of Section 2 from amongst specified disabilities as defined under clause (zc) of Section 2 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016).</p>

<p>(i) "Notification" means a notification published in the Official gazette</p>	<p>(gb) "Post Graduate Diploma" means a course of study after acquiring Bachelor's degree leading to the award of a Post Graduate Diploma requiring receipt of upto 60-66 credits.</p> <p>(gc) "Programme" means courses of study leading to the award of degree of Doctor of Philosophy or Master of Philosophy or Master's or Bachelor's, or award of Post Graduate Diploma or Diploma or Certificate.</p> <p>No change</p>
<p>(j) "prescribed" means prescribed by regulations</p> <p><i>(k)</i> "recognized rehabilitation qualifications" means any of the qualifications included in the Schedule;</p> <p><i>(l)</i> "Register" means the Central Rehabilitation Register maintained under sub-section (1) of section 23.</p> <p><i>(m)</i> "regulations" means regulations made under this Act.</p> <p><i>(ma)</i> "Rehabilitation" refers to a process aimed at enabling persons with disabilities to reach and maintain their optimum physical, sensory, intellectual, psychiatric or social functional levels</p>	<p>(j) "prescribed" means prescribed by rule.</p> <p>(k) "recognized qualification" means any qualification included in the List under sub-section (1) of Section 11 of the Act.</p> <p>(l) "Registers" means the Registers maintained for professionals and personnel under sub-section (1) of Section 23.</p> <p>No change</p> <p>(ma) "Rehabilitation" as defined under clause (za) of Section 2 of the Rights of Persons with Disabilities Act, 2016 (49 of 2016).</p>

<p><i>(n)</i> “rehabilitation professionals” means-</p> <ul style="list-style-type: none"> i. Clinical Psychologists ii. Hearing aid and ear mould technicians iii. Audiologists and speech therapists iv. Rehabilitation engineers and technicians v. Special teachers for educating and training the handicapped vi. Vocational counselors, employment officers and placement officers dealing with handicapped vii. Multi-purpose rehabilitation therapists, technicians or viii. Speech pathologists. ix. Rehabilitation psychologists x. Rehabilitation social workers. xi. Rehabilitation practitioners in Mental Retardation. xii. Orientation and mobility specialists. xiii. Community based rehabilitation professionals xiv. Rehabilitation counselors / Administrators xv. Prosthetics and orthotics. xvi. Rehabilitation workshop managers. 	<p><i>(n)</i> “professional” means professional included in Schedule I.</p> <p><i>(o)</i> “personnel” means personnel included in Schedule II.</p>
	<p><i>(p)</i> “term” means a half-year academic term of a minimum of ninety contact days of lecture, laboratory and/or fieldwork, leading to receipt of a maximum of 21 credits.</p>
<p>1(A) Words and expressions used and not defined in this Act but defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and full participation) Act, 1995 shall have the meanings respectively assigned to them in that Act.</p>	<p>Words and expressions used and not defined in this Act but defined in the Rights of Persons with Disabilities Act, 2016 (49 of 2016) or any other Act for the time being in force shall have the meanings respectively assigned to them in that Act.</p>
<p>2.(2) Any reference in this Act to any</p>	<p>No change</p>

<p>enactment or any provision thereof shall, in relation to an area in which such enactment or such provision is not in force, be construed as a reference to the corresponding law or the relevant provision of the corresponding law, if any, in force in that area.</p>	
<p>3. (1) With effect from such date as the Central Govt. may, by notification, appoint in this behalf, there shall be constituted for the purposes of this Act a Council to be called the Rehabilitation Council of India</p> <p>(2) The Council 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 and be sued.</p>	<p>No change</p> <p>No change</p> <p>3A(1) The Council shall:</p> <p>(a) assess demand of professionals and personnel and develop a roadmap for meeting such demand;</p> <p>(b) map programmes and courses in habilitation and rehabilitation being conducted at the national and international levels and prescribe benchmark standards for the same;</p> <p>(c) formulate programme and course objectives, deliverables, design, structure, content, pedagogy, duration, including number of term(s), evaluation criteria, including grading system and admission eligibility criteria;</p> <p>(d) prescribe benchmark standards for granting permission to universities or institutions for conducting habilitation and rehabilitation programmes and courses;</p>

- (e) **admit, conduct examination and award certificate or diploma;**
- (f) **regulate programmes and courses at universities or institutions granting recognised qualifications, as per benchmark standards prescribed by Regulations;**
- (g) **aid and advise universities and institutions on fixation of tuition and other fees and charges to be charged to students enrolled for acquiring recognized qualification;**
- (h) **to prescribe fee for grant of permission to a university or institution for conducting programmes and courses, and for other purposes;**
- (i) **to make the Council financially self-sustaining within a period of four years;**
- (j) **to encourage research and development in habilitation and rehabilitation, including adoption of latest research by professional in their work and their contribution thereto;**
- (k) **maintain separate Registers for Professional and Personnel;**
- (l) **ensure updation of knowledge and skills of registered professionals and personnel and to ascertain such updation every five years through an examination, for retention of name of professionals or personnel in the respective Registers;**
- (m) **prescribe code of conduct, ethics and etiquette for professionals and personnel;**
- (n) **establish an institution of rehabilitation professionals which will enrol fellows, members and associates; and**
- (o) **perform any other function as the Central Government may assign.**

<p>(3)The Council shall consist of the following members, namely –</p> <p>(a) A Chairperson from amongst persons having experience in administration with professional qualification in the field of rehabilitation, disabilities and special education, to be appointed by the Central Government.</p> <p>(b) such number of members not exceeding seven, as may be nominated by the Central Government, to represent the Ministries of the Central Government dealing with matters relating to persons with disabilities.</p> <p>(c) one member to be appointed by the Central Govt. to represent the University Grants Commission</p> <p>(d) one member to be appointed by the Central Government to represent the Directorate General of Indian Council of Medical Research.</p> <p>(e) two members to be appointed by the Central Govt. to represent the Ministry or department of the states or the Union territories dealing with Social Welfare by rotation in alphabetical order.</p> <p>(f) such number of members not exceeding six as may be appointed by the Central Govt. from amongst the</p>	<p>(3) The Council shall consist of a Chairperson and Members as under:-</p> <p>(a) A Chairperson from amongst persons having experience in administration of matters relating to persons with disabilities or having work or academic experience in habilitation and rehabilitation of persons with disabilities, to be appointed by the Central Government;</p> <p>(b) Eight Members one each representing Union Ministries of Health and Family Welfare, Labour and Employment, Skill Development and Entrepreneurship and Women and Child Development, Union Departments of Empowerment of Persons with Disabilities, Higher Education, School Education and Literacy, and Niti Aayog;</p> <p>(c) Member Secretary, National Disaster Management Authority or his nominee;</p> <p>(d) Financial Advisor of the Union Ministry dealing with empowerment of persons with disabilities or his nominee;</p> <p>(e) Secretary, University Grants Commission, or his nominee;</p> <p>(f) Director General, Indian Council of Medical Research, or his nominee;</p>
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rehabilitation professionals working in voluntary organizations.

(g) such number of members not exceeding four as may be appointed by the Central Govt. from amongst medical practitioners enrolled under the India Medical Council Act, 1956 and engaged in rehabilitation of the handicapped

(h) three Members of Parliament of whom two shall be elected by the House of the People and one by the Council of States

(i) such number of members not exceeding three as may be nominated by the Central Govt. from amongst the social workers who are actively engaged in assisting the disabled

(j) the Member-Secretary, ex officio

(g) **Director, National Institute of Mental Health and Neuro Sciences, Bengaluru or his nominee;**

(h) **Director, All India Institute of Medical Science, Delhi or his nominee;**

(i) **Medical Superintendent, Safdarjung Hospital, New Delhi, or his nominee;**

(j) **Director, Lady Harding Medical College, New Delhi or his nominee;**

(k) **Chairperson, National Council for Teachers' Education or his nominee;**

(l) **Director, National Council of Education, Research and Training or his nominee;**

(m) **three members to represent the Department of the States or the Union Territories dealing with empowerment of persons with disabilities, to be appointed by the Central Government by rotation in alphabetical order;**

(n) **two members from amongst the Directors of the National Institutes under the administrative control of the Department of Empowerment of Persons with Disabilities, to be appointed by the Central Government by rotation in alphabetical order;**

<p>(4) The office of member of the Board shall not disqualify its holder for being chosen as, or for being, a Member of either House of Parliament.</p>	<p>(o) three Members from amongst social workers working in habilitation and rehabilitation of persons with disabilities, to be nominated by the Central Government;</p> <p>(p) six members from amongst the professionals included in the Register or persons having experience in disability matters, to be nominated by the Central Government;</p> <p>(q) three Members of Parliament of whom two shall be elected by the House of the People and one by the Council of States; and</p> <p>(r) Member-Secretary, who will serve as <i>ex-officio</i> Member and Secretary of the Council.</p> <p>(4) The Council may have any special invitee for a meeting, as and when necessary, as it deems appropriate.</p> <p>(5) The office of member of the Council shall not disqualify its holder for being chosen as, or for being, a Member of either House of Parliament.</p> <p>(6) No Chairperson under clause (a) of sub section (3) or no Member under clauses (o) and (p) under sub section (3) can be appointed or nominated for more than one term.</p> <p>(7) Chairperson and Members including Member Secretary shall furnish a conflict of interest statement in the first quarter of every financial year:</p> <p>Provided that in case Chairperson or any Member has any conflict of interest with respect to any particular agenda item of a meeting , he will recuse himself from that meeting.</p>
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<p>4. (1) The Chairperson or a member shall hold office for a term of two years from the date of his appointment or until his successor shall have been duly appointed, whichever is longer.</p> <p>(2) A casual vacancy in the Council shall be filled in accordance with the provisions of section 3 and the person so appointed shall hold office only for the remainder of the term for which the member in whose place he was appointed would have held that office.</p> <p>(3) The Council shall meet at least once in each year at such time and place as may be appointed by the Council and shall observe such rules of procedure in the transaction of business at a meeting as may be prescribed.</p> <p>(4) The Chairperson or, if for any reason, he is unable to attend the meeting of the Council, any member elected by the members present from</p>	<p>4. (1) The Chairperson shall hold office for a term of three years or till he attains sixty five years of age, whichever is earlier.</p> <p>(1a) Members appointed under clauses (m) and (n) of sub-section (3) of section 3 shall hold office for a term of two years.</p> <p>(1b) Members nominated under clauses (o) and (p) of sub-section (3) of section 3 shall hold office for a term of three years or till they attain sixty five years of age, whichever is earlier.</p> <p>(1c) Elected Members under clause (q) of sub-Section (3) of Section 3 shall hold office for a term of four years or until he ceases to be a Member of Parliament, whichever is earlier.</p> <p>(2) No change</p> <p>(3) The Council shall meet at least once in every quarter at the Headquarter of the Council at such time as may be decided by the Chairperson, and it shall observe such rules of procedure in the transaction of business at the meeting as may be prescribed by regulation.</p> <p>(4) No change</p>
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<p>amongst themselves at the meeting shall preside at the meeting.</p> <p>(5) All questions which come up before any meeting of the Council shall be decided by a majority of votes of the members present and voting and in the event of an equality of votes, the Chairperson, or in his absence, the person presiding shall have a second or casting vote.</p>	<p>(5) No change</p>
<p>5. No person shall be a member if he-</p> <p>(a) is, or becomes, of unsound mind or is so declared by a competent court; or</p> <p>(b) is, or has been convicted of any offence which in the opinion of the Central Government involves moral turpitude; or</p> <p>(c) is, or at any time has been adjudicated as insolvent</p>	<p>5. No person shall be the Chairperson or Member of the Council, if he,-</p> <p>(a) is, or has been, convicted of an offence which, in the opinion of the Central Government, involves moral turpitude, or</p> <p>(b) is, or at any time has been, adjudged insolvent or has suspended payment of his debts or has compounded with his creditors, or</p> <p>(c) is of unsound mind and stands so declared by a competent court, or</p> <p>(d) is, or at any time has been, convicted of an offence under this Act, or</p> <p>(e) has so abused his position in the opinion of the Central Government as a Member so as to render his continuance in the office is prejudicial to the interest of the general public.</p>
<p>6. If a member-</p> <p>(a) becomes subject to any of the disqualifications mentioned in section 5; or</p> <p>(b) is absent without excuse, sufficient in the opinion of the Council from three consecutive meetings of the Council; or</p> <p>(c) ceases to be enrolled on the Indian</p>	<p>6. If a member-</p> <p>(a) No change</p> <p>(b) No change</p> <p>(c) ceases to be included as</p>

<p>Medical Register in the case of a member referred to in clause (g) of sub-section (3) of section 3,</p> <p>His seat shall thereupon become vacant.</p>	<p>professional in the corresponding Register in the case of a Member under clause (s) of sub-section (3) of Section 3.</p> <p>His seat shall thereupon become vacant.</p>
<p>-----</p>	<p>Section 6A</p> <p>(1) Chairperson of the Council shall exercise the following role and functions:</p> <ul style="list-style-type: none"> (a) head of the Council and all its Committees; (b) presiding over meetings of the Council and its Committees; (c) approving the agenda for the Council and its Committees; (d) approving record note of proceedings of the Council and its Committees subject to confirmation by the Council or the Committee, as the case may be, in its next meeting; (e) responsible for attaining aims and purposes of the Council; (f) responsible for the proper functioning of the Council and its Committees; (g) responsible for making the Council financially self-sustaining within a period of four years; (h) appointing authority for Group A employees of the Council; (i) responsible for overseeing the work of the Secretariat of the Council; and (j) any other work in respect of the Council. <p>(2) The post of Chairperson of the Council shall be equivalent to the post of Secretary to the Government of India in status, scale</p>

	<p>of pay and other terms and conditions as applicable.</p>
<p>7. A(1) The Council shall constitute from amongst its members an Executive Committee and such other committees for general or special purposes as the Council deems necessary to carry out the purposes of this Act.</p> <p>(2) The Executive Committee shall consist of the Chairperson who shall be member ex officio and not less than seven and not more than ten members who shall be nominated by the Council from amongst its members.</p> <p>(3) The Chairperson shall be the Chairperson of the Executive Committee</p>	<p>7. (1) The Council shall constitute the following Committees, each consisting of not more than eight of its Members nominated by the Council, including Member Secretary who shall be their <i>ex-officio</i> Member Secretary, under the Chairperson for carrying out the purposes of this Act:</p> <p>(a) Finance Committee; (b) Technical Committee; and (c) Administrative Committee:</p> <p>Provided that the Member representing the Union Department of Empowerment of Persons with Disabilities shall be a member in the Technical and Administrative Committees and the Financial Advisor of the Union Ministry dealing with the empowerment of persons with disabilities or his nominee shall be a member in the Finance Committee:</p> <p>Provided further that no nominated or elected Member can be a member of more than one Committee.</p> <p>(2) The above Committees may have any special invitee, as and when necessary, as decided by the Chairperson.</p> <p>(3) The Committees referred to under sub-section (2) shall perform functions specified against each, hereinunder:-</p> <p>(1) The Finance Committee:-</p> <p>(a) all matters relating to preparation of annual budget; (b) all matters relating to revenue generation and capital expenditure; (c) all matters relating to charge of</p>

fee for recognition of programmes and courses, registration of professional and personnel, admission to programmes and courses and examination etc;

(d) all matters relating to tuition and other fees and charges to be charged to students by the University or Institution;

(e) all matters relating to making the Council financially self sustaining within a period of four years;

(f) all matters relating to annual accounts;

(g) all matters relating to audit of accounts;

(h) all matters relating to periodic internal audit; and

(i) any other function connected with the above matters.

(2) The Technical Committee:

(a) all matters relating to assessment of demand for professionals and personnel;

(b) all matters relating to mapping and benchmarking of programmes and courses;

(c) all matters relating to formulation of programme and course objectives, deliverables, design, content, pedagogy, duration including number of term(s), evaluation criteria including grading system and admission eligibility criteria;

(d) all matters relating to benchmarking of standards for recognizing programmes and courses;

(e) all matters relating to updation of knowledge and skills of registered professionals and personnel and

<p>(4) In addition to the powers and duties conferred and imposed upon it by this Act, the Executive Committee or any other committee shall exercise and discharge such powers and duties as the Council may confer or impose upon it by any regulations which may be made in this behalf.</p>	<p>ascertaining such updation every five years through an examination;</p> <p>(f) all matters relating to research and development in habilitation and rehabilitation, including adoption of latest research by professional in their work and their contribution thereto;</p> <p>(g) all matters relating to institution of professionals and personnel; and</p> <p>(h) any other functions connected with the above matters.</p> <p>(3) The Administrative Committee:</p> <p>(a) all matters relating to formulation of code of conduct, ethics and etiquette for professionals and personnel;</p> <p>(b) all matters relating to appointment of inspectors for inspection of universities or institution conducting recognized programmes and courses;</p> <p>(c) all matters relating to recognition and de-recognition of programmes or courses at a university or institution;</p> <p>(d) registration and deregistration of professionals and personnel and entry of their names in separate Registers;</p> <p>(e) all matters relating to Annual Report;</p> <p>(f) all matters relating to international cooperation; and</p> <p>(g) any other function connected with the above matters.</p> <p>(4) The Committees at sub-section (1) shall take decisions on matters mentioned against each of them:</p> <p>Provided that such decisions taken by the Committees are placed before the Council in its next meeting.</p>
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<p>8. (1) The Central Government shall appoint the Member secretary of the Council to exercise such powers and perform such duties under the direction of the Council as may be prescribed or as may be delegated to him by the Chairperson.</p> <p>(2) The Council shall, with the previous sanction of the Central Government employ such officers and other employees as it deems necessary to carry out the purpose of this Act.</p> <p>(3) The Council shall with the previous sanction of the Central Government fix the allowance to be paid to the Chairperson and other members and determine the conditions of service of the Member Secretary, officers and other employees of the Council.</p>	<p>8. (1) The Central Government shall appoint Member Secretary who shall exercise the following role and functions:</p> <p>(i) Member Secretary of the Council and its Committees;</p> <p>(ii) Administrative head of the secretariat of the Council;</p> <p>(iii) authorized signatory of the Council for all administrative and legal matters, including award of contracts, signing of Memorandum of Understandings, Agreements etc.;</p> <p>(iv) custodian of all properties of the Council;</p> <p>(v) custodian of the Registers;</p> <p>(vi) exercise powers for revenue expenditure, and items of capital expenditure, approved by the Finance Committee;</p> <p>(vii) appointing authority for employees of the Council up to the level of Group B; and</p> <p>(viii) any other function connected with the above.</p> <p>(2) The Central Government shall approve the sanctioned strength of officers and other employees of the Council.</p> <p>(3) The Members shall be paid sitting fee as may be prescribed.</p> <p>(4) The terms and conditions of service of the Member Secretary, officers and other employees of the Council shall be such as may be prescribed.</p>
<p>9. No act or proceedings of the Council or any committee thereof</p>	<p>No change</p>

<p>shall be called in question on the ground merely of the existence of any vacancy in, or any defect in the constitution of the Council or a committee thereof as the case may be.</p>	
<p>10. (1) On and from the date of the constitution of the Council, the Rehabilitation Council shall stand dissolved and on such dissolution-</p> <p>(a) all properties and assets, movable and immovable of or belonging to the Rehabilitation Council shall vest in the council</p> <p>(b) all the rights and liabilities of the Rehabilitation Council shall be transferred to, and be the rights and liabilities of the Council.</p> <p>(c) without prejudice to the provisions of clause (b) all liabilities incurred, all contracts entered into on all matters and things engaged to be done by, with or for the Rehabilitation Council immediately before that date, for or in connection with the purposes of the said Rehabilitation Council shall be deemed to have been incurred, entered into, or engaged to be done by with or for the Council.</p> <p>(d) all sums of money due to the Rehabilitation Council immediately before that date shall be deemed to be due to the Council</p> <p>(e) All suits and other legal proceedings instituted or which could have been instituted by or against the rehabilitation Council immediately before that date may be continued or may be instituted by or against the Council; and</p> <p>(f) Every employee holding any office under the Rehabilitation Council immediately before that date shall hold his office in the Council by same tenure and upon the same terms and conditions of services as respects</p>	<p>No change</p>

<p>remuneration , leave, provident fund, retirement and other terminal benefits as he would have shall continue to do so as an employee of the Council or until the expiry of a period of six months from that date if such employee opts not be the employee of the Council within such period.</p> <p>(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947 or any other law for the time being in force, absorption of any employee by the Council in its regular service under this section shall not entitle such employee to any compensation under that Act or other law and no such claim shall be entertained by any court, tribunal or other authority.</p> <p>Explanation – In this section, “Rehabilitation Council” means the Rehabilitation Council, a society formed and registered under the Societies Registration Act, 1860 and functioning as such immediately before the constitution of the Council.</p>	
<p>11. (1) The qualifications granted by any University or other institutions in India which are included in the Schedule shall be recognized qualifications for rehabilitation professionals.</p> <p>(2) Any University or other institution which grants qualifications for rehabilitation professionals not included in the Schedule may apply to the Central Government to have any such qualification recognized and the Central Government after consulting the Council may by notification, amend the Schedule so as to include such qualification therein and any such notification may also direct that an entry shall be made in the last</p>	<p>11.(1) The qualifications granted by any University or other institutions in India shall be recognized qualifications for professionals and personnel as entered in the List maintained by the Council.</p> <p>(2) Member Secretary shall update the List and submit it to the Council during the first quarter of every financial year.</p> <p>(3) Any University or institution which grants qualification(s) for professionals and personnel not included in the List may apply to the Member Secretary to have such qualification(s) recognized for inclusion in the List:</p>

<p>column of the Schedule against such qualification only when granted after a specified date.</p>	<p>Provided that such University or institution meets the prescribed benchmark standards and the programme or course objectives, deliverables, design, content, pedagogy, duration, including number of term(s), evaluation criteria, including grading system and admission eligibility criteria.</p>
<p>12.The Council may enter into negotiations with the authority in any country outside India for setting up of a scheme of reciprocity for the recognition of qualifications and in pursuance of any such scheme, the Central Govt. may, by notification, amend the Schedule so as to include therein any qualification which the Council has decided should be recognized, and by such notification may also direct that an entry shall be made in the last column of the Schedule declaring that it shall be the recognized qualification only when granted after a specific date.</p>	<p>12. (1) The Council may enter into negotiations with any University or institution in any country outside India for instituting a mechanism of reciprocity for recognition of qualifications, with the prior approval of the Central Government.</p> <p>(2) In pursuance of the mechanism under sub section (1) the Council may include such qualification(s) in the List, with the prior approval of the Central Government.</p>
<p>13. (1) Subject to the other provision contained in this Act, any qualification included in the Schedule shall be sufficient qualification for enrolment on the Register.</p> <p>(2). No person, other than the rehabilitation professional who possesses a recognized rehabilitation qualification and is enrolled on the Register,--</p> <p>(a). shall hold office as rehabilitation professional or any such office (by whatever designation called) in</p>	<p>(1) Subject to other provisions contained in this Act, any person having recognised qualification shall be eligible to have his name entered in the respective Register.</p> <p>(2) No person other than professional or personnel who is included in the Registers,--</p> <p>No change</p> <p>No change</p>

<p>Government or in any institution maintained by a local or other authority; <i>(b)</i>. shall practice as rehabilitation professional anywhere in India; <i>c)</i>. shall be entitled to sign or authenticate any certificate required by any law to be signed or authenticated by a rehabilitation professional; <i>d)</i>. shall be entitled to give any evidence in any court as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to the handicapped:</p>	<p>No change</p> <p><i>(d)</i> shall be entitled to give evidence in any court as an expert under section 45 of the Indian Evidence Act, 1872 on any matter relating to aperson with disability:</p>
<p>Provided that if a person possesses the recognized rehabilitation professional/ personnel qualifications on the date of commencement of this Act, he shall be deemed to be an enrolled rehabilitation professional/ personnel for a period of six months from such commencement, and if he has made an application for enrolment on the Register within said period of six months, till such application is disposed of.</p>	<p>No change</p>
<p>2A. Notwithstanding anything contained in sub-section (2), any person being a doctor or a paramedic in the field of physical medicine and rehabilitation, orthopaedics, ear, nose or throat (ENT), ophthalmology or psychiatry, employed or working in any hospital or establishment owned or controlled by the Centre Government or a State Government or any other body funded by the Central or a State Government and notified by the Central Government, may discharge the functions referred to in clause (a) to (d) of that sub-section.</p>	<p>No change</p>

<p>(3) Any person who acts in contravention of any provision of subsection (2) shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.</p>	<p>(3) Any person who acts in contravention of any provision of subsection (2), shall be punished with imprisonment for a term which may extend to one year, or fine which may extend to fifty thousand rupees, or with both: Provided the Council or any other person files a civil suit before an appropriate of Court of Law or registers a first information report in the police station, having jurisdiction.</p>
<p>14. Every University or institution in India which grants a recognized qualification shall furnish such information as the Council may, from time to time, require as to the courses of study and examinations to be undergone in order to obtain such qualification, as to the ages at which such courses of study and examinations are required to be undergone and such qualification is conferred and generally as to the requisites for obtaining such qualification.</p>	<p>14. Every University or institution which grants a recognized qualification shall furnish such information from time to time to the Council or its Committees as prescribed by regulation, failing which the University or Institution shall be liable for de-recognition for conducting programmes and courses.</p>
<p>15 (1). The Council shall appoint such number of Inspectors as it may deem requisite to inspect any University or institution where education for practicing as rehabilitation professionals is given or to attend any examination held by any university or institute for the purposes of recommending to the Central Govt. recognition of qualifications granted by that university or institution as recognized rehabilitation qualifications.</p> <p>(2) The inspectors appointed under sub-section (1) shall not interfere with the conduct of any training or examination but shall report to the</p>	<p>(1) The Administrative Committee shall appoint Inspectors as deemed necessary to inspect any University or institution for the purpose of recognition or renewal of recognition of programmes or courses to be conducted therein.</p> <p>Provided that no Member of the Council shall be eligible for appointment as Inspector.</p> <p>(2) The inspectors appointed by the Administrative Committee shall submit a report whether the programme or course and institutional</p>

<p>Council on the adequacy of the standards of education including staff, equipment accommodation, training and other facilities prescribed for giving such education or of the sufficiency of every examination which they attend.</p> <p>(3) The Council shall forward a copy of the report of the Inspector under sub-section 2) to the University or institution concerned and shall also forward a copy with the remarks of the university or the institution thereon, to the Central Government.</p>	<p>facilities or any other relevant matter meet the benchmark standards, in such manner as may be prescribed by regulation.</p> <p>(3) In case the Administrative Committee decides to derecognize a recognised qualification, it shall provide a reasonable opportunity to the concerned University or Institution of being heard in the matter.</p> <p>(4) Any University or institution, if aggrieved with the decision of the Administrative Committee, may appeal to the Council in such manner as may be prescribed by regulation</p> <p>(5) The students displaced as a result of de-recognition of a recognised qualification shall to the extent practicable and feasible be adjusted in any university or institution(s) granting such recognized qualification by creating supernumerary seats on the recommendation of the Member Secretary</p>
<p>16 (1) The Council may appoint such number of visitors as it may deem requisite to inspect any University or institution wherein education for rehabilitation professionals is given or attend any examination for the purpose of granting recognized rehabilitation qualification</p> <p>(2) Any person, whether he is a member of the Council or not, may be appointed as a Visitor under sub-section (1) but a person who is appointed as an Inspector under sub-</p>	<p>Delete</p>

<p>section(1) of section 15 for any inspection or examination shall not be appointed as a Visitor for the same inspection or examination.</p> <p>(3) The Visitor shall not interfere with the conduct of any training or examination but shall report to the Chairperson on the adequacy of the standards of education including staff, equipment, accommodation, training and other facilities prescribed for giving education to the rehabilitation professional or on sufficiency of every examination which they attend.</p> <p>(4) The report of a Visitor shall be treated as confidential unless in any particular case the Chairperson otherwise, directs:</p> <p>Provided that if the Central Govt. requires a copy o the report of a Visitor, the Council shall furnish the same</p>	
<p>17. (1) When upon report by the Inspector or the Visitor it appears to the Council—</p> <p>(a) that the courses of study and examination to be undergone or the proficiency required from candidates at any examination held by any University or institution or</p> <p>(b) that the staff, equipment, accommodation training and other facilities for instruction and training provided in such University or institution,</p> <p>Do not conform to the standards prescribed by the Council; the Council shall make a representation to that effect to the Central Govt.</p> <p>(2) After considering such representation, the Central Govt. may send it to the university or institution with an intimation of the period within</p>	Delete

<p>which the university or institution may submit its explanation to that Govt.</p> <p>(3) On the receipt of the explanation or where no explanation is submitted within the period fixed then, on the expiry of that period, the Central Govt. after making such further inquiry, if any, as it may think fit, may, by notification, direct that an entry shall be made in the Schedule against the said recognized rehabilitation qualification declaring that it shall be the recognized rehabilitation qualification only when granted before a specified date or that the said recognized rehabilitation qualification if granted to students of a specified University or institution shall be recognized rehabilitation qualification only when granted before a specified date, or as the case may be, that the said recognized rehabilitation qualification shall be a recognized rehabilitation qualification in relation to a specified University or institution only when granted after a specified date.</p>	
<p>18. The Council may prescribe the minimum standards of education required for granting recognized rehabilitation qualification by University or institution in India.</p>	Delete
<p>19. The Member-Secretary of the Council may, on receipt of an application made by any person in the prescribed manner, enter his name in the Register provided that the Member-Secretary is satisfied that such person possesses the recognized rehabilitation qualification.</p>	No Change
<p>“Provided that the Council shall register vocational instructors and other personnel working in the</p>	No change

<p>vocational rehabilitation centres under the Minister of Labour on recommendation of that Ministry and recognise the vocational rehabilitation centres as manpower development centres:</p> <p>Provided further that the Council shall register personnel working in national institutes and apex institutions on disability under the Ministry of Social Justice and Empowerment on recommendation of that Ministry and recognise the national institutes and apex institutions on disability as manpower development centres”.</p>	<p>No change</p>
<p>20. Subject to the conditions and restrictions laid down in this Act regarding engagement in the area of rehabilitation of the disabled by persons possessing the recognized rehabilitation qualifications, every person whose name is for the time being borne on the Central Register shall be entitled to practice as a rehabilitation professional in any part of India and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances or any fees to which he may be entitled</p>	<p>Subject to the conditions and restrictions laid down in this Act regarding engagement in habilitation and rehabilitation of persons with disabilities possessing the recognized qualifications, every person whose name is entered in the Registers shall be entitled to practice as professional or personnel in any part of India and to recover in due course of law in respect of such practice any expenses, charges in respect of medicaments or other appliances or any fees to which he may be entitled.</p>
<p>21. (1) the Council may prescribe standards of professional conduct and etiquette and a code of ethics for rehabilitation professionals.</p> <p>(2) Regulation made by the Council under sub-section (1) may specify which violation thereof shall constitute infamous conduct in any professional respect, that is to say, professional misconduct and such provision shall have effect notwithstanding anything contained in any another law.</p> <p>(3) the Council may order that the</p>	<p>(1) Delete</p> <p>(2) Regulation made by the Council under clause (m) of sub-section (1) of Section 3A may specify which violation thereof shall constitute professional misconduct and such provision shall have effect notwithstanding anything contained in any another law.</p> <p>(3) the Member Secretary may order</p>

<p>name of any person shall be removed from the Register where it is satisfied, after giving that person a reasonable opportunity of being heard and after such further inquiry if any, as it may deem fit to make,--</p> <p>(i) that his name has been entered in the Register by error or on account of misrepresentation or suppression of a material fact;</p> <p>(ii) that he has been convicted of any offence or had been guilty of any infamous conduct in any professional respect, or had violated the standards of professional conduct and etiquette or the code of ethics prescribed under sub-section (1) which, in the opinion of the Council, renders him unfit to be kept in the Register.</p> <p>(4) An order under sub-section (3) may direct that any person whose name is ordered to be removed from the Register shall be ineligible for registration under this Act either permanently for such period of years as may be specified.</p>	<p>the name of any person shall be removed from the Register where it is satisfied, after giving that person a reasonable opportunity of being heard and after such further inquiry if any, as it may deem fit to make,-</p> <p>(i) No change</p> <p>(ii) that he has been convicted of any offence or had been guilty of any infamous conduct in any professional respect, or had violated the standards of professional conduct and etiquette or the code of ethics prescribed under sub-section (1) which, in the opinion of the Member Secretary, renders him unfit to be kept in the Register.</p> <p>(4) An order under sub-section (3) may direct that any person whose name is ordered to be removed from the Register shall be ineligible for registration under this Act either permanently for such period of years as may be specified by regulation.</p>
<p>22. (1) where the name of any person has been removed from the Register on any ground other than that he is not possessed of the requisite rehabilitation qualifications, he may appeal, in the prescribed manner and subject to such conditions, including conditions as to the payment of a fee; as may be prescribed to the Central Government whose decision thereon shall be final.</p> <p>(2) No appeal under sub-section (1) shall be admitted if it is preferred after the expiry of a period of the sixty days from the date of the order under sub-section (3) of section 21:</p>	<p>22. (1) where the name of any person has been removed from the Register on any ground other than that he is not possessed of the requisite rehabilitation qualifications, he may appeal, in such manner and subject to such conditions, including conditions as to the payment of a fee; as may be prescribed by regulation, to the Council whose decision thereon shall be final.</p> <p>(2) Delete</p>

<p>23. (1) It shall be the duty of the Member-Secretary to keep and maintain the Register in accordance with the provision of this Act and any order made by the Council and from time to time to revise the Register and publish it in the Official Gazette.</p> <p>(2) The Register shall be deemed to be a public document within the meaning of the Indian Evidence Act, 1872 and may be proved by a copy thereof.</p>	<p>23. (1) It shall be the duty of the Member-Secretary to keep and maintain the Registers in accordance with the provision of this Act and any order made by the Council or the Administrative Committee and from time to time to revise the Register.</p> <p>(2) No change</p> <p>(3) The Member Secretary shall submit the Registers to the Council in all its meetings.</p>
<p>24. (1) The Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Govt. as that Govt. may require.</p> <p>(2) The Central Govt. may publish in such manner as it may think fit, any report, and copy, abstract or other information furnished to it by the Council under this section or under section 16.</p>	<p>No change</p> <p>(2) The Central Govt. may publish in such manner as it may think fit, any report, and copy, abstract or other information furnished to it by the Council under this section.</p>
<p>25. Notwithstanding anything contained in the Code of Criminal Procedure, 1973 no court shall take cognizance of an offence punishable under this Act except upon a complaint, in writing, made by any person authorised in this behalf by the Council.</p>	<p>No change</p>
<p>26. No suit, prosecution or other legal proceeding shall lie against the Central Govt. Council, Chairperson, members, Member-Secretary or any officer or the other employees of the Council for anything which is in good faith done or intended to be done under this Act.</p>	<p>No change</p>
<p>-</p>	<p>New Section 26A</p>

	The Council is restrained from filing any legal proceedings against the Central Government in any matter
27. The Chairperson, members, Member-Secretary, officers and other employees of the Council shall, while acting or purposing to act in pursuance of the provisions of this Act or of any rule and regulation made there under, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.	No change
-	<p>New Section 27A Notwithstanding anything contained in this Act, the Central Government can direct the Council to take action or refrain from taking action in any matter, which shall be binding on the Council</p> <p>New Section 27B The Universities or Institutions already conducting recognized programmes and courses for professionals shall switch over to the term and grading system within a period of five years from the enactment of this Act.</p> <p>New Section 27C The Central Government shall cause the annual report of the Council to be laid before each House of Parliament.</p>
28. The Central Govt. shall, by notification, make rules to carry out the purposes of this Act.	28. The Central Government shall, by notification, make rules to carry out the purposes of this Act and without prejudice to the generality of the foregoing power, such rules may provide for: (a) sitting fee of Members under sub-section (3) of section 8. (b) terms and conditions of service of

	<p>Member Secretary and other officers and employees of the Council under sub-section (4) of section 8; (c) any other matter deemed necessary.</p>
<p>29. The Council may, with the previous sanction of the Central Govt., make, by notification, regulations generally to carry out the purposes and functions of this Act, and without prejudice to the generality of the foregoing power, such regulations may provide for—</p> <p>(a) the management of the property of the Council;</p> <p>(b) the maintenance and audit of the accounts of the Council;</p> <p>(c) the resignation of members of the Council;</p> <p>(d) the powers and duties of the Chairperson;</p> <p>(e) the rules of procedure in the transaction of business under sub-section (3) of section 4;</p> <p>(f) the function of the Committee and other committees, constituted under section 7;</p> <p>(g) the powers and duties of the Member-Secretary under sub-section (1) of section 8;</p> <p>(h) the qualification appointment, powers and duties of, and procedure to be followed by, Inspectors and Visitors;</p> <p>(i) the courses and period of study or of training to be undertaken, the subjects of examinations and standards of proficiency therein to be obtained in any University or any institution for grant of recognized rehabilitation qualification</p> <p>(j) the standard of staff, equipment, accommodation, training and other facilities for study or training of the rehabilitation professional;</p>	<p>29. Subject to the provisions to the Act and Rules made thereunder, the Council may, with the previous sanction of the Central Govt., make regulations to carry out the purposes of this Act to provide for—</p> <p>No change</p> <p>No change</p> <p>Delete from here and include under rule</p> <p>(d) Delete</p> <p>(e) No change</p> <p>(f) Delete</p> <p>(g) Delete</p> <p>(h) the qualification for appointment, powers and duties of, and procedure to be followed by Inspectors.</p> <p>(i) No change</p> <p>(j) No change</p>

<p>(k) the conduct of examinations, qualifications of examiners, and the condition of the admission to such examinations;</p> <p>(l) the standard of professional conduct and etiquette and code of ethics to be observed by rehabilitation professionals under sub-section (1) of section 21;</p> <p>(m) the particulars to be stated, and proof of qualifications to be given, in application for registration under this Act;</p> <p>(n) the manner in which and the conditions subject to which an appeal may be preferred under sub-section (1) of section 22;</p> <p>(o) the fees to be paid on applications and appeals under this Act;</p> <p>(p) any other matter which is to be , or may be, prescribed.</p>	<p>(k)No change</p> <p>(l) Code of conduct, ethics and etiquette for professional and personal under clause (n) of sub-section (1) of section 3A.</p> <p>(m) Benchmark standards for granting permission to Universities or institutions for conducting programmes and courses on recognised qualifications under clause (d) of sub-section (1) of section 3A.</p> <p>(n) the manner of reporting of inspection of institution/University by the inspectors under sub-section (2) of Section 15.</p> <p>(o) the manner of appealing against the decision of the administrative committee regarding de-recognition of a recognised qualification under sub-section (4) of Section 15</p> <p>(p) fees for grant of permission to university/institution for conducting a recognised qualification, registration of professional or personnel in the registers under clause (h) sub-section (2) of Section 3A.</p> <p>(q) the manner of maintaining separate registers for professionals and personnel undersub-section (1) of Section 23</p> <p>(r) the manner of appeal against the decision of the member sectary regarding de-registration from the</p>
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	<p>registers undersub-section (1) of Section 22.</p> <p>(s) any other matter</p>
<p>30. Every rule and every regulation made under this Act shall be laid as soon as may be after it is made, before each house of parliament. While it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both houses agree in making any modification in the rule or regulation, or both House agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.</p>	<p>No change</p>

THE SCHEDULE I

(Refer Clause (n) of Section 2)

- i. **Clinical Psychologist**
- ii. **Psychologist**
- iii. **Rehabilitation Psychologist**
- iv. **Counseling Psychologist**
- v. **Behavioral Science Counselor**
- vi. **Psychiatric Assistant**
- vii. **Psychiatric Nurse**
- viii. **Psychiatric Social Worker.**
- ix. **Social Worker**
- x. **Rehabilitation Counselor**
- xi. **Vocational Counselors**
- xii. **Rehabilitation Social Worker**
- xiii. **Audiologist and Speech Language Pathologist**
- xiv. **Audiologist**
- xv. **Speech-Language Pathologist**
- xvii. **Optometrist and Orthoptist**
- xviii. **Orientation and Mobility Assistant**
- xix. **Prosthetist and Orthotist.**
- xx. **Physiotherapist or Physical Therapist**
- xxi. **Occupational Therapist**
- xxii. **Respiratory Therapist**
- xxiii. **Recreation Therapist**
- xxiv. **Performing Arts Therapist**
- xxv. **Fine Arts Therapist**
- xxvi. **Yoga Therapist**
- xxvii. **Special Educator for imparting knowledge and skills to persons with disabilities.**
- xxviii. **Inclusive Educator**
- xxix. **Braille Teacher**
- xxx. **Sign Language Interpreter**
- xxxi. **Rehabilitation Manager.**
- xxxii. **Rehabilitation Nurse**
- xxxiii. **Rehabilitation Dietician**
- xvii. **Any other category of professionals as may be notified by the Central Government.**

Explanation:

professional is one who has acquired a minimum of bachelors' degree or above in any recognised qualification or is an associate member of the Institution of Rehabilitation Professionals.

THE SCHEDULE II

(Refer Clause (o) of Section 2)

- i. Psychiatric Assistant**
- ii. Speech & Hearing Assistant**
- iii. Hearing Aid and Ear Mould Assistant**
- iv. Prosthetic and Orthotic Assistant**
- v. Physiotherapist Assistant or Physical Therapist Assistant**
- vi. Psychiatrist Assistant**
- vii. Occupational Therapist Assistant**
- viii. Respiratory Therapist**
- ix. Recreation Therapist**
- x. Performing Arts Therapist**
- xi. Fine Arts Therapist**
- xii. Yoga Therapist**
- xiii. Special Educator for imparting knowledge and skills to persons with disabilities.**
- xiv. Inclusive Educator**
- xv. Braille Teacher**
- xvi. Sign Language Interpreter**
- xvii. Community Based Rehabilitation Professional.**
- xviii. Community Based Rehabilitation Assistant.**
- xix. Rehabilitation Care- Giver**
- xx. Any other category of personnel as may be notified by the Central Government.**

Explanation:

personnel is one who has acquired a diploma or certificate in any recognised qualification.