



भारतीय पुनर्वास परिषद्

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(सामाजिक न्याय और अधिकारिता मंत्रालय, दिव्यांगजन सशक्तिकरण विभाग के अधीन एक सांविधिक निकाय)

REHABILITATION COUNCIL OF INDIA

A Statutory Body under the Ministry of Social Justice and Empowerment
Department of Empowerment of Persons with Disabilities (Divyangjan)

No.5-62/2017-RCI

30th November, 2017

Circular

As directed by the competent authority, the Council is looking forward to frame New Rehabilitation Council of India Act, 2017 to achieve the objectives of the Council in the present scenario i.e. the enactment of new Rights of Persons with Disabilities Act, 2016. In furtherance of the same, a Committee has been constituted under the Chairmanship of Dr. Aloka Guha after the due diligence on major and minor issues. The Committee has finally proposed the draft of the new Act. The Committee has proposed that the draft of new RCI Act may be placed in public domain to invite the comments, if any, from the public in general.

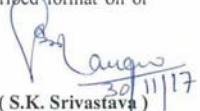
It is therefore requested that if anyone desirous to prefer any suggestion for any changes/modifications in the proposed draft Act, the same is invited in the following format, through Email or by post.

The persons who are desirous to propose any suggestions for changes/modifications, if any, required in the proposed new Act of RCI, may submit the same in the following format:-

Sl No.	Chapter	Section	Remarks/Comments/ Suggestions	Reasoning/Justification

Name:
Qualification:
Designation if any:
Email Address:
Mobile No.:
Address for Correspondence:

Your comments should be received by the Council strictly within the prescribed format on or before 25.12.2017.


(S.K. Srivastava)
Member Secretary

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PREAMBLE

“An Act to provide for the Constitution of The Rehabilitation Council of India **for Persons with Disabilities(Divyangjan) Act** to formulate, regulate and monitor the professional programmes/ courses **and** to **encourage** the individuals and recognize the institutions desirous of pursuing **and conducting** such programmes; promote and facilitate research in the field of disability rehabilitation and education; and maintain Central Rehabilitation Register and matters connected therewith or incidental thereto.”

CHAPTER I PRELIMINARY	
<p>1. (i) This Act may be called The Rehabilitation Council of India for Persons with Disabilities(Divyangjan) Act,</p> <p>(ii) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.</p>	Short Title and Commencement
<p>2 (1) In this Act, unless the context otherwise requires -</p> <ul style="list-style-type: none">• “Chairperson” means the Chairperson of the Council appointed under sub-section (3) of section 3;• “Council” means The Rehabilitation Council of India for Persons with Disabilities(Divyangjan) constituted under section 3;• “Inclusive education” means a system of education wherein students with and without disability learn together and the system of teaching and learning suitably adapted to meet the learning needs of different types of students with disabilities;	Definitions

- “Institution” means an institution which include non-Government / Government / semi Government / Universities, National / State Institutes recognized by the Council for offering professional programmes/ courses
- “Member” means a member appointed under sub-section (3) of section 3 and includes the Chairperson;
- “Secretary” means the Secretary appointed under sub-section (1) of section 8;
- **“Specified Disability” means the disabilities as defined in the schedule of Right of Persons with Disabilities Act 2016**
- “Notification” means a notification published in the Official Gazette;
- “Person with disability” means a person with disability as defined in Rights of Persons with Disabilities Act 2016;
- “Prescribed” means prescribed by rules or regulations;
- “Recognized rehabilitation qualifications” means any of the qualifications approved and recognized by the council;
- “Register” means the Central Rehabilitation Register maintained under sub-section (1) of section 23;
- “Regulations” means regulations made under this Act;
- “Rehabilitation” refers to a process aimed at enabling persons with disabilities to attain and maintain optimal, physical, sensory, intellectual, psychological environmental or social function levels;
- “Professional qualification” means qualification acquired as approved by the Council or qualification in social sciences or humanities and management acquired from an University.
- “Rules” means rules made under this Act;
- **“Specific Disability” means the disabilities as**

specified in the schedule [under Clause (zc) of Section 2] of The Rights of Persons with Disabilities Act, 2016.

- “Registration” means registration of qualified persons in the Central Rehabilitation register as prescribed under Section 19 of the Act.
- “Rehabilitation professional” means a qualified person registered as professional in the Central Rehabilitation Register of the council.

(2) Any reference in this Act to any 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.

CHAPTER II

The Rehabilitation Council of India for Persons with Disabilities

3.(1) With effect from such date as the Central Government 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 for Persons with Disabilities

(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 moveable and immovable, and to contract and shall by the said name sue and be sued.

(3) The Council shall consist of the following members, namely:-

Constitution and incorporation of The Rehabilitation Council of India for Persons with Disabilities

- (a) a Chairperson, of the level of Secretary to Govt. of India from amongst the persons having Postgraduate Professional Qualification in social sciences or humanities and management or in the discipline approved and regulated by the Council acquired from an University and not less than 20 years experience in the field of education and rehabilitation of persons with disabilities to be appointed by the Central Government;
- (b) five members to be appointed by the Central Government not below the rank of Joint Secretary to the Govt. of India to represent respectively the Ministries of the Central Government dealing with-
- (i) Social Justice & Empowerment;
 - (ii) Health & Family Welfare;
 - (iii) Human Resource Development;
 - (iv) Labour & Employment; and
 - (v) Finance
- (c) Following members to be appointed by the Central Government to represent, one each from
- (i) University Grants Commission;
 - (ii) Directorate General of Indian Council of Medical Research;
 - (iii) Medical Council of India;
 - (iv) National Council for Teacher Education;
 - (v) Quality Council of India;
 - (vi) Skill Development Council of India;
 - (vii) Allied Medical Health Council of India;
 - and
 - (viii) Chief Commissioner for Persons with Disabilities (CCPD), Govt. Of India or his nominee not below the rank of Deputy

<p>CCPD;</p> <p>(ix) Chairman, National Trust or his nominee not below the rank of Chief Executive Officer;</p> <p>(x) Chief Managing Director, National Handicapped Finance Development Corporation or his nominee not below the rank of Executive Head;</p> <p>and</p> <p>(xi) such number of members not exceeding four as may be appointed by the Central Government from amongst the rehabilitation professionals working in voluntary organizations;</p> <p>(xii) such number of members not exceeding two as may be nominated by the Central Government from amongst the social workers who are actively engaged in assisting the persons with disabilities;</p> <p>(xiii) two Members of Parliament to be nominated by the Central Government.</p> <p>(d) the Secretary, ex officio.</p> <p>(4) 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>4. (1) The Chairperson or a member shall hold office for a term of three years from the date of his appointment or till the age of 68 years whichever is earlier. The terms of the Chairperson and members can be renewed for a maximum of three years or till the joining of his successor whichever is earlier.</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</p>	<p>Terms of office of Chairperson and Members and Upper Age limit</p>

<p>in whose place he was appointed would have held that office.</p> <p>(3) The Annual General Meeting (AGM) of the Council shall be held at least once in each year at such time and place as may be decided by the Chairperson and shall observe such rules of procedure in the transaction of business at a meeting as may be prescribed and discuss such issues as may be approved by the Chairperson.</p> <p>(4) The Chairperson or, if for any reason, he is unable to attend the meeting of the council, any member nominated by the members present from amongst themselves at the meeting, shall preside at the meeting.</p> <p>(5) All issues 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>(6) The quorum of the AGM shall be one third of the members appointed excluding the vacant position.</p>	
<p>5. No. person shall be a member if he -</p> <ul style="list-style-type: none"> • is, or becomes, of unsound mind or is so declared by a competent court; or • is, or has been, convicted of any offence which, in the opinion of the Central Government, involves moral turpitude; or • is, or at any time has been, adjudicated as insolvent. 	<p>Disqualifications</p>

<p>6. If a member-</p> <ul style="list-style-type: none"> • becomes subject to any of the disqualifications mentioned in section 5; or • is absent without excuse from three consecutive meetings of the Council, he / she shall cease to be a member of the Council and his / her seat shall thereupon become vacant. 	<p>Vacation of office by members</p>
<p>7. (1) The Council shall constitute from 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>(4) Secretary shall be the secretary of Executive Committee.</p> <p>(5) 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>(6) The quorum of the Ec shall be one third of the members appointed excluding the vacant position.</p>	<p>Executive Committee and other committee</p> <p>Quorum</p>
<p>8. (1) The Central Government shall appoint the Secretary of the Council having status equivalent to the Joint Secretary to the Govt. of India to exercise such powers and perform such duties under the direction of the Council as may be</p>	<p>Secretary and employees of Council.</p>

<p>prescribed by rules or regulations 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 Pay & Allowances to be paid to the Chairperson at par with the level of Secretary to the Govt. of India and Allowances to other members and determine the conditions of service of the Chairperson, The Secretary, officers and other employees of the Council.</p>	
<p>9. No act or proceeding of the Council or any committee thereof 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>Vacancies in the Council not to invalidate acts, etc.</p>

<p>CHAPTER III</p> <p>FUNCTIONS OF THE COUNCIL</p>	
<p>10. (i) The Council shall develop, standardize and declare the programmes/courses for development and creation of human resources in disability for various categories of the professionals.</p> <p>And declare the programmes/courses and duration of study or of training, to be undertaken, the subjects of examination and standards of proficiency therein to be obtained in any University or any institution for grant of</p>	<p>Development, standardization and declaration of programmes</p>

<p>recognized rehabilitation qualification;</p> <p>And determine the standards of staff, equipment, accommodation, training and other facilities for study or training of the rehabilitation professionals;</p> <p>And ensure the conduct of examinations, qualifications of examiners, and the condition of the admission to such examinations;</p> <p>(ii) No programmes/courses in the field of education and rehabilitation of persons with disabilities shall be offered by any university or other institution in India unless duly approved and recognized by the Council, and notified in its schedule.</p> <p>(iii) Approved programme shall be revised periodically at least once in five years or as per the requirement of the profession through expert committee constituted by the Council for this purpose.</p> <p>(iv) The approved course shall be declared in the public domain by the Council.</p>	
<p>11. (i) The Council shall invite proposals from the Institutions to conduct approved programmes of the Council.</p> <p>(ii) Institutions desirous and eligible for offering the programmes as per norms laid down by the Council from time to time, shall send their proposals to the Council.</p> <p>(iii) On receipt of proposals, the Council shall scrutinize them, as per the norms and</p>	<p>Recognition of institution and approval of programmes</p>

<p>guidelines set by the Council.</p> <p>(iv) The Council shall depute Visiting Experts for the assessment of the eligible institutions for grant of approval of programmes as per norms and guidelines.</p> <p>(v) The Council shall inform about the approval granted or regretted to the concerned institution within 30 days from the date of issue of such order but not later than 30th June of every year. Delay if any may only be condoned by the discretion of Chairperson in exceptional circumstances.</p> <p>(vi) The Council may enter into negotiations with the authority in any country outside India for setting of a scheme of reciprocity for the recognition of qualifications, and in pursuance of any such scheme, the Council 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 specified date.</p> <p>(vii) The Council may conduct/offer or recognize the approved programmes through Open and Distance Learning mode, e-learning or any other mode as prescribed by the Council.</p>	<p>Recognition of qualification granted by University outside India</p> <p>Programme through Open & Distance Learning Mode</p>
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<p>12. (i)</p> <p>(ii)</p>	<p>Institutions not approved by the Council, may apply for re-inspection within 30 days from the date of receipt of such order, provided they meet the prevailing criteria set for re-inspection.</p> <p>The Council may consider such request of re-inspection and depute team for re-inspection, either on specific parameter or for full inspection as per norms developed by the Council.</p>	<p>Re-inspection</p>
<p>13.</p> <p>i)</p> <p>ii)</p> <p>iii)</p>	<p>The Council shall have the power to monitor the approved programmes offered by the institutions.</p> <p>The Council on receipt of any complaint against any institution, of malpractice or fraudulent activities or immoral ethics etc. written or otherwise, or based on its own sources, may depute a team of Officers / Visiting Experts for a surprise inspection of the institution without prior notice.</p> <p>After receiving the report of the Visiting Expert, the Council shall first examine it and in case of confirmation of malpractice, fraudulent activities or immoral ethics etc., the Council shall issue show-cause notice to the institution by giving 15 days time for explanation to the observation in the report.</p> <p>If the explanation provided by the institution is found to be unsatisfactory, or where no explanation is submitted within the specified time, the Council may further inquire or may declare the recognition of the institution withdrawn or cancelled or may debar the institution for the period as decided by the Chairperson.</p>	<p>Withdrawal / cancellation / debarring the institution</p>

CHAPTER IV

**Registration in Central Rehabilitation Register
and its Maintenance**

14. (1) A person who has acquired RCI approved qualification, from a recognized institution of the Council shall be eligible for registration in Central Rehabilitation Register (CRR)

Registration of professionals / personnel

(2) The person possessing qualification granted by University outside India in the field of education and rehabilitation of persons with disabilities may apply to the Council for registration in CRR. The registration in CRR shall be subject to the recommendation of the committee constituted by the Council for this purpose.

(3) The Secretary of the Council may, on receipt of an application made by any person in the prescribed manner enter his/her name in the Central Rehabilitation Register as Professional / Personnel provided that the Secretary is satisfied that such person possesses the recognized rehabilitation qualification.

Registration in Central Rehabilitation Register and renewal

The validity of registration of professional / personnel shall be of five years, subject to further renewal as prescribed by the Council from time to time.

(4) It shall be the duty of the Secretary to keep and maintain the Register in accordance with the provisions of this Act.

Maintenance of Register

(5) 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.

(6) The Council may order that 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 –

(i) that his/her name has been entered in the Register by error or on account of misrepresentation or suppression of a material fact;

(ii) that he/she has been convicted of any offence or has been guilty of any infamous conduct in any professional respect, or has 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.

Ineligible for re-registration

(7) An order under sub-section (2) 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 or for such period of years as may be specified.

Appeal against renewal of name

(8) Where the name of any person has been removed from the Register on any ground other than that he/she has not possessed the requisite rehabilitation qualifications, he/she may appeal, in the prescribed manner and subject to such conditions, including conditions as to the payment of a fee, as may be prescribed by the Chairperson of the

<p>Council whose decision thereon shall be final.</p> <p>(9) In all such conditions of removal of name of person from CRR, the Council shall inform the person accordingly within 15 days from the date of removal of name.</p> <p>(10) No appeal shall be admitted in this regard if it is filed after the expiry of a period of ninety days from the date of the order of the Council.</p>	<p>Removal of name from Register</p>
<p style="text-align: center;">CHAPTER V</p> <p style="text-align: center;">Rights of Registered Professionals / Personnel</p> <p>15. (1) Subject to the other provisions contained in this Act, any qualification as recognized and published by the Council in the public domain shall be sufficient qualification for enrolment in the Central Rehabilitation Register of the Council.</p> <p>(2) Subject to the conditions and restrictions laid down in this Act regarding engagement in the area of rehabilitation of persons with disabilities by professional possessing the recognized rehabilitation qualifications, every person whose name is for the time being borne on the 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 / fees to which he may be entitled.</p> <p>(3) No person, other than the rehabilitation professionals who possesses a recognized rehabilitation qualification and is enrolled on the Register, -</p>	<p>Rights of persons registered with the Council</p>

<p>(a) shall hold office as rehabilitation professional or any such office (by whatever designation called) in Government or in any institution maintained by a local or other authority;</p> <p>(b) shall practice as rehabilitation professional anywhere in India;</p> <p>(c) shall be entitled to sign or authenticate any certificate required by any law to be signed or authenticated by a rehabilitation professional;</p> <p>(d) 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 persons with disabilities.</p>	
<p style="text-align: center;">CHAPTER VI</p> <p style="text-align: center;">Regulatory and Monitoring function</p> <p>16. (1) During the academic session, the Council under its regulatory function, may review the functioning of the institutions and may issue directives for the improvement in the institution</p> <p>(2) The institutions must inform the Council at the beginning of the academic year, in case of discontinuation of any RCI approved course either temporarily or permanently.</p> <p>(3) No institution shall discontinue RCI approved course during the academic session except with the prior approval of the Council. The Council shall develop norms for such conditions, to safeguards the interests of the students pursuing such courses, as prescribed.</p>	<p>Regulatory and Monitoring function</p>

**CHAPTER VII
PUBLICATION AND DOCUMENTS**

- 17.** (1) The Council shall publish manuals, journals, books and resource materials etc. in the field of education and rehabilitation of persons with disabilities.
- (2) The Council shall have copyright over all its publications in all modes, course design and contents thereof, including all materials mentioned in Section 17 (1).
- (3) The Council shall furnish such reports, copies of its minutes, abstracts of its accounts, and other information to the Central Government as may be required.
- (4) The Central Government may publish in such manner as it may think fit, any report, copy, abstract or other information furnished to it by the Council under this section or under section 16.

Publication and documentation

**CHAPTER VIII
CONDUCT AND ETHICS**

- 18.** (1) The Council may prescribe standards of professional conduct and etiquette and a code of ethics for education and rehabilitation professionals and personnel.
- (2) Rules made by the Council under sub-section (1) may specify which violations 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 other law for the time being in force.
- (3) The Council may order that the name of any person 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 –

Power to make standard code of conduct and ethics

<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 has been guilty of any infamous conduct in any professional respect, or has violated the standards of professional conduct and etiquette or the code of ethics prescribed under subsection (1) which, in the opinion of the Council , renders him unfit to be kept in the Register.</p>	
<p style="text-align: center;">CHAPTER IX REGIONAL AND STATE CHAPTER</p> <p>19. The Council with the prior approval of the Central Government may establish Regional and State chapters as prescribed, to implement the functions of the Council and to carry out the purpose of this Act across the country</p> <p>The Council may constitute Regional Advisory Committee or any other such committee as may be prescribed by the Council from time to time.</p>	<p>Regional and State chapters of the Council</p>
<p style="text-align: center;">CHAPTER X NATIONAL BOARD OF EXAMINATION IN REHABILITATION (NBER)</p> <p>20. The Council may develop/amend the formats and guidelines in order to carry out the functions of National Board of Examination from time to time.</p> <p>21. (i) The Council shall conduct/cause to be conducted</p>	<p>Development / amendment of guidelines and formats</p>

<p>examination/evaluation for the purpose of awarding Certificates/Diplomas etc. as approved by the Council.</p> <p>(ii) The Council shall monitor and regulate the function of National Board of Examination in Rehabilitation (NBER) to conduct examinations and perform such other actions relating to award of diplomas and certificates in the field of education and rehabilitation of persons with disabilities as prescribed.</p>	<p>To monitor and regulate the functions of NBER Examinations to award Certificate</p>
<p style="text-align: center;">CHAPTER XI</p> <p style="text-align: center;">Interface with other agencies</p> <p>22. (i) The Council may enter into an agreement/MoU with various Govt. / Semi Govt. / State Govt. / local authorities/ autonomous bodies and international agencies to carry out the purposes of this Act.</p> <p>(ii) The Council shall prescribe norms and guidelines for entering into an agreement with the agencies.</p>	<p>Interface with other agencies</p>
<p style="text-align: center;">CHAPTER XII</p> <p style="text-align: center;">MONITORING</p> <p>23. (1) The Council shall within its economic capacity and development, undertake or cause to be undertaken services and programmes of rehabilitation, particularly in the areas of education and employment for all persons with disabilities.</p> <p>(2) For the purposes of sub-section (1), the Council may grant financial assistance to non-Governmental Organizations.</p>	<p>Financial Assistance</p>

<p>(3) The Council while formulating rehabilitation policies may consult with the Government, Semi government or non-Governmental Organizations working for the education and rehabilitation of the persons with disabilities.</p>	
<p>24. The Council shall endeavour that all educational institutions funded or run by the training institution recognized by the Council provide education to the children with disabilities and towards that end shall— (i) admit them without discrimination and provide education and opportunities for sports and recreation activities equally with others; (ii) make building, campus and various facilities accessible; (iii) provide reasonable accommodation according to the individual’s requirements; (iv) provide necessary support individualized or otherwise in environments that maximize academic and social development consistent with the goal of full inclusion; (v) ensure that the education to persons who are blind or deaf or both is imparted in the most appropriate languages and modes and means of communication; (vi) detect specific learning disabilities in children at the earliest and take suitable pedagogical and other measures to overcome them; (vii) monitor participation, progress in terms of attainment levels and completion of education in respect of every student with disability; (viii) encourage provision of transportation facilities to the children with disabilities and also the attendant of the children with disabilities having high support needs.</p>	<p>Education of persons with disabilities</p>

CHAPTER XIII RESEARCH AND DEVELOPMENT	
25. The Council shall initiate or cause to be initiated research and development through individuals and institutions on issues which shall enhance habilitation and rehabilitation and on such other issues which may be deemed necessary for the empowerment of persons with disabilities.	Research and development

CHAPTER XIV COGNIZANCE OF OFFENCES AND PENALTIES	
26. (1) Any person who acts in contravention of any provision of this Act shall be punished with imprisonment for a term which may extend to three years, or with fine which may extend to Rs.50,000, or both. (2) Any person who on behalf of any institution contravenes any of the provisions of this Act shall be punished with fine which may extend to Rs. 200,000/- or with imprisonment for a term which may extend to three years or both.	Offences by Individuals
27. Any person either individually or on behalf of any institution having committed an offence on violation of this Act shall be dealt and tried under the provision of Indian Penal Code, 1872 and Criminal Procedure Code, 1973 and other concerned Acts of India.	Offences by Institutions
28. (1) Where any offence under this Act has been committed by an institution, every person who at the time of commission of the offence, was in-charge, or was responsible to the institution shall be prosecuted and punished accordingly:	Prosecution and punishment

<p>(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by an institution and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the institution, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly</p> <p>Explanation.—For the purposes of this section,— (a) “institution” means any association of individuals or an establishment run and managed by Central / State Government / UT Administration and (b) “director”, in relation to an institution, means a person holding such position in the institution.</p>	
<p>29. Whoever, fails to produce any book, account or other documents or to furnish any statement, information or particulars which, under this Act or any order, or direction made or given thereunder, is duty bound to produce or furnish or to answer any question put in pursuance of the provisions of this Act or of any order, or direction made or given thereunder, shall be punishable with fine which may extend to Rs.25,000 in respect of each offence, and in case of continued failure or refusal, with further fine which may extend to one thousand rupees for each day, of continued failure or refusal after the date of original order imposing punishment of fine.</p>	<p>Punishment for failure to furnish information</p>
<p>30. Where an act or omission constitutes an offence punishable under this Act and also under any other Central or State Act, then, notwithstanding anything contained in any other law for the time being in force, the offender found guilty of such offence shall be liable to punishment only under such Act as provides for punishment which is greater in degree.</p>	<p>Alternative punishments.</p>

CHAPTER XV MISCELLANEOUS	
32. No suit, prosecution or other legal proceeding shall lie against the Central Government, Council, Chairperson, members, Secretary or any officer or other employee of the Council for anything which is in good faith done or intended to be under this Act.	
33. (1) The Central Government may, by notification, make rules to carry out the purposes of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters therein or connected to this Act. (3) Every rule 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 both Houses agree that the rule should not be made, the rule 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.	Power to make rules
34. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions or give such directions, not consistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty:	Power to remove difficulties

<p>Provided that no such order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.</p>	
<p>35. The Council may, with the previous sanction of the Central Government, make by notification, regulations generally to carry out the purposes 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 function of the Executive Committee and other committees, constituted under section 7;</p> <p>(f) the powers and duties of the Secretary under subsection (1) of section 8;</p> <p>(g) the qualifications, appointment, powers and duties of, and Procedure to be followed by Inspectors and Visitors;</p> <p>(h) the particulars to be stated, and proof of qualifications to be given, in application for registration under this Act;</p> <p>(i) any other matter deemed necessary to achieve the objectives of this Act.</p>	<p>Power to make Regulations</p>
<p>36. (1) The Rehabilitation Council of India Act, 1992 and its Amendment Act, 2000 is hereby repealed.</p> <p>(2) Notwithstanding the repealing of the said Acts, anything done or any action taken under the said Acts, shall be deemed to have been done or taken under the corresponding provisions of this Act.</p>	<p>Repeal and savings</p>