

made by a member against any person unless the member has given adequate advanced notice to the Speaker and also to the Minister.."

[Translation]

SHRI RAJVEER SINGH: I am not mentioning anybody's name.

MR. SPEAKER: Is it necessary for you to speak anything without referring to anybody's name?

SHRI RAJVEER SINGH: Mr. Speaker Sir, I am not speaking anything.

[English]

MR. SPEAKER: I am not allowing. Why do you create this problem?

You shall have to give me a notice and to the concerned Minister and then you can raise it.

[Translation]

SHRI RAJVEER SINGH: I am placing before you what is in record. The hon. Minister has made a statement.

PROF. PREM DHUMAL (Hamirpur): Notice should be given to the hon. Minister who has made the statement.

MR. SPEAKER: Please see. I am reading out rules to you

PROF. PREM DHUMAL: Several matters are allowed beyond rules.

MR. SPEAKER: We do it. We do it because all of you speak.

SHRI RAJVEER SINGH: Mr. Speaker Sir, You have over looked the rules in the matter of Constitution Amendment Bill which came up today. That was the question of national honour and this is in the question of national insult...(Interruptions)

MR. SPEAKER: Mr. Hon. Member, what are you doing at the last moment without any reason.

[English]

Rule NO. 353 applies to this. You have to give a notice to me and to the Minister concerned. I am not allowing. Please do not argue with me.

18.56 hrs.

REHABILITATION COUNCIL OF INDIA
BILL, 1992 AS PASSED BY RAJYA
SABHA.

[English]

THE DEPUTY MINISTER IN THE
MINISTRY OF WELFARE (SHRIMATI K.
KAMALA KUMARI):

Sir, I beg to move:

"That the Bill to provide for the constitution of the Rehabilitation Council of India for regulating the training of rehabilitation professionals and the maintenance of a Central Rehabilitation Register and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

The lack of trained manpower has been one of the major constraints in the expansion of rehabilitation services in the country. The training programmes in the country in the area of welfare of the handicapped are isolated and ad-hoc in nature with no standard syllabi, entry qualifications, duration of courses, level of degrees/diploma, etc. To overcome shortage of trained manpower, the Government of India carried out consultation with National Council of Handicapped Welfare and concerned Ministries on the question of setting up an apex body to enforce uniform standards for manpower training programme in the field of

rehabilitation of the disabled in the country.

The consensus was that standard training should be given to professionals and that products of only recognised courses should provide services to the handicapped.

To achieve this objectives, an appx body called "Rehabilitation Council" was set up through a Resolution dated 31st January, 1986. This body was registered under the Societies registration Act, 1980. The council prescribes minimum standard of education and training of professionals, recognises certain insitutions for conducting training programme leading to degrees or diplomas. The Council also recognise foreign degrees, diplomas and certification on reciprocal basis and maintains a Central Rehabilitation register of persons who are allowed to practice or seek employment in rehabilitation services of the handicapped.

The Council has been finding it difficult to enforce the standard of training and to regulate the functioning of the rehabilitation professionals in the absense of the statutory powers. therefore, to confer statutory power in Rehabilitation Council on the model of Medical council of India, which regularises statutorily the training of medical professionals, the "Rehabilitation Council" is being vested with statutory powers to prescribe norms and standards for the rehabilitation professions and to regulate their training. In fact, the existing "Rehabilitation Council" is being substituted by a statutorily constituted "Rehabilitation Council of India."

19.00 hrs

As present budgetary support is provided to the Rehabilitation Council through grant-in-aid sanctioned by Ministry of Welfare. During the current year 1992-93, a provision of Rs. 23 lakhs has been made for the Council. The statutorily constituted Rehabilitation Council of India will be financed out of this budgetary provision of Rs. 23 lakhs and as such no extra financial implications are visualised. However, the

new responsibilities which will devalve upon the statutorily constituted Council may entail

* Moved with the recommendataion of the President.

some additional expenditure, the quantum of which will depend upon the activities to be undertaken by the Council. Anyhow, as envisaged in the Bill itself, the financial and the administrative matters will be regulated and decided by the Ministry of Welfare in consultation with the Ministry of Finance from time to time.

Except for the matters in respect of which rules and regulations are to be made for covering matters of procedure and administrative details, the Bill does not envisage delegation of powers.

With these words, I request the august Houses for the consideration of the Bill.

MR. SPEAKER: Motion moved:

"That the Bill t^o provide for the constitution of the Rehabilitation Council of India for regulating the training of rehabilitation professionals and the maintenance of a Central Rehabilitation Register and for matters connected therewith or incident thereto, as passed by Rajya Sabha, be taken into consideration."

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Speaker Sir, the hon. Minister has issued an executive order on 31st July, 1986 to constitute the Rehabilitation Council and circulated it.

[*English*]

"The Council prescribes the minimum standard of education and training professionals, recognises certain institutions for conducting training programmes

leading to degree or diplomas.

The Council also recognises foreign degrees or diplomas or certificates on reciprocal basis and maintains the Central Rehabilitation Register of persons who are allowed to practice or seek employment in rehabilitation services of the handicapped.

The Rehabilitation Council is proposed to be vested with statutory power to prescribe norms and standards for the rehabilitation of professionals and to regulate their training."

[*Translation*]

The council did not enjoy any statutory Power when it was constituted. I have all regard for the hon. Minister. There is nothing objectionable in the Bill because a provision has now been made to vest statutory power to bring uniformity in training for the rehabilitation of the handicapped. Through this Council we are going to lay down the norms required for the training of persons who will work for the welfare of the handicapped. There are one crore twenty lakh handicapped people in the country out of which 77 per cent live in rural areas. After the formation of the Rajiv Foundation, the foundation has assumed the responsibility of rehabilitation of the handicapped. There are four institutions one is in Dehradun for the visually handicapped persons, other is in Secunderabad for the mentally retarded people, the third is in Calcutta for the orthopaedically handicapped persons and the fourth one is in Bombay for deaf and dumb. If income tax exemption is given to such voluntary organisations, which work in these agencies, on the money they get they would be able to work efficiently. The Government of India has constituted the institution like 'Tax Concession for Reinvestment of Profits in the Building of the Socio-economic Infrastructure' which will give cent per cent rebate in income tax, If these organisations perform development work in villages for the

people belonging to Scheduled Castes and Scheduled Tribes and construct roads for them, they will get hundred per cent rebate in income tax. Six-seven months have passed since its inception. If the people, who pay income tax, get per cent rebate in income tax then they would invest their money in such organisations and the four leading institutions in India would be able to get funds and work efficiently. I welcome the Bill as it will lay down norms for the purpose of recognising and registering the handicapped people for imparting them training. His name is Sitaram Kesari, I hope he will accept my suggestions so that there can be welfare of the handicapped people with the funds so mobilised. With these words I conclude.

[*English*]

DR. SUDHIR RAY (Burdwan): Mr. Speaker, Sir the Bill is welcome. In India we have 40 million people who are handicapped - either they are deaf and dumb or they are visually handicapped. Both the society and the Government are indifferent to their welfare. Even the 3 per cent reservation in the services for them is not implemented properly. Therefore, it is definitely welcome that the Government has come forward with the creation of a statutory authority.

Now, I think the Bill has sought to create an authority which would have, more or less, official majority. This should not be so. There are 23 members out of which only seven are non-officials. The rest are the officials. Hence, I think that the State Governments should have one representative each. And not only this, the voluntary organisations should have representation on the council. Besides the council should maintain a register of the professionals and they should have, more or less, uniform standard because often quacks are very much active in the country and they often create so many obstacles.

I would also say that this rehabilitation council should give recognition to degrees, courses and certificates which are given to professionals. I would also say that the council should take care of the employment of the handicapped. I have already said that

[Sh. Sudhir Ray]

three per cent of the jobs are reserved for them. but I doubt how much they get.

I would also say that there is a provision in the Bill that it would meet only once a year. I think that it should meet at least thrice a year. But at the same time, my point is that the Government should lay emphasis on general literacy because if there is general literacy, there is more awareness in environment and then there is more awareness of ecology and it would mean less mortality of the children. It should be a holistic approach.

With these words I conclude.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. speaker, Sir, through you I would like to congratulate the Government because it has been able to discharge the responsibility of a welfare State by launching the welfare programmes under the Rehabilitation Council Bill presented in the House. These programmes are for the Welfare of those who are physically handicapped, impaired to hear and see or mentally retarded. Swami Vivekanand ji once said:

[English]

"To serve the suffering humanity is the real worship of the God".

[Translation]

Right from the ancient time, it has been the culture and motto of our country.

"Na Twaham kamaye Rajyam,
Na cha Swargam Nacha
Punarbhawam,

Kamaye Dukhtaptanam
Praninam Art Nashanam".

Meaning - thereby, O, God, I do not yearn for rebirth nor do I yearn for heaven. I do not either want any worldly happiness,

prosperity or glory. "Kamaye Dukhtaptanam, Praninam, Artanashnam" That is to say, here it has been prayed to God to bestow the ability of removing the sorrows of the suffering humanity. Keeping this philosophy in mind the Government has opened several institutions and universities meant for the welfare of handicapped persons. Arrangements have been made for imparting training by different categories of professionals. The Rehabilitation Council has been set up with the motive of imparting education to all such persons and for bringing about uniformity in education. All these things have been done in right perspective. There are, however, some persons engaged in it who do not possess adequate professional knowledge. There was a regularisation of services of those who were in medical professions. Indian medical Council was set up. it was also clarified as to which universities can award what kinds of degrees, diplomas and certificates. Similarly, the Rehabilitation Council has also been set up. It has with it a list of the names of several institutions which are looking after the welfare of those who are deaf, dumb and blind. There should be an investigation into the matters like - what are the diplomas or degrees that should be awarded to mentally retard persons, what are the trainings that are imparted to the teachers who are working in these institutions, what is being done towards their rehabilitation. Similarly, issues like - what education is being imparted, whether there are proper institutions for that as also the issue of recognising the degrees awarded by such institutions have been dealt with at length in it. I think these things have been done thoughtfully. There are three aspects behind the structuring of this Organisation, members from the departments of welfare, health and Finance have to be taken in it by the Central Government. Besides, there will also be representatives of the University Grants Commission. There should also be representatives from Medical Science and Research Council because from research and academic points of view there is a requirement of including the experts who have specialisation in the areas of eye, nose and mental diseases. There is a dire need of research work in these areas. Why there are

large cases of blindness, persons getting hunch-backed in a particular region? The causes of all these have to be found by undertaking test of water, environment, foods that shape the human anatomy there so that they can be cured properly. The universities and institutions there will undertake these work. If the persons engaged in these institutions are not capable of imparting the desired level of training and if only forged degrees, diplomas and certificate bearing the names of forged universities are awarded, then there should be some provisions to prevent these persons from carrying out such activities. For that there should be arrangements of refresher courses to be conducted time to time under the provisions of the Rehabilitation Council of India Bill. It is due to new technologies being evolved. Research works are being done in every fields. If they are declared qualified after receiveing diploma, then they may be allowed to work in those areas, but if they are not well versed in their respective branches of knowlodge, they will not be able to perform the duty properly. Yet, I strongly support this Rehabilitation Council Bill, but I would also like to submit that attention should also be paid towards its shortcomings.

The provision of punishment for the forgers is not adequate in it. Efforts should, therefore, be made to make more stringent laws. A representative of Indian Medical Council, two Members of Parliament and one Member of Rajya Rabha have been included in it under the provisions of the Bill. In my opinion, the number of public representatives should be increased in the Council as stipulated in the Indian Rehabilitation Council Bill. With these words, I support this Bill.

SHRI NITISH KUMAR (Burh): Mr. Speaker, Sir, I support the Rehabilitation Council Bill which after being passed by the Rajya Sabha is now here before us for our consideration. There are training institutes for the handicapped persons in the big metropolitan cities. I would like to request the Government that such institutes should also be opened at least in the capitals of different States.

Mr. speaker, Sir, there should be a proper supervision of the work being done by voluntary organisations. There are more than four crore handicapped persons. The responsibility of rendering help to them and to look after their welfare rests on the Government. To think about their batterment is the responsibility of both the Government and the society. The Government should ensure standard education training. So the proper help may be made available for otheir welfare.

With these words. I support this Bill.

[English]

SHRI DATTATRAYA BANDARU (Secunderabad): Mr. Speaker, Sir, I rise to support this Bill because it is meant mainly for giving training for the professionals. In our country, there are a large number of handicapped persons like mentally retarded, physically retarded and visually retarded.

Sir, I want to give some suggestions for the consideration of the hon. Minister. With regard to the constitution of the Committee, the Chairmanship of that Committee should not go into the hands of the bureaucrats. We know from the functioning of many institutions as to how they are suffering in the hands of the bureaucrats. The Chairman should be a professional who has got a sympathy towards the weaker sections and the handicapped people. Another thing I want to mention is about the members of the Committee. A large number of handicapped persons are living in the rural areas and they belong to the weaker sections of the society. I request the hon. Minister to include some people form the Scheduled Castes and the Scheduled Tribes in that Committee while constituting the Committee. Then, a State-wise census of the handicapped persons should be undertaken, because so far, they have not been properly identified. That is why we do not know as to how many handicapped persons are there.

Then, regarding the allocation of funds, only Rs. 23 lakhs have been allocated for the research work in the training programme. This is a very meagre amount. I appeal to the

[Sh. Dattatraya Bandaru]

hon. Minister that more funds should be allocated for the training programme. Even though many schemes are there for the welfare of the handicapped persons, they are not properly implemented, because there are no trained persons to look after the handicapped persons. Even though this is delayed for more than 10 years now, this training programme is a very important one. I hope that the hon. Minister will accept my suggestions.

With these few words, I support this Bill.

[Translation]

THE MINISTER OF WELFARE (SHRI SITARAM KESRI): Sir, I welcome the suggestions given on Indian Resettlement Council Bill which are creative and based on experience and would like to make two-three submissions, through you.

So far as the composition of the Council is concerned, it is not possible to give representation to all the State. However representation to all the regions and also to voluntary organisations would certainly be above given. So far as universities are concerned, they will also be given representation. In regard to the sittings of the Council, a single sitting won't do. At least two-three meetings would be required. This is a good suggestion and it will be done.

So far as the proposal of Shri Nitish Kumar to constitute such Councils in States is concerned, these would be constituted at the national level, but under the prevailing circumstances the government cannot assure as to the extent to which its constitution would be expanded. However, in view of its prevailing function in metropolitan cities, the Government would certainly take the matter into consideration.

So far as exemption in income tax is concerned... (Interruptions) I am very well aware ... you need not draw my attention to it... (Interruptions)

So far as the submission of the hon. members, Shri Giridhari Lal Bhargava and prof. Rasa Singh Rawat in regard to exemption in income tax for voluntary organisations is concerned, I would like to inform them that 90 per cent of the total expenditure of these organisations is borne by the Central Government and only the remaining 10 per cent is borne by the organisations themselves. That too only for the purpose that those who set up these organisations should also have some contribution in them. The Government monitors the working of these organisations thus helping to fulfil the objectives of their constitution. Despite our department having no concern in regard to income tax matters, - but so far as I know - Voluntary organisations already avail this exemption, though I don't know its exact percentage.

In regard to demand for providing hundred per cent exemption I can only say that I would recommend the case to the Ministry or Finance; but at the same time, since the country is passing through a severe economic crisis, I cannot assure that this demand would be fulfilled.

So far as providing employment is concerned, the Government would take the efficiency of the handicapped persons into consideration while giving employment to them. It would recommend the cases to various agencies, departments and the private sector. But I cannot say how far we would succeed in achieving the objective.

So far as human sentiments and Government's efforts to serve the people are concerned, it all depends on the attitude of people in public and private sectors towards these people. The Government would see that all of them have a soft corner in their heart for the handicapped persons. Keeping all these factors in view, the Government would make all out efforts in this regard.

In regard to providing 3 per cent reservation to them in services the Government has been trying its best to implement this provision. The government would be considerate if there is any proposal

for special recruitment.

Formula and the long Title were added to the Bill.

I think that I have given reply to all your questions. I am thankful to you for making suggestions and move that this Bill be passed by the House.

SHRI SITARAM KESRI: Sir, I beg to move:

[English]

MR. SPEAKER: Shri Sobhanadreeswara Rao Vadde, the hon. Minister has replied. I had called out your name. You were not there. I will give you a chance later.

"That the Bill was passed

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Sir, I will be very brief. We fully agree with the Rehabilitation Council of India Bill. In this Bill, in clause 3, the representation to the States is very inadequate because in this it has been mentioned:

The question is:

"That the Bill to provide for the constitution of the Rehabilitation Council of India for regulating the training of rehabilitation professionals and the maintenance of a Central Rehabilitation Register and for matters connected there with or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

"two members to be appointed by the Central Government to represent the Ministry or department of the States or the Union territories dealing with Social Welfare by rotation in alphabetical order..."

That means, at a time only two Members will be there. This is grossly under representation to the States. I appeal to the

The motion was adopted

MR. SPEAKER: The House will now take up Clause by Clause consideration of the Bill. There is one amendment by Dr. (Shrimati) K.S. Soundaram, who is not here.

Hon. Minister to give reconsideration and enhance this representation to the States.

The question is:

"That Clauses 2 to 30 stand part of the Bill."

Also there is a provision which says that the council shall meet not less than once in a year. But there is no bar to meet more than once in a year as far as the council is concerned. At the same time it may meet even only once in a year. When so much work is to be done to help those poor, mentally-retarded or physically-handicapped or the visually-blind people, when there is no much work burden, this provision also may be changed. The hon. Minister in the Financial Memorandum has stated that it requires Rs. 23 lakhs. I believe this amount is too small an amount.

The motion was adopted

Clauses 2 to 30 were added to the Bill.

MR. SPEAKER: The question is:

"That the Schedule, Clause 1, the Enacting formula and the long Title stand part of the Bill."

Finally, I urge upon the government to take all necessary steps in some areas. Apart from prescribing the minimum educational qualifications to work as professionals on behalf of this Organisation, the human element also must be there. Whatever may be the degrees a person

The motion was adopted
The Schedule, Clause 1, the Enacting

[Sh. Sobhanadreeswara Rao Vadde]

holds whether he is having a degree or not, his commitment, his service motto also should be there. That also should be adequately taken cognisance of. Right at the moment, the Government is spending a lot of money to help those poor, destitutes and physically-handicapped people and for their welfare. But many a time it is so happening that some voluntary organisations, some clever people who are receiving those funds, they are not really passing on the amount to the beneficiaries which you are giving to them to help those people. In this regard, you have taken some steps. Some Inspectors, some visitors would be there to find out whether those professionals are really competent people or not. whether work is being properly conducted or not. It is good. Similarly, I also suggest that the government should take necessary steps in future so that the amount which you are giving, spending from your Ministry of Welfare for the welfare and of those poor people, physically-handicapped people really reaches those people and not otherwise. Simply basing upon the audit reports which are being submitted for you technically is not sufficient. You know, every hon. Member of this House knows that large sums of money are going down the drain and only very very small part of it is going really to the welfare of such people. I hope the hon. Minister who is very much committed to the welfare of the weaker sections will take necessary steps in further.

With these words, I conclude.

[Translation]

SHRI SITARAM KESRI: Sir, I would like to reply all the points he has raised. So far as corruption is concerned, as he has pointed out, I would like to request the voluntary organisations and the hon. Member also that this department is closely associated with human life and symbolised Members' sympathy and desire to serve such people. I would request the hon. Members that if they find any malpractices being made in any of these organisations, they should bring these to the notice of the Government in writing. Our department is there to monitor.. (Interruptions)

SHRI CHHEDI PASWAN (Sasaram): But no reply is given to any letter. (Interruptions)

SHRI NITISH KUMAR: We do wrote letters but even acknowledgment is not sent.

SHRI SITARAM KESRI: Not only I sent acknowledgment to your letter but also I have done your work.

MR. SPEAKER: You should not have any objection if your letter is replied and work done.

(Interruptions)

SHRI SITARAM KESRI: It is also possible that such letters are not replied. He is saying just for the sake of entertainment and nothing else. Therefore, I have no objection to it.

The hon. Members have suggested that the Members should be humanists. Secondly, so far the matter in regard to sittings of the Commission, is concerned, I have already said in my previous statement that we will have a provision of three sittings in a year. As regards corruption I have conducted enquiries into the functioning of many voluntary organisations; but not taken any decision despite recommendations by certain persons. So far as the discontinuous of funds is concerned, decisions to this effects is taken only when there is some thing fishy.

I would again request that the difference between this department and others is that it is not only related with human feelings but also deals with such people who are physically handicapped, mentally retarded, deaf and dumb. Thus if the members notice irregularities being practiced in the working of any of the organisations, they should bring them to my notice. I will certainly take action on that.

[English]

MR. SPEAKER: The question is:

“That the Bill be passed .”

The motion was adopted

MR. SPEAKER: Parliamentary Affairs Minister, would you like to say something?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABIAZAD): The Leader of the House will speak. (Interruptions)

SHRI RAMNAIK (Bombay North): I have a small suggestion to make. We cover important debates on T.V. I suggest and request that not this time, at least from next time onwards, the concluding part should also be televised as that is an important event.

19.34 hrs

VALIDICTORY REFERENCES

THE PRIME MINISTER (SHRI P.V. NARASIMHA RAO): Sir, I am grateful to you for giving me a few minutes when the House is about to adjourn *sine die* and the session is going to end. I was not here yesterday. But I was told that the House witnessed a few harsh exchanges on use of a particular word which had slipped in to my address on the 15th of August. Well, I do not want to go in to who said what yesterday. I would like to inform the House that the slipping in that word was completely and totally inadvertent. When I was announcing something good for some of our deprived brethren, there could not have been in my wildest dreams any intention to use a wrong word to describe them. The word has been promptly corrected in the official record on the same day. And today, I would like to assure the House and through the House particularly those friends about whom I had spoken that I have nothing but regret for that inadvertent slip.

Sir, this Session has been a very long one; I would say rather it was an elongated one, so long that on some days we appeared to prefer not to sit, not to let the House go on perhaps so much time was hanging on our heads, that we did not know what to do. But we have had a rather turbulent and yet

instructive session.. We had a few landmarks in the history of democratic India: we elected the president; we had elected the Vice-President. We had the peculiar flavour of a minority Government facing a No-Confidence Motion. We have passed some Bills; regretfully, we had not been able to pass some others which, at least, I had very greatly expected to get passed in this session particularly, the Panchayat and Nagarapalikas Bill, for which I think the whole of the country has been waiting for too long. We established our own representative Joint Parliamentary Committee to look in to one of the most difficult, most delicate and challenging problems that had faced the country in recent months. And I am sure that the JPC will come out in flying colours while dealing with that problem.

We again, had a very anxious time for a few days when we were buffeted between certain decisions which could have embarrassed the Government and the country for a long time to come. On one side was the dilemma of what needs to be done when the Constitution is challenged and not obeyed; on the other hand we had another dilemma which may be the other horn of the same dilemma of what one has to do, in order to avert a situation which could lead to bloodshed in the country. We are all happy and relieved that with the co-operation of one and all, it has been possible to avert a situation of that kind which has given us the time and the opportunity to go into the question in all its detail. I do hope that with similar co-operation from all quarters we will be able to get to the root of the matter and perhaps see that this running sore is a thing of the past.

Today, we had, in record time, passed the Bill enlarging the Eighth Schedule of the Constitution. It only means that Parliament when it wants to do work, it is extra fast and when it is in a different mood, it is absolutely obstructionist, nothing is proceeded with and nothing and allowed to happen.

So, we have seen Parliament in all its mood. We are part of it; we are proud of it.