

No. 22-21/2017 – DD-III
Government of India
Ministry of Social Justice and Empowerment
Department of Empowerment of Persons with Disabilities
(5th Floor, B-II, Antyodaya Bhawan, CGO Complex, New Delhi.)

Dated: 1st January, 2018

To

The JS & CEO,
National Trust,
New Delhi.

Subject: Clarification regarding appointment of legal guardians for persons with mental retardation, cerebral palsy, autism and multiple disabilities under RPwD Act, 2016 and under the existing National Trust Act, 1999.

Sir,

I am directed to refer to your note No. 184/NT Rules/Regulations/2015-16 dated 20th December, 2017 on the above subject and to say that the issue raised in the note referred to above has already been taken up by the Department suo-moto with the Department of Legal Affairs. The Department of Legal Affairs has opined that the concept of persons with disabilities defined under the RPwD Act, 2016 appears to be distinct and for the purpose of grant of limited guardianship in both National Trust Act, 1999 and RPwD Act, 2016, there does not appear to be any conflict in the provisions under both the Acts. They operate both independently in their respective field.

2. This issues with the approval of Joint Secretary.

Yours faithfully,


(D.K.Panda)

Under Secretary to the Govt. of India
Tele: 2436 9054