

Jammu and Kashmir State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2018

JAMMU & KASHMIR

India

Jammu and Kashmir State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2018

Act 6 of 2018

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Jammu and Kashmir State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2018(Act No. 6 of 2018)[Dated 8th August, 2018.]An Act to provide for the constitution of a body for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities and for matters connected therewith or incidental thereto.Enacted by the Governor in the Sixty-ninth year of the Republic of India, in exercise of powers vested under Proclamation No. P-1/18 dated 20th June , 2018, as follows :-

Chapter I Preliminary

1. Short title and commencement.

(1)This Act may be called the Jammu and Kashmir State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2018.(2)It shall come into force from the date of its publication in the Government Gazette.

2. Definitions.

- In this Act, unless the context otherwise requires,-(a)"Autism" means a condition of uneven skill development primarily affecting the communication and social abilities of a person, marked by repetitive and ritualistic behaviors ;(b)"Board" means Board of trustees constituted under section 3

;(c)"Cerebral Palsy" means a group of non-progressive conditions of a person characterized by abnormal motor control and posture resulting from brain insult or injuries occurring in the perinatal, prenatal or infant period of development;(d)"Chairperson" means the Chairperson of Board appointed under sub-section (4) of section 3 ;(e)"Chief Executive Officer" means the Chief Executive Officer appointed under sub-section (i) of section 8 ;(f)"Government" means Government of Jammu and Kashmir ;(g)"Member" means a Member of the Board and includes the Chairperson ;(h)"Mental retardation" means a condition of arrested or incomplete development of mind of person, which is specially characterized by sub-normality of intelligence ;(i)"Multiple disabilities" means a combination of two or more disabilities as defined in clause (e) of section 2 of the Jammu and Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1998 ;(j)"Notification" means notification published in the Government Gazette ;(k)"Persons with disability" means a person suffering from any of the conditions relating to autism, cerebral palsy, mental retardation or a combination of any two or more of such conditions and includes a person suffering from severe multiple disability ;(l)"Prescribed" means prescribed by rules made under this Act ;(m)"Professional" means a person who is having special expertise in a field, which would promote the welfare of persons with disability ;(n)"Registered organization" means an association of persons with disability or an association of parents of persons with disability or a voluntary, as the case may be, registered under section 12 ;(o)"Regulations" means the regulations made by the Board under this Act ;(p)"Severe disability" means disability with eighty per cent or more of one or more of multiple disabilities ;(q)"State" means State of Jammu and Kashmir ;(r)"Trust" means the State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities constituted under sub-section (1) of section 3.

Chapter II

The State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability

3. Constitution of the State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disability, etc.

(1)With effect from such date as the Government may, by notification, appoint, there shall be constituted, for the purposes of this Act, a body by the name of the State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities which 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 contract, and shall, by the said name, sue or be sued.(2)The general superintendence, direction and management of the affairs and business of the Trust shall vest in a Board which may exercise all powers and do all acts and things which may be exercised or done by the Trust.(3)The head office of the Trust shall be concomitant with the headquarter of the Government and the Board may, with the previous approval of the Government, establish offices at other places in the State.(4)The Board shall consist of-(a)a Chairperson to be appointed by the Government from amongst, the persons having expertise and experience in the field of autism,

cerebral palsy, mental retardation, multiple disability and health care, child development, paediatrics or related fields ;(b)five persons to be appointed in accordance with such procedure as may be prescribed from amongst the registered organizations out of which three members each shall be from voluntary organizations, associations of persons with autism, cerebral palsy, mental retardation and multiple disability and from associations of persons with disability :Provided that initial appointment under this clause shall be made by the Government by nomination ;(c)four persons, not below the rank of Additional Secretary to Government, who may be from the Departments of Social Welfare, Health and Medical Education, Finance, Labour and Employment, Education, Urban Development Department, Rural Development and Panchayati Raj Department, as Members, ex-officio ;(d)two persons to be nominated by the Board representing the associations of trade, commerce and industry engaged in philanthropic activities, members ;(e)one representative to be nominated by Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India ; and(f)the Chief Executive Officer, who shall be atleast of the rank of Additional Secretary to Government, Member-Secretary, Ex-Officio.(5)The Board may associate with itself, in such manner and for such purpose as may be determined by regulation, any person whose assistance or advice, it may desire for carrying out the objects of the Trust :Provided that such person shall have a right to take part in the discussion relevant to that purpose but shall not have right to vote at a meeting of the Board and shall not be a member for any other purpose :Provided further that the maximum number of persons so associated shall not exceed eight and so far as possible the person so associated shall belong to the registered organizations or from the professionals.

4. Term of Office of Chairperson and Members, meeting of Board, etc.

(1)The Chairperson or a Member shall hold office for a term of three years from the date of his appointment or until his successor is duly appointed, whichever is longer :Provided that no person shall hold office as the Chairperson or other non-official Member after he/she, has attained the age of seventy-five years in case of Chairperson and seventy years is in case of non-official members, respectively.(2)The conditions of service of the Chairperson and other Members shall be such as may be prescribed.(3)A casual vacancy in the Board shall be filled in accordance with the provisions of section 3 and a person 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.(4)Before appointing any person as the Chairperson or a Member, the Government shall satisfy that the person does not and will not, have any such financial or any other interest, as is likely to affect prejudicially his function as such member.(5)No Member of the Board shall be a beneficiary of the Trust during the period such Member holds the office.(6)The Board shall meet at least once in three months at such time and place as may be determined by the Board by regulations and shall observe such rules of procedure in the transaction of business at a meeting as may be prescribed.(7)The Chairperson, if for any reason is unable to attend the meeting of the Board, any member elected by the Members present from amongst themselves at the meeting, shall preside over the meeting.(8)All questions which come up before any meeting of the Board 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 presenting shall have a second or casting vote.(9)The Government may prescribe Honorarium and TA rates for the Chairperson and Members of the Boards and to enable

5. Resignation of Chairperson and Members.

(1)The Chairperson may resign his office by writing under his hand addressed to the Government :Provided that the Chairperson shall continue in office until the appointment of his successor is made by the Government.(2)A Member may resign from office by writing under his hand addressed to the Chairperson.

6. Disqualifications.

- No person shall be a member if he/she-(a)is or becomes, of unsound mind or is so declared by a competent court ; or(b)is or has been convicted of an offence, which in the opinion of the Government, involves moral turpitude ; or(c)is or at any time has been, adjudicated as an insolvent.

7. Vacation of office by Members, if a member.

(a)become subject to any of the disqualification mentioned in section 6 ; or(b)is without obtaining leave of absence, absent from three consecutive meetings of the Board ; or(c)tenders his/her resignation under section 5, his/her, seat shall thereupon become vacant.

8. Chief Executive Officer and staff of Trust.

(1)The Government shall appoint the Chief Executive Officer to exercise such powers and perform such duties under the direction of the Board as may be prescribed or as may be delegated to him by the Chairperson.(2)The Board shall, with the previous approval of the Government, appoint such other officers and employees as it considers necessary to carry out the objectives of the Trust.(3)The salary and allowances payable to, and the other terms and conditions of service of the Chief Executive Officer, other officers and employees of the Trust shall be such as may be prescribed.

9. Vacancies in Board not to invalidate acts, etc.

- No act or proceeding of the Board shall be called in question on the ground merely of the existence of any vacancy in or any defect in the constitution of, the Board.

Chapter III

Objects of the Trust

10. The objects of the trust shall be.

(a)to enable and empower persons with disability to live as independently and as fully as possible within and as close to the community to which they belong ;(b)to strengthen facilities to provide

support to persons with disability to live within their own families ;(c)to extend support to registered organizations to provide need based services during the period of crisis in the family of persons with disability ;(d)to deal with problems of persons with disability who do not have family support ;(e)to promote measures for the care and protection of persons with disability in the event of death of their parents or guardians ;(f)to evolve procedure for the appointment of guardians and trustees for persons with disability requiring such protection ;(g)to facilitate the realization of equal opportunities, protection of rights and full participation of persons with disability ; and(h)to do any other act which is incidental to the aforesaid objects.

Chapter IV

Powers and Duties of the Board

11. Powers and duties of the Board.

(1)The Board shall-(a)receive from the Government a one-time contribution of Rs. 500.00 lacs for a corpus fund, the income whereof shall be utilized to provide for adequate standard of living for persons with disability ;(b)receive bequests of movable property from any person for the benefit of the person with disability in general and for furtherance of the objectives of the Trust in particular :Provided that it shall be obligatory on the part of the Board to make arrangements for adequate standard of living for the beneficiary named in the bequest, if any and to utilize the property bequeathed for any other purpose for which the bequest has been made :Provided further that the Board shall not be under any obligation to utilize the entire amount mentioned in the bequest for the exclusive benefit of the persons with disability named as beneficiary in the bequest ;(c)receive from the Central Government and the State Government such sums as may be considered necessary in each financial year for providing financial assistance to registered organizations for carrying out any approved programme.(2)For the purpose of sub-section (1), the expression "approved programme" means,-(a)any programme which promotes independent living in the community for persons with disability by-(i)creating a conducive environment in the community ;(ii)counselling and training of family members of persons with disability ;(iii)setting up of adult training units, individual and group homes ;(b)any programme which promotes respite care, foster family care or day care service for persons with disability ;(c)setting up residential hostels and residential homes for persons with disability ;(d)development of self-help groups for persons with disability to pursue the realization of their rights ;(e)setting up of local committee to grant approval for guardianship ; and(f)such other programmes which promote the objectives of the Trust.(3)While earmarking funds for the purposes of clause (c) of sub-section (2), preference shall be given to woman with disability or to persons with severe disability and to senior citizens with disability.Explanation. - For the purpose of this sub-section, the expression,-(a)"Persons with severe disability" means any person having one or more disabilities of more than 80% as certified by Competent Medical Authority.(b)"Senior Citizen" shall have the same meaning as is assigned to it under section 2(j) of the Jammu and Kashmir Maintenance and Welfare of Parents and Senior Citizens Act, 2014.

Chapter V

Procedure for Registration

12. Procedure for registration.

(1) Any association of persons with disability, or any association of parents of person with disability or a voluntary organization, whose main object is promotion of welfare of persons with disability may make an application for registration to the Board. (2) An application for registration shall be made in such form and manner and at such place as the Board may by regulation provide and shall contain such particulars and accompanied with such documents and such fees as may be provided in the regulations. (3) On receipt of application for registration, the Board may make such inquiries as it thinks fit in respect of genuineness of the application and correctness of any particulars thereon. (4) Upon receipt of such application the Board shall either grant registration to the applicant or reject such application for reasons to be recorded in writing : Provided that where registration has been refused to the applicant, the said applicant may again make an application for registration after removing defects, if any, in its previous application.

Chapter VI

Local level Committees

13. Constitution of local level committees.

(1) The Board shall constitute a local level committee for such area, as may be specified by it from time to time. (2) A local committee shall consist of- (a) Deputy Commissioner of a District ; (b) District Social Welfare Officer-Member-Secretary ; (c) a representative of a registered organization ; and (d) a person with disability shall have the same meaning as defined in section 2 of the Jammu and Kashmir Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation), Act, 1998. (3) The non-official members of a local level committee shall continue to work for a period of three years from the date of its constitution or till such time it is reconstituted by the Board. The Chairperson of the Committee, can co-opt any other officer in the district as its member. (4) The non-official members can be reappointed by the Board on completion of their term in case of non-availability of substitutes or if their performance has remained up to the mark. (5) A local level committee shall meet at least once in every three months or at such intervals as may be necessary.

14. Appointment of guardianship.

(1) A parent of a person with disability or his relative may make an application to the local level committee for appointment of any person of his choice to act as a guardian of the person with disability. (2) Any registered organization may make an application in the prescribed proforma to the local level committee for appointment of a guardian for a person with disability : Provided that no such application shall be entertained by the local level committee, unless the consent of the guardian

of the disabled person is also obtained.(3)While considering the application for appointment of a guardian, the local level committee shall consider-(a)whether the person with disability needs a guardian ; and(b)the purposes for which the guardianship is required for person with disability.(4)The local level committee shall receive, process and decide applications received under sub-sections (1) and (2), in such manner as may be determined by regulations :Provided that while making recommendation for appointment of a guardian, the local level committee shall provide for the obligations which are to be fulfilled by the guardian.(5)The local committee shall send to the Board the particulars received by it and orders passed thereon, at such interval as may be determined by regulations.

15. Duties of guardian.

- Every person appointed as a guardian of a person with disability under this chapter shall, wherever required, either have the care of such person of disability and his property or be responsible for the maintenance of the persons with disability.

16. Guardian to furnish inventory and annual accounts.

(1)Every person appointed as a guardian under section 14 shall, within a period of three months from the date of his appointment, deliver to the authority which appointed him, an inventory of immovable property belonging to the person with disability and all assets and other movable property received on behalf of the person with disability, together with a statement of all claims due to and all debts and liabilities due by such person with disability.(2)Every guardian shall also furnish to the said appointing authority, within a period of one month at the close of every financial year, an account of the property and assets in his charge, the sums received and disbursed on account of the person with disability and the balance remaining with him.

17. Removal of guardian.

(1)Whenever a parent or a relative of a person with disability or a registered organization finds that the guardian is-(a)abusing or neglecting a person with disability ; or(b)misappropriating or neglecting the property, it may in accordance with the prescribed procedure apply to the committee for the removal of such guardian.(2)Upon receiving such application, the committee may, if it is satisfied that there is a ground for removal and for reasons to be recorded in writing, remove such guardian and appoint a new guardian in his place, or if such a guardian is not available make such other arrangements as may be necessary for the care and protection of person with disability.(3)Any person removed under sub-section (2) shall be bound to deliver the charge of all property of the person with disability to the new guardian, and to account for all moneys received or disbursed by him.Explanation. - For the purpose of this chapter, the expression "relative" includes any person related to the person with disability by blood, marriage or adoption.

Chapter VII

Accountability and Monitoring

18. Accountability.

(a)The books and documents in the possession of the Board shall be open to inspection by any registered organization.(b)Any registered organization can submit a written requisition to the Board to access any book or document maintained by the Board.(c)The Board shall frame such regulations as it think necessary for allowing the access of any book or document to a registered organization.

19. Monitoring.

- The Board shall determine by regulations the procedure for evaluating the prefunding status of registered organizations seeking financial assistance from it, and such regulations may also provide for the guidelines for monitoring and evaluating the activities of the registered organizations who are receiving financial assistance from the Trust.

20. Annual general meeting.

(1)The Board shall in each year hold an annual general meeting of the registered organizations, and not, more than six months shall elapse between the date of one annual general meeting and that of the next.(2)A notice of the annual general meeting along with a statement of accounts and records of its activities during the preceding year be sent by the Board to every registered organization, at such time as may be determined by the regulations.(3)The quorum for such meeting shall be such number of persons of the registered organizations, as may be determined by the regulations.

Chapter VIII

Finance, Accounts and Audit

21. Grants.

- The Government may, after due appropriation made by the State Legislature by law in this behalf, make to the Trust a one-time contribution of Rupees 500 lacs for a corpus, the income whereof may be utilized for the objects of the Trust under this Act.

22. Fund.

(1)There shall be constituted a fund to be called the State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Fund and there shall be credited thereto-(a)all moneys received from the Central Government or the State Government ;(b)all moneys received by the Trust by way of grants, gifts, donations, benefactions, bequests or transfers ;

and(c)all moneys received by the Trust in any other manner or from any other source.(2)All moneys belonging to the fund shall be deposited in such banks or invested in such manner as the Board may, subject to approval of the Government, decide.(3)The funds shall be applied towards meeting the administrative and other expenses of the Trust, including expenses incurred in the exercise of its powers and performance of duties by the Board in relation to any of its activities under section 10 or for anything relatable thereto.

23. Budget.

- The Board shall prepare, in such form and at such time in each financial year as may be prescribed, the budget for the next financial year showing the estimated receipt and expenditure of the Trust and shall forward the same to the Government.

24. Accounts and Audit.

(1)The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts of the Trust, including the income and expenditure accounts in such form as the Government may prescribe and in accordance with such general directions, as may be issued by the Government in consultation with the Principal Accountant General of the State.(2)The accounts of the Trust shall be audited by the Principal Accountant General of the State, at such intervals as may be specified by him and any expenditure incurred by him in connection with such audit shall be payable by the Board to the Principal Accountant General of the State.(3)The Principal Accountant General of the State and any other person appointed by him in connection with the audit of the accounts of the Trust shall have the same rights, privileges and authority in connection with such audit as the Principal Accountant General of the State, has in connection with the audit of the Government accounts, and in particular, shall have the right to demand the production of books of accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Trust.(4)The accounts of the Trust as certified by the Principal Accountant General of the State or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Government, and the Government shall cause the same to be laid before each House of the State Legislature.

25. Annual Report.

- The Board shall prepare every year, in such form within such time as may be prescribed an annual report giving a true and full accounts of its activities during the previous year and copies thereof shall be forward to the Government and the Government shall cause the same to be laid before each House of State Legislature.

26. Authentication of orders, etc.

- All orders and decisions of the Board and instrument issued in the name of the Trust shall be authenticated by the signature of the Chairperson, the Chief Executive Officer or any other officer

27. Returns and information.

- The Board shall furnish to the Government such reports, returns and other information as the Government may require from time to time.

Chapter IX Miscellaneous

28. Power of the Government to issue directions.

(1) Without prejudice to the foregoing provisions of this Act, the Board shall, in exercise of its power or the performance of its duties under this Act, be bound by such direction on questions of policy as the Government may give in writing to it from time to time : Provided that the Board shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section. (2) The decision of the Government, whether a question is one of policy or not, shall be final.

29. Power of the Government to supersede Board.

(1) If the Government on the complaint of a registered organization or otherwise has reason to believe that the Board is unable to perform or has persistently made default in the performance of the duties imposed on it, the Government may issue notice to the Board asking why it should not be superseded : Provided that no order superseding the Board shall be made by the Government, unless a notice affording reasonable opportunity to the Board has been given in writing that why it should not be superseded. (2) The Government after recording reasons in writing and by issuing a notification in the Government Gazette may supersede the Board for a period of not more than six months : Provided that on the expiration of the period of supersession, the Government may reconstitute the Board, in accordance with section 3. (3) Upon the publication of the notification under sub-section (2)-(a) all the members of the Board shall, notwithstanding that their term of office had not expired as on the date of supersession, vacate their office as such members ; (b) all the powers and duties which may, by or under the provisions of this Act, be exercised or performed by or on behalf of the Trust shall, during the period of supersession, be exercised and performed by such person or persons, as the Government may direct. (4) On the expiration of the period of supersession specified in the notification issued under sub-section (2), the Government may-(a) extend the period of supersession for such further period as it may consider necessary so that the total period of supersession does not exceed more than six months ; or (b) reconstitute the Board in the manner provided in section 3. (5) In exceptional circumstances and in the public interests, the procedure prescribed above in this section may be dispensed with before superseding the Board.

30. Exemption from tax.

- Notwithstanding anything contained in any other law for the time being in force in the State relating to tax on property or tax on profit or gains, or tax on sales or purchases, the trust shall subject to specific order of the State Government be exempted to pay any tax in respect of its property, profits or gains derived or sales or purchases made.

31. Protection of action taken in good faith.

- No suit, prosecution or other legal proceeding shall lie against the Government or the Trust or any member of the Board or Chief Executive Officer or any officer or other employee of the Trust or any other person authorized by the Board to perform duties under this Act for any loss or damage caused or likely to be caused by anything which is done in good faith. Explanation. - For the purposes of this section, the expression "good faith" shall have the same meaning as is assigned to it in the sub-section (14) of section 3 of the General Clause Act, Svt.1977 (1920 AD).

32. Chairperson, Members and officers of Trust to be public servants.

- All Members, Chief Executive Officer, other officers and employees of the Trust shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servant within the meaning of section 21 of the State Ranbir Penal Code.

33. Delegation.

- The Board may, by general or special order in writing, delegate to the Chairperson or any members or any officer of the Trust or any other person subject to such conditions and limitations, if any, as may be specified in the order such of its powers under this Act (except the power to make regulations under section 35), as it may deem necessary.

34. Power to make rules.

(1)The Government may, by notification in the Government Gazette, make rules for carrying out the provisions of this Act.(2)In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely :-(a)the procedure in accordance with which the person representing registered organization shall be elected under clause (b) of sub-section (4) of section 3 ;(b)the condition of service of the Chairperson and Members under sub-section (2) of section 4 ;(c)the terms and conditions of service of, Chief Executive Officer, other officers and employees of the Trust under sub-section (3) of section 8 ;(d)the rules and procedure in the transaction of business at meeting of the Board under sub-section (6) of section 4 ;(e)the powers and duties of Chief Executive Officer under sub-section (1) of section 8 ;(f)the form in which an application for guardianship may be made by a registered organization under sub-section (2) of section 14 ;(g)the procedure in accordance with which a guardian may be removed under section 17 ;(h)the form in which, and the time within which, the budget of the Trust shall be

forwarded to the Government under section 23 ;(i)the form in which the annual statement of accounts shall be maintained under sub-section (1) of section 24 ;(j)the form in which, and the time within which, the annual reports shall be prepared and forwarded under section 25 ;(k)any other matter which is required to be, or may be, prescribed.

35. Power to make regulations.

(1)The Board may, with the previous approval of the Government, by notification in the Government Gazette, make regulations consistent with this Act and rules, generally to carry out the purpose of this Act.(2)In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely :-(a)the manner and purpose for which a person may be associated under sub-section (5) of section 3 ;(b)the time and place at which the Board shall meet under sub-section (6) of section 4 ;(c)the form and manner in which the application shall be made for registration under sub-section (2) of section 12 and the particulars which such application shall contain under that sub-section ;(d)the manner in which application for guardianship shall be received, proceed and decided by the local level committee under sub-section (4) of section 14 ;(e)the particulars of application and orders passed thereon by the local level committee under sub-section (5) of section 14 ;(f)the procedure for evaluating the pre-funding status of the registered organization and framing of guidelines for monitoring and evaluating the activities of such registered organization under section 19 ;(g)the time within which notice for annual general meeting shall be sent and quorum for such meeting under sub-sections (2) and (3) of section 20 ; and(h)any other matter which is required to be, or may be provided by regulation.

36. Rules and regulations to be laid before the State Legislature.

- 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 State Legislature, 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 session, and if, before the expiry of the session immediately following the session or successive session aforesaid, both Houses agree in making any modification, in the rule or regulation or both Houses 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 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.

37. Repeal and Saving.

(1)The Jammu and Kashmir State Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2016 (Governor's Act No. III of 2016) is hereby repealed.(2)Notwithstanding the repeal of the said Act, anything done or any action taken under the said Act, shall be deemed to have been done or taken under the corresponding provisions of this Act.