

Bill No. 50 of 2024

THE AUTISM SPECTRUM DISORDERS (RECOGNITION AND TREATMENT)
BILL, 2024

By

SHRI BENNY BEHANAN, M.P.

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BILL

to recognize and address the needs of individuals with Autism Spectrum Disorders, to promote early detection, intervention, and treatment, and to ensure the provision of appropriate support and services.

WHEREAS Autism Spectrum Disorders (ASD) are a range of neuro-developmental conditions characterized by challenges in social interaction, communication, and repetitive behaviours;

AND WHEREAS Recognizing and addressing ASD early is crucial for the overall well-being and development of affected individuals;

NOW, THEREFORE it is expedient to enact legislation for the recognition and treatment of Autism Spectrum Disorders.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Autism Spectrum Disorders (Recognition and Treatment) Act, 2024.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.	<p>2. In this Act, unless the context otherwise requires,—</p> <p>(a) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;</p> <p>(b) “Autism Spectrum Disorders (ASD)” mean range of neuro-developmental disorders characterized by persistent deficits in social communication and interaction, and restricted, repetitive patterns of behavior, interests, or activities; and</p> <p>(c) “prescribed” means prescribed by rules made under this Act.</p>	5
Duties of appropriate Government.	<p>3. The appropriate Government shall,—</p> <p>(a) organize awareness programs to educate the public, healthcare professionals, and educators about the early signs of Autism Spectrum Disorder;</p> <p>(b) take measures to ensure the availability of appropriate medical, educational, and therapeutic interventions for individuals with ASD; and</p> <p>(c) conduct specialized training programs for healthcare professionals, teachers, and caregivers to enhance the quality of support and services provided for ASD.</p>	10
Research and Data Collection.	<p>4. (1) The appropriate Government shall facilitate and support research on ASD to enhance understanding and improve interventions.</p> <p>(2) The appropriate Government shall maintain a national database of the individuals identified having ASD.</p>	20
Central Government to provide funds.	<p>5. The Central Government shall, after due appropriation made by law by Parliament in this behalf, provide adequate funds to the States for carrying out the purposes of this Act.</p>	
Overriding effect of the Act.	<p>6. The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force, but save as aforesaid the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.</p>	25
Power to make rules.	<p>7. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.</p> <p>(2) 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 the 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.</p>	30
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STATEMENT OF OBJECTS AND REASONS

Autism Spectrum Disorders (ASD) represent a significant public health concern affecting individuals across the globe, transcending geographical, cultural, and socioeconomic boundaries. ASD is characterized by a range of neuro-developmental conditions that impact an individual's ability to engage in social interaction, communication, and may involve repetitive behaviors. Recognizing the unique challenges faced by individuals with ASD and the necessity for early intervention and support, the proposed "Autism Spectrum Disorders (Recognition and Treatment) Act" aims to address the following issue:

The Bill seeks to establish a framework for the early recognition of Autism Spectrum Disorders. This includes the development and implementation of awareness programs to educate healthcare professionals, educators, and the general public about the early signs of ASD. Timely identification is crucial for initiating interventions that enhance the developmental outcomes for individuals with ASD.

The legislation aims to ensure that individuals diagnosed with Autism Spectrum Disorders have access to a comprehensive range of medical, educational, and therapeutic interventions. This involves the promotion of specialized training programs for healthcare professionals, teachers, and caregivers to enhance their capacity to provide tailored support services.

Recognizing the importance of ongoing research to deepen our understanding of ASD, the Act encourages and supports research initiatives focused on the various aspects of Autism Spectrum Disorders. Additionally, the establishment of a national database is proposed to systematically collect and analyze data on the prevalence and characteristics of ASD, providing a foundation for evidence-based policymaking.

The Bill proposes a legal framework to enforce compliance with its provisions. Penalties are prescribed for individuals or institutions found in violation of the Act, thus ensuring accountability and adherence to the established norms.

The proposed legislation takes into account international best practices in the recognition and treatment of Autism Spectrum Disorders. By aligning with global standards, the Act aims to contribute to the creation of a supportive and inclusive environment for individuals with ASD.

In conclusion, the Bill is a significant step towards creating an inclusive society that recognizes and supports the unique needs of individuals with Autism Spectrum Disorders. By fostering early intervention, access to appropriate services, and promoting research, the Act aims to improve the quality of life for individuals with ASD and their families.

Hence this Bill.

NEW DELHI;
July 3, 2024.

BENNY BEHANAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for conducting awareness programmes to educate the public, healthcare professional and educators about the early science of ASD. Clause 4 provides for research and maintenance of database on Autism Spectrum Disorder. Clause 5 provides for the Central Government to give adequate funds to the States. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees two hundred and fifty crore would be involved from the Consolidated Fund of India per annum.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Act. As the rules and regulations will relate to matters of detail only, the delegation of legislative power, is therefore, of a normal character.

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