

**Bill No. 195 of 2017**

THE SPECIAL EDUCATIONAL FACILITIES (FOR CHILDREN OF  
PARENTS LIVING BELOW POVERTY LINE) BILL, 2017

By

DR. Udit RAJ, M.P.

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BILL

*to provide for special educational facilities to the children of parents living below  
poverty line and for matters connected therewith.*

BE it enacted by Parliament in the Sixty-eighth year of the Republic of India as  
follows:—

1. (1) This Act may be called the Special Educational Facilities (For Children of Parents  
Living Below Poverty Line) Act, 2017.

Short title and  
extent.

5 (2) It extends to the whole of India.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “appropriate Government” means in the case of a State, the Government of  
that State and in all other cases, the Central Government; and

10 (b) “parents living below poverty line” means such parents whose income from  
all sources is less than rupees twenty thousand per mensem.

Facilities to children born of parents living below poverty line.

**3.** It shall be the duty of the appropriate Government to provide to every child born of parents living below poverty line, the following facilities, namely:—

**(a) free education from school level to the post-graduate level including higher medical and technical education;**

**(b) free hostel facilities, uniform, means and such other assistance and facilities as are required for the proper education of children; and** 5

**(c) gainful employment to the child after he completes his education.**

Scholarships.

**4. The appropriate Government shall provide scholarships upto a maximum of rupees one thousand per mensem, in deserving cases, to the children of parents living below poverty line while they are pursuing their education.** 10

Reservation of seats in medical and technical college for children born of parents living below poverty line.

**5.** The appropriate Government shall reserve ten per cent of the total number of seats in all medical and technical colleges and institutions of higher studies for children born of parents living below poverty line.

Central Government to provide adequate funds to the State Government.

**6. The Central Government shall provide adequate funds to the State Governments for effective implementation of the provisions of this Act.** 15

Power to make Rules.

**7. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this section 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. 20 25

### STATEMENT OF OBJECTS AND REASONS

Nearly forty-five per cent. of the total population of our country lives below the poverty line. Their income is meager and they fight for their subsistence throughout their lives. They live hand to mouth existence and cannot even think of providing elementary education to their children. Since promotion of universal education and establishment of classless and creedless society is one of the basic aims of our Constitution, the Government at the national level as well at the State level should make provisions for free educational facilities and provide books, uniform, writing materials, transportation and hostel facilities free of cost to the children of persons living below poverty line, that is to say, whose total family income is below twenty thousand rupees per month, so that they could get proper education and better job opportunities to raise their standard of living. It will be a major step in eradicating illiteracy from the country. It will also help such children to grow and compete with children of higher class.

The cost of education and the cost of living has gone up and a ceiling of rupees twenty thousand per month seems to be reasonable. Keeping this in view, a provision has been made in the Bill to provide bright students belonging to very poor families a scholarship of rupees one thousand per mensem.

Hence this Bill.

NEW DELHI;  
*July 17, 2017.*

UDIT RAJ

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for free education including medical and technical education, etc. by the appropriate Government to children born of parents living below poverty line. It also seeks to provide for facilities such as free hostel, uniform, means etc. to such children. Clause 4 provides that the appropriate Government shall provide scholarship upto a maximum of rupees one thousand per mensem in deserving cases, to such children. Clause 6 provides for providing of adequate funds to the State Governments for effective implementation of the provisions of the Act. The Central Government has to bear the expenditure in respect of Union territories in implementing the provisions of the Bill. The respective State Government shall bear the expenditure in respect of their State. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure to the tune of rupees ten thousand crore is likely to be incurred per annum.

A non-recurring expenditure of rupees twenty thousand crore is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

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

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*(Dr. Udit Raj, M.P.)*