

Bill No. 132 of 2016

THE DALIT, BACKWARD AND OPPRESSED YOUTH
(DEVELOPMENT AND WELFARE) BILL, 2016

By

DR. UDIT RAJ, M.P.

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BILL

to provide for the formulation and implementation of a comprehensive national policy for ensuring overall development of the dalit youth belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes and oppressed categories and for their welfare to be undertaken by the Central Government and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Dalit, Backward and Oppressed Youth (Development and Welfare) Act, 2016.

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

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

Short title,
extent and
commence-
ment.

Definitions.

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

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

(b) 'backward' means those youth belonging to castes which have been declared, by notification in the Official Gazette, as backward by the appropriate Government from time to time; 5

(c) 'dalit youth' means a youth belonging to the Scheduled Castes or the Scheduled Tribes, as the case may be;

(d) 'oppressed youth' means a youth who has been a victim of any cruelty or discrimination for the reason that he professes any faith or religion other than the religion or faith professed by majority of persons in that State or belongs to a caste not covered in the Scheduled Castes or a victim of poverty, as the case may be; 10

(e) 'prescribed' means prescribed by rules made under this Act; and

(f) 'youth' means any person who has attained the age of eighteen years but is not above the age of forty-five years. 15

Formulation
of
comprehensive
national
policy.

3. (1) **The Central Government shall, as soon as may be, formulate a comprehensive national policy for the overall development and welfare of the dalit, backward and oppressed youth of the nation.**

(2) **without prejudice to the generality of the provisions of sub-section (1), the national policy may provide for—** 20

(a) **free higher education including medical, technical and information technology education;**

(b) **free coaching training for admission to management courses with assured admission in management institutes of repute;**

(c) **books, stationery, equipment and educational gadgets free of cost;** 25

(d) **scholarships in deserving cases;**

(e) **hostel facilities free of cost;**

(f) **free public transport facilities;**

(g) **monthly pocket expenses allowances at such rate as may be prescribed;**

(h) **free entertainment facilities;** 30

(i) **free access to all libraries and technical institutions;**

(j) **training in sports to every eligible youth covered under this Act and facilities and appropriate incentives to participate in sports activities, events and tournaments in and outside the country;**

(k) **provision of free of cost healthy and nutritious meals to all the student youth covered under this Act in the schools, colleges, universities, hostels and technical institutions;** 35

(l) **free medical and healthcare;**

(m) **apprenticeship in business, trade, vocation etc. in factories and commercial establishments;** 40

(n) **military training to physically fit youth covered under this Act and those successfully completing training to be given preference for recruitment in defence services;**

(o) **free of cost coaching and study material for all India Services and other competitive examinations which are conducted by Union Public Service** 45

Commission, State Public Service Commissions and other examination bodies such as of Railways, Banks, Staff Selection Commission and other bodies of the Government of the Centre, States and Union territories; and

5 (p) such other facilities, incentives and welfare measures as may prescribed from time to time.

4. (1) Notwithstanding anything contained in any other law for the time being in force, the appropriate Government shall provide gainful employment to the youth covered under this Act as per their ability and qualification.

Employment and unemployment allowance.

10 (2) If the appropriate Government fails to provide gainful employment, the youth shall be paid unemployment allowance on monthly basis at such rate, as may be prescribed, till he is given gainful employment.

5. (1) The appropriate Government shall—

Miscellaneous provisions.

(i) appoint expert committees in the capital of every State and Union territory and in every district for carrying out the purposes of this Act;

15 (ii) promote youth cooperatives such as village industry ventures, dairy projects, food processing, poultry, fair price shops, LPG distribution at village or district level to provide self employment to youth belonging to dalits, backward and oppressed classes and provide requisite financial assistance and guidance to them for procuring raw materials and promoting marketing;

20 (iii) ensure availability of requisite credit at nominal rate of interest from the Banks and other Financial Institutions to the youth covered under this Act for their self employment project; and

(iv) extend such other welfare measures to the youth covered under this Act as it may deem appropriate and necessary for carrying out the purposes of this Act.

25 6. The Central Government shall, after due appropriation made by Parliament by law, provide requisite funds to the State Governments for carrying out the purposes of this Act.

Central Government to provide requisite funds.

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

Power to make rules.

30 (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.

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STATEMENT OF OBJECTS AND REASONS

The youth are the strength of a strong nation and are capable of substantially influencing polity. In recent times, youth have transformed some monarchies into Republics by overthrowing monarchical power. As such, youth are always at the centre stage of socio-political activities of every country and similar is the position in our nation. To maintain this strength, a clear youth policy is required to rid the country of problems related to education, poverty, nutrition, employment opportunities, self employment, vocational training, health, sports etc. The country at present has no institutional mechanism to harness the potential of our youth and channelize their energy for the betterment of the country. The plight of the youth belonging to backward communities such as Scheduled Castes, Scheduled Tribes and Other Backward Classes who have been oppressed for centuries is even worse. Even today the Dalit youth have to face social ostracization; though thanks to the reservation policy propounded by Babasaheb Dr. B. R. Ambedkar, many of them have made some progress, but youth of the backward classes still require special attention because there is need to instill a sense of belonging among them by providing them all opportunities for their overall development so that they too can contribute to the progress of the country to their full potential. The facilities and opportunities should be provided as a matter of right and it should not be allowed to remain a privilege of the elite only. Employment needs to be guaranteed to them and if employment opportunities are not provided to them, they have to be given unemployment allowance. They have to be linked directly to the production processes by eliminating disparities between rural and urban youth. For this, a comprehensive national policy is an absolute necessity.

Hence this Bill.

NEW DELHI;
April 13, 2016.

UDITRAJ

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for a national policy for the dalit, backward and oppressed youth under which various facilities are to be provided to such youth. Clause 4 provides for employment opportunities and payment of unemployment allowance by the Government. Clause 5 provides for promoting youth co-operatives such as village industry ventures, dairy projects, food processing etc. at village and district level and requisite financial assistance; requisite credit at nominal rate of interest from banks and other financial institutions and other welfare measures to the youth. Clause 6 makes it mandatory for the Central Government to provide requisite funds to carry out the provisions of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees thirty thousand crore may be involved as recurring expenditure per annum from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees twenty thousand crore may also be involved for creating assets and infrastructure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purposes of the 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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