

**Bill No. 222 of 2016**

THE CONSTITUTION (AMENDMENT) BILL, 2016

By

DR. Udit RAJ, M.P.

A

BILL

*further to amend the Constitution of India.*

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

1. This Act may be called the Constitution (Amendment) Act, 2016.

Short title.

2. In article 338 of the Constitution, after clause (5), the following clause shall be inserted, namely:—

Amendment  
of article  
338.

5                   "(5A) The recommendations made by the National Commission in its reports under clause (5), shall be binding upon, and implemented by, the Central Government and the State Governments within a period of one year from the date of making of such recommendations."

## STATEMENT OF OBJECTS AND REASONS

Article 338 of the Constitution provides for the National Commission for the Scheduled Castes to monitor all matters relating to the safeguards provided for the Scheduled Castes under the Constitution and other laws for the time being in force.

The National Commission for the Scheduled Castes is working for the last so many years but the desired result has not been achieved, so far. The major reason for this handicap is that the recommendations made by the National Commission for the Scheduled Castes in its reports are treated as recommendatory in nature by the Government. These recommendations are not considered seriously by the Government when it comes to implement the same. Therefore, it is necessary to amend the Constitution with a view to provide that the recommendations made by the National Commission in its reports shall be binding upon, and implemented by, the Central Government and the State Governments within a period of one year from the date of making of such recommendations.

Hence this Bill.

NEW DELHI;  
*July 8, 2016.*

UDIT RAJ

*ANNEXURE*

EXTRACT FROM THE CONSTITUTION OF INDIA

\* \* \* \* \*

338. (1) There shall be a Commission for the Scheduled Castes to be known as the National Commission for the Scheduled Castes.

National  
Commission  
for Scheduled  
Castes.

\* \* \* \* \*

(5) It shall be the duty of the Commission—

\* \* \* \* \*

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by the Parliament, by rule specify.

\* \* \* \* \*

LOK SABHA

---

A

**BILL**

further to amend the Constitution of India.

---

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