

Bill No. 254 of 2015

THE FREE EDUCATIONAL AND HOSTEL FACILITIES TO
STUDENTS BELONGING TO THE SCHEDULED CASTES,
THE SCHEDULED TRIBES AND ECONOMICALLY
WEAKER CLASS BILL, 2015

By

DR. Udit RAJ, M.P.

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BILL

to provide for free educational and hostel facilities upto post graduation level for the students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class and for matters connected therewith.

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

1. (1) This Act may be called the Free Educational and Hostel Facilities to Students Belonging to the Scheduled Castes, the Scheduled Tribes and Economically Weaker Class Act, 2015.

Short title,
extent and
commence-
ment.

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.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) “appropriate Government” means in the case of a State, the Government of that State and in all other cases, the Central Government;	
	(b) “economically weaker class student” means a student whose family income from all sources is not more than rupees twenty thousand per annum;	5
	(c) “educational institution” means any college or institution or university imparting higher education including medical and technical education, recognized by the Government or established under an Act of the Central Government or a State Government; and	
	(d) “prescribed” means prescribed by rules made under this Act.	10
Free educational facilities for students belonging to certain categories.	3. Every educational institution shall provide free education to students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class for a period of six years from the date of his enrollment in such institution or till the completion of the course of study, whichever is earlier, in such manner as may be prescribed.	
	<i>Explanation.</i> —For the purpose of this section, free education includes,—	15
	(a) all expenses incurred on admission and tuition fees;	
	(b) provision of books and stationery items free of cost; and	
	(c) scholarships, in such cases as may be prescribed.	
Free hostel facilities.	4. The appropriate Government shall provide free hostel facilities to students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class, in such manner, as may be prescribed.	20
Establishment of adequate number of hostels.	5. The appropriate Government shall establish and maintain or cause to be established or maintained adequate number of hostels, at such places and in such manner as may be prescribed, within its territorial jurisdiction.	
Act not in derogation of other laws.	6. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating any of the matters dealt with in this Act.	25
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 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.	30 35

STATEMENT OF OBJECTS AND REASONS

In our country even after more than sixty years of independence, most of the students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class are not able to afford even their school education leave alone university level education. The poorest among them are not able to go even to primary schools and remain illiterate and thus continue to get exploited in the society. The Government provides free school education to them but that is not enough. After completion of school education when they go to the college or university, it is beyond their reach to pay either the tuition fee or the hostel charges. Medical and Engineering students have to stay in hostels which are very expensive and students belonging to these categories cannot afford cost of staying in the hostels. This compels even the brightest students among them to opt out from higher education. In some cases their tuition fee is exempted but that is not enough. Therefore, it is necessary that students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class are provided free education and hostel facilities to enable them to pursue their higher education.

Hence this Bill.

NEW DELHI;
November 13, 2015.

UDIT RAJ

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for free educational facilities to the students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class. Clause 4 provides for free hostel facilities for students belonging to the Scheduled Castes, the Scheduled Tribes and economically weaker class. Clause 5 provides for establishment of adequate number of hostels. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. A recurring expenditure of rupees one hundred crore is likely to be involved per annum.

A non-recurring expenditure of 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 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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(Dr. Udit Raj, M.P.)