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EXTRAORDINARY

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PART II — Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bills have been introduced in the Rajya Sabha on the 6th February, 2026:—

I

Bill No. LXXVIII of 2024

A Bill to amend the Bharatiya Nyaya Sanhita, 2023.

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

- (1) This Act may be called the Bharatiya Nyaya Sanhita (Amendment) Act, 2024.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Short title and commencement.

Provided that the Central Government shall appoint such date within three months from the date on which the Bharatiya Nyaya Sanhita (Amendment) Bill, 2024 receives the assent of the President.

Amendment of section 103.

2. In the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as the principal Act), in section 103, after sub-section (2), the following new sub-section shall be inserted, namely: —

45 of 2023.

“(3) Whoever, by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, incites a person or a group of persons to commit murder of any person on the ground of race, caste, community, sex, place of birth, language, personal belief or any other similar ground, shall be punished with death or with imprisonment for life and shall also be liable to fine.”

Amendment of section 196.

3. In the principal Act, in section 196, in sub-section (1), the following proviso shall be inserted, namely: —

“Provided that if any words or actions, referred to in clauses (a) to (c) above, of any person causes any person or a group of persons to commit murder of any other person on the ground of race, caste, community, sex, place of birth, language, personal belief or any other similar ground, then such person shall be punished with imprisonment for life and shall also be liable to fine.”

Amendment of section 298.

4. In the principal Act, in section 298, —

(i) the following provisos shall be inserted, namely:—

“Provided that if the offence mentioned in sub-section (1) is committed by two or more persons with the common intention of either insulting the religion of any class of persons or of promoting religious animosity between different class of persons then each of them shall be punished with imprisonment of either description for a term which may extend to seven years and with fine:

Provided further that if a person, either individually or as a part of any group of two or more persons, is found guilty of offence mentioned in sub-section (1) for a second or subsequent time, he shall be punished with imprisonment for life or with imprisonment of either description for a term not less than ten years and with fine.”

(ii) the existing section shall be numbered as sub-section (1) and after sub-section (1) so numbered, the following new sub-section shall be inserted, namely: —

“(2) Whoever, by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, incites a person or group of persons to commit the offence mentioned under sub-section (1) shall be deemed to have committed the said offence and shall be liable for the same punishment, irrespective of whether he actually participates in the commission of such offence or not.”

Amendment of section 299.

5. In the principal Act, in section 299, the following provisos shall be inserted, namely: —

“Provided that if the offence mentioned in this section is committed by two or more persons with the common intention of

outraging the religious feelings of any class of persons or of promoting religious animosity between different class of persons then each of them shall be punished with imprisonment of either description for a term which may extend to seven years and with fine:

Provided further that if a person, either individually or as a part of any group of two or more persons, is found guilty of the offence mentioned in this section for a second or subsequent time, he shall be punished with imprisonment for life or with imprisonment of either description for a term not less than ten years and with fine.”

STATEMENT OF OBJECTS AND REASONS

Protection of communal harmony, social tranquility and unswerving camaraderie among citizens are a *sine qua non* not only for national integrity but also for the overall development of the nation. India, as a nation, and its people, as a society, have so far achieved the greatest repute all over the world for its record in maintaining communal harmony, social tranquility and unswerving camaraderie among citizens, despite having unparalleled cultural and religious diversity. However, the differences of faith, language, region and even diet persisting among our people sometimes lead to conflicts and altercations. Some fringe elements take advantage of such untoward incidents for their vested interests and make the situation worse. These anti-national forces sometimes succeed in leading people to commit heinous crimes, including murder of fellow citizens, on the basis of such differences. Unfortunately, there is a rise in the number of such crimes motivated by intolerance of differences and hate towards 'others' being reported from various corners of the country recently. Most of the advanced legal systems in the world have enacted specific laws to prevent such hate crimes.

It is high time for India also to have effective law to prevent all types of hate crimes and to thwart any attempt to promote enmity between different groups of persons. There are provisions in the existing criminal law to deal with persons directly involved in commission of such offences. But, more often than not, there are perpetrators, who hide behind the curtain and abet people to commit such crimes and escape prosecution in the absence of law to book them. In fact, these facilitators are the real culprits and without ensuring proper punishment for them, such crimes cannot be eradicated. Further, there are some offenders repeatedly committing such hate crimes due to extreme intolerance and radicalization, and such offenders should be dealt with severe punishments.

Section 103 (2) of the Bharatiya Nyaya Sanhita, 2023 prescribes punishment for each member of a group who have committed murder on the ground of race, caste, community, sex, place of birth, language, personal belief or any other similar ground. But it lacks provision for punishment of persons who actually incites the group to commit murder, but not personally involved in commission of offence. Similarly, Section 298 prescribes punishment for injuring or defiling a place of worship with intent to insult religion of any class. Here also there is no provision for punishment of persons who actually incites a person or group of persons to commit offence under this Section.

Section 196 of the Bharatiya Nyaya Sanhita, 2023 deals with the offence of promoting enmity between different groups on grounds of religion, race, place of birth, residence, language etc. and doing various acts prejudicial to maintenance of harmony. Sometimes, a single incident contemplated under this Act may lead to more heinous crimes, such as murder of a person or group of persons or even to a large-scale riot. In such cases, the law should provide severe punishment for person(s) causing the same.

The offences mentioned in Sections 298 and 299 of the Sanhita become severe in nature and its consequence when it is committed by a group of persons with common intention of insulting

any religion or of spreading religious animosity among citizens. Hence members of the group committing such offences deserve severe punishments than an individual committing the same offence. Similarly, a person committing any of these offences repeatedly with the same intention should also be dealt with severe punishment.

It is the need of our time to fill up the above-mentioned lacuna in the law in order to protect communal harmony and social tranquility effectively. Appropriate legal provision should be incorporated into the existing Sections for that purpose.

Hence, this Bill.

HARIS BEERAN

II**Bill No. LXXXI of 2024**

A Bill further to amend the Constitution of India.

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 Constitution (Amendment) 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:

Provided that the Central Government shall appoint such date within three months from the date on which the Constitution (Amendment) Bill, 2024 receives the assent of the President.

Amendment of
article 243D.

2. In article 243D of the Constitution, after clause (3), the following new clause shall be inserted, namely:—

“(3A) At least one seat out of the total seats to be filled by direct election in every Panchayat shall be reserved for persons with disabilities and such seats may be allotted by rotation to different constituencies in a Panchayat:

Provided that the Legislature of a State may, by law, enhance the number of seats to be reserved for persons with disabilities up to a maximum of four percentage of the total number of seats to be filled by direct election in every Panchayat.

Explanation.— For the purpose of this clause, „persons with disabilities“ shall have the same meaning assigned to „person with benchmark disability“ as defined under the Rights of Persons with Disabilities Act, 2016.”

49 of 2016.

Amendment of
article 243T.

3. In article 243T of the Constitution, after clause (3), the following new clause shall be inserted, namely:—

“(3A) At least one seat out of the total seats to be filled by direct election in every Municipality shall be reserved for persons with disabilities and such seats may be allotted by rotation to different constituencies in a Municipality:

Provided that the Legislature of a State may, by law, enhance the number of seats to be reserved for persons with disabilities up to a maximum of four percentage of the total number of seats to be filled by direct election in every Municipality.

Explanation.— For the purpose of this Article clause, „persons with disabilities“ shall have the same meaning assigned to „person with benchmark disability“ as defined under the Rights of Persons with Disabilities Act, 2016.”

49 of 2016.

STATEMENT OF OBJECTS AND REASONS

The Election Commission of India operates under the principle of "No Voter Left Behind," striving to ensure comprehensive inclusion in the electoral process, which is celebrated as a festival in India. Despite these efforts, Divyangs (Persons with Disabilities) remain significantly overlooked in public discourse and electoral participation. Although post-colonial India has made great strides in enhancing the quality of life for Divyangs, these improvements are still insufficient, especially regarding their inclusion in the electoral process, particularly so when it comes to the number of Divyangs in the Union and State Legislatures and Local Self Government bodies. According to the 2011 Census, Divyangs constitute 2.21 per cent. of the population, or 2.68 crore individuals. Yet, their participation in the legislative bodies and LSGs is not adequately addressed.

The absence of Divyang representation in the electoral process undermines the principles of representation, diversity, and inclusivity crucial for a well-functioning democracy. Elected representatives from the Divyang community can advocate for accessibility and inclusion, benefiting society as a whole. It is essential that Divyangs have a voice and influence in our democratic structures commensurate with their presence in society. Currently, many decisions affecting their lives are made without proper representation, resulting in policies that fail to address their specific needs and experiences.

As an initial step in the direction of ensuring adequate representation of Persons with Disabilities in electoral bodies, it is ideal to provide reservation for them in the Local Self Government bodies. The noble concept of „equality“ enshrined in our Constitution can be achieved only with special consideration for the vulnerable classes like Divyangs. The Constitution already provides reservation for some other identified vulnerable classes, namely, Scheduled Castes, Scheduled Tribes and women, in elected bodies of Local Self Governments. Along with these classes, the Divyangs should also be considered for providing reservation so as to ensure their representation in Panchayat and Municipal bodies. New Clauses are to be incorporated in the Articles dealing with reservation of seats in Panchayats and Municipalities in Part IX and Part IXA of the Constitution respectively.

The Bill seeks to achieve this objective.

HARIS BEERAN

III**Bill No. II of 2025**

A Bill further to amend the Census Act, 1948.

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

1. (1) This Act may be called the Census (Amendment) Act, 2025.
(2) The Central Government shall, as soon as may be, but not later than three months from the date of enactment of this Act, by notification in the Gazette bring this Act into force.

Short title and commencement.

Amendment of
section 3.

2. In the Census Act, 1948 in section 3, the following provisos shall be inserted, namely:—

37 of 1948.

“Provided that at least one census in the whole of India shall be taken in every ten years.

Provided further that if the Central Government finds it difficult, for any sufficient reason such as war, natural calamity, pandemic etc., to take census in the whole or any part of India even after expiry of a period of ten years from the last census, it may, by notification in the Official Gazette, declare its intention of taking the census in the whole or any part of India, as the case may be, as soon as the exigency for not conducting the census ceases to be in existence and thereupon the census shall be taken.”

STATEMENT OF OBJECTS AND REASONS

Conducting the census in whole of the country on a regular interval is a must, as in the absence of a complete census for a long span of time, a majority of country's population will be unable to access several schemes, benefits and services. Without a systematically collected population data and without having updated information regarding social, political and economic status of different sections of the population, implementation of developmental projects and social welfare schemes would be counterproductive as it may pave way for uneven distribution of resources.

Periodical census is a legal imperative for the reason that constitutionally-mandated policies of social justice, which include reservations in electoral constituencies, education and public employments, cannot be pursued effectively without correct population data.

Neither the Constitution nor the Census Act, 1948 as it stands today mandates a census to be conducted at a regular interval. However, the census on national level has so far been conducted every ten years. Even the British Government had conducted census in India periodically every ten years without failure since 1881. The first census of Independent India was conducted in 1951 and Government of India continued the practice of conducting national census every ten years without any delay till 2011. The census to be conducted in 2021 was postponed due to pandemic and the country still awaits a nationwide data collection.

Ten year is a reasonable span and the population data with all significant information must be updated on the official records in a regular interval of every ten year. This is mandatory to secure social, political and economic justice; and equality of status and of opportunity to all citizens as enshrined in the Preamble of the Constitution. Appropriate amendment in the Census Act is required to make this periodical census a legally enforceable obligation on the part of Central Government.

Hence, this Bill.

HARIS BEERAN.

IV

Bill No. XCI of 2024

A Bill to define, extend, and protect the rights of individuals availing air carrier services and to prevent their exploitation in terms of air fares, basic amenities, and unjust profits for air service providers and ensure due compensation in case of undue delays, loss or damage of luggage etc. so as to make air travel more affordable, convenient and transparent and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Airline Passengers' Rights Act, 2024.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

2. In this Act, unless the context otherwise requires, —
- (a) “air carrier” means any airline company registered with the Directorate General of Civil Aviation (D.G.C.A.) in India and includes its Chairman and other members of the Board of Directors of the company and Chief Operating Office;
- (b) “airline” means all commercial flights operating in the country either on domestic or international routes;
- (c) “compensation” means and includes the payment to be made to the passenger for any inconvenience caused to them due to delay or cancellation of scheduled flights, loss or damage of luggage or any other reason on the part of the airlines while traveling in any airlines;
- (d) “foreign airline” means an airline that has been issued an Air Operator Certificate by a country other than India to carry out specified commercial air transport operations and which operates commercial flights in India;
- (e) “frequent flyer” means a passenger who travels by any airlines at least twice a month for business or personal purposes;
- (f) “passenger” means any person who travels by any airlines for any purpose; and
- (g) “prescribed” means prescribed by rules or regulations made under this Act.

CHAPTER II

INTERLINE AGREEMENTS AND PROTECTIONS

Interline agreements and protections.

3. Not later than one year from the date of the commencement of this Act, the Central Government shall prescribe regulations to facilitate interline agreements and related practices between air carriers and providers of other modes of transportation and establish a complaint and remediation process through which parties may submit complaints and resolve disputes regarding the establishment and implementation of interline agreements, which shall—
- (i) include provisions to prevent air carriers and other transportation providers from significantly hindering or preventing willing air carriers or other transportation providers from entering into interline agreements or conducting related practices;
- (ii) require air carriers to explicitly notify passengers when they are eligible to be provided transportation by another air carrier or a provider of another mode of transportation;
- (iii) require air carriers, after an eligible passenger is notified under clause (ii), to attempt to provide to the passenger transportation through another air carrier or a provider of another mode of transportation, upon the passenger’s request, if the air carrier has an interline agreement with the other air carrier or transportation provider;
- (iv) prohibit air carriers and other transportation providers from unduly or improperly influencing the decision of a partner, subsidiary, or vendor to enter into an interline agreement, the terms or conditions of such an agreement, or related practices;

- (v) account for operational records, seat availability, and capacity;
- (vi) promote competition and public interest;
- (vii) provide for appropriate penalties and remedies for violations of an interline agreement; and
- (viii) any other matter related thereto, as may be prescribed.

CHAPTER III

PASSENGER PROTECTIONS

4. In the event of an airline requiring a passenger to give up their booked seat on a flight operated by the air carrier —
- Compensation to passengers for relinquishing their booked seat.
- (i) the airline shall offer due monetary compensation to a passenger to incentivise them to relinquish their booked seat, in such manner as may be prescribed; and
 - (ii) the airline shall be prohibited from imposing a cap on the amount of compensation to be provided to a passenger in exchange for the passenger relinquishing their booked seat.
5. (1) In case a passenger's flight is delayed or cancelled for any reason within the control of the airline, including but not limited to crew scheduling, routine maintenance, functioning of information technology systems, passenger service issues, issues related to baggage services, issues related to ground handling of aircraft, or other reasons as may be specified by the Central Government, from time to time and —
- Compensation for delays and cancellation.
- (a) the passenger's arrival at their destination is delayed by more than one hour and less than four hours after their originally scheduled arrival time, the airline shall —
 - (i) automatically refund to the passenger the amount they paid for the ticket; and
 - (ii) arrange a seat for the passenger on another flight operated by the airline, or another airline, or on an alternative means of transportation, at no additional expense to the passenger, that results in them arriving at their destination not later than four hours after the original scheduled arrival time;
 - (b) the passenger's arrival at their destination is delayed by more than four hours after their originally scheduled arrival time, the airline shall —
 - (i) automatically refund to the passenger the amount they paid for the ticket;
 - (ii) arrange a seat for the passenger on another flight operated by the air carrier, or another airline, or on an alternative means of transportation, at no additional expense to the passenger, that results in them arriving at their destination not later than four hours after the original scheduled arrival time;
 - (iii) provide compensation to the passenger of an amount equivalent to \$1350 in Indian rupees as per the prevalent currency exchange rate at that time; and
 - (iv) provide passenger with a complimentary meal free of charge or an amount equal to the cost of a meal or a free coupon to purchase a meal; and

(c) the passenger's departure is delayed until the next day, the airline shall provide the passenger with an amount equal to the cost of hotel lodging in addition to the requirements of sub-section (2).

(2) Nothing in this section shall be construed as affecting the authority of an airline to maximize its system capacity during weather-related events to accommodate maximum number of passengers.

(3) It shall be deemed as an unfair or deceptive practice for an airline or foreign airline to attribute the delay or cancellation of a flight operated by the airline or by another airline or foreign airline with which the airline has a code sharing or other joint marketing arrangement to a *force majeure* event unless the delay or cancellation is caused by an event not within the control of the airline operating the flight, such as weather, an act of God, or a war or other hostilities and such airline shall be liable to penalty, as per the provisions of this Act.

Adequate seating space for passengers on aircraft.

6. Every airline shall be required to —
- (i) ensure that seats on their domestic and international aircrafts do not violate the minimum dimensions of seats, including the size, width, and pitch of seats, and the amount of leg room, and the width of aisles, shall be such as may be prescribed by the Central Government not later than one year from the date of commencement of this Act:

Provided that Central Government shall issue rules or regulations in this regard after providing due notice and reasonable opportunity for seeking and obtaining comments from all stakeholders and holding adequate consultations with the Union Ministry of Labour and Employment and the Union Ministry of Health and Family Welfare, passenger advocacy organisations, and ergonomic engineers.

(ii) prominently display on a publicly available internet website of the airline, the amount of space available for each passenger on a passenger aircraft operated by the airline or by another airline with which the airline has a code sharing or other joint marketing arrangement, including the size, width, and pitch of seats, the amount of leg room, and the width of aisles on such aircraft.

Availability of lavatories on passenger aircraft.

7. Each airline and foreign airline shall ensure that each passenger aircraft operated by them maintains sufficient functional lavatories that —
- (i) are available for use, free of charge, at any time passengers are on board the aircraft, except during takeoff, landing, turbulent weather conditions or any other situation likely to jeopardize passenger safety and as duly informed to them by the aircraft crew; and
- (ii) can accommodate and is user friendly for persons with disabilities.

Availability of potable water on passenger aircraft.

8. Each airline and foreign airline shall ensure that potable water is available, free of charge, to passengers on board the aircraft operated by them.

Training on rights of passengers.

9. Every air carrier shall provide, at a frequency of not less than every 180 days, training on the rights of passengers to employees and representatives of the air carrier who directly interact with passengers, including ticket agents, gate agents, pilots, and flight attendants etc..

10. Not later than one hundred and eighty days from the date of commencement of this Act, and thereafter at such intervals as may be prescribed, the Directorate General of Civil Aviation shall submit to the appropriate Committees of Parliament, as may be prescribed, a report, in such form and manner as may be prescribed, assessing —
- (i) the quality and safety of food and potable water provided to passengers on passenger aircraft;
 - (ii) whether air carriers ensure that sufficient flight crews and aircraft are available for scheduled flights;
 - (iii) the extent to which not having sufficient flight crews and aircraft available affects scheduled arrival and departure times; and
 - (iv) any other matter, as may be prescribed or as directed by the Directorate General of Civil Aviation, from time to time.

Reporting to the Parliament

CHAPTER IV

CONSUMER PROTECTIONS

11. (1) Every airline shall be prohibited from imposing fees that are unreasonable or disproportional to the costs incurred by the airline including —
- (a) any fee for a change or cancellation of a reservation for a flight in air transportation;
 - (b) any fee relating to checked baggage or carry-on baggage to be transported on a flight;
 - (c) any fee relating to seat selection or reservations on a flight;
 - (d) any fee relating to changing between flights departing on the same day or flying standby on a flight; and
 - (e) any other fee imposed by an air carrier relating to a flight;
- (2) The Central Government shall, not later than one hundred and eighty days from the date of commencement of this Act, establish standards for assessing whether such fees, as referred to in sub-section (1) are reasonable and proportional to the costs incurred by the airline by taking into consideration the following, namely —
- (a) with respect to a fee described in clause (a) of sub-section (1) imposed by an airlines for a change or cancellation of a flight reservation —
 - (i) any net benefit or cost to the airline from the change or cancellation, taking into consideration—
 - I. the ability of the airline to anticipate the expected average number of cancellations and changes and make reservations accordingly;
 - II. the ability of the airline to fill a seat made available by a change or cancellation;
 - III. any difference in the fare likely to be paid for a ticket sold to another passenger for a seat made available by the change or cancellation, as compared to the fare paid by the passenger who changed or cancelled the passenger's reservation; and

Protections relating to the imposition of fees that are not reasonable and proportional to the costs incurred.

IV. the likelihood that the passenger changing or cancelling the passenger's reservation will fill a seat on another flight by the same airline;

(ii) the costs of processing the change or cancellation electronically; and

(iii) any related labour costs;

(b) with respect to a fee described in clause (b) of sub-section (1) imposed by an air carrier relating to checked baggage —

(i) the costs of processing checked baggage electronically; and

(ii) any related labour costs; and

(c) any other considerations that the Central Government may consider appropriate.

(3) Not later than two hundred and seventy days from the date of commencement of this Act, and thereafter at such intervals as may be prescribed, the Directorate General of Civil Aviation shall lay a report for assessing whether the fees imposed by airlines are reasonable and proportional to their costs based on the standards specified in sub-section (2), in such form and manner as may be prescribed, before each House of Parliament.

Protections relating to disclosure of flight information.

12. Every airline shall be prohibited from limiting or withholding information relating to schedules, fares, including the lowest available fare options, fees, availability, and taxes relating to flights in passenger air transportation from consumers and online travel agents and metasearch engines that provide flight search tools.

Transparency in pricing of tickets in air transportation

13. (1) Every airline shall provide useable, current, and accurate information in a user-friendly, accessible form, with respect to fares, applicable taxes, and ancillary fees to ticket agents, online travel agents, and metasearch engines that provide flight search tools.

(2) Every airline shall allow consumers to purchase tickets and pay for applicable taxes and ancillary fees through ticket agents, online travel agents, and metasearch engines that provide flight search tools;

(3) Every Airline, ticket agents online travel agents and metasearch engines that provide flight search tools shall disclose all applicable taxes and any ancillary fees charged by an airline with respect to a fare that is applicable to the services identified by the purchaser, at any point at which the fare is shown in whole or in part; and

(4) Every Airline, ticket agents online travel agents and metasearch engines that provide flight search tools, through a telephonic communication with a prospective consumer regarding the cost of air transportation, shall inform the consumer of all applicable taxes and any ancillary fees charged by an airline in relation to the air transportation and associated services requested by the consumer, at any point at which the cost of the air transportation is disclosed in whole or in part.

Frequent flyer programs, fairness and transparency

14. Not later than one hundred and eighty days from the date of commencement of this Act, the Central Government shall prescribe rules and/or regulations to prevent unfair changes to frequent flyer programs depriving its members of its benefits by —

(i) considering the significance of the change to the frequent flyer program's terms and conditions;

(ii) considering the amount of time between the notification provided to a consumer and the date on which the change takes effect; and

(iii) requiring each airline that offers a frequent flyer program to disclose, in a standardised format, when offering or enrolling consumers into the program, accurate information regarding the program's rules, including—

- (a) the rate at which credits are earned;
- (b) the minimum number of credits earned per flight;
- (c) the number of credits needed for each award;
- (d) any applicable deadlines for redeeming credits;
- (e) any restrictions on the transferability of earned credit and awards;
- (f) other conditions and limitations of the program;
- (g) the percentage of successful redemptions; and
- (h) frequent flyer seats made available in the top origin and destination markets.

15. In case a passenger's baggage is lost, damaged, delayed, or stolen, the airline shall –

(i) promptly provide an automatic refund to a passenger in the amount of any ancillary fee charged by the airline for checked baggage if the passenger's checked baggage arrives damaged; and

(ii) provide notification to a passenger who is impacted by lost, damaged, delayed, or stolen baggage, through the passenger's chosen method of communication, of the procedure by which the passenger shall obtain a refund and the amount of the refund.

Refunds for lost, damaged, delayed, or stolen baggage.

16. All airlines shall notify passengers of their rights and eligibility for refunds, compensation, and protections required by law, including by an airline's contract of carriage, or otherwise available to passenger, which shall include the following, namely—

(i) promptly and expressly notify eligible passengers and the public of their eligibility for refunds, compensation, and protections not later than 30 minutes after the airline becomes aware that such passengers have become eligible for such refunds, compensation, and protections;

(ii) if such airlines permit passengers and other interested persons to subscribe to flight status notification services—

- (a) to deliver refunds, compensation, and protection notifications to subscribers to such services, by whatever means the airline offers and which the subscriber chooses; and
- (b) to incorporate commitments with respect to such services into their customer service plans;

(iii) to continuously display information and eligibility requirements for refunds, compensation, and protections, including refunds, compensation, and protections relating to —

Passenger rights transparency.

(a) denied boarding and delays and cancellations (including on international flights); and

(b) lost, damaged, or delayed luggage; and

(iv) to prominently display passengers' rights and complaint submission system and the guidelines for escalation on boarding passes, computer-generated boarding passes, and ticketed itineraries, at boarding gates and ticket counters and other prominent places at airports.

Powers to
make rules

17. (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; however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

India, over the last few years, has seen a rapid increase in air traffic, first-time flyers, as well as airports and attained the status of being the third largest aviation market globally. As India progresses towards its goal of being a developed country, fast and affordable travel becomes a necessity for all its citizens.

While India allows a free-market system to decide air fares without the Government's intervention, airline companies often charge exorbitantly high prices for their services making air travel unaffordable for a large section of our population.

Moreover, India's airline industry broadly consists of a few giant players forming an oligopoly market, often leaving the quality of their services unchecked and sub-par.

A passenger-centric approach is required by addressing passengers' health concerns, by ensuring a minimum seat and aisle size inside aircrafts, and access to in-flight lavatories and potable water; their travel-related concerns with adequate compensation for any delays or losses, and possibilities for interline connectivity; increasing transparency and accountability and strengthening redressal mechanisms by making passengers aware of their rights.

The Bill seeks to achieve the above-mentioned objectives.

PRIYANKA CHATURVEDI

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 17 of the Bill empowers the Central Government to make rules for carrying out the purpose of this Bill. As the rules relate to the matters of details only, the delegation of legislative power is of a normal character.

V

Bill No. V of 2025

A Bill to promote wellbeing of full-time, temporary, and contractual employees in their workplace by limiting working hours, fixing leaves, addressing mental health concerns, and ensuring appropriate compensation and for matters connected therewith and incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Employees' Wellbeing Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

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) ‘employee’ means any person contributing towards activities at an organisation whether by rendering their services or contributing knowledge and includes full-time, part-time, contractual, temporary, seasonal workers, interns or any other form of work arrangement;

(c) ‘employer’ means any person or entity employing or engaging one or more employees for any activity or service in an organisation, and includes their representatives, or assigns;

(d) ‘night work’ means the duty to be performed by an employee for at least three hours of their working time during the period between twenty hours of a given day to six hours of the next day;

(e) ‘night worker’ means any worker who performs night work;

(f) ‘organisation’ means any private entity established or located or registered in the country for the purpose of carrying out business, trade, profession, or other economic activities in the organised or unorganised sector;

(g) “prescribed” means prescribed by rules made by the Central Government under this Act;

(h) ‘recently graduated’ means any person who has completed an educational degree or diploma from a recognised university or school within the last three years and is working in a professional environment for the first time;

(i) ‘rest period’ means any period which is not designated as working time;

(j) ‘shift work’ means any method of organising work in shifts whereby workers succeed each other at the same work stations according to a certain pattern, including a rotating pattern, and which may involve continuous or discontinuous operations, entailing the need for workers to work at different times over a given period of days or weeks;

(k) ‘shift worker’ means any worker whose work schedule is part of shift work;

(l) ‘week’ means a consecutive period of seven days; and

(m) ‘working time’ means any period during which the employee working is at the employer's disposal and is carrying out his activity or duties as required by the employer, in accordance with national laws and/or practice.

CHAPTER II

WORKING HOURS, REST PERIODS, AND LEAVES

Working hours.

3. (1) No organisation or employer shall require or permit an employee to work for more than forty-two hours in any week.

Explanation. — For the purposes of this sub-section, the total working hours in any week shall be calculated as an average of weekly working hours over a continuous period of four weeks.

(2) Notwithstanding anything contained in sub-section (1), an employer may require an employee to work up to forty-eight hours in a week, subject to the condition that such extended hours shall not be required for more than two days in a calendar month.

(3) In case an employee is required to work beyond the prescribed limit of working hours under sub-section (1), such employee shall be entitled to overtime wages as specified in sub-section (3) of section 9.

(4) In case of an emergency in an organisation, employer may request an employee to perform work beyond the prescribed working hours, subject to the employee's consent and such employee shall accordingly be paid in overtime wages.

(5) An employee shall have the right to refuse his agreement to work overtime, as may be required by the employer under sub-section (4) or revoke it at any moment.

(6) If the working hours of an employee on any day exceeds six hours, then such employee shall be entitled to a rest break as may be prescribed.

(7) Notwithstanding anything contained in this section, every employer shall ensure that an employee gets the minimum hours of rest which shall not be less than:

(a) ten consecutive hours of rest in any period of twenty-four hours; and

(b) a total of seventy-seven hours of rest in any period of seven days.

(8) The provisions of this section shall apply to all forms of employment, whether in-person, remote, or hybrid forms of working.

4. (1) Where an organisation or employer requires an employee to perform night work, the organization or the employer shall ensure that normal hours of work for night workers do not exceed an average of eight hours in any twenty-four-hour period.

Night work.

(2) For employees engaged in night work involving special hazards or heavy physical or mental strain, the working hours shall not exceed such number of hours in any period of twenty-four hours during which such night work is performed, as may be prescribed.

Explanation.— The determination of work involving special hazards or heavy physical or mental strain for the purposes of sub-section (2) shall be made in accordance with rules prescribed under this Act.

(3) An employee undertaking night work suffering from health problems recognised as being attributable to such work shall, upon recommendation by a medical practitioner, be transferred whenever possible to day work to which he is suited.

5. (1) An organisation or employer shall provide at least forty-five days of leave every year to its employees, whether permanent or temporary:

Leaves.

Provided that out of the total number of leaves provided by an organisation or employer, at least thirty days of leaves shall be paid leaves, which shall include medical and menstrual leave also.

(2) If a gazetted holiday falls on the day which is already considered a leave by the organisation or employers, such as a weekly off day, the organisation or employer shall provide an additional day of leave to its employees, which shall not be included within the leave entitlement under sub-section (1).

(3) An organisation or employer shall determine the distribution of leaves permitted throughout the calendar year for the employees:

Provided that the distribution of leave so determined in this sub-section shall comply with the provisions of this Act.

Right to disconnect.

6. (1) Every employee shall have the right to disconnect from work-related communications in any form, from the organisation or the employer, outside their official working hours.

(2) No adverse consequence or disciplinary action shall be imposed upon any employee for exercising his right under sub-section (1).

(3) The guidelines for the effective implementation of this section, including measures to address grievances arising from its violation, shall be such as may be prescribed.

CHAPTER III

PROVISIONS FOR MENTAL HEALTH

Mental wellbeing check-up services by mental health professionals for employees.

7. (1) Every organisation shall provide for voluntary mental wellbeing check-up services for all employees with professional mental health experts on such interval as may be prescribed, to ensure a healthy work-life balance for all employees.

(2) Every organisation shall provide mandatory monthly mental wellbeing check-up services for all recently graduated employees with professional mental health experts to ensure a healthy work-life balance for new employees.

(3) The mental wellbeing check-up services under sub-section (1) and (2) shall be provided by qualified health professionals who may be either employed in-house or engaged externally through contractual arrangements.

(4) The reports from the mental wellbeing check-up sessions shall remain confidential with the mental health professionals conducting such sessions.

(5) Notwithstanding the provisions of sub-section (4), the mental health professionals may give their general review of employees' mental health to the organisation's administrators, to ensure mental wellbeing of all employees, while maintaining confidentiality of the matter.

Guidelines to create a healthy workplace.

8. (1) The appropriate Government shall issue guidelines, on such intervals as may be prescribed to create a healthy workplace, and may include measures for addressing workplace challenges, promoting transparency, fostering ethical practices, and ensuring the physical and mental well-being of employees, in such manner as may be prescribed.

(2) Every organisation or employer shall clearly specify guidelines to its employees on growth and promotion opportunities in the workplace to prevent overworking, unfair exclusion of employees, and unfair power dynamics in the workplace.

(3) The head of every organisation or employer shall convene meetings at regular intervals with union representatives or other authorised representatives of employees to review and address feedback related to workplace conditions and implement measures for fostering a healthy and inclusive workplace environment.

CHAPTER IV

WAGES

9. (1) The appropriate Government shall specify the minimum wages for different categories of employees, including stipends for recently-graduated employees, in such manner as may be prescribed:

Wages.

29 of 2019.

Provided that the minimum wages specified in this sub-section shall be in consonance with the Code on Wages, 2019 unless otherwise provided in this Act.

(2) The minimum wage or stipend for an employee prescribed under sub-section (1) shall be determined in proportion to the cost of living in the geographical location from where the employee is expected to perform his duties.

(3) An employee shall be entitled to overtime wages calculated at twice the hourly rate of his usual remuneration for performing any overtime work beyond forty-two hours in a week.

(4) All wages, stipends, and overtime payments payable to an employee under this Act shall be adjusted to the prevailing rate of inflation on a yearly basis in such manner as may be prescribed.

CHAPTER V

GRIEVANCE REDRESSAL

10. (1) (a) Every organisation employing such minimum number of employees, as may be prescribed, shall, within one year of the commencement of this Act, constitute a Grievance Redressal Committee of the Organisation to address any concerns of the employees relating to the provisions of this Act; and

Grievance redressal committees.

(b) The Grievance Redressal Committee of an organisation shall consist of not less than three and not more than ten members, including—

(i) at least one member who is a qualified legal professional; and

(ii) at least one external member from the senior management of another organisation in the same sector:

Provided that the members of the Grievance Redressal Committee shall be periodically replaced in such manner as may be prescribed.

(2)(a) Every State Government shall, within one year of the commencement of this Act, by notification in the Official Gazette, constitute a State Grievance Redressal Committee in each State, which shall address complaints escalated to them from the Grievance Redressal Committee of the Organisation constituted under sub-section (1):

Provided that in case of the absence of a Grievance Redressal Committee in the organisation as required under sub-section (1), an employee may submit his complaint directly to the State Grievance Redressal Committee concerned.

(b) Any person aggrieved by an order made by the Grievance Redressal Committee of the organisation, may prefer an appeal against such order to the State Grievance Redressal Committee on the grounds of facts or law within such period from the date of the order and in such form and manner, as may be prescribed.

(c) **The State Grievance Redressal Committee shall consist of not more than ten members, including—**

- (i) **at least two legal professionals;**
- (ii) **at least three representatives of labour unions;**
- (iii) **experienced professionals from diverse industries; and**
- (iv) **at least one expert in labour rights, such as an activist, lawyer, or researcher.**

(3)(a) **The Central Government shall, within one year of the commencement of this Act, by notification in the Official Gazette, constitute a Central Grievance Redressal Committee to address complaints escalated from the State Grievance Redressal Committees or address matters connected thereon or incidental therewith, either referred to it or taken up on *suo-moto* basis; and**

(b) **The Central Grievance Redressal Committee shall consist of ten members, including—**

- (i) **at least two legal professionals;**
- (ii) **at least three representatives of national-level labour unions;**
- (iii) **professionals with expertise in industries of national relevance; and**
- (iv) **at least one academician or researcher in the field of labour rights and employment.**

(4) **The appropriate Government may, by notification, make rules to provide for the qualifications, method of recruitment, procedure for appointment, salaries, term of office, resignation and removal of the members of the Central and State Grievance Redressal Committees.**

(5) **The appropriate Government shall provide the Central and State Grievance Redressal Committees with such officers and other employees as may be required to assist them in the discharge of their functions.**

(6) **The salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees referred in sub-section (5) shall be such as may be prescribed.**

(7) **The functions of the Central and State Grievance Redressal Committees, the mechanism for filing complaint and manner in which the complaint shall be filed and admitted, shall be such as may be prescribed.**

Grants by the
Central
Government.

11. (1) **The Central Government shall, after due appropriation made by the Parliament, by law in this behalf, provide funds to the Central and State Grievance Redressal Committees by way of grants, as it may consider necessary, for carrying out the purposes of this Act.**

(2) **The Central and State Grievance Redressal Committees may utilize such grants as they deem fit for performing the functions and discharging the duties assigned to them under this Act, and such expenditures shall be treated as payable out of the funds referred to in sub-section (1).**

(3) The accounts of the funds received and expenditures incurred by the Central and State Grievance Redressal Committees shall be maintained and audited in the manner prescribed by the appropriate Government.

12. The Central and the State Grievance Redressal Committee shall prepare, in such form and at such time, for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the appropriate Government.

Annual report.

13. The appropriate Government shall cause the annual report together with the audit report, to be laid, as soon as may be after the reports are received, before each House of Parliament or the State Legislature, as the case may be.

Annual report and audit report to be laid before Parliament or the State Legislature.

14. (1) The Central and State Grievance Redressal Committees shall, while inquiring into any matter under this Act, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

Powers of the State and Central Grievance Redressal Committees.

(a) summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;

(b) requiring the discovery and inspection of documents;

(c) receiving evidence on affidavit;

(d) requisitioning any public record or copies thereof from any court or office;

(e) issuing summons for examination of witnesses or documents; and

(f) any other matter which may be prescribed.

(2) Notwithstanding anything inconsistent in any other law for the time being in force, the Central and State Grievance Redressal Committees may, during the inquiry into any complaint under this Act, examine any record to which this Act applies which is under the control of the Committee, and no such record may be withheld from it on any grounds.

(3) The Central and State Grievance Redressal Committees shall inquire into any matter in such manner as may be prescribed.

(4) The Central and State Grievance Redressal Committees shall maintain a register of complaints containing such particulars and such record of proceedings as may be specified by regulations.

15. (1) The Central and State Grievance Redressal Committees may, on the basis of an inquiry made in accordance with the procedure laid down by or under this Act, —

Violation and penalties.

(a) impose a monetary penalty for violation of the provisions of this Act and rules made thereunder, which may extend up to ten lakh rupees; and

(b) recommend the initiation of criminal prosecution in cases involving severe violations of the provisions of this Act and rules made thereunder, as per the applicable laws.

(2) The manner of recovery of the monetary penalty imposed under subsection (1)(a) and the timeframe for disposal of an inquiry initiated under subsection (1) shall be such as may be prescribed.

CHAPTER VI

MISCELLANEOUS

Power to make
rules.

- 16.** (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.

STATEMENT OF OBJECTS AND REASONS

As India progresses on its path to development, numerous international and domestic organizations have established offices in the country, creating employment opportunities for Indians. However, due to lenient labour laws, employees in these organizations often work long hours and are expected to be available at unreasonable times of the day.

2. India's workforce comprises a wide range of employment types, including formal, informal, part-time, and gig work. This diversity underscores the need for comprehensive labour laws that apply to all categories of workers to prevent exploitation and promote a healthy work-life balance.
3. Many employees experience overwork, toxic work cultures, inadequate work-life balance, and limited attention to mental health concerns. These issues frequently lead to burnout and diminish economic productivity.
4. To address these modern forms of "corporate slavery" and the growing dissatisfaction among the workforce, government intervention is essential. Such measures would ensure that employees are not overworked, maintain a healthy work-life balance, and receive necessary support for their mental health.
5. This Bill, therefore, seeks to promote healthier workplace practices and establish a structured grievance redressal mechanism to safeguard employees' rights and well-being.

Hence, this Bill.

PRIYANKA CHATURVEDI.

FINANCIAL MEMORANDUM

Clause 10 of the Bill provides that the appropriate Government shall constitute a Grievance Redressal Committee at the State and the Central Level. Clause 11 provides for the grants by the Central Government to the Central and State Grievance Redressal Committees.

The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 16 of the Bill empowers the Central Government to make rules for carrying out the purpose of this Bill. As the rules relate to the matters of details only the delegation of the legislative power is of a normal character.

VI

Bill No. IV of 2025

A Bill to provide for regulation of animal breeders and owners and to prohibit the inbreeding and cross-breeding of non-indigenous domestic and pet animals in the country and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Regulation of Animal Breeding Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “animal” means a domestic animal which may be kept for any purpose, including but not limited to livestock, research, or as a pet animal;

(b) “animal breeder” means anyone who is legally authorised to breed animals, whether through Government licensing or authorisations provided by the Animal Welfare Board of India or the State Animal Welfare Board;

(c) “animal owner” shall have the same meaning as assigned to “owner” in the Prevention of Cruelty to Animals Act, 1960;

59 of 1960.

(d) “Animal Welfare Board of India” means the statutory advisory body established under section 4 of the Prevention of Cruelty to Animals Act, 1960, functioning under the aegis of the Ministry of Fisheries, Animal Husbandry and Dairying and promotes animal welfare in the country;

59 of 1960.

(e) “commercial animal breeding” (or “commercial breeding”) means the business of breeding animals for the purpose of selling them and does not include using them as livestock or pack animals;

(f) “Committee for Control and Supervision of Experiments on Animals” means the statutory body established under section 15 of the Prevention of Cruelty to Animals Act, 1960, for controlling and supervising experiments on animals;

59 of 1960.

(g) “cross-breeding” means the deliberate mating of two animals that are different breeds or varieties of the same species;

(h) “domestic animal” means any species of animal that has been tamed, whether socially or genetically, and can co-exist in society without being a threat;

(i) “inbreeding” means the deliberate mating of animals that share a recent common ancestor and for the purposes of this Act, two animals are considered to have recent common ancestors if they share a common ancestor within the last three generations before the older animal;

Illustration.— For instance, any animal whose parent, grandparent, or great-grandparent is the same as the parent, grandparent or great-grandparent of another animal shall be considered to have recent common ancestors;

(j) “indigenous breed” means any animal breed which is native to the soil and climatic conditions of India, and shall include local indigenous breeds emerging from specific regions of the country;

(k) “livestock” means any animal which is kept as an asset and can provide labour or produce commodities for consumption;

(l) “non-indigenous breed” means any animal breed which is not an indigenous breed;

(m) “pet animal” means any domestic animal that is kept by a person in their household for private enjoyment and companionship; and

(n) “prescribed” means prescribed by rules made under this Act.

CHAPTER II

REGISTRATION AND LICENSING OF ANIMAL BREEDERS AND ANIMAL OWNERS

3. (1) No person shall be permitted to pursue commercial animal breeding unless they are registered with the Animal Welfare Board of India.
- (2) The Animal Welfare Board of India shall, either through sub-units in States, or by itself:
- (i) **maintain a register of animal breeders in the country in such form and manner as may be prescribed and shall include information on the species, breeds, and number of animals bred by them; and**
- (ii) make criteria for the inclusion of animal breeders in the register.
- (3) While registering and licensing an animal breeder, the Animal Welfare Board of India shall ensure that minimum requirements for animal breeding are met as specified through guidelines under section 6 of this Act.
- (4) The State Government may formulate additional regulations to issue licenses for animal breeders.
- (5) The registration of animal breeders as done by the Animal Welfare Board of India shall be valid for not more than a period of six years, beginning from the date of issuance of the certificate of registration, and the registration may be renewed before the expiry of the previous registration certificate for a person to continue as an animal breeder.
- (6) The Animal Welfare Board of India may formulate regulations on the procedure for registration of animal breeders including the fees, renewal of registration certificate after adequate quality checks, and the timeline of registration, which should not exceed ninety days, starting from the date of submission of the application to register to the issuance of the registration certificate or proof of rejection of the application.
- (7) The provisions of this section are applicable to all animal breeders, including those that are currently practicing animal breeding.
4. (1) All animal owners, owning animals for any purpose, including as pets, livestock, or for research purposes, except for commercial breeding, shall be required to register their animals with the Animal Welfare Board of India.
- (2) The Animal Welfare Board of India shall, either through sub-units in States, or by itself:
- (i) **maintain a register of animals owned in the country in such form and manner as may be prescribed and shall include information on the species, breeds, and details of the owner; and**
- (ii) have the right to refuse registration, and hence ownership of animals to any person that do not seem well-equipped to care for the animal, as per the criteria as may be prescribed.
- (3) While registering an animal and its owner, the Animal Welfare Board of India shall ensure that minimum requirements for animal ownership are met as specified through guidelines under section 7 of this Act.

Registration and
licensing of
animal breeders.

Registration of
animal owners.

(4) In the event of the birth of offspring(s) of an already registered animal, it is the responsibility of the owner of the parent animal to register the offspring(s) and accordingly obtain a new litter certificate for the same, in such manner as may be prescribed.

(5) The State Government may formulate additional regulations to register animals and their owners.

(6) The registration of animals as done by the Animal Welfare Board of India shall be valid throughout the lifetime of an animal and may be renewed in the case of change of ownership.

(7) The Animal Welfare Board of India may formulate regulations on the procedure for registration of animals and their owners.

(8) The provisions of this section are applicable to all owned animals, including those that are currently animal owned for personal or professional uses.

CHAPTER III

REGULATORY BODIES

Formation of animal-specific regulatory bodies.

5. (1) The Central Government shall, by notification in the Official Gazette, facilitate the formation of separate regulatory bodies for each species of animal under the Animal Welfare Board of India.
- (2) The animal-specific regulatory bodies shall be responsible for:
- (i) ensuring safe and ethical breeding of each animal variety;
 - (ii) ensuring availability of adoption shelters and foster homes with adequate provisions for animals without owners;
 - (iii) encouraging research towards healthy breeding practices and for improvements to the breed quality of indigenous animals;
 - (iv) ensuring compliance of the extant provisions of animal breeding and animal ownership;
 - (v) regulating the animal breeding and ownership industry to prevent cruelty and abandonment of animals;
 - (vi) promoting adoption of indigenous animal breeds for all purposes, particularly as pets; and
 - (vii) formulating guidelines pertinent to sections 6 and 7 of this Act.

CHAPTER IV

GUIDELINES FOR BREEDING, PET OWNERSHIP, AND IMPORT

Guidelines for breeding and breeders.

6. The Central Government shall issue guidelines, not later than one hundred and eighty days from the date of commencement of this Act, on breeding of animals which shall include provisions regarding, but not limited to:
- (i) the minimum age at which an animal may be used for breeding, specified based on the species and its average life span;
 - (ii) the maximum age at which an animal may be used for breeding, specified based on the species and its average life span;
 - (iii) the frequency at which a singular animal may be used for breeding to prevent any health deterioration of the parent and offspring animals;

- (iv) the minimum and maximum age by which an animal shall be vaccinated;
- (v) authorising only qualified persons, either by training or by experience, to take up commercial breeding;
- (vi) ensuring that any commercial breeding facility is well equipped for breeding animals and follows ethical practices of breeding;
- (vii) ensuring that no animals are harmed or deprived in a breeding facility;
- (viii) ensuring that offsprings of animals are registered through new litter certificates;
- (ix) encouraging research to improve breeds of indigenous animals and setting breed standards through scientifically monitored processes; and
- (x) encouraging efforts towards popularising indigenous animal breeds through collaboration with animal lovers and regulatory bodies; and
- (xi) any genetic deficiency identified during cross-breeding animals for research purposes shall be reported to the Animal Welfare Board of India within sixty days of identifying the deficiency.

7. The Central Government shall issue guidelines, not later than one hundred and eighty days from the date of commencement of this Act, on pet ownership which shall include provisions regarding, but not limited to:

Guidelines for pet ownership.

- (i) ensuring that a pet owner does not cause their pet animal any unnecessary pain, suffering or distress, throughout its lifetime, including at times when the pet animal's life may have to be terminated to free it of suffering;
- (ii) ensuring health and welfare of the pet animals, including vaccinations and microchipping;
- (iii) ensuring the provision of food, water, exercise, and space for a pet animal based on the typical traits of its species and breed;
- (iv) limiting pet ownership to persons above the age of eighteen;
- (v) preventing pet ownership to persons who may not be well-equipped to care for an animal; and
- (vi) preventing pet ownership of animals that are unsuitable to be kept as pets.

8. The Government shall issue guidelines, not later than one hundred and eighty days from the date of commencement of this Act, on import of animals for breeding purposes which shall include provisions regarding, but not limited to:

Guidelines for import of animals.

- (i) ensuring that every animal that enters the country has a health certification issued by the country of origin to prove the animal's good health and status of vaccination;
- (ii) ensuring that every animal that is imported into the country is suitable to survive in the climate of its destination and that adequate resources are available for its wellbeing;
- (iii) ensuring that every animal that enters the country reaches its destination, is not allowed to escape, and its excreta is not littered;

(iv) cleaning and disinfecting of animal that is imported into the country immediately upon reaching its destination;

(v) facilitating random checks of animals being imported to ensure their health conditions and adequate safety measures being undertaken while transporting them;

(vi) ensuring that the imported animals comply with guidelines specified for breeding and pet ownership, as specified in Sections 6 and 7 of this Act; and

(vii) ensuring that any animal for non-breeding purposes is sterilised before it enters the country.

CHAPTER IV

BREEDING RESTRICTIONS FOR PETS AND LIVESTOCK

Banning cross-breeding and inbreeding of non-indigenous animal breeds for non-research and non-livestock purposes.

9. (1) No animal breeder shall be permitted to cross-breed a non-indigenous animal breed with an indigenous animal breed of the same species for any non-research and non-livestock purposes, including for keeping it as a pet or pack animal.

(2) No animal breeder shall be permitted to cross-breed two different non-indigenous animal breeds of the same species for any non-research and non-livestock purposes, including for keeping it as a pet or pack animal.

(3) No animal breeder shall be permitted to inbreed a non-indigenous animal breed for any non-research and non-livestock purposes, including for keeping it as a pet or pack animal.

(4) Any animal breeder cross-breeding or inbreeding a non-indigenous animal breed for research purposes shall strictly comply with the Prevention of Cruelty to Animals Act, 1960, its rules and guidelines.

(5) The Committee for Control and Supervision of Experiments on Animals shall formulate rules to prevent any cross-breeding or inbreeding of a non-indigenous animal breed for research purposes, which is known to cause genetic deficiencies in the offspring, in such manner as may be prescribed.

59 of 1960

Partial ban on cross-breeding and complete ban on inbreeding of non-indigenous animal breeds for livestock purposes.

10. (1) An animal breeder may cross-breed a non-indigenous and indigenous animal breed or two non-indigenous breeds for livestock purposes if it has been scientifically tested to be advantageous for the offspring in terms of its health and product yield, and poses no threat of genetic deficiencies.

(2) No animal breeder shall be permitted to inbreed a non-indigenous animal breed for livestock purposes.

Sterilising animal breeds with genetic deficiencies due to cross-breeding and inbreeding with non-indigenous animals.

11. An animal offspring already produced for any purpose, before the implementation of this Act, through cross-breeding or inbreeding of a non-indigenous animal breed with known genetic deficiencies, shall be sterilised by the owner or the breeder, in the absence of an owner, to prevent reproduction and amplification of genetic deficiencies.

CHAPTER V

GRIEVANCE REDRESSAL MECHANISM

Grievance redressal with the Animal Welfare Board of India.

12. (1) Any person aggrieved with the violation of any provisions of this Act may approach the Animal Welfare Board of India or the State Animal Welfare Board, if available.

(2) The Animal Welfare Board of India shall constitute a Grievance Appellate Committee with at least five members, as may be prescribed, to

address any grievances it receives with respect to the provisions of this Act and their enactment.

5 of 1908.

13. (1) The Grievance Appellate Committee shall, while inquiring into any matter under this Act, have the same powers as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

Powers of the
Grievance
Appellate
Committee.

- (a) summoning and enforcing the attendance of persons and compelling them to give oral or written evidence on oath and to produce the documents or things;
- (b) requiring the discovery and inspection of documents;
- (c) receiving evidence on affidavit;
- (d) requisitioning any public record or copies thereof from any court or office;
- (e) issuing summons for examination of witnesses or documents; and
- (f) any other matter which may be prescribed.

(2) Notwithstanding anything inconsistent in any other law for the time being in force, the Grievance Appellate Committee may, during the inquiry into any complaint under this Act, examine any record to which this Act applies which is under the control of the Committee, and no such record may be withheld from it on any grounds.

(3) The Grievance Appellate Committee shall inquire into any matter in such manner as may be prescribed.

(4) The Grievance Appellate Committee shall maintain a register of complaints containing such particulars and such record of proceedings as may be prescribed.

14. The Grievance Appellate Committee may, on the basis of an inquiry made in accordance with the procedure laid down by or under this Act:

Violations and
penalties.

- (a) impose a fine of up to ten lakh rupees for violation of code of ethics and conduct by animal breeders, owners, regulators, or elected administrators of regulated bodies; and
- (b) initiate criminal prosecution in cases of severe violation of code of ethics and conduct, or unethical or unprofessional conduct, against animal breeders, owners, regulators, or elected administrators of regulatory bodies.

CHAPTER VI

MISCELLANEOUS

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

Powers of Central
Government to
make rules and
laying thereof.

(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; however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power of State
Government to
make regulations
and laying
thereof.

- 16.** (1) The State Government may, by notification, make rules for carrying out the provisions of this Act and not inconsistent with the rules, if any, made by the Central Government.
- (2) Every regulations made by the State Government shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

STATEMENT OF OBJECTS AND REASONS

Many Indians are increasingly purchasing exotic animal breeds as pets, including canines, felines, and avians that are not suited to the Indian habitat. This rising demand has contributed to illegal breeding practices, notably cross-breeding and inbreeding of non-native species within the country.

Cross-breeding within animal species, especially in livestock, has been applied to achieve desirable outcomes, such as increased yields. However, this practice can also introduce genetic weaknesses that negatively impact animal health. Inbreeding is particularly detrimental, as it increases the likelihood of genetic disorders, leading to shorter lifespans and reduced disease resistance in offspring.

Commercially bred animals, whether through cross-breeding or inbreeding, often suffer from mistreatment and abandonment. Female animals are frequently subjected to repeated pregnancies, resulting in nutritionally and genetically deficient mothers and offspring that are either abandoned or fail to survive.

This Bill addresses these critical issues in the animal breeding industry by establishing a framework to regulate illegal animal breeding through mandatory registration of breeders and animal owners, and by prohibiting the cross-breeding and inbreeding of non-native species. The framework promotes a transparent and safe import policy and introduces rule-based guidelines on breeding and ownership to encourage ethical practices and prevent the mistreatment and abandonment of animals.

By decentralizing regulatory authority to be species-specific, the framework aims to address unique challenges associated with different animal types and includes legal consequences, including imprisonment, for violations. This Bill, along with its accompanying regulations, may also foster a shift in demand toward Indian breeds naturally adapted to the country's climate, encouraging humane breeding practices.

Hence, this bill.

PRIYANKA CHATURVEDI.

FINANCIAL MEMORANDUM

The registration and licensing of animal breeders; registration of animal owners and formation of separate regulatory bodies for each specific by Animal Welfare Board of India and Animal Welfare Boards of States shall be undertaken within the funds already allocated to them. Hence, no additional expenditure is likely to be incurred for carrying out the purposes of this Bill.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 and Clause 16 of the Bill empowers the Central Government to make rules and the State Government to make regulations for carrying out the purpose of this Bill. As the rules and regulations relate to the matters of details only, the delegation of the legislative power is of a normal character.

VII

Bill No. XIII of 2025

A Bill to provide for the constitution of a National Commission for the Welfare and Support of Fishermen and for the promotion and development of the Fisheries industry, ensuring the welfare of fishermen and the fish cultivators, workers etc. engaged in the industry and encouraging exports associated with it, and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the National Commission for Fishermen (Welfare and Support) Act, 2025.
(2) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires, —
 - (a) “Commission” means the National Commission for the Welfare and Support of Fishermen constituted under section 3;

Short title and commencement.

Definitions.

(b) "fish cultivators" means persons engaged in the commercial breeding including controlled cultivation and harvesting of fish, crustaceans, molluscs and so on, most often for food, in natural or pseudo-natural environments such as fish ponds, fish tanks etc.;

(c) "fisheries industry" means any industry or activity which is involved in the management, catching, processing and marketing of fish or fish products;

(d) "fishermen" means persons who traditionally earn their livelihood by catching fish from the ocean/sea or rivers, ponds etc. and whose only source of income is the money they earn from selling such fish.

(e) "Fund" means the Fisheries Promotion and Development Fund constituted under section 11; and

(f) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

THE NATIONAL COMMISSION FOR THE WELFARE AND SUPPORT OF FISHERMEN

3. (1) **The Central Government shall, by notification in the Official Gazette, constitute, for the purposes of this Act, a Commission, to be known as the National Commission for the Welfare and Support of Fishermen.**
- (2) **The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name, sue and be sued.**
- (3) **The Commission shall consist of the following :—**
- (a) **a Chairperson to be appointed by the Central Government, in such manner as may be prescribed;**
- (b) **three Members of Parliament, of whom two shall be elected by the House of the People and one by the Council of States;**
- (c) **one member each from the Union Ministry of Fisheries, Animal Husbandry and Dairying (Department of Fisheries); the Union Ministry of Commerce and Industry; and the Union Ministry of Finance, to be appointed by the Central Government in such manner as may be prescribed;**
- (d) **one member from each of the major fish producing States, as may be determined by the Central Government;**
- (e) **one member each to represent the fishermen, fish cultivators, workers and exporters in the fisheries industry from each of the major fish producing States, to be nominated by the respective State Governments, in such manner as may be prescribed; and**
- (f) **five members to represent such institutes or authorities specialising in research in the fisheries industry, aquaculture, foreign trade and export, packaging and food safety, to be nominated in such manner as may be prescribed.**
- (4) **The qualifications and experience for appointment as the Chairperson and members of the Commission, the manner of filling of vacancies, shall be such as may be prescribed.**

The National Commission for the Welfare and Support of Fishermen.

- (5) **The Commission shall have the power to regulate its own procedure.**
4. (1) **The term of office of, salaries, remuneration and other allowances payable to, and other terms and conditions of service of, the Chairperson, other members, and officers and staff of the Commission shall be such as may be prescribed and enshrined in a governing framework to be made within a period not exceeding six months from the date of constitution of the Commission.**
- (2) Any officer of the Central Government when deputed by that Government to the Commission shall have the right to attend the meetings of the Commission and take part in the proceedings thereof but shall not be entitled to vote.
5. No act or proceeding of the Commission shall be invalid merely by reason of :—
- (a) any vacancy in the Commission, as long as fifty per cent. of the prescribed membership is filled; or
- (b) any irregularity in the procedure of the Commission not affecting the merits of the case.
6. (1) **The Chairperson shall preside over the meetings of the Commission, and without prejudice to any provision of this Act, exercise and discharge such other powers and functions of the Commission as may be prescribed.**
- (2) In the absence of the Chairperson in a meeting, the meeting of the Commission may be chaired by a Deputy Chairperson, who shall be elected by a majority of votes of the members of the Commission present and voting.
7. (1) **The Commission may constitute such Advisory Committees or Executive Committees, with such composition, as may be prescribed, and appoint such number of officers and staff, as it deems necessary, for the efficient discharge of its functions under this Act, in such manner as may be prescribed.**
- (2) **The method of recruitment and qualifications and experience required for the officers and staff of the Commission, shall be such as may be prescribed and specified in the governance framework mentioned in sub-section (1) of section 4.**
8. (1) It shall be the duty of the Commission to take all measures necessary to promote and develop the fisheries industry in the country.
- (2) Without prejudice to the generality of sub-section (1), the powers and functions of the Commission shall include: —
- (a) **taking such steps, as it deems necessary, in order to achieve its objectives enlisted under section 10 of this Act;**
- (b) **monitoring exports, imports, prices of fish and allied products and propagating data and other information regarding the demand for and marketability of fish in both domestic and foreign markets;**
- (c) **supplying scientific and technical advice aimed at improving the production, manufacture, supply, and distribution of fish and allied products;**
- (d) **undertaking, assisting or encouraging scientific, technological and economic research;**

Term of office and conditions of service of the Chairperson, and other members and officers and staff.

Vacancies, etc., not to invalidate the proceedings of the Commission.

Chairperson to preside over the meetings.

Advisory Committee, Executive Committee and officers and staff of the Commission.

General powers and functions.

(e) collecting statistics from such stakeholders in the fisheries industry;

(f) planning and implementation of human resource training and skill development in line with the needs of the fisheries industry;

(g) taking steps either by itself or through accredited agencies to maintain quality standards for fish or allied products produced in the country;

(h) collaborating and cooperating with national and international scientific and economic bodies for the benefit of the fisheries industry;

(i) collaborating and cooperating with departments of the Central Government or State Governments on all matters relating to the promotion and development of the fisheries industry;

(j) advising the Central Government on all matters relating to the promotion and development of the fisheries industry and its workers, including but not limited to the import and export of fish or allied products and the safety of fishermen;

(k) advising the Central Government with regard to participation in any international conference or scheme relating to the fisheries industry;

(l) providing advisory services on matters including but not limited to research, testing and training to such other persons upon the payment of such fee or other charges as may be specified;

(m) ensuring the development, progress and welfare of poor fishermen and enabling them to diversify their income and secure a stable income through fishing and related activities;

(n) studying the effects of climate change on the fisheries industry and advising the Central Government on how to cope up and mitigate such changes and protect the interests of the stakeholders in the fisheries industry and ensure a stable and flourishing industry;

(o) preparing and maintaining safety standards for fishermen who might be handling dangerous products which could affect their health; and

(p) any other measures in the interest of the fisheries industry and its workers.

CHAPTER III

PROMOTION AND DEVELOPMENT

Objectives.

9. The Central Government and the Commission, as the case may be, while exercising its powers, discharging its functions, or undertaking any other activity, as specified under this Act shall be guided by the following objectives, namely: —

(a) optimising the production, sale and consumption of fish or allied products, which may include:

(i) promoting the export of fish or allied products;

(ii) promoting the sale and consumption of fish or allied products, including through e-commerce platforms;

- (iii) promoting the quality of fish or allied products being cultivated and consumed in the country and exported;
 - (iv) promoting branding, product diversification, value addition, packaging and furthering the interests of stakeholders involved in the fisheries industry;
 - (v) promoting the sustainable cultivation of fish or allied products for increasing production and productivity;
 - (vi) providing support and encouragement to small growers, including in using and implementing new technologies;
 - (vii) encouraging fair and remunerative prices for fishermen and fish cultivators;
 - (viii) safeguarding the interests of fishermen; and
 - (ix) increasing awareness amongst the general public about the fisheries industry;
- (b) promoting economic, scientific and technical research in the fisheries industry, which may include:—
- (i) collecting, analysing, and disseminating economic, scientific and technical data, information, statistics, and studies related to the fisheries industry;
 - (ii) encouraging the adoption of best available technologies and minimizing the adverse impact of climate change;
 - (iii) promoting an understanding of the oceanic and water ecosystem in India; and
 - (iv) aligning the practices in the fisheries industry in India with global best practices;
- (c) ensuring the development and welfare of fishermen, which may include: —
- (i) conducting a survey of fishermen once in every two years, for collecting basic data including but not limited to their numbers, annual income, livelihood security, modes of alternate income, if any, etc. to gauge their socio-economic circumstances, progress, in such manner as may be prescribed;
 - (ii) make recommendations to the Central Government regarding schemes on the basis of these findings and ensure the upliftment of those who work in the fisheries industry; and
 - (iii) make recommendations to the Central Government taking into account the different circumstances, earnings, living conditions and commercial opportunities available to fishermen on the eastern and western coast of India respectively.

10. (1) To achieve the objectives enlisted in section 9, and in exercise of its general powers and functions under section 8, the Commission may issue directions or advisories to stakeholders, and such persons in the fisheries industry, or any class thereof, as it may deem fit.

Issuance of direction and advisories by the Commission.

(2) Every direction issued by the Commission shall be binding on the person to whom such direction has been issued.

(3) The recommendations of the Commission shall be implemented by the Central Government or the concerned State Governments as far as possible after due consultations with the Commission.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

Fisheries
Promotion and
Development
Fund.

11. (1) There shall be established, by notification in the Official Gazette, a fund to be called the Fisheries Promotion and Development Fund for the purpose of implementing the provisions of this Act.

(2) The Fund shall be under the control of the Central Government and there shall be credited thereto:—

(a) all sums transferred to, or vested in the Commission;

(b) any grants and loans made to the Commission by the Central Government;

(c) all fees levied and collected in respect of certificates of registration issued and any other fees or charges collected under this Act or the rules and regulations made thereunder; and

(d) all sums received by the Commission from such other sources as may be decided upon by the Central Government.

(3) The Fund shall be used to:—

(a) meet the salary, pension, remuneration, and other allowances of the members, officers, and staff of the Commission as applicable;

(b) meet the expenses relating to such measures as the Commission may undertake under this Act from time to time in order to achieve the objectives enlisted in section 9, and in exercise of its general powers and functions under section 8;

(c) meet the other administrative expenses of the Commission and any other expenses authorised by or under this Act;

(d) repay loans; and

(e) settle any liabilities arising out of legal proceedings.

Power to
borrow.

12. The Commission may, from time to time, with the previous sanction of the Central Government and under such conditions as may be prescribed, borrow any sum required for any of the purposes for which it is authorised to expend under this Act, from:—

(a) any bank or other financial institution by taking loan; or

(b) the public by issue of bonds or debentures or any such instrument in the form and manner approved by the Central Government.

Budget.

13. The Commission shall prepare in such form and manner, at such time, and such intervals, as may be prescribed, its budget, showing the estimated receipts and expenditure of the Commission and forward the same to the Central Government.

Accounts and
audit.

14. The accounts of the Commission shall be maintained and audited in such manner as may, in consultation with the Comptroller and Auditor-General of India, be prescribed and the Commission shall furnish to the Central

Government before such date, as may be prescribed, the audited copy of its accounts together with the Auditors' report thereon.

15. (1) The Commission shall prepare, in such form and manner and at such time of each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the Central Government. Annual report.
- (2) The annual report prepared under sub-section (1) shall contain: -
- (a) a description of all the activities of the Commission during the previous financial year;
- (b) the plan of the Commission for the upcoming financial year; and
- (c) any such other details as may be provided under any law for the time being in force.
16. The Central Government shall cause the Annual Accounts of the Commission along with the Auditor's report under section 14 and its Annual Report under section 15 to be laid, as soon as may be after they are received, before each House of Parliament. Auditor's report and annual report to be laid before Parliament.
- CHAPTER V
MISCELLANEOUS
17. (1) If at any time the Central Government is of the opinion: —
- (a) that on account of grave emergency, the Commission is unable to discharge the functions and duties imposed on it by or under the provisions of this Act; or
- (b) that the Commission has persistently made default in complying with any direction issued by the Central Government under this Act, in achieving the objectives, or in exercising its general powers and functions, and as a result of such default the financial position of the Commission or the administration of the Commission has deteriorated; or
- (c) that circumstances exist which render it necessary in the public interest so to do,
- the Central Government may, by notification in the Official Gazette, supersede the Commission for such period, not exceeding six months, as may be specified in the notification.
18. The Central Government may by notification in the Official Gazette, direct that any power exercisable and functions performed by it under this Act may be exercised and performed in such cases and subject to such conditions, if any, as may be specified in the notification, by such officer or authority as may be specified therein. Power to delegate.
19. No suit, prosecution or other legal proceedings shall lie against the Central Government, the Commission, or any officer, member, or employee thereof for anything which is done or intended to be done in good faith under this Act or the rules or regulations made, or standards notified thereunder. Protection of action taken in good faith.
20. (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.
- (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 the 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.

Power to
remove
difficulties.

- 21.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Act to have
overriding
effect.

- 22.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

India has a coastline of over 8,000 km and an Exclusive Economic Zone (EEZ) of over 2 million square kilometres. With extensive marine and freshwater resources, our fisheries industry plays a vital role in the economic development of the nation and play an integral part in ensuring our food security.

As per the 2011 census, there are 3,288 marine fishing villages and 1,511 marine fish landing centres spread across the country. This leaves a substantial potential in the area of fisheries unutilized. Additionally, approximately 61 per cent. of fishermen live Below Poverty Line as per the same census.

At a time when India is emerging as a forerunner for development in the world, and our growth story is being acknowledged globally as a model of success to reach five trillion USD economy, the efficient development of our fisheries can help us reach our goals in a more holistic manner. Presently, we are at number two position globally in the area of production of fish or its allied products. With more pointed policy imperatives, and a central body such as the National Commission for the Welfare and Support of Fishermen to take affirmative steps to promote the fisheries sector, India could become number one globally, not just in the area of production but also exports.

Similarly, any development of the fisheries industry must take into account those who are involved in its catch, cultivation, production, processing and export. Providing equitable benefits to each and every section of society is the bedrock of our nation, and the creation of this Commission is a step towards achieving that goal.

In order to keep development in line with the principles of *Aatmanirbhar Bharat* and Make in India, the creation of this Commission is necessary.

Hence, this Bill.

MASTHAN RAO YADAV BEEDHA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of a National Commission for the Welfare and Support of Fishermen and appointment of the Chairperson and Members therein. Clause 4 provides for the term of office of, salaries, remuneration or other allowances payable to, and the other conditions of service of, the Chairperson, other members and officers and staff of the Commission. Clause 7 provides for the constitution of Advisory Committees and Executive Committees and appointment of officers and staff to assist the Commission. Clause 8 of the Bill provides for the functions and powers of the Commission including *inter alia*, promotion and development of the fisheries industry in India. Clause 9 of the Bill outlines the objectives of the Commission.

The aforementioned provisions of the Bill involve expenditure towards payment of salaries, allowances, etc. of the members, officers, and staff of the Commission and meeting other administrative expenses of the Commission including expenses for discharging its functions.

Clause 11 of the Bill provides for the constitution of a fund called the Fisheries Promotion and Development Fund for the purpose of implementing the provisions of this Act. The Fund will, *inter alia* comprise of the grants and loans given by the Central Government, fees collected by the Commission and other sums received by the Commission.

The Bill, therefore, if enacted, will involve certain amount of expenditure from the Consolidated Fund of India. However, it is not possible at this stage to estimate the exact quantum of recurring and non-recurring expenditure that would be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 20 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill.

Clause 21 empowers the Central Government to issue orders expedient to remove any difficulties which may arise in giving effect to the provisions of this Act.

The matters in respect of which rules, regulations or orders may be made are matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself. The delegation of legislative power is, therefore, of a normal character.

VIII

Bill No. XIV of 2025

A Bill further to amend the Representation of the People Act, 1951.

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

1. (1) This Act may be called the Representation of the People (Amendment) Act, 2025.

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.

43 of 1951.

2. In section 2 of the Representation of the People Act, 1951 (hereinafter referred to as the principal Act),

Amendment of section 2.

(i) after sub-clause (bb), the following new sub-clause shall be inserted, namely:—

“(bbb) “coalition” means a group of two or more political parties

working together for a particular purpose, for a specified time period or otherwise, or for the purpose of formation of a Government, either before or after an election, to be registered with the Election Commission, in such manner as may be prescribed;”

(ii) after sub-clause (e), the following new sub-clauses shall be inserted, namely:—

“(ee) “electoral promise” means any commitment, assurance, or undertaking made in an election manifesto or public declaration by a political party or coalition;

(eee) “implementation timeline” means the period specified for fulfillment of an electoral promise;

(eeee) “manifesto” means a published declaration of the intentions, motives, or views of a political party or coalition ;

(eeeee) “Monitoring Committee” means the Manifesto Implementation Monitoring Committee constituted under section 75F of this Act;”;

Insertion of a new Chapter VIIB.

3. In Part V of the principal Act, after Chapter VIIA, the following new Chapter shall be inserted, namely:—

“CHAPTER VIIB

REGULATION OF ELECTION MANIFESTO

Classification of electoral promise.

75B. (1) Every political party or coalition shall, within such period as may be prescribed, after the announcement of any election to the House of the People or the State Legislative Assembly, submit to the Election Commission, a manifesto containing electoral promises classified into the following categories:—

(a) Short-term promises to be fulfilled within one year of its term in office;

(b) Medium-term promises to be fulfilled within three years of its term in office; and

(c) Long-term promises to be fulfilled beyond three years of its term in office:

Provided that the period of submission of the manifesto by a coalition formed after an election for the purpose of formation of Government shall be such as may be prescribed.

(2) Each electoral promise listed in the manifesto shall be accompanied by:—

(a) specific implementation timeline;

(b) estimated financial implication;

(c) proposed source of funding;

(d) method of implementation; and

(e) expected outcomes and measurable indicators.

(3) The Election Commission shall conduct an enquiry, in such manner as may be prescribed, and ascertain whether any political party or coalition has indulged in willful misrepresentation of facts in its manifesto.

75C. (1) The ruling party or coalition at the Centre and each State shall submit to the Election Commission, a Manifesto Implementation Report, as follows, in such form and manner as may be prescribed:—

Manifesto
Implementation
Report.

- (a) Quarterly progress report on implementation of short-term promises;
- (b) Half-yearly progress report on implementation of medium-term promises; and
- (c) Annual progress report on implementation of long-term promises.

(2) Each progress report shall contain the following:—

- (a) status of implementation of each promise;
- (b) reasons for delay or non-implementation, if any;
- (c) revised timelines for implementation, if applicable; and
- (d) financial expenditure incurred.

75D. (1) **The Election Commission shall maintain a public database of:—**

Public
disclosure.

- (a) **all manifestos submitted by political parties;**
- (b) **progress reports on implementation of promises in the manifestos; and**
- (c) **reports of the Monitoring Committee submitted under clauses (a) and (b) of sub-section (4) of section 75F.**

(2) **The database shall be made accessible to the general public through a dedicated online portal.**

75E. The non-implementation of electoral promise by the elected political party or coalition shall not attract penalties, if caused by:—

Exemptions.

- (a) unforeseeable and uncontrollable events beyond the Government's reasonable control, which may be termed *force majeure* events, such as natural disasters, war, or other acts of God;
- (b) situations where the Government declares a state of economic crisis or emergency, impacting the feasibility of implementing specific promises;
- (c) situations where the implementation of electoral promises is restricted or prohibited due to constitutional provisions or legal limitations;
- (d) instances where the Government lacks the legislative majority to pass the required laws or budget for implementing electoral promises; and
- (e) circumstances that the Monitoring Committee, constituted under section 75F of this Act, considers legitimate and justifiable for non-implementation, based on its assessment and evaluation.

75F. (1) **The Election Commission shall constitute a Manifesto Implementation Monitoring Committee consisting of:—**

Constitution and
functions of the
Manifesto
Implementation
Monitoring
Committee.

- (a) **A retired Supreme Court Judge, as Chairperson;**
- (b) **a nominee of the Chief Election Commissioner, as *ex-officio* Member;**
- (c) **a nominee of the Comptroller and Auditor General of India, as *ex-officio* Member; and**

(d) Two representatives from registered civil society organizations, with such qualifications and experience and to be appointed in such manner and on such terms and conditions, as may be prescribed, as Members.

(2) The salary and allowances payable to, and other terms and conditions of the service of the Chairperson and members of the Commission, other than the *ex-officio* Members, shall be such as may be prescribed.

(3) The secretarial assistance to the Committee shall be provided by the Election Commission, in such manner as may be prescribed.

(4) The Monitoring Committee shall:—

(a) examine the Manifesto Implementation Report and report to the Election Commission, the status of the implementation or otherwise of the electoral promises contained in the manifesto of the elected political party or coalition, in such manner as may be prescribed;

(b) undertake impartial assessment to evaluate the impact of the implemented policies and initiatives outlined in the manifesto of the elected political party or coalition and submit its report to the Election Commission;

(c) provide recommendations to the Election Commission for improving transparency, accountability, and effectiveness of the implementation of manifesto of the elected political party or coalition; and

(d) prepare and submit a comprehensive annual report, detailing its findings, analyses, and recommendations and forward the same to the Central Government, which shall cause it to be laid, as soon as may be after it is received, before each House of Parliament.

Provided that where the report or any of its part is related to any of the State Government, a copy of such report shall be forwarded to the Governor of that State, who shall in turn, cause to be laid before each House of the State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House.

Penalties.

75G. (1) Any failure to submit classification of promises by a political party or coalition, under sub-section (1) of section 75B of this Act, shall be punishable with fine of up to rupees one lakh.

(2) Subject to the provisions of section 75E, any failure to implement the electoral promise by the elected political party or coalition shall be punishable with warning in such form and manner as may be prescribed, for the first instance; with fine of up to rupees five lakhs for the second instance and with fine of up to rupees ten lakhs for subsequent instances.

(3) If on enquiry, it is established beyond doubt that any political party or coalition has indulged in willful misrepresentation of facts in its manifesto, such political party or coalition shall be liable to:—

(a) public censure by the Election Commission, in such manner as may be prescribed;

(b) fine of up to rupees fifty lakhs; and

(c) mention the same in all future communications with the Election Commission the such party for the next five years.

Recovery of penalties.

75H. Any penalty of fine imposed under section 75G shall be recovered by the Election Commission from the political party or coalition within such period and in such manner as may be prescribed.

75I. (1) An appeal against the orders of the Election Commission under this Chapter shall lie with the High Court having jurisdiction in the matter.

(2) An appeal shall be filed within a period of thirty days from the date of the order of the Election Commission.”

Appeals.

STATEMENT OF OBJECTS AND REASONS

In various landmark judgments including *S. Subramaniam Balaji vs. State of Tamil Nadu and Others* (2013), and *Ashwini K Upadhyay vs. Government of National Territory of Delhi* (2021), the Hon'ble Supreme Court of India addressed the issue of electoral manifestos and the promises made by political parties. The Court observed that while the distribution of freebies promised in manifestos did not necessarily constitute corrupt practices under Section 123 of the Representation of the People Act, 1951, such promises could distort the level playing field and affect the fairness of elections. The judgment highlighted a legislative vacuum regarding the regulation of promises made in manifestos and suggested that Parliament should consider enacting laws to address this issue. The Court also emphasized that the expenditure on schemes promised in manifestos should serve a "public purpose" and align with constitutional principles.

The Supreme Court had earlier directed the Election Commission of India (ECI) to frame guidelines under Article 324 of the Constitution to regulate manifestos in the interest of free and fair elections. In compliance with the directive, the ECI incorporated specific guidelines for electoral manifestos into the Model Code of Conduct (MCC) in 2014. These guidelines require political parties and candidates to avoid making financially unsustainable promises. Manifestos must clearly state the rationale behind each promise, along with an explanation of the expected resource requirements and how these will be met. The definition of manifesto in the Bill has been taken from the background note that ECI had prepared on the manifestos. Furthermore, promises must be consistent with the Directive Principles of State Policy and other constitutional provisions.

To ensure compliance, the ECI engaged with political parties to discuss the inclusion of these guidelines and monitor manifestos for adherence during elections. By integrating these measures, the ECI aims to enhance transparency, accountability, and fairness in the promises made by political parties, thereby upholding the integrity of the electoral process as envisioned in the Hon'ble Supreme Court's judgment. However, without existing legislation, there exists a significant gap in ensuring the enforceability of these guidelines. The Election Commission's efforts while commendable, rely solely on the Model Code of Conduct, which is not legally binding. This lack of statutory backing limits the Commission's ability to impose penalties or take concrete action against violations, resulting in inconsistencies in compliance. The absence of a comprehensive legal framework also makes it challenging to hold political parties accountable for non-implementation or misrepresentation of promises made in their manifestos. Consequently, there is an urgent need for legislation that provides a mechanism for regulating electoral promises, ensuring transparency, and accountability to uphold the democratic principles of free and fair elections.

Therefore, this Bill seeks to amend the Representation of the People Act, 1951, to ensure the legal accountability of electoral promises made by political parties and candidates. Recognizing that the absence of enforceable accountability has led to a proliferation of unrealistic promises, eroding public trust and distorting electoral fairness, the proposed amendments mandate the classification of promises with specific timelines, financial implications, and implementation mechanisms, ensuring transparency and feasibility. It establishes an efficient monitoring framework through the Manifesto Implementation Monitoring Committee, composed of eminent legal, electoral and civil society representatives, tasked with evaluating progress and recommending corrective measures. The Bill introduces provisions for public disclosure of manifestos and implementation reports, leading towards citizen engagement and trust. Furthermore, it prescribes penalties for non-compliance, including financial sanctions and

public censure, while allowing exemptions for legitimate constraints such as *force majeure* events or constitutional limitations. By integrating a structured system for assessing and enforcing electoral promises, this amendment aims to strengthen democratic governance, enhance political accountability, and uphold the sanctity of election manifestos as a binding social contract between parties and the electorate.

The Bill seeks to achieve the above objectives.

SANT BALBIR SINGH.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the maintenance of a public database of all manifestos submitted by political parties, progress reports on implementation of promises in their manifestos; and independent assessments of promise fulfillment, which shall be made accessible to the general public through a dedicated online portal. It also *inter alia* provides for the constitution of a Manifesto Implementation Monitoring Committee by the Election Commission of India to examine the progress and outcomes of the implementation of manifestos of political parties, conduct impartial assessment to evaluate the impact of the implemented policies and initiatives outlined therein and provide recommendations for improving transparency, accountability, and effectiveness in their implementation. The composition of the Committee and provision of secretarial assistance thereto has also been provided under the said clause.

The Bill, therefore, if enacted will involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult to estimate the exact expenditure likely to be involved at this juncture.

IX**Bill No. XXXI of 2025**

A Bill further to amend the Environment (Protection) Act, 1986.

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

1. (1) This Act may be called the Environment (Protection) Amendment Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Insertion of
new Chapter
IIIAA.

2. In the Environment (Protection) Act, 1986, after section 17, the following new Chapter shall be inserted, namely,—

“CHAPTER III AA

COMPENSATION FOR LOSS AND DAMAGE ARISING FROM
ENVIRONMENTAL AND CLIMATE CHANGE

Right to
Compensation.

17. Any person who has incurred loss and damage as a direct consequence of environmental and climate change impacts shall have the right to claim compensation in such form and manner and subject to such conditions, as may be prescribed by the Central Government.

Loss and
Damage Fund.

17A. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act, a special Fund to be called the Loss and Damage Fund, under the public account of India.

(2) The Loss and Damage Fund shall be credited with such sums of money as the Central Government may, after due appropriation made by Parliament by law in this behalf, provide from time to time.

(3) The Loss and Damage Fund shall be applied for the purpose of providing financial assistance and compensation to affected persons and communities for loss and damage arising from environmental and climate change impacts.

(4) The Loss and Damage Fund shall be under the control of the Central Government and managed by such authority and in such manner, as the Central Government shall, by notification in the Official Gazette, appoint.

(5) The authority as may be appointed by the Central Government under sub-section (4) shall perform such functions as may be notified, including, but not limited to,—

(a) receiving and processing applications for financial assistance and compensation on account of loss and damage arising from environmental or climate-related causes;

(b) conducting enquiry and deciding the eligibility and quantum of financial assistance and compensation, subject to such criteria and in such manner as may be prescribed;

(c) sanctioning and ordering disbursement of financial assistance and compensation from the Fund; and

(d) issue necessary directions and performing such other functions as may be assigned to it by the Central Government or as may be prescribed.

Accounts and
audit of Loss
and Damage
Fund.

17B. (1) The authority appointed by the Central Government under sub-section (4) of section 17A shall maintain separate accounts and other relevant records in relation to the Loss and Damage Fund and prepare an annual statement of accounts in such form, as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(2) The accounting procedure to regulate the manner of crediting the monies to the Loss and Damage Fund in a year shall be in such manner as may be prescribed.

(3) The accounts of the Loss and Damage Fund shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and such audited accounts together with the audit report thereon shall be forwarded annually to the Central Government.

17C. The authority appointed by the Central Government under subsection (4) of section 17A shall prepare the annual report in relation to the Loss and Damage Fund, giving a full account of its activities, defined under this Act, during the previous financial year, in such form, as may be prescribed, in each financial year, and submit the annual report to the Central Government.

17D. The Central Government shall cause the annual report together with the audit report on accounts to be laid, as soon as may be after the reports are received, before each House of Parliament.

17E. The Central Government shall, by notification in the Official Gazette, empower the Central Pollution Control Board or any other agency to conduct enquiry under this Chapter.

17F. (1) The Central Government or State Government, as the case may be, may by notification in the Official Gazette, authorise the Court not below the rank of District Court as Loss and Damage Tribunal.

(2) Any person aggrieved by any direction, order or decision of the authority as may be appointed under this Chapter may prefer an appeal to the Loss and Damage Tribunal, within such period and in such manner as may be prescribed.

(3) The Central Government may prescribe special procedure for the Tribunal for the speedy disposal of claims.

(4) The orders issued by the Tribunal may be enforced as decree under the Code of Civil Procedure, 1908.

Annual Report.

Annual report and audit report to be laid before Parliament.

Competent Authority to enquire into the loss and damage.

Loss and Damage Tribunal.

STATEMENT OF OBJECTS AND REASONS

Article 21 of the Constitution which guarantees right to life has been interpreted by the Supreme Court to include the right to a clean and healthy environment. The 'polluter pays' principle-based environmental right, is a corollary right which ought to be protected by State in its *parens patriae* role. The right to compensation for the loss and damage arising out of environmental and climate change impact, is of much relevance today.

2. The 27th UN Climate Change Conference (COP 27) where India was a party also recognises loss and damage fund to respond to human cost of climate change. Loss and Damage Tribunal is a step towards speedy remedy in environmental loss and damage claims.

3. The Bill seeks to achieve the above objectives.

A.A. RAHIM.

FINANCIAL MEMORANDUM

Section 17A of the Bill provides for establishment of the Loss and Damage Fund to provide financial assistance and compensation to affected persons and communities for loss and damage arising from environmental and climate change impacts. The said section also provides for the Central Government to provide for funds to carry out the purposes of this Act.

The Bill, therefore, if enacted, would involve both recurring and non-recurring expenditure from the Consolidated Fund of India. However, it is not possible to estimate the actual expenditure likely to be involved at this stage.

X**Bill No. XL of 2025**

A Bill to provide for a regulatory regime to oversee and ensure quality and ethical practices of educational consultancies in the country and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Educational Consultancies Regulation Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “Appellate Tribunal” means the Educational Consultancies Appellate Tribunal established under section 20;

(b) “appropriate Government” means,—

(i) in relation to a Union territory without Legislature, the Central Government; and

(ii) in relation to a State or Union territory with Legislature, the Government of that State or Union territory, as the case may be;

(c) “Central Advisory Council” means the Central Advisory Council for Educational Consultancies established under section 5;

(d) “educational consultancy” means any professional service rendered by a person or an institution that provides guidance and support to its clients including students, parents, educators and institutions or others in connection with admission process, application procedures, career counselling or related assistance for admission in educational institutions in the country or abroad including visa assistance, engaging in promotional activities such as organising seminars and workshops to showcase educational programs and institutions, managing recruitment campaigns etc. for the purpose of improving educational outcomes;

(e) “educational institutions” means schools, colleges, universities or institutions imparting educational courses either in the country or abroad;

(f) “Fund” means the Educational Consultancies Fund constituted under section 35 of this Act;

(g) “fraudulent” shall have the same meaning as has been ascribed to it under sub-section (9) of section 2 of the Bharatiya Nyaya Sanhita, 2023;

(h) “prescribed” means prescribed by rules made under this Act;

(i) “State Council” means the State Council for Educational Consultancies established under section 9; and

(j) “student” means a person who seeks to or is receiving the services of an educational consultancy.

CHAPTER II

REGISTRATION OF EDUCATIONAL CONSULTANCIES

3. (1) Every educational consultancy operating in the country shall, within such period from the commencement of this Act, as may be prescribed, or within such further period as may be specified, by notification in the Official Gazette, by the State Council established under section 7 of this Act, apply for registration: Provided that no educational consultancy shall operate after the period as provided under sub-section (1), unless a registration thereof has been obtained in accordance with the provisions of this Act.

(2) Every application for registration under sub-section (1) shall be made to the State Council concerned, in such form and manner, accompanied by such fee and within such time, as may be prescribed.

(3) The registration granted under sub-section (1) shall be valid for such period and may be renewed from time to time in such manner and on payment of such fee, as may be prescribed.

(4) The State Council may, after making such inquiry as it deems fit and being satisfied about the eligibility of the applicant, grant or reject the

Registration of
Educational
Consultancies.

certificate of registration and may, for reasons to be recorded in writing and after giving the applicant a reasonable opportunity of being heard, cancel or suspend the registration granted, in such manner as may be prescribed.

4. **The State Council shall establish and maintain a publicly accessible online portal where citizens can verify the registration of educational consultancies, including their current status and validity, in such manner and in such form, as may be prescribed:**

Portal for verification of registration of educational consultancies.

Provided that the portal shall, also display the list of educational consultancies, whose application for registration has been rejected and whose registration has been cancelled or otherwise rendered void.

CHAPTER III

CENTRAL ADVISORY COUNCIL FOR EDUCATIONAL CONSULTANCIES

5. **(1) The Central Government shall, within a period of one year from commencement of this Act, by notification in the Official Gazette, establish a Council to be known as the Central Advisory Council for Educational Consultancies to exercise the powers conferred on it and to perform the functions assigned to it under this Act.**

Establishment of the Central Advisory Council for Educational Consultancies.

The Central Advisory Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, and shall, by the said name, sue or be sued.

- (2) The headquarters of the Central Advisory Council shall be at New Delhi.**

- (3) The Central Advisory Council shall consist of the following, namely:—**

(i) the Union Minister of Education – Chairperson, *ex-officio*;

(ii) representatives of the Union Ministries of Finance; Corporate Affairs, and Law and Justice; Department of Consumer Affairs and Niti Aayog, to be appointed by the Central Government, in such manner as may be prescribed – Members *ex-officio*;

Provided that one representative of any other Union Ministry or Department may also be additionally appointed as an *ex-officio* Member by the Central Government, if so deemed necessary by the Central Advisory Council, in such manner as may be prescribed;

(iii) five *ex-officio* Members, one each to be nominated by the State Governments, , in such manner and for such term as may be prescribed, on rotational basis from amongst all States, to ensure that all States get due representation:

Provided that the five States which get to nominate members for a given term shall be determined by draw of lot and the States which have been selected through previous draw(s) of lot will not be included in the next draw of lot;

(iv) five *ex-officio* Members, one each to be nominated by the State Councils for Educational Consultancies, in such manner and for such term as may be prescribed, on rotational basis from amongst all the State Councils, to ensure that all State Councils get due representation:

Provided that the five State Councils, which get to nominate members for a given term shall be determined by draw of lot and the State Councils which have been selected through

previous draw(s) of lot will not be included in the next draw of lot; and

(v) not more than ten Members to represent the interests of the educational consultancies industry and higher education sector to be appointed by the Central Government, in such manner as may be prescribed.

(4) The Central Advisory Council shall have the power to regulate its own procedure for transaction of its business and frame regulations, as deemed necessary, for the effective implementation of the provisions of this Act.

Term of office and other conditions of service of the Chairperson and Members of the Central Advisory Council.

6. (1) The members of the Central Advisory Council, other than the *ex-officio* members, shall hold office for such term, as may be prescribed.
- (2) **The allowances payable to the Chairperson and *ex-officio* members, the salaries and allowances payable to the members, other than the *ex-officio* members, and other terms and conditions of service of the Chairperson and members of the Central Advisory Council shall be such as may be prescribed.**

Officers and staff of the Central Advisory Council.

7. (1) **The Central Government shall, in consultation with the Central Advisory Council, appoint such number of officers and staff, as may be necessary, for the efficient discharge of the functions assigned to it under this Act.**
- (2) **The method of recruitment, salaries and allowances payable to, and other terms and conditions of service of, the officers and staff of the Central Advisory Council so appointed, shall be such as may be prescribed.**

Functions of the Central Advisory Council.

8. The functions of the Central Advisory Council shall be to advise and make recommendations to the Central Government—
- (a) on all matters concerning the implementation of this Act;
- (b) on major questions of policy related to educational consultancies;
- (c) for the protection of interests of students;
- (d) to foster the growth and development of the educational consultancies sector; and
- (e) on any other matter related to the educational consultancies sector or the education sector in general, as may be assigned to it by the Central Government.

CHAPTER IV

STATE COUNCIL FOR EDUCATIONAL CONSULTANCIES

Establishment of the State Council for Educational Consultancies.

9. (1) **The appropriate Government shall, by notification in the Official Gazette, establish a State Council for Educational Consultancies in each State and Union Territory to be known as the —(name of the State/Union territory) Council for Educational Consultancies, to perform the functions assigned to it under the Act.**
- (2) The State Council shall be a body corporate by the name aforesaid having perpetual succession and a common seal and shall, by the said name, sue or be sued.
- (3) **The headquarters of the State Council shall be at such place, as the appropriate Government may, by notification in the Official Gazette, appoint.**

(4) The State Council shall have the power to regulate its own procedure for transaction of its business and frame regulations, as deemed necessary, for the effective implementation of the provisions of this Act.

10. (1) **The State Council shall consist of a Chairperson and not less than four other Members to be appointed by the appropriate Government, in such manner as may be prescribed, from amongst persons having adequate knowledge of and professional experience in the management of educational institutions, on the recommendations of a Selection Committee:**

Composition of
the State
Council.

Provided that a person who is, or has been, in the service of the State Government shall not be appointed as Chairperson of the State Council, unless such person has held the post of Additional Secretary to the Central Government or any equivalent post in the Central Government or State Government:

Provided further that a person who is, or has been, in the service of the State Government shall not be appointed as a member of the State Council, unless such person has held the post of Secretary to the State Government or any equivalent post in the State Government or Central Government.

- (2) **The Selection Committee shall consist of the following, namely—**

(a) **Chief Justice of the High Court concerned or a person nominated by him in this behalf, in such manner as may be prescribed – Chairperson;**

(b) **Secretary of the Ministry of Education of the State Government - Member; ; and**

(c) **Secretary of the Department of Law of the State Government - Member:**

(3) The Selection Committee shall regulate its own procedure in a transparent manner for selecting the Chairperson and Members of the State Council.

(4) The Selection Committee, while screening potential candidates and before making recommendations for their appointment as Chairperson or member of the State Council, shall satisfy that such person does not have any financial, pecuniary or other interest, as is likely to affect prejudicially their function in such capacity, and such findings of the Selection Committee shall be recorded in writing.

11. (1) **The Chairperson and Members of the State Council shall hold office for a term not exceeding five years from the date upon which they enter their office, or until they attain the age of sixty-five years, whichever is earlier, and shall not be eligible for re-appointment.**

Term of office
and other
conditions of
service of the
Chairperson and
Members of the
State Council.

(2) The salary and allowances payable to, and the other terms and conditions of service of, the Chairperson and Members of the State Council, shall be such as may be prescribed and shall not be varied to their disadvantage during their tenure.

12. (1) **Notwithstanding anything contained in sub-section (1) of section 11, the Chairperson or a Member of the State Council, as the case may be, may, by writing under his hand to the appropriate Government, resign from his office, by giving a notice to that effect of not less than three months, in the prescribed form and on acceptance of the same, the resignation shall take effect and the office of the Chairperson or a Member, as the case may be,**

Resignation and
Removal.

shall become vacant:

Provided that in the case of a Member, the resignation shall be routed through the Chairperson of the State Council.

(2) The appropriate Government may, by order, remove from office, the Chairperson or any Member of the State Council, if the Chairperson or such other Member, as the case may be,—

(a) has been adjudged as an insolvent; or

(b) is convicted and sentenced to imprisonment for an offence, involving moral turpitude; or

(c) becomes of unsound mind and stands so declared by a competent Court; or

(d) refuses to act or has become physically or mentally incapable of acting as a Member; or

(e) has acquired such financial or other interest which is likely to affect prejudicially his functions; or

(f) has, in the opinion of the appropriate Government, so abused his office as to render his continuance in office detrimental to the interest of the office or public interest:

Provided that the Chairperson or a Member shall not be removed from his office on the grounds specified under clause (e) or (f) of sub-section (2) except after an inquiry made by a Judge of the High Court in which such Chairperson or Member has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) Any vacancy caused under sub-sections (1) and (2) shall be filled up within a period of three months from the date on which such vacancy occurs:

Provided that the Chairperson or any other member appointed against a casual vacancy shall hold office only for the remainder of the term of the Chairperson or member in whose place he has been appointed.

Restrictions on employment of Chairperson and Members after cessation of office.

13. (1) The Chairperson or a Member of the State Council, ceasing to hold office as such, shall not —

(a) accept any employment in, or connected with, the management or administration of, any person or organisation which has been associated with any work under this Act, from the date on which he ceases to hold office:

Provided that nothing contained in this clause shall apply to any employment under the appropriate Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or provincial Act or a Government Company, as defined under clause (45) of section 2 of the Companies Act, 2013, which is not a promoter as per the provisions of this Act; or

(b) act, for or on behalf of any person or organisation in connection with any specific proceeding or transaction or negotiation or a case to which the State Council is a party and with respect to which the Chairperson or such Member had, before cessation of office, acted for or provided advice to the State Council; or

(c) give advice to any person using information which was obtained in his capacity as the Chairperson or a Member and being unavailable to or not being able to be made available to the public; or

(d) enter into a contract of service with or accept an appointment to a Board of Directors of, or accept an offer of employment with, an entity with which he had direct and significant official dealings during his term of office as such.

(2) The Chairperson and Members shall not communicate with or reveal to any person any matter which had been brought under his consideration or known to him while acting as such.

14. No act or proceeding of the State Council shall be questioned or shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of the State Council; or

(b) any defect in the appointment of a person as Chairperson or Member thereof; or

(c) any irregularity in the procedure of the State Council not affecting the merits of the case.

15. **(1) The appropriate Government shall, in consultation with the State Council, appoint such number of officers and staff, as may be necessary, for the efficient discharge of the functions assigned to it and the powers conferred on it under this Act.**

(2) The method of recruitment, salaries and allowances payable to, and other terms and conditions of service of, the officers and staff of the State Council so appointed, shall be such as may be prescribed.

16. The Chairperson, Members, officers and staff of the State Council shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of subsection (2) of section 28 of the Bharatiya Nyaya Sanhita, 2023.

17. **(1) The State Council shall perform all or any of the following functions, namely—**

(a) register and regulate educational consultancies registered under this Act in accordance with the procedure laid down under section 3;

(b) publish and maintain a website or online portal of records, for public viewing, of all educational consultancies for which registration has been given, with such details as may be prescribed, including information provided in the application based on which registration has been granted;

(c) receive, record and address the grievances submitted by any aggrieved person about the conduct of any educational consultancy, whether registered or unregistered;

(d) maintain a database, on its website, for public viewing, and enter the names and photographs of promoters of educational consultancies, who have been identified by the State Council to have avoided registration under the Act;

(e) maintain a database, on its website, for public viewing, and enter the names and photographs of promoters of educational consultancies who have applied and registered under this Act, with such details as may be prescribed, including those whose registration has been rejected or revoked;

(f) ensure compliance of its regulations or orders or directions made in exercise of its powers under this Act and take appropriate action against those found to be in contravention thereof;

Vacancies, etc. not to invalidate acts or proceedings of the State Council.

Officers and staff of the State Council.

Chairperson, Members, officers and staff of the State Council to be public servants.

Functions of the State Council.

(g) perform such other functions as may be entrusted to it by the appropriate Government, as may be necessary to carry out the purposes of this Act;

(h) assess educational consultancies for their compliance to the regulations framed under the Act; examine the qualifications and experience of the consultants of the educational consultancies and ensure that they maintain the requisite standards of service; and

(i) any other function, as may be assigned to it by the appropriate Government, from time to time.

(2) A complainant may approach the State Council and register a complaint therewith in the prescribed form and manner and the State Council shall endeavour to adjudicate on the complaint, preferably within one hundred and eighty days from the date of registration of the complaint.

Powers of the
State Council.

18. (1) The State Council shall have the following powers, namely:—

(a) formulate regulations under the Act and issue directions for the implementation of the provisions of the Act, as deemed necessary;

(b) carry out regular inspections to monitor educational consultancies;

(c) deregister educational consultancies that do not comply with the rules and regulations framed hereinunder; and

(d) impose penalty for offences committed under this Act or whoever acts in contravention of the Act, rules and regulations made thereunder.

(2) The State Council shall, while exercising the powers given under subsection (1), be guided by the principles of natural justice and, the provisions of this Act and the rules made thereunder.

State Council to
have powers of a
Civil Court.

19. The State Council shall, while investigating complaints received under subsection (2) of section 17 and exercising the powers conferred under section 18, have all the powers of a Civil Court trying a suit and in particular, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any court or office;

(e) issuing commissions for the examination of witnesses and documents; and

(f) any other matter which may be prescribed.

CHAPTER V

EDUCATIONAL CONSULTANCIES APPELLATE TRIBUNAL

Establishment of
the Educational
Consultancies
Appellate
Tribunal.

20. (1) **The appropriate Government shall, within a period of one year from the date of commencement of this Act, by notification in the Official Gazette, establish an Appellate Tribunal to be known as the — (name of the State/Union Territory) Educational Consultancies Appellate Tribunal (hereinafter referred to as the Appellate Tribunal).**

(2) **The appropriate Government may, if it deems necessary, establish one or more benches of the Appellate Tribunal, for various jurisdictions, in a State or Union Territory, as the case may be.**

(3) The appropriate Government of two or more States or Union Territories may, if they deem fit, establish one single Appellate Tribunal:

Provided that, until the establishment of an Appellate Tribunal under this section, the appropriate Government shall designate, by order, any Appellate Tribunal functioning under any law for the time being in force, to be the Appellate Tribunal to hear appeals under the Act:

Provided further that after the Appellate Tribunal under this section is established, all matters pending with the Appellate Tribunal designated to hear appeals, shall stand transferred to the Appellate Tribunal so established and shall be heard from the stage such appeal is transferred.

21. (1) The appropriate Government or the competent authority or any person aggrieved by any direction or order or decision of the State Council under this Act may prefer an appeal to the Appellate Tribunal having jurisdiction over the matter.

Appeals to the Appellate Tribunal.

(2) Every appeal made under sub-section (1) shall be preferred within a period of sixty days from the date on which a copy of the direction or order or decision made by the State Council is received by the appropriate Government or the competent authority or the aggrieved person and it shall be in such form and accompanied by such fee, as may be prescribed:

Provided that the Appellate Tribunal may entertain any appeal after the expiry of sixty days if it is satisfied that there was sufficient cause for not filing it within that period.

(3) On receipt of an appeal under sub-section (1), the Appellate Tribunal may after giving the parties a reasonable opportunity of being heard, pass such orders, including interim orders, as it thinks fit.

(4) The Appellate Tribunal shall send a copy of every order made by it to the parties and to the State Council.

(5) The appeal preferred under sub-section (1), shall be dealt with by the Appellate Tribunal, as expeditiously as possible and endeavour shall be made by it to dispose of the appeal within a period of sixty days from the date of receipt of such appeal:

Provided that where any such appeal could not be disposed of within the said period of sixty days, the Appellate Tribunal shall record its reasons in writing for not disposing of the appeal within that period..

(6) The Appellate Tribunal may, for the purpose of examining the legality or propriety or correctness of any order or decision of the State Council, on its own motion or otherwise, call for the records relevant to deposing of such appeal and make such orders as it thinks fit.

22. (1) **Every bench of the Appellate Tribunal shall consist of a Chairperson and not less than two whole time Members, of which one shall be a Judicial member and other shall be a Technical or Administrative Member, to be appointed by the appropriate Government.**

Composition of the Appellate Tribunal.

(2) **The salary and allowances payable to, and the other terms and conditions of service of, the Chairperson and other Members of the Appellate Tribunal shall be such as may be prescribed and shall not be varied to their disadvantage during their tenure.**

Qualifications for appointment as Chairperson and Members of the Appellate Tribunal.

23. (1) A person shall not be qualified for appointment as the Chairperson or a Member of the Appellate Tribunal unless he,—

(a) in the case of Chairperson, is or has been a Judge of a High Court;

(b) in the case of a Judicial Member, he has held a judicial office in the territory of India for at least fifteen years or has been a member of the Indian Legal Service and has held the post of Additional Secretary of that service or any equivalent post, or has been an advocate for at least twenty years; and

(c) in the case of a Technical or Administrative Member, he is a person who is well-versed in the field and possesses experience of at least twenty years in the educational services field or who has held a post in the Central Government or a State Government equivalent to the post of Additional Secretary to the Government of India or an equivalent post in the State Government.

(2) The Chairperson of the Appellate Tribunal shall be appointed by the appropriate Government in consultation with the Chief Justice of the High Court or his nominee.

(3) The Judicial Members and Technical or Administrative Members of the Appellate Tribunal shall be appointed by the appropriate Government on the recommendations of a Selection Committee consisting of the Chief Justice of the High Court or his nominee, the Secretary of the Department handling Housing in the appropriate Government and the Law Secretary in the appropriate Government.

Officers and staff of the Appellate Tribunal.

24. (1) **The appropriate Government shall provide to each bench of the Appellate Tribunal with such number of officers and staff, as may be considered necessary, to assist it in its efficient functioning.**

(2) **The method of recruitment and the qualifications and experience of as well as the salary and allowances payable to, and other terms and conditions of service of, the officers and staff, so appointed to assist the Appellate Tribunal shall be such as may be prescribed.**

Chairperson, Members, officers and staff of the Appellate Tribunal to be public servants.

25. The Chairperson, Members, officers and staff of the Appellate Tribunal shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of sub-section (2) of section 28 of the Bharatiya Nyaya Sanhita, 2023.

45 of 2023.

Powers of the Appellate Tribunal.

26. (1) The Appellate Tribunal shall not be bound by the procedure laid down by the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice.

5 of 1908.

(2) Subject to the provisions of this Act, the Appellate Tribunal shall have power to regulate its own procedure.

(3) The Appellate Tribunal shall also not be bound by the rules of evidence contained in the Bharatiya Sakshya Adhiniyam, 2023.

47 of 2023.

(4) The Appellate Tribunal shall have, for the purpose of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

5 of 1908.

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavits;

(d) issuing commissions for the examination of witnesses or documents;

(e) reviewing its decisions;

(f) dismissing an application for default or directing it *ex parte*; and

(g) any other matter which may be prescribed.

45 of 2023.

(5) All proceedings before the Appellate Tribunal shall be deemed to be judicial proceedings for the purposes of the relevant provisions of the Bharatiya Nyaya Sanhita, 2023 relating to offences affecting the administration of justice; and the Appellate Tribunal shall be deemed to be a civil court for the purposes of the relevant provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 relating to the procedure for prosecution in such cases.

46 of 2023.

27. (1) Any person aggrieved by any decision or order of the Appellate Tribunal, may, file an appeal to the High Court concerned, within a period of sixty days from the date of communication of the decision or order of the Appellate Tribunal, to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908:

Appeals to High Court.

5 of 1908.

Provided that the High Court may entertain the appeal after the expiry of the said period of sixty days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the specified period.

(2) No appeal shall lie against any decision or order made by the Appellate Tribunal with the consent of the parties.

CHAPTER VI

OFFENCES AND PUNISHMENTS

28. If any educational consultancy, contravenes the provisions of section 3, it shall be guilty of the offence of “unauthorised operation of educational consultancy” and shall be punished with imprisonment for a term which may extend up to two years, or with fine of one lakh rupees, or with both.
29. Any educational consultancy which, by misrepresentation or through fraudulent means, induces a student to pay fees or other charges under the pretence of securing admission to an educational institution or employment, shall be guilty of the offence of “misrepresentation and fraudulent practices” and shall be punished with imprisonment for a term which may extend up to three years, or with fine of two lakh and fifty thousand rupees, or with both.
30. Whoever, being in any manner entrusted with the responsibility to provide educational consultancy services, or having carried out such responsibilities, dishonestly fails to deliver or misappropriates those services, or dishonestly uses or neglects the provision of those services in violation of any legal obligation, direction, or contractual agreement, express or implied, related to the discharge of such trust, or wilfully allows any other person to do so, shall be guilty of the offence of “breach of trust amounting to cheating” and shall be punished with imprisonment for a term which may extend up to five years, or with fine of one lakh rupees, or with both.
31. Any person who wilfully obstructs or hinders the functioning of the State Council or its officers in the exercise of their duties under this Act shall be guilty of the offence of “Obstruction of the functioning of the State Council” and shall be punished with imprisonment for a term which may extend up to two years, or a fine of one lakh rupees, or with both.

Unauthorised operation of educational consultancy.

Misrepresentation and Fraudulent Practices.

Breach of trust amounting to cheating.

Obstruction of the functioning of the State Council.

Offences by companies.

32. (1) Where an offence under this Act has been committed by a company, every person who, at the time, the offence was committed was in charge of, or was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section, shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section,—

(a) “company” means anybody corporate and includes a firm, or other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

CHAPTER VII

FINANCE, ACCOUNTS AND AUDIT

Grants and loans by the Central Government.

33. **The Central Government may, after due appropriation made by Parliament in this behalf, make to the Central Advisory Council and the State Council of the Union territories without Legislature, grants and loans of such sums of money as that Government may think fit for being utilised for the purposes of this Act.**

Grants and loans by the State or Union territory Government.

34. **The State or Union territory Government may, after due appropriation made by State or Union territory Legislature, as the case may be, by law in this behalf, make to the State Council concerned, grants and loans of such sums of money as the State or Union territory Government may think fit for carrying out the purposes of this Act.**

Constitution of Fund.

35. (1) The appropriate Government shall constitute a fund to be called the 'Educational Consultancies Fund' and there shall be credited thereto,—

(a) all Government grants received by the State Council;

(b) the fees received under this Act;

(c) the interest accrued on the amounts referred to in clauses (a) to (b).

(2) The Fund shall be applied for meeting—

(a) the salaries and allowances payable to the Chairperson and other Members and the administrative expenses including the salaries and allowances payable to the officers and other employees of the State Council and the Appellate Tribunal;

(b) the other expenses of the State Council in connection with the discharge of its functions and for the purposes of this Act.

(3) The Fund shall be administered by a Committee of such Members of the State Council as may be determined by the Chairperson of that Council.

- (4) The Committee appointed under sub-section (3) shall spend monies out of the Fund for carrying out the objects for which the Fund has been constituted.
36. (1) All sums realised, by way of penalties, imposed by the State Council or the Appellate Tribunal, in the Union Territories, shall be credited to the Consolidated Fund of India.
- (2) All sums realised, by way of penalties, imposed by the State Council or the Appellate Tribunal, in a State, shall be credited to such account as the State Government may specify
37. (1) The State Council shall prepare a budget, maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the appropriate Government in consultation with the Comptroller and Auditor General of India.
- (2) The accounts of the State Council shall be audited by the Comptroller and Auditor General of India or at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the State Council to the Comptroller and Auditor General of India.
- (3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Authority under this Act shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor General generally has in connection with the audit of Government accounts and, in particular shall have the right to demand and production of books, accounts, connected vouchers and other documents and papers, and to inspect any of the offices of the State Council.
- (4) The accounts of the State Council, as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the appropriate Government by the State Council and the appropriate Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of Parliament or, as the case may be, before the State Legislature or the Union territory Legislature, where it consists of two Houses, or where such legislature consists of one House, before that House.
38. (1) The State Council shall prepare, in such form and manner and at such time of each financial year, as may be prescribed by the appropriate Government, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the appropriate Government.
- (2) A copy of the report received under sub-section (1) shall be laid, as soon as may be after it is received, before each House of Parliament or, as the case may be, before each House of the State Legislature or the Union territory Legislature, where it consists of two Houses, or where such legislature consists of one House, before that House.

CHAPTER VIII

MISCELLANEOUS

39. (1) The appropriate Government shall, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) The State Council may, from time to time, with the approval of the appropriate Government, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules

made thereunder, to provide for all matters for which provision is necessary or expedient for the purposes of giving effect to the provisions of this Act.

(3) Every rule made by the Central Government and every regulation made by the State Council of the Union territories without Legislature 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. Houses agree that the rule or regulation 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.

(4) Every rule made by the State Government or the Union Territory Government, as the case may be and every regulation made by the State Council of the State Government or the Union Territory Government, as the case may be, under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature or the Union Territory Legislature, where it consists of two Houses, or where such legislature consists of one House, before that House.

Act to have
overriding
effect.

40. The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Power to
remove
difficulties.

41. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of five years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

Educational consultancies in India are organizations or individuals that offer professional advice and support to students seeking higher education opportunities, both within the country and abroad. In India, educational consultancies play a significant role due to the diverse and often complex landscape of educational opportunities available across different regions and disciplines. Their core functions include assisting students in selecting appropriate educational institutions, navigating admission processes, and completing application procedures. They also provide services such as career counselling, entrance exam preparation, and visa assistance for studying abroad. These consultancies may also engage in promotional activities to showcase educational programs and institutions, organizing seminars and workshops to inform and attract potential students. Furthermore, they assist educational institutions by managing recruitment campaigns and facilitating connections with prospective students.

As the number and influence of these consultancies grow, there is a need for a regulatory body to ensure quality and ethical practices. This Bill outlines the features and structure of a Central Advisory Council for Educational Consultancies and a State Council for Educational Consultancies in each State and Union territory to oversee and regulate the functioning of educational consultancies in India and makes their registration mandatory. The Bill also provides a grievance redressal mechanism for the general public within the structure of the State Council and for an Appellate Tribunal in each State and Union territory to hear and decide on appeals against the decisions of the State Council. Offences by educational consultancies and penalties for each such offence has also been well-defined in the Bill for strict compliance of the provisions thereof. With a well-defined structure and comprehensive features, the regulatory mechanism proposed for educational consultancies and the services rendered by them would ensure ethical practices in the industry, protect the interests of students and parents, and contribute to the overall improvement of the educational landscape in India.

The Bill seeks to achieve the above-mentioned objectives.

A.A. RAHIM.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the establishment and maintenance of a publicly accessible online portal registration status and other relevant details of educational consultancies by the State Council. Clause 5 provides for the establishment of a Central Advisory Council for Educational Consultancies whereas Clause 6 provides for the salary and allowances as well as other conditions of service of the Chairperson and Members thereof. Clause 7 of the Bill provides for the officers and staff of the Central Advisory Council and for the salary and allowances payable to them as well as the other conditions of their service. Clause 9 of the Bill provides for the establishment of a State Council for Educational Consultancies in each State and Union territory. Clause 10 of the Bill provides for the composition of the State Council whereas Clause 11 provides for the salary and allowances payable to and other conditions of service of the Chairperson and Members thereof. Clause 15 provides for the officers and staff of the State Council and for the salary and allowances payable to them as well as the other terms and conditions of their service. Clause 20 provides for the establishment of an Educational Consultancies Appellate Tribunal in each State and Union territory to adjudicate disputes and hear appeals arising out of the decisions of the State Council. Clause 22 of the Bill provides for the composition of the Appellate Tribunal and for the salary and allowances payable to and other conditions of service of the Chairperson and Members thereof. Clause 24 of the Bill provides for such number of officers and staff as may be required to assist the Appellate Tribunal and for the salary and allowances payable to them and for the other conditions of their service. Clause 33 of the Bill provides for the Central Government to provide adequate funds to the Central Advisory Council and the State Council of the Union territories without Legislature to aid its efficient functioning.

The Bill, therefore, if enacted, will involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult to estimate the exact quantum of expenditure likely to be involved at this stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 39 of the Bill empowers the appropriate Government to frame rules and the State Council to frame regulations with the approval of the appropriate Government for implementation of the provisions of this Act. Clause 41 provides that the Central Government may, make such provisions, by order, as may be necessary for removing any difficulty to give effect to the provisions of this Bill. As the matters in respect of which rules or regulations or orders may be made are matters of procedure and administrative detail and it is not practicable to provide for them in the Bill itself, the delegation of legislative power is, therefore, of a normal character.

XI

Bill No. LXVII of 2025

A Bill to provide employees with the right to disconnect from work-related communications outside working hours by establishing comprehensive framework for work-life balance to protect the mental health and well-being of employee, and to ensure equitable labour practices in the digital age and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Right to Disconnect Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) "appropriate Government" means the Central Government in respect of establishments falling under its jurisdiction, and the State Government in respect of other establishments;

(b) "digital wellness" means and includes the pursuit of an optimal balance between digital technology use and physical and mental well-being for a life with human dignity;

(c) "employee" shall have the same meaning as defined in clause (26) of section 2 of the Code on Social Security, 2020;

36 of 2020.

(d) "employer" shall have the same meaning as defined in clause (m) of section 2 of the Industrial Relations Code, 2020;

35 of 2020.

(e) "performance appraisal" means and includes the performance appraisal evaluations in any form carried out by the employer;

(f) "policy" means the Right to Disconnect policy to be formulated and implemented by every employer under section 4 of this Act;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "working hours" shall have the same meaning as has been provided in Chapter VII of the Occupational Safety, Health and Working Conditions Code, 2020;

37 of 2020.

(i) "work-related communication" includes but is not limited to:

(i) emails, text messages, instant messages, and voice messages;

(ii) phone calls and video calls;

(iii) notifications from work applications and software; and

(iv) any form of digital or electronic communication initiated by the employer, supervisors, colleagues, or clients related to work matters.

CHAPTER II

RIGHT TO DISCONNECT

Right of employees to disconnect.

3. (1) Every employee shall have the right to disconnect from work-related communications outside of working hours, on weekly holidays, public holidays, and during periods of sanctioned leave subject to the exclusions and limitations specifically provided under this Act and the rules made thereunder.

(2) The employer shall not take any action including retrenchment, disciplinary action, penalties during performance appraisal, or any other adverse consequence for exercising the right guaranteed under subsection (1).

(3) The right to disconnect means and shall include:

(a) the right to not respond to work-related communications outside working hours, on weekly holidays, public holidays and during periods of sanctioned leave;

(b) the right to not be penalized for delayed responses to non-urgent communications;

(c) the right to have personal time respected and protected; and

(d) the right to mental rest and recuperation.

(4) Any limitation under sub-section (1) shall be:

- (a) clearly specified in the employment contract, in such manner as may be prescribed;
- (b) reasonable and proportionate;
- (c) accompanied by appropriate compensation, as may be prescribed; and
- (d) subject to periodic review.

CHAPTER III

DUTIES AND OBLIGATIONS OF EMPLOYERS

4. (1) Every employer employing ten or more employees shall, within six months from the date of commencement of this Act, formulate and implement a comprehensive Right to Disconnect policy in consultation with employee representatives or recognized trade unions, as the case may be, in such form and manner as may be prescribed.

Mandatory
Right
Disconnect
policy. to

(2) The policy shall include:

- (a) clearly defined working hours and availability periods;
- (b) specific modes and timing of permissible after-working hours communication;
- (c) detailed emergency contact protocols and definitions;
- (d) response time expectations for different types of communication;
- (e) grievance redressal mechanisms and complaint procedures;
- (f) disciplinary measures for policy violations;
- (g) digital wellness programs and mental health support initiatives; and
- (h) regular policy review and update mechanisms.

(3) The policy shall be:

- (a) notified and filed with the Labour Commissioner having competent jurisdiction within thirty days of its formulation:

Provided that the Labour Commissioner concerned shall ensure that the policy is strictly complied with by all employers under his jurisdiction and shall take necessary action for non-compliance, in such manner as may be prescribed;

- (b) made accessible to all employees in multiple languages as may be prescribed;
- (c) displayed prominently at the workplace and on company digital platforms;
- (d) included in employee handbooks and induction programs; and
- (e) included as a compliance report under the Companies Act, 2013.

Employer
obligations for
digital wellness.

5. **Every employer shall implement necessary measures to promote digital wellness including:**

- (a) **training programs on healthy technology use;**

- (b) periodic digital detox initiatives;
- (c) ergonomic assessments for remote and hybrid workers;
- (d) mental health support services and counseling facilities;
- and
- (e) regular surveys to assess work-life balance satisfaction.

Prohibition of action against employee.

6. No employer shall:

- (a) terminate, demote, or take any disciplinary action against an employee;
- (b) reduce wages, benefits, or opportunities for career advancement;
- (c) create a hostile work environment; and
- (d) exclude employees from meetings, projects, or communications as punishment;

for exercising their right to disconnect in accordance with the provisions of this Act and the policy formulated and implemented.

CHAPTER IV

ENFORCEMENT AND COMPLIANCE

Grievance redressal mechanism.

7. **(1) Every establishment shall establish an Internal Grievance Committee comprising of twelve members:**

- (a) with six members to be nominated by the employer and five members to be nominated by the employees, in such manner as may be prescribed; and
- (b) one member, who shall be a psychologist, to be nominated by the employer possessing such qualifications and experience and in such manner and with such salary or allowances and on such terms and conditions, as may be prescribed.

(2) Any aggrieved employee may file a complaint with the Internal Grievance Committee, in such form and manner as may be prescribed, who shall, after due inquiry and process conducted in such manner as may be prescribed, render a written decision within fifteen days from the date of receipt of the complaint.

(3) If the finding of the Internal Grievance Committee is against the employer, then the employer shall be liable to a fine up to fifty thousand rupees, which shall be paid to the complainant:

Provided that no such fine shall be imposed without giving the employer concerned a reasonable opportunity of being heard.

CHAPTER V

PENALTIES

Penalties for non-compliance.

8. Every employer failing to formulate or implement a disconnection policy as provided under section 4 shall be liable to:

- (a) a fine which shall not be less than fifty thousand rupees but may extend to two lakh rupees; and
- (b) in case of continued non-compliance even after receipt of notice from the Labour Commissioner, an additional fine of two thousand rupees for each day such non-compliance is continued.

CHAPTER VI

MISCELLANEOUS

9. (1) The appropriate Government shall prepare once every year, as may be prescribed, and publish an annual report including therein:—
- (a) implementation status of this Act across various sectors within their jurisdiction;
- (b) the levels of compliance and details of enforcement actions;
- (c) impact assessment on employee well-being and productivity;
- and
- (d) recommendations for policy improvements.
- (2) The appropriate Government shall cause a copy of the annual report to be laid, as the case may be, before each House of Parliament or each House of the State legislature, where it consists of two Houses or where such Legislature consists of one House, before that House.
10. **The appropriate Government, shall from time to time, after due appropriation made by Parliament or the State Legislature, as the case may be, by law in this behalf, provide requisite funds for carrying out the purposes of this Act.**
11. (1) The Central Government may, in consultation with the State Governments, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) The State Governments may, by notification in the Official Gazette, make rules for matters falling within their respective jurisdiction, provided such rules shall not be inconsistent with this Act or the rules made by the Central Government.
- (3) Every rule made by the Central Government 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 regulation or both 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.
- (4) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.
12. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, make such order, not inconsistent with the provisions of this Act, as may appear to be necessary for removing such difficulty:
- Provided that no such order shall be made after the expiry of three years from the date of commencement of this Act.
- (2) Every order made under this section shall be laid, as soon as may be after it is made before each House of Parliament.
13. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act.

Annual reporting and evaluation.

Appropriate Government to provide funds.

Power to make rules.

Power to remove difficulties.

Act not in derogation and to supplement other laws.

STATEMENT OF OBJECTS AND REASONS

The rapid digitization of workplaces and the proliferation of communication technologies have fundamentally transformed the nature of work in India. While these developments have brought numerous benefits, they have also created an "always-on" culture that blurs the boundaries between work and personal life, leading to significant mental health challenges, increased stress levels, and deteriorating work-life balance among employees.

Recent studies indicate that over 80 per cent. of Indian professionals report experiencing work-related stress outside of normal working hours, with particularly severe impact on women, young professionals, and those in the information technology sector. The COVID-19 pandemic has further exacerbated these issues, with remote work arrangements often leading to extended working hours and constant connectivity expectations.

International best practices from countries such as France, Belgium, Portugal, and Australia demonstrate that legislative frameworks establishing the Right to Disconnect can effectively protect employee welfare while maintaining business efficiency. The European Union has also recognized the Right to Disconnect as a fundamental digital right for workers.

This Bill seeks to address these challenges by establishing a comprehensive legal framework that:

- Recognizes the fundamental right of employees to disconnect from work-related communications outside working hours;
- Establishes clear obligations for employers to respect this right and implement appropriate policies;
- Provides robust enforcement mechanisms including penalties for violations and protection against retaliation;
- Promotes digital wellness and mental health support in workplaces;
- Balances business needs with employee welfare through reasonable exceptions and sector-specific guidelines; and
- Ensures comprehensive coverage including traditional employees, gig workers, and platform workers.

The Bill aims to create a healthier, more productive workforce while positioning India as a progressive nation that values both technological advancement and human well-being. By codifying the right to disconnect, India can lead by example in addressing the challenges of the digital age while maintaining its competitive edge in the global economy.

The proposed legislation is expected to benefit millions of workers across sectors, reduce workplace stress and burnout, improve family relationships and social cohesion, and ultimately contribute to a more sustainable and equitable model of economic growth.

Hence, this Bill.

A. A. RAHIM.

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides that every employer shall implement necessary measures to promote digital wellness amongst its employees including training programs on healthy technology use, periodic digital detox initiatives, ergonomic assessments for remote and hybrid workers, mental health support services and counselling facilities and regular surveys to assess work-life balance satisfaction. Sub-clause (1) of clause 7 of the Bill provides that every establishment shall establish an Internal Grievance Committee consisting of twelve Members, out of which one shall be a psychologist, to be nominated by the employer possessing such qualifications and experience and in such manner and with such salary or allowances and on such terms and conditions, as may be prescribed. Sub-clause (3) of clause 7 provides that if the finding of the Internal Grievance Committee is against the employer, then the employer shall be liable to a fine up to fifty thousand rupees, which shall be paid to the complainant. Clause 10 of the Bill provides that the appropriate Government shall provide adequate funds for carrying out the purposes of the Bill.

The Bill, therefore, if enacted, will involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is not possible at this stage, to make an exact estimate of the expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government and State Governments to make rules for carrying out the provisions of this Bill. Clause 12 empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules and orders will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XII

Bill No. XXVI of 2025

A Bill further to amend the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

1. (1) This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Amendment of
section 4.

2. In section 4 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the principal Act), for clause (1), the following shall be substituted, namely—

“(1) Whoever, being a public servant, wilfully neglects his duties required to be performed by him under this Act,—

(i) shall be punishable with imprisonment for a term which shall not be less than one year;

(ii) in addition to the punishment specified under clause (i), such public servant shall be subject to departmental proceedings, in accordance with the applicable service rules; and

(iii) where such public servant is found to have repeatedly failed in the discharge of such duties without reasonable cause, he may, notwithstanding anything contained in any other law for the time being in force, be dismissed from the service.”

Amendment of
section 21.

3. In section 21 of the principal Act, in sub-section (2), after clause (vii), the following new clauses shall be inserted, namely,—

“(viii) the conduct of regular training programs for law enforcement offices, judicial officers, and government officials to ensure they are well-versed with the provisions of this Act and sensitive to the issues faced by members of the Scheduled Castes and the Scheduled Tribes; and

(ix) the launching of public awareness campaigns to educate the general public about the rights and protections provided under this Act.”

STATEMENT OF OBJECTS AND REASONS

As per 'Crime in India 2022', published by National Crime Records Bureau, a total of 57582 and 10064 crimes were registered against Scheduled Castes (SC) and Scheduled Tribes (ST) respectively, in the year 2022. Both of these numbers were an increase from what was registered in the previous year. In the same report, the number of victims reported under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act) alone, *i.e.*, in cases not involving any provisions of the Indian Penal Code, for the year 2022, was 4713.

In *Lata Singh v. the State of UP* (AIR 2006 SCC 2522), Supreme Court has said, "The caste system is a curse on the nation and the sooner it is destroyed the better. In fact, it is dividing the nation at a time when we have to be united to face the challenges before the nation unitedly."

In the case of *Subhash Kashinath Mahajan v. The State of Maharashtra* (AIR 2018 SC 1498), the Supreme Court opined that SC/ST Prevention of Atrocities Act (*i.e.*, the PoA Act) is being misused and checks are needed to prevent such misuse. The act had to be interpreted in a manner which will ensure that "casteism is not perpetuated" through the implementation of the law. The court also noted that the legislature never intended for innocent citizens to be termed as accused through this act. However, it noted that this Act has become an instrument to blackmail or to wreak personal vengeance which wasn't the motive of the legislators while bringing forward the Act. This judgement was nullified through the insertion of Section 18A in the Act whose constitutionality was upheld in the case of *Prathvi Raj Chauhan v. Union of India*. However, observations as made above can't be absolutely neglected.

In *P. Mariappan v. The Deputy Inspector General of Police, Coimbatore Range and Ors.* (MANU/TN/0657/2014), the Madras HC directed the Superintendent of Police to register a case against the Inspector of Police under Section 4 of the PoA Act, because he had investigated into the complaint of the Petitioner himself, and had failed to put the files on record for the orders of the Superintendent of Police. The Court noted that this investigation could not have been done by the Inspector of Police, but had to be done by an officer not below the rank of Deputy Superintendent of Police as per Section 7 of the PoA Act. The Court also held the State Government responsible for compensating the Petitioner, because the police officials of the State Government had passed an order to bar the Petitioner from entering the village altogether.

Various studies and reports like that of National Dalit Movement for Justice Report, 2020, State of Policing in India Report (2018) by Common Cause and Lokniti-CSDS etc. indicate that biases against marginalised communities often influence how cases are handled. Many public servants also lack comprehensive knowledge of the Act, hence mandatory sensitivity training can play a key role in combating prejudices that may otherwise hinder the fair treatment. Regular training would create a culture of accountability, making it easier to identify and address failures in enforcement. This sort of training also aligns with Article 46 of the Constitution which directs the state to promote the educational and economic interests of SC/ST communities and protect them from social injustice and exploitation.

Public servants often handle a high volume of cases, and negligence can sometimes stem from a lack of accountability. Increasing the minimum punishment from six months to one year emphasizes the gravity of neglect and signals that willful negligence will not be tolerated. Departmental proceedings can be initiated more promptly than criminal trials, providing an immediate accountability mechanism for dereliction of duty. When public servants know that departmental actions like suspension, demotion, or reprimand are possible, they are more likely to approach SC/ST cases with diligence and seriousness.

Hence this Bill.

MANOJ KUMAR JHA.

XIII**BILL No. LV of 2025**

A Bill to provide for the establishment of Small Claims Courts across India to ensure speedy, cost-effective, and simplified resolution of minor civil disputes, and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Small Claims Court Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

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) “High Court” means,—

(i) in relation to any State, the High Court for that State;

(ii) in relation to a Union territory to which the jurisdiction of the High Court for a State has been extended by law, that High Court; and

(iii) in relation to any other Union territory, the highest Court of criminal appeal for that territory other than the Supreme Court of India.

(c) “Judge” shall have the same meaning as defined under section 2 of the Judges (Protection) Act, 1985;

(d) “party” means a person who files or defends a claim before the Small Claims Court;

(e) “prescribed” means prescribed by rules made under this Act;

(f) “small claim” means a civil dispute, except those expressly excluded under the provisions of this Act, where the value of the claim does not exceed rupees two lakh:

Provided that the Central Government, in consultation with the State Governments may, by notification in the Official Gazette, revise the monetary threshold, from time to time, based on inflation and regional cost-of-living indices.

59 of 1985.

CHAPTER II

INSTITUTIONAL FRAMEWORK

Establishment
of Small
Claims
Courts.

3. **(1) The appropriate Government shall in consultation with the Chief Justice of the jurisdictional High Court, establish, by notification in the Official Gazette, one or more special courts to be known as the Small Claims Courts for such district or districts, or for any specified local area within a district under its territorial jurisdiction, taking into account the volume of cases, population density and the need for accessible dispute resolution, as may be considered necessary for the purposes of this Act.**

(2) Every Small Claims Court established under sub-section (1) shall exercise civil jurisdiction exercisable immediately before that day by all courts except the concerned High Court and the Supreme Court in relation to small claims, over such pecuniary and territorial limits as may be specified in the notification issued by the appropriate Government in consultation with the Chief Justice of the jurisdictional High Court.

Composition
and
Appointment.

4. (1) Every Small Claims Court established under section 3 shall be presided over by,—

(a) a District Judge; or

(b) any Judicial Officer not below the rank of Civil Judge

(Senior Division), as may be designated by the concerned High Court.

and shall have such number of Judges as the appropriate Government may in consultation with the concerned High Court, prescribe.

(2) The High Court shall supervise and allocate work and procedure to such Courts in such manner as may be prescribed by rules made in this regard by the appropriate Government.

5. **(1) The appropriate Government shall, in consultation with the concerned High Court, appoint an officer to be called the Registrar of the Small Claims Court and such number of other officers and staff to assist the Small Claims Court in the discharge of its functions under this Act and ensure the provision of necessary infrastructure, and other facilities to ensure the effective functioning of the Small Claims Courts.**

Registrar,
officers, staff,
infrastructure
and other
facilities.

(2) The method of recruitment, the qualifications and experience, salaries and allowances payable to and other terms and conditions of service of the Registrar, officers and staff so appointed under subsection (1) as well as the functions and duties to be performed by the Registrar shall be such as may be prescribed.

6. Notwithstanding anything contained in any other law for the time being in force and subject to the provisions of this Act, the Small Claims Court shall have jurisdiction to adjudicate small claims arising within its territorial jurisdiction, including but not limited to the following matters, namely—

Jurisdiction of
Small Claims
Courts.

(a) suits for recovery of money arising from written or oral contracts, loans, advances, unpaid dues, or security deposits;

(b) disputes concerning title, possession, delivery, or wrongful detention of movable property;

(c) claims for damages for breach of contract, negligence, or non-performance of obligations;

(d) small-value consumer disputes which do not fall within the definition of a 'consumer dispute' under clause (8) of section 2 of the Consumer Protection Act, 2019;

(e) disputes arising out of service agreements, warranty claims, or minor service deficiencies;

(f) landlord-tenant disputes involving only recovery of rent, utilities, or other monetary dues not involving eviction or title;

(g) compensation claims for lost or damaged goods, including parcels and deliveries; and

(h) claims arising from dishonoured cheques under section 138 of the Negotiable Instruments Act, 1881, where only compensation is sought and not criminal prosecution.

35 of 2019.

26 of 1881

7. **(1) Notwithstanding anything contained in any other law for the time being in force, the Small Claims Court shall not have jurisdiction to entertain, try, or decide the following matters, namely—**

Exclusion of
jurisdiction.

(a) suits involving determination of rights, title, or interest in immovable property, including disputes pertaining to tenancy, eviction, or possession;

(b) suits seeking permanent, mandatory, or prohibitory injunctions, or declaratory reliefs;

(c) proceedings relating to succession, wills, inheritance, guardianship, maintenance, adoption, or any other family or matrimonial matter; and

(d) matters which are pending before or fall within the exclusive jurisdiction of any tribunal, commission, or authority established under any law for the time being in force, including but not limited to the Motor Accident Claims Tribunal, Consumer Disputes Redressal Commissions, Labour Courts, Rent Tribunals, Debt Recovery Tribunals, and Tax Authorities.

(2) The provisions of this section shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Procedures and powers of the Small Claims Court.

8. (1) The Small Claims Court shall follow a summary procedure to ensure speedy resolution of disputes:

Provided that the procedure shall be simplified to accommodate parties without legal training.

(2) The Small Claims Court shall have the power to regulate its own procedure consistent with the principles of natural justice and the provisions of the Code of Civil Procedure, 1908, unless otherwise provided under this Act.

(3) Proceedings of the Small Claims Court may be conducted in physical or digital mode, including online hearings, as may be deemed necessary.

5 of 1908.

Time limits for disposal of cases.

9. (1) Every case instituted before the Small Claims Court shall, as far as practicable, be disposed of within ninety days from the date of first hearing.

(2) The Small Claims Court may, if it considers necessary, extend the period referred to in sub-section (1) by a maximum of thirty days for reasons to be recorded in writing.

Finality of orders and referral to mediation.

10. (1) The judgment or order passed by the Small Claims Court shall be final and binding on the parties and shall not be subject to appeal or revision in any court, except as otherwise provided under this Act.

(2) Notwithstanding anything contained in sub-section (1), any party aggrieved by the outcome may, prior to the pronouncement of judgment or within such time as may be prescribed, seek resolution of the dispute through mediation in accordance with the provisions of the Mediation Act, 2023.

(3) The Small Claims Court may, at any stage of the proceedings and with the consent of the parties, refer the matter for mediation under Chapter IV of the Mediation Act, 2023, and shall take on record the settlement, if any, arrived at between the parties in accordance with section 20 of the said Act.

32 of 2023.

32 of 2023.

Legal representation.

11. (1) A party may appear in person or be represented by a duly authorised representative, who need not be a legal practitioner.

(2) Legal practitioners may appear only with the leave of the Small Claims

Court and with the consent of the opposite party.

- 12.** (1) The Small Claims Court may, at any stage of the proceedings or at the time of final adjudication, award such costs, compensation, or deterrent penalty as it deems just and equitable, having regard to the facts and circumstances of the case and in such manner and subject to such limits as may be prescribed.
- (2) Without prejudice to the generality of sub-section (1), the Small Claims Court may —
- (a) award reasonable costs to the successful party towards expenses incurred in the proceedings;
- (b) direct payment of compensation to a party who has suffered undue hardship, harassment, or inconvenience due to the conduct of the opposing party;
- (c) impose a deterrent penalty against any party for instituting frivolous or vexatious claims, defences, or for abuse of the process of the Small Claims Court;
- (3) The Small Claims Court shall record brief reasons in writing for awarding such costs, compensation, or penalty, and shall have due regard to—
- (a) the conduct of the parties during the proceedings;
- (b) the nature and seriousness of the claim or defence; and
- (c) the need to discourage misuse of the judicial process.
- (4) Any sum awarded or imposed under this section shall be recoverable as if it were a decree of the civil court of competent jurisdiction, in a manner as may be prescribed.

Award of costs, compensation, and deterrent penalty.

CHAPTER III

MISCELLANEOUS

- 13.** (1) The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) Every rule made by the Central Government 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 regulation or both 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.
- (3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature

Power to make rules.

consists of one House, before that House.

Protection of
action taken in
good faith.

- 14.** No suit, prosecution, or other legal proceeding shall lie against any officer or employee acting under this Act in good faith.

Power to
remove
difficulties.

- 15.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear necessary for removing the difficulty:

Provided that no such orders shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Act not in
derogation of
any other law.

- 16.** The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any such law to the extent of the inconsistency.

STATEMENT OF OBJECTS AND REASONS

The Indian judiciary is grappling with a massive pendency of civil cases, many of which involve low-value disputes that could be resolved through simplified adjudication. According to the National Judicial Data Grid (NJDG, 2024), nearly 35per-cent. of all civil cases pending in subordinate courts relate to claims below two lakh rupees. These typically include disputes over money recovery, delayed payments, movable property, service deficiencies, or minor breaches of contract. However, the absence of a dedicated framework for handling such cases results in prolonged litigation, increased expenses, and inefficient utilisation of judicial resources.

For the common citizen, especially from economically weaker or lower middle-income groups, access to justice in such matters is often hindered by procedural complexity, high legal fees, and lack of familiarity with the formal legal system. Many litigants choose to abandon their rightful claims due to the disproportionate effort and cost involved, resulting in a denial of justice. At the same time, civil courts remain overwhelmed with a high volume of small-value claims, contributing significantly to judicial delays. There is, therefore, a pressing need to create a special category of courts with limited jurisdiction, streamlined procedures, and cost-effective mechanisms that allow individuals to resolve minor disputes in a timely and affordable manner.

The Small Claims Court Bill, 2025 aims to fill this gap by establishing Small Claims Courts at the district and sub-district levels, with jurisdiction limited to civil disputes up to two lakh rupees. The proposed courts will adjudicate specific types of disputes including money recovery, contractual defaults, claims for damages, delivery of movable property, and certain low-value consumer or tenancy-related matters. Matters involving title to immovable property, matrimonial or family issues, and cases under the exclusive jurisdiction of specialised tribunals have been expressly excluded to maintain simplicity and speed.

The Bill empowers State Governments to establish these courts in consultation with the jurisdictional High Courts and provides for the appointment of judicial officers not below the rank of Civil Judge (Senior Division) to preside over them. The procedure will be summary in nature, with proceedings conducted physically or online, and decisions expected within ninety days. Parties can appear in person or be represented by authorised individuals, eliminating the requirement for legal representation unless permitted by the court and agreed to by both sides.

To deter misuse of the process and safeguard genuine claimants, the Bill authorises courts to award reasonable costs, compensation, or deterrent penalties in appropriate cases. It also promotes alternate dispute resolution by allowing referral to mediation at any stage, in accordance with the Mediation Act, 2023.

The objective of this Bill is to strengthen access to justice by making the legal system more responsive to everyday grievances. By providing an inexpensive, fast, and citizen friendly platform for resolving small disputes, the Small Claims Court Bill, 2025 will improve public confidence in the justice system, reduce the burden on civil courts, and promote a culture of timely legal redress.

Hence, this Bill.

SANJAY SETH.

FINANCIAL MEMORANDUM

Clause 3 provides for the establishment of Small Claims Courts by the appropriate Government in such district or districts or for any specified local area within the district as may be considered necessary. Clause 5 empowers the appropriate Government, in consultation with the High Court, to appoint the Registrar, officers and staff to assist the Small Claims Court in the discharge of its functions under the Bill as well as to provide necessary infrastructure and other facilities for its effective functioning.

The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 empowers the Central and State Government, as the case may be, to make rules, to carry out the provisions of this Bill. Clause 15 provides that the Central Government may, make such order, as may be necessary, for removing any difficulty to give effect to the provisions of this Bill.

As the rules, or orders will relate to matters of procedural and administrative details only, the delegation of legislative power is of a normal character.

XIV

BILL No. LXII of 2025

A Bill to provide for the identification, free medical treatment, and financial assistance and support to persons suffering from rare and life-threatening diseases, for the establishment of a statutory Treatment of Rare and Life-threatening Diseases Fund and to provide for its governance structure, and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Persons with Rare and Life-Threatening Diseases (Financial Support and Medical Entitlement) Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

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) “Centre of Excellence” means any medical institution, hospital, or research centre as may be designated by the Central Government under section 9, for the treatment of rare and life-threatening diseases notified under section 3 ;
- (c) “Fund” means the Treatment of Rare and Life-Threatening Diseases Fund constituted under section 5;
- (d) “Life-Threatening Disease” means a disease which poses a substantial risk of mortality or irreversible long-term impairment, as may be notified by the Central Government under section 3;
- (e) “person” means any citizen of India diagnosed with a disease classified and notified under section 3;
- (f) “prescribed” means prescribed by rules made under this Act; and
- (g) “Rare Disease” means a disease notified as such by the Central Government under section 3.

CHAPTER II

CLASSIFICATION OF DISEASES

Classification of diseases.

3. (1) For the purposes of this Act, a disease may be classified into one of the following two categories, namely, –
- (a) Part A – Rare Diseases, as defined under clause (g) of section 2; and.
- (b) Part B – Life-Threatening Diseases, as defined under clause (d) of section 2.
- (2) The Central Government shall, within one year of the commencement of this Act, having regard to the medical evidence, recommendations of medical experts and such other criteria as may be prescribed, by notification in the Official Gazette, specify from time to time the list of diseases falling under each Part under sub-section (1). .
- (3) The list of diseases so notified under sub-section (2) shall be reviewed and updated at such intervals and in such manner as may be prescribed.

CHAPTER III

MEDICAL ENTITLEMENTS AND TREATMENT OBLIGATIONS

Medical entitlements of persons diagnosed with notified diseases.

4. (1) **Every person diagnosed with a disease falling under Part A or Part B, as notified under section 3 shall, upon certification in this regard by such authority as may be prescribed, be entitled to,—**
- (a) **free diagnosis and treatment at such designated Centre of Excellence;**
- (b) **access to prescribed medication, assistive devices, gene or cell therapy, or surgical interventions, as deemed necessary by the**

designated Centre of Excellence;

(c) reimbursement or payment of transport allowance and attendant compensation for visits to hospitals located at a distance exceeding fifty kilometers from the place of ordinary residence in such manner and subject to such conditions as may be prescribed;

(2) The appropriate Government shall ensure that no person shall be denied treatment on the ground of financial incapacity.

CHAPTER IV

FUND AND FINANCIAL ASSISTANCE

5. (1) The Central Government shall, by notification in the official Gazette, constitute a fund to be known as the Treatment of Rare and Life-threatening Diseases Fund, for the purposes of implementation of the provisions of this Act.

Constitution of the Treatment of Rare and Life-threatening Diseases Fund.

(2) The Fund shall be credited with,—

(a) contributions in the form of voluntary grants or donations from individuals, institutions, corporations, multilateral agencies, in such manner as may be prescribed;

(b) budgetary allocations made by the Central Government from the Consolidated Fund of India, from time to time, after due appropriation made by Parliament by law in this behalf;

(c) contributions from the Members of Parliament Local Area Development Scheme (MPLADS), in such manner and subject to such norms, as may be prescribed;

(d) budgetary allocations made by the State Government, from time to time after due appropriation made by the State Legislature by law in this behalf; and

(e) contributions made by companies or corporate entities as part of their Corporate Social Responsibility obligations under section 35 of the Companies Act, 2013 and the relevant rules made thereunder, in such manner as may be prescribed.

18 of 2013.

6. (1) The Fund shall be utilised for the following purposes, namely—

Disbursement and utilisation.

(a) providing direct financing and provision of cashless treatment or financial treatment support at designated Centres of Excellence;

(b) providing financial assistance for diagnostics, medications, and emergency medical care;

(c) providing post-treatment rehabilitation, including home-based care, nutritional assistance and mobility support; and

(d) strengthening capacity-building and infrastructure enhancement of designated Centres of Excellence.

(2) The disbursement of the financial assistance under sub-section (1) shall be done through Direct Benefit Transfer to institutions or eligible families in such manner as may be prescribed:

Provided that persons diagnosed with the diseases notified under

section 3 shall apply to the Nodal Officer appointed under section 10, in the prescribed format in such manner as may be prescribed for receiving financial assistance and support from the Fund under sub-section (1).

Provided further that the financial assistance shall be disbursed only after processing and scrutiny of the applications in such manner and subject to fulfillment of eligibility conditions as may be prescribed.

(3) The appropriate Government shall ensure transparency in the disbursement of funds through measures such as real-time public disclosure of disbursements on such public platform, in such form and manner as may be prescribed and an independent annual audit by such agency, as may be notified by the Central Government.

Administration
of the Fund.

7. **(1) The Fund shall be administered by a Governing Council constituted by the Central Government, by notification in the Official Gazette.**
- (2) The Governing Council shall consist of the following members, –
- (a) the Minister of Health and Family Welfare, Government of India – Chairperson *ex-officio*;
 - (b) Secretary, Ministry of Health and Family Welfare in the Government of India – Member *ex-officio*;
 - (c) Secretary, Ministry of Finance in the Government of India – Member *ex-officio*;
 - (d) three experts in medical science, each having at least fifteen years of experience in the treatment, research, or policy relating to rare or life-threatening diseases, to be nominated by the Central Government in such manner as may be prescribed – Members;
 - (e) one representative from a nationally recognised patient advocacy organisation, to be nominated by the Central Government in such manner as may be prescribed – Members.
- (3) The Governing Council shall discharge the following functions, namely –
- (a) approve and oversee the disbursement of funds under this Act, ensuring equitable and need-based allocation;
 - (b) frame, review, and revise operational, procedural, and eligibility guidelines for the utilisation and disbursement of the Fund, including timelines for processing of applications in this behalf;
 - (c) establish, regulate, and supervise mechanisms for emergency disbursement of financial assistance in urgent cases, as may be prescribed;
 - (d) recommend to the Central Government periodic revisions of financial limits, categories of eligible diseases, and income criteria, in accordance with medical advancements, inflation, and policy priorities;
 - (e) monitor and evaluate the impact and effectiveness of financial assistance provided under this Act, through annual reports, data analysis, and outcome tracking;
 - (f) promote collaboration with research institutions, charitable organisations, and private stakeholders for resource mobilisation, technical support, and innovation in treatment strategies;

(g) ensure that grievance redressal mechanisms are accessible and effective for persons aggrieved by fund disbursement decisions or delays;

(h) recommend measures to improve awareness and accessibility of schemes and benefits provided under this Act, particularly among economically weaker and socially disadvantaged sections;

(i) review compliance with audit, transparency, and reporting requirements relating to the Fund; and

(j) perform such other functions as may be assigned to it by the Central Government to ensure the effective implementation of this Act.

(4) The term of office of, the salaries and allowances payable to and other service conditions of the Members of the Governing Council other than the *ex-officio* Members shall be such as may be prescribed.

(5) The Central Government shall appoint such number of officers and staff to the Governing Council to assist it in the efficient discharge of its functions under the Act.

(6) The method of recruitment, salaries and allowances payable to and other terms and conditions of service of the officers and staff so appointed under sub-section (5) shall be such as may be prescribed.

(7) The Governing Council shall prepare and publish within such period of time and in such form and manner as may be prescribed by the Central Government, an annual statement of accounts of the Fund and forward the same to the Central Government, which shall cause it to be laid before both Houses of Parliament.

8. The Central Government shall, after due appropriation made by Parliament by law on this behalf, provide adequate funds to the Governing Council for carrying out the purposes of this Act.

Central
Government to
provide funds

CHAPTER V

IMPLEMENTATION AND MONITORING

9. (1) The Central Government shall designate Centres of Excellence for diagnosis, treatment, and training in the field of diseases notified under section 3.

Centres of
Excellence.

(2) The Centres of Excellence, as designated under sub section (1), shall carry out the following functions, –

(a) provide timely, accessible, and standardised medical care in accordance with the clinical protocols and treatment guidelines prescribed under this Act or as notified by the Central Government;

(b) maintain detailed and accurate patient records, including treatment outcomes, and submit periodic reports to such authority of the Central Government as may be prescribed;

(c) undertake regular community outreach, public awareness campaigns, and professional capacity-building programmes, including training of healthcare personnel, to promote early diagnosis, treatment adherence, and social inclusion of affected persons; and

(d) such other functions as the Central Government may assign to them, time to time.

Compliance and monitoring.

10. (1) The appropriate Government shall appoint an officer of appropriate rank and experience, as may be prescribed, to be the Nodal Officer for implementation of the provisions of this Act.
- (2) The Nodal Officer shall be responsible for:
- (a) identification and registration of eligible persons;
 - (b) coordination with Centres of Excellence and Central authorities; and
 - (c) timely submission of fund applications and status updates.
- (3) **The Central Government shall establish and maintain a national web-based platform to, –**
- (a) **track diagnosis, treatment, and fund disbursement; and**
 - (b) **generate outcome metrics and public transparency reports.**

Annual report.

11. The Central Government shall prepare, in such form and manner and at such time of each financial year as may be prescribed, an annual report on the status of implementation of this Act, including therein details of beneficiaries, medical and financial assistance rendered, fund disbursements, compliance by concerned authorities, and other information, as may be prescribed and cause it to be laid before each House of Parliament.

CHAPTER VI

MISCELLANEOUS

Grievance redressal.

12. (1) The appropriate Government shall, by notification in the official Gazette, designate an authority or officer of appropriate rank, as may be prescribed, in each district as the District Grievance Redressal Authority, for the purposes of receiving, inquiring into, and redressing grievances arising out of the implementation of the provisions of this Act.
- (2) The manner of filing of grievances, the procedure to be followed by the District Grievance Redressal Authority under sub-section (1), shall be such as may be prescribed.

Power to make rules.

13. (1) The appropriate Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.
- (2) Every rule made by the Central Government 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.
- (3) Every rule made by the State Government or the Union territory Government with Legislature, as the case may be, under this Act shall be laid, as soon as may be after it is made, before each House of the State Legislature or the Union territory Legislature, where it consists of two Houses, or where such legislature consists of one House, before that House.

14. No suit, prosecution, or legal proceeding shall lie against any person or authority acting in good faith under this Act.
15. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force and, in case of any inconsistency, the provisions of this Act shall have overriding effect on the provisions of any such law to the extent of the inconsistency.
16. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Protection of
action taken
in good faith.

Act not in
derogation of
any other law.

Power to
remove
difficulties.

Provided that no such orders shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

Rare and life-threatening diseases, though affecting a small fraction of the population individually, collectively impact millions of lives across India. According to the National Policy for Rare Diseases, 2021, over 7,000 rare diseases have been documented worldwide, with nearly 450 diseases reported in India alone. However, access to affordable and timely diagnosis, and treatment remains an enormous challenge. The exorbitant cost of therapies—often ranging from rupees ten lakh to rupees two crore annually per patient—places life-saving treatment out of reach for most families, especially those from economically weaker sections.

The Persons with Rare and Life-Threatening Diseases (Financial Support and Medical Entitlement), Bill, 2025 seeks to establish a structured, rights-based framework to ensure free treatment, and financial support for persons affected by such conditions. This includes the creation of a Treatment of Rare and Life-Threatening Diseases Fund with contributions from the Central Government, State Governments, private donors, Members of Parliament, and other sources. This institutional mechanism will streamline fund disbursement through Direct Benefit Transfer (DBT), enhance transparency, and reduce bureaucratic delays in life-saving interventions.

Children are the worst affected by rare and genetic disorders, which often lead to developmental delays, disability, and early mortality. This Bill mandates no denial of treatment to any child based on financial incapacity, upholding Article 21 of the Constitution and India's obligations under the United Nations Convention on the Rights of the Child. Furthermore, the Bill ensures access to inclusive education, rehabilitation, and support services under existing laws like the Right to Free and Compulsory Education Act, 2009.

Given the lack of a single statutory body to oversee rare and life-threatening diseases, this Bill proposes a Governing Council and designated Centres of Excellence to provide quality care and monitor treatment outcomes. With technological tools like a national online registry and a grievance redressal mechanism, this Bill aims to ensure accountability, patient dignity, and effective public health response. In light of India's growing genetic and metabolic disease burden, this legislation is both urgent and necessary to provide equitable health justice and a safety net to vulnerable families across the country.

Hence, this Bill.

SANJAY SETH.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the medical entitlements of persons diagnosed with rare and life-threatening diseases, including access to free diagnosis and treatment, access to medicines, assistive devices, gene or cell therapy and surgical interventions at designated Centres of Excellence as well as transport allowance and attendant compensation for hospital visits exceeding fifty kilometers from the usual place of residence. Clause 5 provides for the constitution of the Treatment of Rare and Life-threatening Diseases Fund to be utilised for financing the treatment of rare and life-threatening diseases, post-treatment rehabilitation, capacity building and infrastructure enhancement of the designated Centres of Excellence and for budgetary allocation by the Central Government from the Consolidated Fund of India thereto. Clause 7 provides for the constitution of a Governing Council to administer the Fund, the salary and allowances payable to and other terms and conditions of service of Members other than *ex-officio* Members of the Governing Council. The clause also provides that the Central Government shall appoint such number of officer and staff to assist the Governing Council in the discharge of its functions and for the salary and allowances payable to them as well as their other terms and conditions of service. Clause 8 empowers the Central Government to provide adequate funds to the Governing Council. Sub-clause (3) of clause 10 provides for the establishment and maintenance of a national web-based platform to track diagnosis, treatment and fund disbursement.

The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 empowers the appropriate Government to make rules for carrying out the purposes of the Act. Clause 15 of the Bill empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules or orders will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XV

Bill No. LIV of 2025

A Bill to amend the Clinical Establishments (Registration and Regulation) Act, 2010.

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

1. (1) This Act may be called the Clinical Establishments (Registration and Regulation) Amendment Act, 2025.

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.

2. In section 1 of the Clinical Establishments (Registration and Regulation) Act, 2010 (hereinafter referred to as the principal Act), after the proviso to sub-section (3), the following new proviso shall be inserted, namely: —

Amendment of section 1.

“Provided further that the Central Government may incentivise the adoption and implementation of this Act in non-participating States through financial grants, capacity-building assistance, digitisation infrastructure, and other technical support.”

Amendment of
section 2.

3. In section 2 of the principal Act, —

(i) after clause (c), the following new clause shall be inserted, namely: —

“(cc) “Committee” means the District Grievance Redressal Committee established under section 43E;”;

(ii) after clause (d), the following new clause shall be inserted, namely: —

“(dd) “minimum standards” means the mandatory standards as notified under this Act relating to, *inter alia*, infrastructure requirements, human resource qualifications and ratios, availability of medical equipment, infection prevention and control measures, maintenance of electronic health record, patient care protocols, and grievance redressal mechanisms, to be specified for each category of clinical establishment by the Central Government in consultation with the National Council;”;

(iii) after clause (f), the following new clause shall be inserted, namely: —

“(ff) “patient” means any individual, whether inpatient or outpatient, who is registered with or seeks to receive consultation, diagnosis, examination, treatment, admission, surgery, or follow-up care at a clinical establishment;”;

(iv) for clause (o), the following shall be substituted, namely: —

“(o) “to stabilise or stabilisation” means the provision of urgent and appropriate medical treatment required to prevent the worsening of a patient’s emergency medical condition, and to facilitate either the safe discharge or medically supervised transfer of the patient to another facility, as per clinical protocols notified by the Central Government in consultation with the National Medical Commission or such other authority as may be designated by it.”.

Amendment of
section 10.

4. In section 10 of the principal Act, in sub-section (1), for clause (c), the following shall be substituted, namely: —

“(c) three members, each fulfilling the following criteria, to be nominated by the State Government on such terms and conditions as may be prescribed: —

(i) one elected representative from a local self-government institution, who has held elected office for a minimum of three years and has demonstrable engagement in the health, sanitation, or public welfare sectors;

(ii) one representative of a civil society organisation, registered for not less than five years and having demonstrable work experience in patient rights, public health advocacy, or social accountability in healthcare delivery; and

(iii) one medical practitioner registered with the respective State Medical Council, possessing a recognised MBBS or equivalent degree, and a minimum of seven years of clinical experience, who shall not own or operate a clinical establishment subject to registration under this Act.”

Amendment of
section 12.

5. In Section 12 of the principal Act, in sub-section (1) —

(i) after clause (iii), the following new clause shall be inserted, namely: —

“(iiia) prominently display, at the entrance or in the public waiting area, the Charter of Patients’ Rights as may be notified

by the Central Government, in the official language of the State and in English, and in a format that is accessible to persons with disabilities;” and

(ii) after clause (iv), the following proviso shall be inserted, namely: —

“Provided that every clinical establishment shall, at the time of registration and renewal, be classified under one of the four categories specified in section 13 and such classification shall determine the extent of compliance required with respect to standards, documentation, registration fee, and frequency of inspections, in such manner as may be prescribed.”

6. After section 12 of the principal Act, the following new section shall be inserted, namely: —

“12A. (1) Every clinical establishment shall mandatorily register on the Health Facility Registry maintained under the Ayushman Bharat Digital Mission and obtain a Unique Health Facility Identifier.

(2) Every clinical establishment shall maintain electronic health records and ensure real-time, secure, and interoperable data sharing with the national health information architecture as per the standards and protocols as may be prescribed by the Central Government.”

7. In section 13 of the principal Act, for sub-section (1), the following shall be substituted, namely: —

“(1) Clinical establishment of different systems shall be classified and notified by the Central Government into the following categories for the purpose of proportionate registration, regulation, compliance and inspection: —

(i) Category A – Multi-speciality hospitals with more than one hundred inpatient beds;

(ii) Category B – Medium hospitals and nursing homes with thirty to one hundred beds;

(iii) Category C – Small clinics, maternity homes, or nursing homes with up to twenty-nine beds;

(iv) Category D – Standalone diagnostic centres, imaging laboratories, and single-speciality outpatient clinics:

Provided that the Central Government may, from time to time, prescribe such new categories or make changes in the categories above, as may be required.”

8. In section 24, the following proviso shall be inserted, namely:-

“Provided that such application shall also be accompanied by documentary proof of registration on the Ayushman Bharat Digital Mission platform and the corresponding Unique Health Facility Identifier and a self-declared statement of compliance with digital health standards and minimum requirements for infrastructure, personnel, and record-keeping, as applicable to the category of the establishment.”

9. In section 33 of the principal Act, after sub-section (1), the following new sub-section shall be inserted, namely:-

“(1A) The authority in exercise of the powers conferred under sub-section (1) shall conduct an inspection of every registered clinical establishment at least once in every two years and the report of such

Insertion of new section 12A.

Integration with the Ayushman Bharat Digital Mission.

Amendment of section 13.

Amendment of section 24.

Amendment of section 33.

inspection shall be finalised and uploaded on the official website of the State Council within ninety days from the date of inspection, in a format accessible to the public.”

Amendment of section 39.

10. For section 39 of the principal Act, the following shall be substituted, namely: —

“39. The Central Government shall maintain in digital format an All India Register to be called as the National Register of clinical establishments that shall be an amalgam of the State Register of clinical establishments maintained by the State Governments and shall cause the same to be published in digital format on an online portal providing public access thereto:

Provided that such portal shall enable users to conduct category-wise, location-wise, and service-specific searches, and download updated information relating to the registration and compliance data of all registered clinical establishments in the country.”

Insertion of new Chapter VA.

11. After section 46 of the principal Act, the following new Chapter VA containing new sections 43A to 43E shall be inserted, namely: —

CHAPTER VA

GRIEVANCE REDRESSAL MECHANISM

Constitution of District Grievance Redressal Committees (DGRCs).

“43A. (1) Every State Government shall establish a District Grievance Redressal Committee in each revenue district, which shall consist of —

(a) a retired District Judge or a retired senior civil service officer — Chairperson;

(b) a nominee of the State Health Department, to be nominated by the State Government in such manner as may be prescribed — Member;

(c) a representative from a registered civil society organisation with domain experience in healthcare, to be appointed by the State Government in such manner as may be prescribed — Member;

(d) a representative from a registered civil society, to be appointed by the State Government in such manner as may be prescribed - Member; and

(e) a medical expert possessing not less than fifteen years of professional experience and reputation for clinical ethics, to be appointed by the State Government in such manner as may be prescribed — Member.

(2) Any person may file a written complaint against a registered clinical establishment for contravention of the provisions of this Act before the Committee in such form and manner as may be prescribed.

43B. The Committee shall have the jurisdiction to receive, inquire into, and adjudicate complaints pertaining to —

(i) denial of emergency medical treatment or stabilization in accordance with the provisions of this Act;

(ii) overcharging or non-transparency in billing;

(iii) medical negligence;

(iv) refusal to discharge patients or release medical documents without valid reason;

(v) violation of the Charter of Patients’ Rights; and

(vi) any other breach of the provisions of this Act.

Jurisdiction and powers of the Committee.

43C. The Committee, shall upon inquiry into a complaint and after giving the concerned clinical establishment a reasonable opportunity of being heard, issue written orders including, but not limited to —

(i) refund of unauthorised charges;

(ii) imposition of warnings or compliance directions;

(iii) recommendation for disciplinary action against guilty persons; and

(iv) recommendation for prosecution or imposition of penalty under section 42 of the Act.

43D. (1) Any person aggrieved by an order of the Committee prefer an appeal to the State Council of Clinical Establishments within a period of thirty days from the date of receipt of such order, in such form and manner as may be prescribed.

(2) The decision of the State Council shall be final and binding, and shall not be called in question in any court except by way of a petition under article 226 or 32 of the Constitution before the High Court having jurisdiction or the Supreme Court, as the case may be.

43E. (1) Every State Government shall, after due appropriation made by the State Legislature by law in this behalf, allocate a separate budgetary head for the constitution, functioning, and administrative maintenance of the Committee in that State.

(2) Each Committee shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(3) The accounts of the Committee, as audited and certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Committee to the State Government, which shall cause the same to be laid, as soon as may be after it is received, before the Legislature of that State, where it consists of one House, or where it consists of two Houses, before both Houses of the Legislature.

43F. (1) Each Committee shall submit an annual report containing data on complaints received, disposed of, pending, and actions taken, to the State Health Department, in such form and manner as may be prescribed, which shall publish the same on its website in such manner so as to facilitate easy public access.

(2) The State Government shall cause the report under subsection (1), as soon as may be after it is received, to be laid before the Legislature of that State, where it consists of one House, or where it consists of two House, before both Houses of the Legislature.”

Reliefs and directions.

Appeal mechanism.

Funding, Accounts and Audit.

Annual Report.

STATEMENT OF OBJECTS AND REASONS

The Clinical Establishments (Registration and Regulation) Act, 2010 was enacted to provide a framework for mandatory registration of clinical establishments and to prescribe minimum standards for their functioning. However, over a decade later, several deficiencies persist in its implementation, especially with respect to standardisation, digital compliance, enforcement, and grievance redressal. In India, private health facilities largely remain unregistered under the Act, particularly in non-participating states, leading to regulatory fragmentation and unmonitored healthcare practices.

In light of rapid growth in private healthcare, rising patient grievances, and the digital transformation under the Ayushman Bharat Digital Mission (ABDM), this Amendment Bill seeks to strengthen the principal Act by introducing categorisation of clinical establishments, digital registration mandates, and real-time integration with ABDM's Health Facility Registry. Further, it seeks to define and enforce minimum standards for infrastructure, personnel, infection control, and patient rights compliance tailored to the scale and function of each facility, ensuring proportionate regulation for both small clinics and large hospitals.

One of the persistent challenges in healthcare delivery is lack of transparency and accountability. Patients frequently face issues of overcharging, denial of emergency services, and inadequate care standards. The Bill proposes the constitution of District Grievance Redressal Committees (DGRCs) to provide timely, decentralised adjudication of patient complaints, with representation from legal, medical, and civil society domains. These Committees are empowered to recommend disciplinary action and refunds, ensuring an institutional mechanism for accountability and trust-building in healthcare.

Additionally, the Bill proposes public disclosure of inspection reports and a searchable national register, enabling citizens to make informed choices. With India's healthcare ecosystem increasingly dependent on private clinical establishments, there is an urgent need for a uniform, enforceable, and tech-enabled regulatory regime. This Amendment Bill responds to that need by aligning the Act with digital health reforms, promoting patient-centric governance, and empowering state authorities with tools for effective compliance monitoring and redressal.

Hence, this Bill.

SANJAY SETH.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides that the Central Government may incentivise the adoption and implementation of this Act in non-participating States through financial grants, capacity-building assistance, digitisation infrastructure, and other technical support.

The Bill, therefore, if enacted, would involve both recurring and non-recurring expenditure from the Consolidated Fund of India. However, it is not possible to estimate the exact quantum of recurring and non-recurring expenditure likely to be involved at this stage.

XVI

BILL No. LXVI of 2025

A Bill to provide for mandatory insurance and compensation for death or disability of farmers and agricultural workers caused during agricultural activities, leveraging digital tools, safety incentives, and public-private partnerships, and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Kisan Jeevan Suraksha evam Durghatna Pratipurti Adhiniyam, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “agricultural accident” means any sudden, unforeseen event caused due to external, violent, machinery-related, or chemical exposure or any other cause, as may be specified from time to time by the Authority, during agricultural work resulting in death of or physical injury to a farmer;

(b) “agricultural activity” means sowing, harvesting, irrigation, use of agricultural machinery, pesticide spraying, handling of animals, transport of produce, borewell/boring related activities, and such other allied activities directly related to farming or cultivation, as may be prescribed;

(c) “Authority” means the National Agricultural Risk Insurance Authority established under section 3;

(d) “farmer” means any person engaged in agricultural activities, including agricultural labourers, tenant farmers, sharecroppers, and unregistered workers engaged in the agricultural sector or agricultural activities and such other category of persons as the Central Government may, by notification, specify;

(e) “Fund” means the National Farming Risk Insurance Fund established under section 8;

(f) “prescribed” means prescribed by rules made under this Act; and

(g) “Scheme” means the National Farming Risk Insurance Scheme framed and notified under section 6.

CHAPTER II

NATIONAL AGRICULTURAL RISK INSURANCE AUTHORITY

Establishment of the National Agricultural Risk Insurance Authority.

3. **(1) The Central Government shall, by notification in the Official Gazette, establish an authority to be known as the National Agricultural Risk Insurance Authority to exercise the powers conferred on, and to perform the functions assigned to it under this Act.**

(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold, and dispose of property, and to sue or be sued.

(3) **The headquarter of the Authority shall be at New Delhi.**

(4) **The Authority may establish regional and state-level offices in consultation with the respective State Governments, at such other places as deemed necessary.**

Composition of the Authority.

4. **(1) The Authority shall consist of:**

(a) **a person having at least twenty five years of experience in public health, agriculture, or insurance, to be appointed by the Central Government in such manner as may be prescribed — Chairperson;**

(b) **the Secretary to the Government of India in the Ministry of Agriculture and Farmers’ Welfare — Member *ex-officio*;**

(c) **the Secretary, to the Government of India in the Department of Financial Services — Member *ex-officio*;**

(d) **the Chairperson of the Insurance Regulatory and Development Authority of India — Member *ex-officio*;**

(e) one representative from a public sector general insurance company, to be appointed by the Central Government in such manner as may be prescribed — Member;

(f) two representatives of farmers, from different agro-climatic zones, to be appointed by the Central Government in such manner as may be prescribed, out of which one shall be a woman — Members;

(g) two representatives of the State Governments, to be appointed by the Central Government in such manner as may be prescribed, out of which one shall be from a climate-vulnerable district — Members;

(h) one expert in the field of occupational safety and health, to be appointed by the Central Government in such manner as may be prescribed — Member;

(i) one representative of agricultural cooperatives, to be appointed by the Central Government in such manner as may be prescribed — Member; and

(j) one representative of organisations or associations of the Indian diaspora with expertise in insurance or agriculture, to be appointed by the Central Government in such manner as may be prescribed — Member.

(2) The Central Government shall ensure gender, regional, and sectoral diversity in the composition of the Authority.

(3) The Central Government shall, from time to time, appoint such number of officers and staff to the Authority, as may be required to assist it in its efficient functioning, in such manner as may be prescribed.

(4) The term of office of the Chairperson and Members of the Authority other than the *ex-officio* Members as well as the salary and allowances payable to, and other terms and conditions of service of the Chairperson, Members, officers and staff of the Authority shall be such as may be prescribed.

(5) The Authority shall have the power to regulate its own procedure.

5. The Authority shall, perform all or any of the following functions, namely,—

Functions of the Authority.

(a) administer the National Farming Risk Insurance Scheme framed under section 6 for the purpose of providing mandatory insurance and compensation in the case of death or disability from agricultural accidents to farmers, while carrying out agricultural activities;

(b) establish and maintain a National Digital Registry of farmers, in such manner as may be prescribed, by integrating records and data of the Pradhan Mantri Kisan Samman Nidhi scheme and the records of the State Governments;

(c) collaborate with public and private insurers to design affordable, risk-based insurance products;

(d) develop and deploy on their website, a blockchain-based Public Dashboard for real-time tracking of insurance coverage, claims, and payouts, in such manner as may be prescribed;

(e) conduct awareness campaigns *via* mobile apps, *Kisan Bima Pathshalas*, cooperatives and such other means, as may be deemed fit, to achieve the target of eighty per cent. farmer outreach by the year 2027;

(f) formulate and conduct safety training programs for farmers to minimize agricultural accidents and issue certificates to farmers on successful completion of such programs, in such form and manner as may be prescribed, which will entitle them to discounts in insurance premium, as prescribed;

(g) monitor claims processing, ensuring ninety per cent. disbursement within forty-five days of filing of claim;

(h) recommend policy changes for ensuring better safety of farmers based on the National Agricultural Injury Database, to be maintained in such form and manner as may be prescribed;

(i) coordinate with Pradhan Mantri Fasal Bima Yojana, Pradhan Mantri Suraksha Bima Yojana, and other related schemes of State Governments for synergy;

(j) facilitate diaspora-sponsored funding and expertise for Scheme sustainability, in such form and manner as may be prescribed; and

(k) such other functions as may be required for implementing the provisions of this Act or as assigned to it by the Central Government, from time to time.

CHAPTER III

NATIONAL FARMING RISK INSURANCE SCHEME

National Farming
Risk Insurance
Scheme.

6. **(1) The Central Government shall, by notification in the official Gazette, frame an insurance scheme to be called the National Farming Risk Insurance Scheme for the purpose of providing mandatory insurance and compensation to farmers in accordance with the provisions of this Act, in such manner as may be prescribed.**

(2) Every farmer shall be mandatorily covered under the Scheme, unless such farmer opts out therefrom in writing in such form and manner as may be prescribed.

(3) The insurance benefits under the Scheme shall include, but not be limited to, —

(a) an amount of twenty-five lakh rupees in the event of death due to an agricultural accident;

(b) an amount not exceeding ten lakh rupees in the event of permanent disability, based on an assessment and certification by the prescribed medical board; and

(c) an amount not less than one lakh rupees and not exceeding two lakh rupees in the event of partial disability, based on severity.

(4) The Central Government and the State Governments shall have concurrent liability for payment of premiums for the Scheme in the following ratio, namely—

***(a)* sixty per cent. by the Central Government; and**

***(b)* forty per cent. by the State Governments.**

(5) The premiums shall be risk-based, with discounts upto twenty per cent. for farmers who have been issued certificates on successful completion of safety training programs, in such manner as may be prescribed.

(6) The coverage under the Scheme shall be integrated with Pradhan Mantri Kisan Samman Nidhi scheme for automatic enrollment, in such manner as may be prescribed.

7. (1) Every claim under the Scheme shall be filed within one hundred and twenty days of the occurrence of the agricultural accident through such mobile applications, local nodal officer, or cooperative society and in such form and manner as may be prescribed.
- (2) The Authority established under section 3 of this Act shall cause every claim filed under sub-section (1) to be verified and processed within forty-five days, and if found to be admissible, not less than ninety per cent. of the insurance amount shall be disbursed electronically to the farmer's bank account or to his nominee, as the case may be.
- (3) Any dispute relating to the disbursement of a claim shall be placed before a Grievance Redressal Committee constituted by the Authority with such composition and in such manner as may be prescribed:
- Provided that the Grievance Redressal Committee shall include farmer and women representatives and shall resolve disputes within thirty days of reference of the same to it.
- (4) The Authority shall conduct random audits through such independent agency as may be prescribed, to ensure transparency.

Claim process under the Scheme.

CHAPTER IV

GOVERNANCE AND FINANCE

8. (1) **With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act, a Fund to be called as the National Farming Risk Insurance Fund.**
- (2) **The Fund shall be administered by the Authority under the supervision and control of the Central Government and there shall be credited thereto: —**
- (a) any sums of money paid by the Central and State Governments as premiums under sub-section (4) of section 6;
- (b) any sums provided by the Central Government to carry out the purposes of this Act;
- (c) grants, donations and other contributions including diaspora-sponsored funds approved by the Central Government; and
- (d) such other sums as may be specified from time to time.
9. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Authority, for carrying out the purposes of this Act.**
10. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.
- (2) The accounts of the Authority, as audited and certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Authority to the Central Government, which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.
11. (1) The Authority shall prepare every year, in such form and within such time as may be prescribed by the Central Government, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government.
- (2) The Central Government shall, as soon as may be after its receipt, cause to be laid before each House of Parliament, the annual report along with a

National Farming Risk Insurance Fund.

Central Government to provide funds.

Accounts and audit.

Annual report.

memorandum of action taken or proposed to be taken on the recommendations of the Authority and the reasons, if any, for non-acceptance of the recommendations made therein.

(3) Where the report or any of part thereof relates to any matter with which any State Government is concerned, the Authority shall forward a copy of such report or part thereof to the concerned State Government, who shall in turn, as soon as may be after its receipt, cause it to be laid before each House of State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House, along with an explanatory memorandum on the action taken or proposed to be taken on the recommendation(s) related to the State, and reasons, if any, for not accepting any of the recommendation(s) made therein.

CHAPTER V

MISCELLANEOUS

Power to make rules.

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

(2) Every rule 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 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.

Protection of action taken in good faith.

- 13.** No suit or prosecution shall lie against the Authority or its members for actions taken in good faith.

Power to remove difficulties.

- 14.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Act not in derogation and to supplement other laws.

- 15.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act.

STATEMENT OF OBJECTS AND REASONS

Agriculture remains the primary occupation for nearly forty-six per cent. of India's population, yet it continues to be one of the most hazardous professions in the country. Every year, it is estimated that between ten thousand to fifteen thousand fatalities and tens of thousands of non-fatal injuries occur during the performance of agricultural activities, including manual harvesting, pesticide spraying, operation of heavy machinery, working with animals, and exposure to environmental risks such as extreme heat or flooding. These agricultural accidents not only result in tragic loss of human lives but also often plunge already vulnerable rural families into cycles of poverty, indebtedness, and social insecurity.

Despite the existence of government initiatives such as the Pradhan Mantri Fasal Bima Yojana (PMFBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY), these schemes either focus on crop loss or provide minimal generic accident coverage and do not adequately address occupational risks unique to farming. Moreover, participation in these schemes is largely voluntary and suffers from lack of awareness, access, and affordability, particularly for small and marginal farmers. The absence of a dedicated institutional mechanism for compensating agricultural injuries and fatalities constitutes a glaring gap in India's rural social protection architecture.

This Bill seeks to address that gap by establishing a National Agricultural Risk Insurance Authority (NARIA), which is a statutory, autonomous body tasked with designing, implementing, and overseeing a comprehensive, affordable, and mandatory accident insurance scheme for farmers and agricultural workers. The scheme proposed under this legislation ensures compensation of: twenty five lakh rupees in the event of death, ten lakh rupees for permanent disability, and one-two lakh rupees for partial disability, to the affected individual or their nominated family member. The Bill mandates universal coverage for all registered agricultural workers and farmers, with the premium subsidized jointly by the Central Government (sixty per cent.) and State Governments (forty per cent.). Premium waivers may also be extended to small and marginal farmers, women-headed households, and those in climate-vulnerable regions. To ensure transparency, credibility, and timely compensation, the Authority shall deploy digital governance tools, including geo-tagged registration, blockchain-based verification, and a real-time claims management dashboard accessible *via* mobile devices. In addition, the Authority shall institutionalize farmer safety education, first-aid training, and risk awareness programs, and may collaborate with diaspora experts in agricultural technology and occupational health.

The Bill aligns with the vision of Doubling Farmers' Income, one of the objectives of Atmanirbhar Bharat, and the constitutional mandates under Articles 21, 41, and 47. It also supports India's commitment to the Sustainable Development Goals, particularly SDG 1 (No Poverty), SDG 3 (Good Health and Well-being), and SDG 8 (Decent Work and Economic Growth). Above all, the legislation aims to embed social justice, human dignity, and financial security into the heart of Indian agriculture, ensuring that the risk of farming is not borne solely by the farmer, but collectively mitigated by the State and society.

Hence, this Bill.

SATNAM SINGH SANDHU.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the National Agricultural Risk Insurance Authority, while clause 4 provides for its composition and for the appointment of officers and staff thereto to assist it in the efficient discharge of its functions as well as for the salaries, allowances and service conditions of the Chairperson, Members, officers and staff of the Authority. Clause 5 sets out the functions of the Authority, including, *inter alia*, the establishment and maintenance of a National Digital Registry of farmers; development and deployment of Public Dashboard for real-time tracking of insurance coverage, claims and payouts; conduct of awareness campaigns and safety training programs for farmers. Clause 6 provides for the framing and notification of the National Farming Risk Insurance Scheme and sub-clause (4) thereof provides for concurrent liability of the Central and State Governments for payment of premiums for the Scheme. Clause 8 provides for the establishment of the National Farming Risk Insurance Fund for carrying out the purposes of this Bill and the amounts to be credited thereto including the manner thereof. Clause 9 of the Bill provides that the Central Government shall provide adequate funds to the Authority for carrying out the purposes of this Bill.

The Bill, therefore, if enacted, will involve expenditure both of recurring and non-recurring nature, from the Consolidated Fund of India. At this stage, though the exact expenditure cannot be determined, it is estimated that the non-recurring expenditure on infrastructure, digital platforms and training would amount to rupees three hundred crore, while the recurring expenditure on salaries, allowances, maintenance of digital systems, and premium liabilities under the Scheme would amount to rupees three thousand crore per annum.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 14 of the Bill empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules or orders will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XVII

Bill No. LXIX of 2025

A Bill to provide for the establishment of a statutory authority to mobilize the skills, talents, and resources of the Indian diaspora for national development, fostering knowledge transfer, investment, and innovation, and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Pravasi Bharatiya Kaushal evam Pratibha Prerak Adhiniyam, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

2. In this Act, unless the context otherwise requires,—
- (a) “Authority” means the Indian Diaspora Skills and Talent Authority established under section 3;
- (b) “Committee” means the Monitoring and Evaluation Committee to be set up by the Authority under section 11;
- (c) “Indian diaspora” or “diaspora” means Non-Resident Indians (NRIs), Persons of Indian Origin (PIOs), and Overseas Citizens of India (OCIs) residing abroad;
- (d) “prescribed” means prescribed by rules made under this Act;
- (e) “Public-Private Partnership” means collaboration between the Authority and private entities for diaspora engagement;
- (f) “skill mapping” means evaluation of the presence of skills, knowledge and key qualifications as well as domain expertise for different sectors; and
- (g) “skill mobilisation” means the engagement of diaspora expertise for knowledge transfer, investment, mentorship, and innovation.

CHAPTER II

THE INDIAN DIASPORA SKILLS AND TALENT AUTHORITY

Establishment of the Indian Diaspora Skills and Talent Authority.

3. (1) **The Central Government shall, by notification in the Official Gazette, establish an authority to be known as the Indian Diaspora Skills and Talent Authority to exercise the powers conferred on, and to perform the functions assigned to it under this Act.**
- (2) **The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold, and dispose of property, both movable and immovable, and to contract, and shall by the said name sue or be sued.**
- (3) **The headquarter of the Authority shall be at New Delhi.**

Composition of the Authority.

4. (1) **The Authority shall consist of the following Members —**
- (a) **a person having at least twenty-five years of experience in the field of public administration, diaspora engagement, or industry, to be appointed by the President of India by warrant under his hand and seal in consultation with the Central Government as Chairperson;**
- (b) **the Secretary to the Government of India in the Ministry of External Affairs — Member *ex-officio*;**
- (c) **the Secretary to the Government of India in the Ministry of Skill Development and Entrepreneurship — Member *ex-officio*;**
- (d) **one eminent person, belonging to the Indian diaspora, who is also a member of a global professional network, to be nominated by the Central Government in such manner as may be prescribed — Member;**
- (e) **two representatives from Indian industry associations such as the Confederation of Indian Industry or the Federation of Indian Chambers of Commerce and Industry, to be nominated by the Central Government in such manner as may be prescribed — Members;**

(f) one member having requisite expertise in the field of data science and digital platforms, to be appointed by the Central Government in such manner as may be prescribed — Member;

(g) one woman, belonging to the Indian diaspora with requisite expertise in the field of academia or technology, to be appointed by the Central Government in such manner as may be prescribed — Member;

(h) one person representing an Indian diaspora welfare organization, to be nominated by the Central Government in such manner as may be prescribed — Member; and

(i) one person, below forty years of age, representing young Indian diaspora professionals, to be appointed by the Central Government in such manner as may be prescribed — Member.

Provided that Members other than *ex-officio* Members shall have at least fifteen years of relevant professional experience and a demonstrable record of contribution to diaspora engagement or in their respective field, as may be prescribed.

Provided further that the Authority shall, as far as practicable, ensure gender and regional diversity in its composition, with at least one-third representation from each gender and adequate representation from different global regions.

(2) The Chairperson and non-*ex-officio* members shall hold office for a term of three years, from the date of entering upon their office, and shall be eligible for re-appointment for one more term not exceeding three years:

Provided that such re-appointment shall be subject to the recommendation of a Search and Selection Committee constituted for the purpose with such composition and on the basis of the performance review of the person being considered for re-appointment, to be conducted in such manner, as may be prescribed;

Provided that no person shall hold office as the Chairperson or a Member for more than two consecutive terms.

(3) The Central Government shall, from time to time, appoint such number of officers and staff to the Authority, as may be required to assist it in its efficient functioning, in such manner as may be prescribed.

(4) The method of recruitment and qualifications and experience for the officers and staff of the Authority as well as the salary and allowances payable to, and other terms and conditions of service of the Chairperson, Members, officers, and staff of the Authority shall be such as may be prescribed.

(5) The Authority shall have the power to regulate its own procedure.

5. The Authority shall, perform all or any of the following functions, namely,—

(a) develop and maintain, in such form and manner as may be prescribed, a centralized Diaspora Database, including therein registration of skills and professions of persons belonging to the Indian diaspora via Indian embassies or digital platforms, in compliance with the provisions of the Digital Personal Data Protection Act, 2023 and all relevant data privacy laws, rules and regulations, for the time being in force;

Powers and functions of the Authority.

(b) design and administer transparent incentive programs, including tax benefits, research grants, and housing subsidies, for diaspora professionals returning to the country, with publicly notified criteria and processes;

(c) establish a digital platform for mentorship, collaboration, and investment opportunities between diaspora and Indian stakeholders, in such form and manner as may be prescribed;

(d) issue Diaspora Bonds, subject to compliance with the provisions of the Reserve Bank of India Act, 1934; the Securities and Exchange Board of India Act, 1992; and the Foreign Exchange Management Act, 1999 and all relevant rules and regulations, for the time being in force and ensure risk management, transparency of use, and investor protection;

2 of 1934.
15 of 1992.
42 of 1999.

(e) facilitate reintegration programs, including skill certification and professional placement for members of the Indian diaspora, returning to the country;

(f) collaborate with international organizations and host countries for mutual recognition of qualifications, referencing relevant international conventions and bilateral agreements;

(g) promote public-private partnerships for sector-specific skilling and innovation, with clear roles, obligations, and oversight mechanisms, and mandatory disclosure and management of conflicts of interest;

(h) make policy recommendations for performance-based funding for diaspora-led initiatives and other matters related to the effective implementation of this Act to the Central Government;

(i) establish consular services for skill mapping and certification;

(j) issue guidelines for data integrity, grievance redressal, and protection against recruitment malpractices;

(k) periodically monitor and evaluate the effectiveness of all incentive schemes and Public-Private Partnerships and publish its findings in the Annual Report; and

(l) such other functions as may be required for implementing the provisions of this Act or as are assigned to it by the Central Government, from time to time.

CHAPTER III

REGISTRATION IN DIASPORA DATABASE

6. (1) Every member of the Indian diaspora, shall, in such form and manner and within such time, as may be prescribed, get his name and skills, professional qualifications and such other particulars as may be specified, registered in the Diaspora Database to be maintained by the Authority, either through the diplomatic missions or embassies of India abroad or through such secure digital platform as may be notified.
- (2) Any person registered under sub-section (1) shall, subject to such conditions as may be prescribed, be eligible for priority access to incentive programs, professional networking, and reintegration support, in such manner as may be prescribed:

Registration
and data
integrity.

Provided that persons, who are not registered under sub-section (1) shall not be eligible for benefits under this sub-section and as prescribed by rules made under this Act.

(3) All collection, storage, and processing of data under this Act shall strictly comply with the provisions of the Digital Personal Data Protection Act, 2023, and any other relevant law, rules and regulations, for the time being in force.

(4) Whoever, for the purpose of registration under this section, furnishes, false or misleading data to the Authority, shall be liable to such penalty as specified under section 15, including exclusion from incentive programs, under sub-section (2).

CHAPTER IV

INCENTIVES AND DIASPORA BONDS

7. (1) The Central Government shall, immediately after commencement of this Act, notify transparent processes and criteria for the award of incentives referred to under sub-section (1) of section 6, including but not limited to financial benefits, housing subsidies, and research grants to eligible applicants, in such manner as may be prescribed.

Incentive administration.

(2) All applications submitted for award of such incentives, in such form and manner as may be prescribed, shall be processed by the Authority in a time-bound and fair manner, with reasons for acceptance or rejection thereof, to be communicated to the applicant in writing:

Provided that an applicant aggrieved by the decision of the Authority may prefer an appeal to the Appellate Authority as provided under section 16.

(3) The Authority shall establish an online portal accessible to the general public for tracking the status of incentive applications and appeals preferred under section 16.

8. (1) The Authority may, with the prior approval of the Central Government, issue Diaspora Bonds in such form and manner and subject to such terms and conditions as may be prescribed, for specific infrastructure and innovation projects, under this Act as may be determined by the Authority, in compliance with the provisions of the Reserve Bank of India Act, 1934; the Securities and Exchange Board of India Act, 1992; the Foreign Exchange Management Act, 1999 and all relevant rules and regulations made thereunder, for the time being in force.

Diaspora Bonds.

(2) The Authority shall ensure robust risk management, transparency in investment utilization, and investor protection mechanisms, including timely disclosure of project progress, financial statements and such other safeguards as may be prescribed.

CHAPTER V

PUBLIC-PRIVATE PARTNERSHIPS AND INTERNATIONAL COLLABORATION

9. (1) All Public-Private Partnerships undertaken for the purposes of this Act shall be governed by a framework to be notified by the Authority, in such form and manner, as may be prescribed, specifying the roles, obligations, oversight, performance benchmarks and such other matters as may be required.

Public-Private Partnerships.

22 of 2023.

2 of 1934.

15 of 1992.

42 of 1999.

(2) Every party to a Public-Private Partnership shall, in such form and manner and within such time as may be prescribed, disclose any actual or potential conflicts of interest, which shall be managed as per the rules made under this Act.

(3) Every organization, which seeks to engage with the Indian diaspora for the purpose of investment or collaboration shall comply with such standards as may be laid down by regulations made by the Authority in this regard.

(4) The Authority shall, within at the end of each financial year, publish an annual summary of all Public-Private Partnerships, including performance and compliance status, and such annual summary shall form part of the Annual Report of the Authority.

International collaboration and qualification recognition.

10. (1) The Authority may, in consultation with the Central Government, collaborate with Governments of other countries and international institutions in accordance with diplomatic protocols and Indian foreign policy, to facilitate diaspora engagement and mutual recognition of professional and academic qualifications.

(2) The Authority shall develop and notify, in such form and manner as may be prescribed, clear frameworks for such qualification recognition, referencing relevant international conventions and bilateral agreements.

CHAPTER VI

GOVERNANCE AND FINANCE

Monitoring and Evaluation Committee.

11. (1) The Authority shall set up, in such manner as may be prescribed, an independent Monitoring and Evaluation Committee, consisting of Members of the Authority, to periodically review the effectiveness, transparency, and impact of all incentive schemes and Public-Private Partnerships.

(2) The findings of the Committee constituted under sub-section (1) shall be published in the Annual Report and made available on the Authority's website.

Funds of the Authority.

12. (1) **The Central Government shall, after due appropriation made by Parliament by law in this behalf, grant such sums of money to the Authority, as it may think fit, for carrying out the purposes of this Act.**

(2) The Authority may receive grants, donations, and other contributions, including consultancy income with the approval of the Central Government, subject to compliance of the provisions of the Foreign Contribution (Regulation) Act, 2010 and all applicable laws, rules and regulations for the time being in force, as well as amounts accrued on account of monetary penalties imposed for offences under the Act.

42 of 2010.

Audit of accounts.

13. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority, as audited and certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Authority to the Central Government, which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.

Annual report.

14. (1) The Authority shall prepare at the end of every calendar year, an annual report giving a true and full account of its activities during the previous year, detailing diaspora engagement outcomes, skill mobilization trends,

policy recommendations, annual summary of Public-Private Partnerships under sub-section (3) of section 9, findings of the Committee under sub-section (2) of section 11 etc. in such form as may be prescribed and copies thereof shall be forwarded to the Central Government.

(2) The Central Government shall, as soon as may be after its receipt, cause to be laid before each House of Parliament, the annual report along with a memorandum of action taken or proposed to be taken on the recommendation(s) of the Authority and the reasons, if any, for non-acceptance of the recommendation(s), made therein.

CHAPTER VII

OFFENCES, PENALTIES AND APPEAL

15. (1) Any person or an entity found to have willfully provided false or misleading data to the Authority or contravened or attempted to contravene or abetted the contravention of any of the provisions of the Act or any rules or regulations made thereunder, shall be liable to penalties which may include,—

Penalty
mechanism.

(a) exclusion from all incentive programs for a period not less than three years, in such manner as may be prescribed;

(b) a monetary penalty which may extend upto five lakh rupees in the case of individuals and fifty lakh rupees in the case of entities or organizations:

Provided that the quantum of penalty to be imposed shall be determined by the Authority based on the nature and gravity of the offence or contravention, as the case may be, by rules made under this Act.

(c) blacklisting from participation in any incentive scheme or programme under this Act for a period which may extend to ten years, in case of repeated or egregious violation.

- (2) No penalty shall be imposed under sub-section (1) without giving the accused party, —

(a) a written notice of the grounds on which the penalty is proposed to be imposed;

(b) a reasonable opportunity of being represented and heard;

(c) without establishing beyond doubt the offence for which the penalty is proposed to be imposed:

Provided that the order imposing a penalty shall be a speaking order clearly recording in writing the reasons for imposition of the penalty.

16. (1) Any person or entity aggrieved by an order, decision or action of the Authority under this Act, may, prefer an appeal in such form and manner and within such time as may be prescribed, to such Appellate Authority, as may be established by the Central Government by rules made under this Act, within such period from the date of filing of the appeal, as may be prescribed:

Appeals.

Provided that the Appellate Authority may, for reasons to be recorded in writing, extend the period of filing of appeal by such further period as may be prescribed.

(2) The Appellate Authority shall, after giving the appellant a reasonable opportunity of being heard and after making such inquiry as it deems fit, pass such speaking order thereon, as it considers appropriate, and every such order shall state clearly in writing the reasons therefor.

(3) The order of the Authority made under sub-section (2) shall be final and shall not be called in question in any court or before any other authority, save as otherwise provided in this Act or the rules made thereunder.

Offences by
companies.

17. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that Offences by companies, he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— For the purposes of this section,—

(a) “company” means anybody corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

Offences by
society, trust and
institutions.

18. (1) Where an offence under this Act has been committed by a society or trust or agency or institution, every person who at the time the offence was committed was in charge of, and was responsible to, the society or trust or agency or institution for the conduct of the business of the society or trust or university, as well as the society or trust or agency or institution, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a society or trust or agency or institution and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any governors, vice-chancellor, directors, committee, trustees, registrar or other officer, such governors, directors, committee, trustees, registrar or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER VIII

MISCELLANEOUS

19. (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.
- (2) The Authority may, with the approval of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purposes of implementing the provisions of this Act.
- (3) 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 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. No suit or prosecution or other legal proceedings shall lie against the Authority or its members for actions taken in good faith in pursuance of this Act or of any rules or orders made thereunder. Protection of action taken in good faith.
21. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any other law for the time being in force. Act to override other laws.
22. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty. Power to remove difficulties.
- (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

India has the largest diaspora population in the world, with over 18 million Indians living abroad, spanning diverse regions and professions from science, medicine, technology, education, and engineering to entrepreneurship, diplomacy, and the arts. In 2023 alone, the Indian diaspora contributed an estimated \$119.5 billion in remittances, making it a critical pillar of India's economic resilience and foreign exchange stability. Yet, despite its vast size, influence, and goodwill, India currently lacks a structured national framework to map, coordinate, and mobilise the skills, expertise, and institutional capital of its global Indian community for the country's developmental priorities.

This Bill seeks to fill that policy void by establishing the Indian Diaspora Skills and Talent Authority, a statutory and autonomous institution mandated to identify, register, and engage diaspora professionals spread across various countries and sectors through a centralized digital Diaspora Database, structured incentive programs, and institutional partnerships. The Authority will serve as a single-window mechanism to enable strategic collaboration between diaspora individuals and Indian stakeholders, including government departments, Universities, startups, hospitals, think tanks, and civil society organizations.

The Authority will also be empowered to facilitate return migration incentives for high-skill professionals, issue diaspora bonds for infrastructure and innovation financing, and launch fellowships, sabbaticals, and mentorship schemes that foster sustained engagement. These interventions shall be aligned with India's long-term national missions such as Viksit Bharat @2047, Make in India, Digital India, and Atmanirbhar Bharat, thereby contributing directly to economic growth, skill transfer, technology absorption, and global competitiveness.

The design of this Authority draws inspiration from international best practices. Ireland's "Global Irish Network", China's "Thousand Talents Plan", and the Philippines' "Balik Scientist Program" have all demonstrated that structured diaspora engagement enhances innovation ecosystems and accelerates national progress. Similarly, several states in India (*e.g.*, Kerala, Gujarat, Punjab) have shown localised success in engaging their diaspora, but a national platform is essential to scale these efforts and avoid fragmentation.

Crucially, the Authority will recognise the diversity of India's diaspora, across generations, geographies, professions, and aspirations, by offering customized modes of engagement, including virtual collaboration, short-term visits, long-term placements, and philanthropic or advisory roles. It will ensure data-driven planning, inter-ministerial coordination, and global outreach through India's missions abroad.

The Bill incorporates international best practices in data protection, financial regulation, and public-private partnership governance, and provides for robust compliance, grievance redressal, and transparency mechanisms to ensure that the mobilization of diaspora skills and resources is ethical, effective, and in the national interest.

In an era of brain circulation rather than brain drain, the Indian diaspora is no longer just a sentimental asset but a strategic force multiplier for India's rise as a global knowledge power, economic powerhouse, and diplomatic leader. Harnessing their expertise systematically and ethically is no longer optional, it is imperative.

Hence, this Bill.

SATNAM SINGH SANDHU.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the Indian Diaspora Skills and Talent Authority whereas clause 4 provides for the composition of the Authority, the appointment of officers and staff to assist the Authority, the salaries and allowances payable to as well as other terms and conditions of service of the Chairperson, Members and officers and staff thereof. Clause 5 sets out the functions of the Authority, including *inter alia* development and maintenance of a centralized Diaspora Database, designing and administering of incentive programs, establishment of a digital platform for mentorship, collaboration and investments opportunities between diaspora and Indian stakeholders, facilitation of reintegration programs including skill certification and professional placement for returning diaspora, establish consular services for skill mapping and certification. Clause 7 provides that the Central Government shall make available adequate funds to the Indian Diaspora Skills and Talent Authority, as may be deemed necessary for carrying out the purposes of the Bill.

The Bill, therefore, if enacted, would involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. Though it is not possible at this stage to determine the exact expenditure likely to be incurred, an initial outlay of five hundred crore rupees is estimated for non-recurring expenditure towards infrastructure, digital platforms, and database setup. A recurring expenditure of one hundred and fifty crore rupees per annum is expected as recurring expenditure for operations, incentive programs, and international collaborations.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 19 empowers the Central Government to make rules and the Authority, with the approval of the Central Government, to make regulations for carrying out the purposes of this Bill. Clause 22 provides that the Central Government may make such order or give such direction, as may be necessary, for removing any difficulty to give effect to the provisions of this Bill.

As the orders or rules or regulations relate to the matters of procedural and administrative details only, the delegation of the legislative power is of a normal character.

XVIII**Bill No. LXVIII of 2025**

A Bill to provide for the establishment of a statutory authority for ranking and accreditation of higher educational institutions in the country, ensuring transparency, excellence, and alignment with national and global standards, and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the National Ranking and Accreditation Authority for Higher Educational Institutions Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

2. In this Act, unless the context otherwise requires,—
- (a) “accreditation” means the certification of a higher educational institution’s quality based on tiered levels as specified under this Act;
- (b) “Authority” means the National Ranking and Accreditation Authority established under section 3;
- (c) “higher educational institution” means any university, deemed university, college, or autonomous institution offering undergraduate, postgraduate, or research-level education, recognized by the University Grants Commission or any other regulatory body;
- (d) “prescribed” means prescribed by rules made under this Act;
- (e) “Public Dashboard” means a digital platform for transparent access to institutional performance data under clause (d) of section 5; and
- (f) “ranking” means the assessment and public placement of higher educational institutions based on customizable parameters such as academic quality, research output, employability, inclusivity, governance, and innovation.

CHAPTER II

THE NATIONAL RANKING AND ACCREDITATION AUTHORITY
FOR HIGHER EDUCATIONAL INSTITUTIONSEstablishment
of the National
Ranking and
Accreditation
Authority.

3. **(1) The Central Government shall, by notification in the Official Gazette, establish an authority to be known as the National Ranking and Accreditation Authority for Higher Educational Institutions to exercise the powers conferred on, and to perform the functions assigned to it under this Act.**

(2) The Authority shall be a body corporate, by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold, and dispose of property, both movable and immovable, and to contract and shall, by the said name, sue or be sued.

(3) The headquarter of the Authority shall be at New Delhi.

Composition of
the Authority.

4. **(1) The Authority shall consist of the following Members,—**
- (a) **a person having at least twenty five years of experience in the field of higher education or public administration, to be appointed by the President of India by warrant under his hand and seal in consultation with the Central Government, as Chairperson;**
- (b) **the Secretary to the Government of India in the Ministry of Education – Member *ex-officio*;**
- (c) **the Chairperson of the University Grants Commission—Member *ex-officio*;**
- (d) **one eminent Indian expert possessing global experience in education rankings, to be appointed by the Central Government in such manner as may be prescribed – Member;**
- (e) **two representatives from State Universities, out of which, one shall be from a rural or aspirational district, to be appointed by the Central Government in such manner as may be prescribed – Members;**
- (f) **one person having expertise in data science and blockchain technology, to be appointed by the Central Government in such manner as may be prescribed – Member;**

(g) one woman educationist from a Tier- II city or rural area to be appointed by the Central Government in such manner as may be prescribed – Member;

(h) one representative from an industry-academia partnership body such as Confederation of Indian Industry or the Federation of Indian Chambers of Commerce and Industry, to be nominated by the Central Government in such manner as may be prescribed – Member;

(i) one student representative from a recognized national student body to be nominated by the Central Government in such manner as may be prescribed – Member; and

(j) one employer representative from a sectoral industry body to be nominated by the Central Government in such manner as may be prescribed – Member;

Provided that the Central Government shall ensure gender, regional and sectoral diversity in the composition of the Authority.

(2) The Chairperson shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for reappointment for one more term:

Provided that no person shall hold office as Chairperson after attaining the age of seventy years.

(3) The Central Government shall, from time to time, appoint such number of officers and staff to the Authority, as may be required, to assist it in its efficient functioning, in such manner as may be prescribed.

(4) The salary and allowances payable to, and other terms and conditions of service of the Chairperson, Members, officers and staff as well as the term of office of the Members other than the *ex-officio* Members of the Authority shall be such as may be prescribed.

(5) The Authority shall have the power to regulate its own procedure.

5. The Authority shall, perform all or any of the following functions with respect to higher educational institutions in the country, namely, –

Powers and functions of the Authority.

(a) develop and publish in the Official Gazette annually a National Ranking Framework aligned with the National Education Policy, 2020, the Mission Statement of *Viksit Bharat 2047*, and globally recognized University rating systems and standards, in such manner as may be prescribed;

(b) accredit institutions using a five - tiered system, with first four Levels as Institutions of National Excellence and the fifth Level as Institutions of Global Excellence, in such manner as may be prescribed, and lay down standards, norms and policies for assessment of the academic quality in higher educational institutions for granting such accreditation;

(c) undertake periodical review of norms and policies referred to in clause (b);

(d) develop and maintain a blockchain-based Public Dashboard for real-time, tamper-proof access to rankings, accreditation status, and performance metrics of higher educational institutions;

Provided that any data processing done in this regard shall comply with the Digital Personal Data Protection Act, 2023, including audit trails for consent management, and provisions for data anonymization and opt-out consent for sensitive metrics;

(e) promote regional equity and innovation by designing context-specific metrics for institutions in rural and minority-serving areas, and aspirational districts;

(f) collaborate with international organizations for benchmarking and cross-border recognition;

(g) develop outcome-based metrics, including graduate employability, economic impact, and student engagement;

(h) recommend institutions to the Central Government for performance-based funding and incentives;

(i) issue guidelines for data integrity, including penalties for falsification, and establish a grievance redressal mechanism;

(j) provide customized rankings based on user priorities such as teaching, research, affordability;

(k) conduct risk-based assessments tailored to institutional type such as research universities, teaching colleges

(l) levy of fees or other charges as may be required under this Act;

(m) define, by rules made under this Act, the parameters for determining severity levels for penalties, proportionate to and differentiated according to the nature and gravity of the contraventions of the provisions of this Act, such as minor discrepancies, deliberate inaccuracies, or fraudulent manipulation; and

(n) make policy recommendations for improving the standards of higher educational institutions to the Central and State Governments, as may be required, from time to time;

(o) such other functions as may be required for implementing the provisions of this Act or as are assigned to it by the Central Government, from time to time.

CHAPTER III

OBLIGATION OF HIGHER EDUCATIONAL INSTITUTIONS FOR PARTICIPATION IN THE RANKING AND ACCREDITATION PROCESS

6. (1) Every higher educational institutions established, maintained or substantially financed by the Central Government, institutions of national importance and every University established by a State Government, either existing before commencement of this Act or established thereafter, shall mandatorily participate in the ranking and accreditation process conducted by the Authority, in such form and manner and within such time as may be prescribed:

Provided that a State University may, for reasons to be recorded in writing, seek exemption from such participation, subject to approval by the Authority.

- (2) Any private institution, may also apply for participation in the ranking and accreditation process conducted by the Authority in such form and manner as may be prescribed:

Provided that upon such application being accepted, the private institution shall comply with all standards as may be specified by or under this Act.

- (3) The Authority on receipt of applications under sub-sections (1) and (2), shall after satisfying itself of the level of compliance of the institution with the standards, norms and policies laid down under the Act and the rules and

Mandatory participation in the ranking and accreditation process.

regulations made thereunder, accord ranking and accreditation in accordance with the provisions of this Act and the rules and regulations made thereunder:

Provided that the ranking and accreditation accorded shall be subject to periodic review by the Authority to ensure continued compliance with the standards, norms and policies laid down under the Act and the rules and regulations made thereunder.

CHAPTER IV

OFFENCES, PENALTIES AND APPEAL

7. (1) Whoever contravenes or attempts to contravene or abets the contravention of the provisions of this Act or any rules or regulations made thereunder, shall be punishable with fine which may extend to ten lakh rupees:

Provided that the quantum of penalty to be imposed shall be determined by the Authority based on the severity level proportionate to and differentiated according to the nature and gravity of the contravention:

Provided further that no penalty shall be imposed without giving the concerned person or institution a reasonable opportunity of being heard and without establishing the nature and gravity of contravention beyond doubt.

Penalties and Appeal.

(2) Any higher educational institution aggrieved by the imposition of a penalty under this Act may prefer an appeal in such form and manner as may be prescribed, to such Appellate Authority, as may be established by the Central government by rules made under this Act, which shall dispose of the appeal within a period of sixty days from the date of its filing:

Provided that the Appellate Authority may, for reasons to be recorded in writing, extend period of filing of appeal by such further period as may be prescribed.

8. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

9. (1) Where an offence under this Act has been committed by a society or trust or agency or institution, every person who at the time the offence was committed was in charge of, and was responsible to, the society or trust or agency or institution for the conduct of the business of the society or trust or

Offences by society, trust and institutions.

university, as well as the society or trust or agency or institution, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a society or trust or agency or institution and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any governors, vice-chancellor, directors, committee, trustees, registrar or other officer, such governors, directors, committee, trustees, registrar or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER V

GOVERNANCE AND FINANCE

Funds of the Authority.

10. (1) **The Central Government shall, after due appropriation made by Parliament by law in this behalf, grant such sums of money to the Authority, as it may think fit, for carrying out the purposes of this Act.**

(2) The Authority may also receive grants, donations, and other contributions, including by way of consultancy service provided, with the approval of the Central Government and amounts accrued on account of fees, charges and monetary penalties imposed.

(3) The initial outlay and recurring expenditure shall be subject to review after five years from the date of commencement of this Act.

Accounts and Audit.

11. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority, as audited and certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Authority to the Central Government, which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.

Annual Report.

12. (1) The Authority shall prepare every year, in such form and within such time as may be prescribed by the Central Government, an annual report giving a true and full account of its activities during the previous year as well as the rankings and accreditation accorded, accreditation outcomes, performance trends, policy recommendations etc. and copies thereof shall be forwarded to the Central Government.

(2) The Central Government shall, as soon as may be after its receipt, cause to be laid before each House of Parliament, the annual report along with a memorandum of action taken or proposed to be taken on the recommendation(s) of the Authority and the reasons, if any, for non-acceptance of the recommendation(s) made therein.

(3) Where the report or any of part thereof relates to any matter with which any State Government is concerned, the Authority shall forward a copy of such report or part thereof to the concerned State Government, who shall in turn, cause it to be laid before each House of the State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House, along with an explanatory memorandum on the action taken or proposed to be taken on the recommendation(s) related to the State, and reasons, if any, for not accepting any of the recommendation(s) made therein.

CHAPTER VI

MISCELLANEOUS

- 13.** (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.
- (2) Every rule 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 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.
- 14.** No suit or other legal proceedings shall lie against the Authority or its members or its officers for actions taken in good faith in pursuance of this Act or of any rules, regulations or orders made thereunder. Protection of action taken in good faith.
- 15.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any other law for the time being in force. Act to override other laws.
- 16.** (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty. Power to remove difficulties.
- (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

India's aspiration to emerge as a global knowledge superpower by 2047 necessitates the creation of a credible, transparent, and statutory framework for evaluating the performance and potential of its higher educational institutions. At present, mechanisms like the National Institutional Ranking Framework (NIRF), while commendable, there is a need for a full-fledged legislation to regulate various aspects of the subject matter. Further, these frameworks are often not sufficiently aligned with international benchmarking standards such as QS World Rankings or Times Higher Education (THE), leading to underrepresentation of Indian institutions on the global stage.

This Bill seeks to address these systemic deficiencies by proposing the establishment of a National Ranking and Accreditation Authority (NRAA), which would be an independent, statutory body under the aegis of the Ministry of Education, that will serve as the single-point national authority for ranking, accrediting, and benchmarking all higher educational institutions across India. The Bill mandates compulsory participation for all centrally funded institutions, institutes of national importance, and State Universities, thereby ensuring universal applicability and comparability.

The proposed Authority will be empowered to develop a multi-dimensional, outcome-oriented ranking framework, incorporating parameters such as academic excellence, research output, industry linkages, employability of graduates, inclusivity, governance, innovation, and societal impact. It will promote regional equity by integrating special weightages for institutions in aspirational districts, Tier-2/Tier-3 cities, and minority-serving regions. The inclusion of blockchain-based data verification tools will significantly enhance data credibility and minimize manual intervention, while enabling third-party audits and full public transparency through digital dashboards.

The NRAA will also work in close collaboration with global ranking agencies, enabling Indian institutions to leapfrog onto international ranking platforms. Customizable ranking outputs, allowing stakeholders such as students, employers, and policymakers to prioritize different metrics, will make the rankings dynamic, inclusive, and user responsive. This will directly contribute to evidence-based policy reforms, performance-linked funding mechanisms, and student-centric decision-making, in line with the transformative vision of the National Education Policy (NEP) 2020.

In a time when global academic capital is increasingly mobile and competitive, the absence of a robust, data-driven, and outcome-aligned National Ranking Authority has become a critical policy gap. By filling this vacuum, the present Bill seeks to elevate India's global academic reputation, empower students with accurate information, hold institutions accountable, and incentivize excellence across the public and private spectrum of higher education.

Hence, this Bill.

SATNAM SINGH SANDHU.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the National Ranking and Accreditation Authority, while clause 4 provides for its composition and for the appointment of officers, and staff to the Authority to assist it in the efficient discharge of its functions as well as for the salaries, allowances and service conditions of the Chairperson, Members, officers and staff of the Authority. Clause 5 sets out the functions of the Authority, including, *inter alia*, to develop a blockchain-based Public Dashboard for real-time, tamper-proof access to rankings, accreditation status, and performance metrics. Clause 10 of the Bill provides that the Central Government shall provide funds to the Authority for carrying out the purposes of the Bill.

The Bill, therefore, if enacted, will involve expenditure, both of recurring and non-recurring nature from the Consolidated Fund of India. At this stage, though the exact expenditure cannot be determined, the non-recurring expenditure on infrastructure, blockchain technology and data systems is estimated to be rupees six hundred crore, while the recurring expenditure for operations, data verification, stakeholder engagement and international collaborations is estimated to be rupees two hundred crore per annum.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. Clause 16 of the Bill empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules or orders will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XIX**Bill No. LXXIV of 2025**

A Bill further to amend the National Commission for Women Act, 1990.

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

1. (1) This Act may be called the National Commission for Women (Amendment) Act, 2025.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Amendment of section 4.

2. In the National Commission for Women Act, 1990 (hereinafter referred to as the principal Act), in section 4, in sub-section (1), for the words “not exceeding three years”, the words “not exceeding five years”, shall be substituted.

20 of 1990.

Substitution of section 5.

3. In the principal Act, for section 5, the following shall be substituted, namely:—

Officers, experts and other employees of the Commission.

“5. (1) The Commission shall, for the efficient discharge of the functions of the Commission, create such number of regular and temporary posts in Groups ‘A’, ‘B’ and ‘C’ categories, as it may consider necessary.

(2) The regular posts so created under sub-section (1) shall be filled on deputation basis from amongst officers of the Central Government or State Governments possessing the requisite qualifications and experience, as may be prescribed.

(3) The Commission may fill short-term or project-based posts on contractual basis, from amongst persons possessing such qualifications and experience and in such manner as may be prescribed.

(4) The Commission may, for the purpose of providing technical or field-level inputs in specific areas relating to its mandate, engage, with the prior approval of the Central Government, field experts, consultants, or domain specialists, including field officers stationed in different regions of the country for on-site inspections, fact-finding and coordination with the State Commissions and local authorities, for a period not exceeding one year, which may be extended for a further period not exceeding one year, on such terms and conditions as may be prescribed.

(5) The Commission may, for the effective implementation of its programmes and for undertaking studies, outreach or capacity-building activities, collaborate or enter into arrangements with non-governmental organisations, civil society groups, research institutions, or professional associations working in the field of women’s rights and empowerment, as may be deemed necessary.

(6) The officers, experts, consultants and employees appointed to or engaged with the Commission shall be governed by the Central Civil Services Rules and such other service conditions including salary structure and allowances, as may be notified by the Central Government from time to time.

(7) The Commission shall have an Investigative Wing, comprising officers on deputation from the police and other law enforcement agencies under the Central Government, which shall assist the Commission in conducting inquiries and investigations and for coordination with the State Police and other authorities for the effective implementation of its directions.”

Amendment of section 10.

4. In the principal Act, in section 10:—

(i) in sub-section (1), after clause (m), the following new clause shall be inserted, namely:—

“(ma) utilise funds, including allocations made from the Nirbhaya Fund or any other special purpose fund, constituted or established for providing relief, rehabilitation, legal aid, counselling or other assistance to victims of violence against women, in such manner as may be prescribed;”

(ii) after sub-section (3), the following new sub-section shall be inserted, namely:—

“(3A) Where any recommendation, report or communication is made by the Commission to any State Government, the Chief Secretary of that State shall, within seventy-two hours of receipt thereof, acknowledge the same and indicate —

(a) the action taken or proposed to be taken on such recommendation, report or communication, as the case may be; and

(b) the likely time-frame for completion of such action:

Provided that where immediate action is not possible for reasons to be recorded in writing, the Chief Secretary shall communicate such reasons to the Commission within the time-frame under clause (b).”

(iii) after sub-section (4), the following new sub-sections shall be inserted, namely:—

“(5) Every proceeding conducted by the Commission in the exercise of its powers under sub-section (4) shall be deemed to be a judicial proceeding within the meaning of sections 227, 230 and 354 of the Bharatiya Nyaya Sanhita, 2023, and the Commission shall be deemed to be a civil court for the purposes of sections 336 and 337 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

45 of 2023.

46 of 2023.

(6) Where—

(a) any authority or officer, including any police officer, without reasonable cause, fails to comply with any lawful direction, summons or order issued by the Commission, such failure shall be deemed to constitute a breach of official duty and the Commission may report the matter to the competent disciplinary authority for such action as may be taken under the applicable service rules; or

(b) any other person wilfully disobeys or obstructs the proceedings of the Commission, such person shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to twenty-five thousand rupees, or with both and in the case of continuing default, with an additional fine which may extend to twenty-five thousand rupees for every day during which the default continues:

Provided that nothing in this sub-section shall prevent prosecution of such person for any more serious offence under any other provision of law for the time being in force.

(7) Where, after inquiry, the Commission finds that any person has wilfully furnished false or misleading information or produced false documents in relation to any proceeding before the Commission, the Commission may—

(a) refer the matter to the competent authority for disciplinary proceedings, where the person is an officer or public servant; and/or

(b) recommend initiation of criminal proceedings to the appropriate law enforcement agency for offences as may be made out under the penal law for the time being in

force, including for furnishing false evidence, perjury or obstruction of justice.

(8) The Commission may, in appropriate cases, order payment of costs or compensation, not exceeding such amount as may be prescribed, for wilful disobedience of its directions or for causing obstruction in the discharge of its functions.

(9) Where the post of Chairperson of any State Commission for Women, or more than one-half of the posts of its Members, remains vacant for a period exceeding one month, the National Commission may take *suo motu* cognizance of the matter and seek from the State Government concerned, a report indicating the reasons for such vacancy(ies), the delay in filling them and the steps taken or proposed to be taken to fill the same and recommend filling up of the said vacancy(ies) within a stipulated time-frame.”

Amendment of
section 17.

5. In the principal Act, in section 17, in sub-section (2):—

(i) after clause (a), the following new clause shall be inserted, namely :—

“(aa) the terms and conditions for engagement of consultants, field officers, experts, and the constitution and functioning of the Investigative Wing under sub-section (7) of section 5;”.

(ii) after clause (c), the following new clauses shall be inserted, namely :—

“(ca) the procedure for utilisation of funds, including special purpose funds, under clause (ma) of sub-section (1) of section 10;”.

STATEMENT OF OBJECTS AND REASONS

The National Commission for Women was established through the National Commission for Women Act, 1990, at a time when the nation sought to give institutional form to its constitutional promise of equality, dignity, and justice for every woman. The Commission was envisioned as the voice and guardian of women's rights—an independent body that could investigate, advise, and intervene where those rights were denied.

Over the past three decades, however, the social, digital, and economic landscape of India has transformed profoundly. Women today face new and complex challenges—ranging from online harassment and workplace discrimination to systemic barriers in justice delivery and welfare access. The Commission's largely recommendatory role and limited enforcement powers under the existing law have constrained its ability to secure compliance or accountability from public authorities.

Repeated calls for reform have been made over the years. The Commission itself proposed amendments in 2013, which were subsequently reviewed and concurred upon by the concerned Ministries in 2015. More recently, the Parliamentary Standing Committee on Empowerment of Women (2023–24) has strongly urged the Government to revisit and strengthen the National Commission for Women Act, 1990, to align it with contemporary realities.

This Amendment Bill seeks to enhance the tenure of Members to ensure continuity and institutional memory; provides for the engagement of experts, field officers, and an Investigative Wing to strengthen inquiry and coordination; empowers the Commission with enforceable powers akin to those of a civil court; introduces penalties for wilful disobedience or obstruction; and ensures accountability of State Governments in filling vacancies and implementing recommendations.

The Bill is thus an effort to restore the Commission's founding purpose—to be not merely a recommending body, but a responsive and effective institution capable of upholding the rights and dignity of women across India. It is a reaffirmation of faith in the vision with which the Commission was born—one of vigilance, compassion, and courage—and a step towards ensuring that the hopes placed in it by generations of women are neither diminished nor deferred.

Hence, this Bill.

SWATI MALIWAL.

XX

Bill No. XI of 2026

A Bill further to amend the Food Safety and Standards Act, 2006.

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

1. (1) This Act may be called the Food Safety and Standards (Amendment) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Amendment
of section 3.

2. In the Food Safety and Standards Act, 2006 (hereinafter referred to as the principal Act), in section 3, in sub-section (1), after clause (zg), the following clause shall be inserted, namely:—

“(zga) “nutritional grade” means the interpretive assessment of the nutritional profile of an article of food, in accordance with such standards as may be prescribed under this Act;”.

Substitution
of a new
section for
section 23.

3. For section 23 of the principal Act, the following section shall be substituted, namely:—

Packaging,
labelling,
disclosure of
information
relating to
food.

“23. (1) No packaged food shall be manufactured, packed, imported, distributed, sold, offered for sale or displayed for sale, including through electronic commerce, unless it is packaged and labelled in the manner provided in this Act and the regulations made thereunder.

(2) Every packaged food shall bear, on its label and in any digital or online representation thereof, true and complete particulars as to its nature, composition, ingredients, origin, net quantity, date of manufacture, expiry or best-before date, nutritional information, and such other matters as may be specified by regulations:

Provided that such labels shall not contain any statement, design, device, symbol, brand name or pictorial representation which is false, misleading, deceptive or likely to create an erroneous impression as to the character, substance, quality, quantity, composition or health attributes of such food.

(3) Every packaged food shall display, on the front-of-pack, supplementary nutritional information in the form of a front-of-pack nutrition labelling, which shall include an interpretive nutritional grade, represented by letter grades “A” to “E” indicating the overall nutritional profile of the product, where—

(a) Grade “A” represents products of highest nutritional quality, and Grade “E” represents products of lowest nutritional quality;

(b) the grading shall be determined based on nutrient-profiling standards taking into account energy, total sugars, added sugars, saturated fats, trans fats and sodium, and any other material parameters or factors as may be specified by regulations; and

(c) the nutritional grade shall be displayed on the principal display panel of the package in such form, size and colour as may be specified by regulations.

(4) The Food Authority shall, for the purpose of implementing this section—

(a) **constitute a Scientific Advisory Committee on Nutritional Labelling consisting of representatives from the Indian Council of Medical Research, the National Institute of Nutrition and such other experts in public health nutrition, food technology and consumer affairs as may be prescribed; and**

(b) specify by regulations, within six months of the commencement of the Food Safety and Standards (Amendment) Act, 2026 Act—

(i) the format and presentation of the front-of-pack nutrition labelling and nutritional grade system; and

(ii) nutrient-profiling standards and threshold limits

for the nutrients referred to in this section.

(5) The Food Authority may, for facilitating equitable and practicable compliance, provide by regulations for differential or phased implementation, simplified disclosure formats or extended timelines for such classes of food business operators, including micro, small and medium enterprises, as may be specified.

(6) For the purposes of sub-section (5), the Food Authority shall—

(a) establish or designate through notification a network of accredited laboratories and testing facilities to assist such classes of food business operators in determining nutrient profiles and obtain ingnutritional grades at cost-effective rates;

(b) frame, in consultation with the Central and State Governments, schemes for capacity-building, technical assistance and awareness programmes to support compliance by micro, small and medium enterprises; and

(c) publish annual reports detailing the implementation of such facilitation measures.

(7) The Food Authority shall by regulations, specify transparent and science-based procedures for verification, inspection and monitoring of compliance with the provisions of this section, including—

(a) authorisation of Designated Officers and Food Safety Officers to conduct periodic and surprise inspections of manufacturing, packing, storage and retail premises, and to collect samples of packaged foods for analysis in accredited laboratories;

(b) creation of an online public portal under the Food Authority for submission, acknowledgment and tracking of complaints relating to mislabelling, misleading claims or incorrect nutritional grades, which shall—

(i) automatically acknowledge receipt of every complaint within twenty-four hours of submission, assigning a unique tracking number;

(ii) automatically route each complaint to the Designated Officer of the district concerned within forty-eight hours of receipt for preliminary scrutiny;

(iii) require the Designated Officer to cause an initial verification or inspection to be undertaken within fifteen days of receipt and to record findings on the portal;

(iv) require that final action or closure of the complaint, including laboratory results and enforcement measures, be completed and uploaded within a period not exceeding sixty days from the date of receipt of the complaint;

(v) provide for automatic escalation of any unresolved complaint beyond sixty days to the State Commissioner of Food Safety, and beyond ninety days to the Food Authority for supervisory review; and

(vi) publish, on a quarterly basis, anonymised summaries of complaints received, actions taken and penalties imposed, ensuring transparency and public accountability; and

(c) publication, at least once every six months, of a

National Labelling Compliance Report containing summary statistics of inspections, samples analysed, violations detected, corrective actions taken and names of entities whose licences were suspended, blacklisted or products withdrawn; and

(d) provision for coordination between the Food Authority, the State Food Safety Commissioners and consumer organisations for effective surveillance and citizen reporting of non-compliance.

(8) The Food Authority or the Commissioner of Food Safety may, either on receipt of a complaint or *suo motu*, take cognizance of any instance of non-compliance with the packaging, labelling, nutritional disclosure or front-of-pack nutrition labelling requirements prescribed under this Act or the regulations made thereunder, and may initiate inquiry, inspection, or enforcement proceedings under this section without prejudice to any other action that may be taken under this Act or any other law for the time being in force.”

4. For section 24 of the principal Act, the following section shall be substituted, namely:—

“24. (1) No advertisement shall be made of any article of food which is misleading or deceiving or contravenes the provisions of this Act, the rules and regulations made thereunder.

(2) No person shall engage in any unfair trade practice for the purpose of promoting the sale, supply, use and consumption of any article of food, or adopt any unfair or deceptive practice including the making of any statement, whether orally or in writing or by visible, audio-visual, electronic, social or digital representation, which—

(a) falsely represents that the food is of a particular standard, quality, quantity, grade, composition or origin; or

(b) makes a false or misleading representation concerning the need for, or the usefulness of, any food; or

(c) gives to the public any guarantee, assurance or claim of efficacy, health benefit or disease-risk-reduction capability of any food that is not based on adequate or scientific justification: or

Provided that where a defence is raised to the effect that any guarantee, assurance or claim is based on adequate or scientific justification, the burden of proof of such defence shall lie on the person raising such defence.

(d) conceals any material fact likely to mislead consumers as to the nature, substance or quality of the food; or

(e) directly or indirectly promotes, encourages, or targets excessive or inappropriate consumption of foods high in fat, sugar or salt, particularly by children or other vulnerable persons; or

(f) uses, in any manner, imagery, characters or endorsements likely to exploit consumer trust, emotional appeal or the impression of healthfulness, in contravention of the provisions of this Act, the rules and regulations made thereunder.

(3) No advertisement, sponsorship, brand placement, product tie-in, or marketing communication relating to any food identified as high in fat, sugar or salt shall be—

Substitution of new section for section 24.

Restrictions on advertisement and prohibition as to unfair trade practices.

(a) broadcast, telecast, streamed, exhibited or displayed during, immediately before or immediately after any programme, film, online content, or other communication primarily intended for persons below eighteen years of age; or

(b) placed, exhibited, sold or distributed in any physical location or event primarily attended or accessed by children, including schools, playgrounds, childcare facilities, sports or cultural events, amusement parks, fairs, or similar gatherings; or

(c) sponsored, co-branded or otherwise associated with educational, sporting or social-welfare activities involving children:

Provided that every advertisement or promotional communication relating to such foods permitted under this Act, shall display, in the manner prescribed under section 23, a clear and legible health warning stating—

“High sugar/salt/fat foods are injurious to health.”

(4) Any contravention of sub-section (3) shall be punishable under section 53.

(5) No person shall issue, participate in, or cause the publication, broadcast, promotion or dissemination of any advertisement relating to any article of food, whether in print, electronic, broadcast, digital, or social media, which is prohibited under sub-section (1), sub-section (2) or sub-section (3).

(6) Every manufacturer, advertiser, advertising agency, publisher, marketing intermediary, influencer or endorser who causes or participates in the publication or promotion of a misleading advertisement shall be liable under this Act, and no person shall make or participate in any endorsement of any food without having exercised due diligence to verify the truthfulness of the representations made therein.

(7) The Food Authority or the Commissioner of Food Safety may, after giving the person concerned an opportunity of being heard, by order—

(a) direct the discontinuation, suspension or modification of any advertisement found to contravene the provisions of this section;

(b) require the publication of a corrective advertisement, disclosure or clarification in such manner as may be specified;

(c) initiate proceedings for penalty under section 53; and

(d) in cases of repeated or grave contraventions, recommend suspension or cancellation of licence under section 32.

(8) The Food Authority shall establish and maintain a Digital Food Advertising Monitoring and Redressal System for real-time monitoring of electronic and social-media advertisements, receipt of consumer complaints, and publication of enforcement actions taken under this section.

(9) The Food Authority or the Commissioner of Food Safety may, either on receipt of a complaint or *suo motu*, take cognizance of any advertisement, promotional material or digital content that appears to contravene the provisions of this section, and may initiate inquiry or proceedings under sub-section (7) without prejudice to any other action that may be taken under this Act or any other law for the time being in force.

(10) Any endorser or influencer who participates in the dissemination of a misleading or prohibited advertisement shall, in addition to any penalty imposed under section 53, be prohibited from making any endorsement in respect of any food for a period not exceeding one year for the first contravention and three years for any subsequent contravention.

(11) The Food Authority may, with the previous approval of the Central Government, make regulations to—

(a) specify standards and conditions for permissible claims, health or nutritional endorsements, and substantiation requirements;

(b) classify and restrict advertisements and marketing communications for foods high in fat, sugar or salt, including through broadcast scheduling, placement and content restrictions;

(c) prescribe guidelines for corrective or counter-advertising, monitoring mechanisms, influencer disclosures and coordination with consumer-protection or self-regulatory bodies; and

(d) prescribe the form and periodicity of public disclosure of enforcement actions taken under this section.

(12) Every audio-visual or television advertisement of foods identified as high in fat, sugar or salt, whether broadcast, telecast, streamed or exhibited in cinemas, shall—

(a) display for not less than five seconds a static and legible health-warning message stating “High sugar/salt/fat foods are injurious to health” on the lower one-fifth of the screen; and

(b) carry a simultaneous voice-over or caption conveying the same warning in the language of the advertisement.

(13) The Central Government may, by notification, specify the manner, format and technical standards for the display and audibility of the health-warning message referred to in sub-section (12).”

Amendment
of section 27.

5. In section 27 of the principal Act, for sub-section (1), the following shall be substituted, namely:—

“(1) The manufacturer, packer, importer, marketer, e-commerce food business operator, wholesaler, distributor or seller of an article of food shall be liable for such article of food if it does not meet the requirements of this Act and the rules and regulations made thereunder, and shall, jointly and severally—

(a) ensure the accuracy and legibility of all information appearing on the package and on any digital or electronic display of such product;

(b) in the case of online or electronic sale, ensure that complete and accurate label particulars, including nutritional information and health warnings, are displayed to the purchaser prior to the conclusion of the sale; and

(c) ensure that the packaging and labelling of such food conform to the front-of-pack nutrition labelling and nutritional grade requirements prescribed under this Act.”

Substitution
of new
section for
section 52.

6. For section 52 of the principal Act, the following section shall be substituted, namely:—

“52. (1) Any person who, whether by himself or by any other person on his behalf, manufactures for sale, stores, packs, sells, distributes, markets or imports any article of food for human consumption which is misbranded shall be liable—

Penalty for misbranded food.

(a) for the first contravention, to a penalty which may extend to fifty lakh rupees;

(b) for the second or subsequent contravention, to a penalty which may extend to one crore rupees and suspension of licence for a period up to six months; and

(c) where such contravention has caused injury to public health, to imprisonment for a term which may extend to two years, in addition to any penalty imposed under this section.

(2) The Adjudicating Officer may, after giving the person concerned an opportunity of being heard, issue directions requiring—

(a) corrective labelling or public disclosure;

(b) withdrawal or recall of the food from the market; or

(c) destruction of the food where correction is not feasible.

(3) The penalties under this section shall be without prejudice to any action that may be taken under section 53 in respect of a misleading advertisement relating to such food.”

7. For section 53 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 53.

“53. (1) Any person who, whether by himself or by any other person on his behalf, publishes, causes to be published, or is a party to the publication or dissemination of any advertisement which—

Penalty for misleading or prohibited advertisement..

(a) falsely describes any food; or

(b) is likely to mislead as to the nature, substance, quality, composition, origin, nutritional or health attributes of any food; or

(c) makes or endorses any claim or representation prohibited under sub-section (3) of section 24 or any other provision of this Act prohibiting such advertisement, shall be liable—

(i) for the first contravention, to a penalty which may extend to fifty lakh rupees;

(ii) for the second or subsequent contravention, to a penalty which may extend to one crore rupees; and

(iii) where such contravention has caused injury to public health, to imprisonment for a term which may extend to one year, in addition to any penalty imposed under this section.

(2) In any proceeding, the fact that a label or advertisement relating to any article of food in respect of which the contravention is alleged to have been committed contained an accurate statement of the composition of the food shall not preclude the court from finding that the contravention was committed.

(3) In the case of any advertisement or promotion of such food, the manufacturer, advertiser, and the advertising or digital platform, which knowingly facilitates or continues such publication after being notified by the Food Authority or the Commissioner of Food Safety,

shall be jointly and severally liable for the penalty specified under this Act.

(4) The Food Authority shall issue guidelines for the identification of misleading or prohibited advertisements, corrective disclosures, and the gradation of penalties in proportion to the gravity of the contravention.

(5) Any contravention of sub-section (3) of section 24 shall be deemed an offence under this section.

(6) Whoever contravenes the provisions of sub-section (3) of section 24, relating to the display of health warnings or the restriction of advertising and promotion of foods high in fat, sugar or salt, shall be liable—

(a) for the first contravention, to a penalty which may extend to fifty lakh rupees;

(b) for every subsequent contravention, to a penalty which may extend to two crore rupees and suspension of licence or advertising rights for a period up to one year; and

(c) where the contravention involves targeting or influencing children, to imprisonment for a term which may extend to two years in addition to such monetary penalty.”

8. For section 55 of the principal Act, the following section shall be substituted, namely:—

“55.(1) If any food business operator, importer, manufacturer, advertiser, marketer, e-commerce food business operator, or any person subject to the provisions of this Act, without reasonable ground, fails to comply the requirements of this Act or the rules or regulations or orders issued thereunder, as directed by Food Safety Officer, he shall be liable—

(a) for the first contravention, to a penalty which may extend to twenty lakh rupees;

(b) for the second or subsequent contravention, to a penalty which may extend to fifty lakh rupees; and

(c) where such non-compliance results in obstruction of inspection, sampling, recall, withdrawal, or other enforcement action, or causes risk of injury to public health, to imprisonment for a term which may extend to one year, in addition to such monetary penalty.

(2) Where a person continues to fail to comply with such direction or order beyond the time specified therein, he shall be liable to an additional penalty which may extend to one lakh rupees for every day during which the failure continues, after conviction for the first such offence.

(3) The penalties imposed under this section shall be without prejudice to any other action that may be taken under this Act for contravention of any specific provision or order.”

Substitution of new section for section 55.

Penalty for failure to comply with directions of the Food Safety Officer.

STATEMENT OF OBJECTS AND REASONS

The Food Safety and Standards Act, 2006 provides the overarching legal framework for regulating the quality, safety, labelling and marketing of food in India. However, the rapid expansion of packaged foods, online retail, digital marketing and the rising burden of diet-related non-communicable diseases have created new challenges. Misleading labels, incomplete disclosures, deceptive health claims and aggressive promotion of foods high in fat, sugar and salt especially to children have highlighted significant regulatory gaps.

In order to strengthen consumer protection and ensure transparent nutritional information, the Bill proposes a mandatory front-of-pack nutrition labelling system using an interpretive nutritional grade; clearer and more comprehensive criteria for misbranding and mislabelling; and stricter obligations on manufacturers, importers, marketers and e-commerce platforms to display accurate label particulars. The Bill further provides for a scientific advisory mechanism for nutrition standards, improved surveillance, a digital complaint monitoring platform, and time-bound enforcement processes.

To curb misleading and harmful advertising practices, the Bill introduces a dedicated regime restricting advertisements of high-fat, high-sugar and high-salt foods, prohibits targeted marketing to children, mandates visible health warnings, and places liability on advertisers, digital platforms and influencers. Penalties for misbranding, mislabelling, misleading advertisements and non-compliance with enforcement directions are substantially enhanced, including provisions for imprisonment in cases of serious public-health impact.

These amendments aim to modernise India's food-labelling and advertising standards in line with global best practices, protect consumers from deceptive practices, and promote healthier dietary choices while ensuring fair and supportive compliance pathways for small food businesses.

The Bill seeks to achieve the above objectives.

SWATI MALIWAL.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of a Scientific Advisory Committee on Nutritional Labelling, establishment or designation of a network of accredited laboratories and testing facilities in determining nutrient profiles and obtaining nutritional grades at cost-effective rates, framing schemes for capacity-building, technical assistance and awareness programmes to support compliance by small food business operators, creation of an online public complaint-redressal portal. Clause 4 provides for the establishment and maintenance of a Digital Food Advertising Monitoring and Redressal System for real-time monitoring of advertisements, receipt of consumer complaints and publication of enforcement actions.

The Bill, therefore, if enacted, would involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult, at this juncture, to estimate the exact expenditure likely to be involved.

XXI**Bill No. XIV of 2026**

A Bill to amend the Commission for Air Quality Management in the National Capital Region and Adjoining Areas Act, 2021.

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

1. (1) This Act may be called the Commission for Air Quality Management in National Capital Region and Adjoining Areas (Amendment) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Amendment of section 2.

2. In section 2 of the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021 (hereinafter referred to as the principal Act), in sub-section (1),—

29 of 2021.

(i) in clause (b) for the words “member who is co-opted under sub-section (3)”, the words “Member of Parliament nominated under sub-section (4)” shall be substituted;

(ii) after clause (d), the following clauses shall be inserted, namely:—

“(da) “Directorate” means the Technical and Enforcement Directorate constituted under section 11A;

“(db) “Fund” means the Clean Air Fund constituted under section 16;”.

Substitution of new section for section 3.

3. For section 3 of the principal Act, the following section shall be substituted, namely:—

Constitution of Commission

“3. (1) The Central Government shall, by notification in the Official Gazette, constitute a body to be known as the Commission for Air Quality Management in National Capital Region and Adjoining Areas to exercise the powers conferred upon, and to perform the functions assigned to, that Commission under this Act.

(2) The Commission shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The Commission shall function as an autonomous statutory body in the discharge of its functions and exercise of its powers under this Act, and shall not be subject to the direction or control of the Central Government or any other executive authority, except as expressly provided in this Act.

(4) The Commission shall consist of —

(a) a full-time Chairperson, who shall be a person of eminence in the field of public administration, environmental governance, air-quality management or urban and regional planning, with at least fifteen years of relevant experience;

(b) five full-time technical Members possessing expertise respectively in the fields of—

(i) air-quality science and environmental engineering;

(ii) public health and epidemiology;

(iii) agriculture and biomass management;

(iv) urban transport and industrial transition; and

(v) law, governance or environmental regulation;

(c) the following persons as *ex officio* Members for institutional coordination:—

(i) one representative of the Ministry of Environment, Forest and Climate Change, not below the rank of Secretary;

(ii) the Chairperson of the Central Pollution Control Board or a Member nominated by that Board;

(iii) one technical representative of the Indian Space Research Organisation; and

(iv) the Chief Secretaries in the National Capital Territory of Delhi and the States of Punjab, Haryana, Rajasthan and Uttar Pradesh;

(d) three independent Members, to be appointed respectively from -

(i) non-governmental or civil-society organizations, having at least ten years' experience in the field of air-quality or environmental management;

(ii) academic or research institutions of national repute; and

(iii) industry or professional associations engaged in sustainable development or clean technology;

(e) a full-time Member-Secretary, possessing not less than ten years' experience in administration, finance or environmental management, who shall act as the Chief Executive Officer of the Commission and be responsible for the day-to-day administration and management of its staff and funds;

(f) two Members of Parliament, one to be nominated by the Chairman of the Council of States from amongst Members of that Council representing the National Capital Territory of Delhi and one to be nominated by the Speaker of the House of the People from amongst Members of that House representing any of the parliamentary constituencies within the National Capital Territory of Delhi, to serve as Associate Members of the Commission for a term of two years:

Provided that such Associate Members shall be entitled to participate in the meetings of the Commission but shall not have the right to vote.

(5) The headquarters of the Commission shall be at Delhi, and the Central Government may by notification in the official Gazette, establish regional offices in such other parts of the National Capital Region and adjoining areas as the Commission may determine:

Provided that the notification shall come into force only with effect from the date of its laying in both Houses of Parliament, and if laid on different dates, from the later date when it is so laid.

4. For section 4 of the principal Act, the following section shall be substituted, namely:—

“4. (1) The full-time Chairperson shall be appointed by the President, by warrant under his hand and seal:

Provided that every appointment under this sub-section shall be made after obtaining the recommendation of a Selection Committee consisting of—

(a) the Prime Minister of India— Chairperson;

(b) the Speaker of the House of the People—Member;

(c) the Leader of the Opposition in the House of the People—Member; and

(d) the Chief Justice of India— Member

Explanation.— For the purposes of this sub-section, “the Leader of the Opposition in the House of the People” shall, when no such Leader has been so recognized, include the Leader of the single largest group in opposition of the Government in the House of the People.

(2) The full-time Members, independent Members and the Member-Secretary of the Commission shall be appointed by the Central Government in such manner and on such terms and conditions as may be prescribed.

(3) The Central Government shall lay down a transparent procedure for inviting applications, short-listing and appointing the full-

Substitution of new Section for Section 4.

Appointment of Chairperson, Members and Member-Secretary.

time Members and independent Members on the basis of integrity, professional competence and relevant experience.

(4) No serving officer of the Government shall be appointed as a full-time Member of the Commission.

(5) Every appointment made under this section shall be published in the Official Gazette.”

Substitution of new Section for section 5.

Resignation and removal of Chairperson and Members.

5. For section 5 of the principal Act, the following section shall be substituted, namely:—

“5. (1) The Chairperson, may, by notice in writing under his hand addressed to the President of India, resign his office and such resignation shall take effect from the date on which it is accepted by the President.

(2) The Chairperson shall not be removed from his office except by order of the President of India, made on the recommendation of the Selection Committee constituted under sub-section (1) of section 4, if the Chairperson :—

(a) is adjudged an insolvent; or

(b) is convicted and sentenced to imprisonment for an offence which in the opinion of President involves moral turpitude; or

(c) is unfit to continue in office by reason of infirmity of mind or body; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the Chairperson shall not be removed under clause (e) unless he has been informed of the charges against him and given a reasonable opportunity of being heard.

(3) The President may, by order, suspend from office the Chairperson in respect of whom proceedings for removal have been initiated under this section, pending such proceedings.

(4) The procedure for inquiry, and the terms and conditions of suspension or removal of the Chairperson, shall be such as may be prescribed.

(5) A Member, other than an *ex officio* Member, may, by notice in writing under his hand addressed to the Central Government, resign his office, and such resignation shall take effect from the date on which it is accepted by the Central Government.

(6) The Central Government may remove any Member, other than an *ex officio* Member, from office, in such manner as may be prescribed, if such Member—

(a) is adjudged an insolvent; or

(b) engages during his term of office in any paid employment outside the duties of his office; or

(c) is of unsound mind and stands so declared by a competent court; or

(d) has so abused his position as to render his continuance in office prejudicial to the public interest; or

(e) has acquired such financial or other interest as is likely to affect prejudicially his functions; or

(f) is convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude:

Provided that no such Member shall be removed under clause (d) unless he has been informed of the charges against him and given a reasonable opportunity of being heard.”

6. For section 10 of the principal Act, the following section shall be substituted, namely:—

Substitution of new Section for section 10.

“10. (1) The Commission shall meet at such time and place as the Chairperson may think fit:

Meetings and procedure of the Commission.

Provided that the Commission shall meet at least once every month, and a special meeting shall be convened within twenty-four hours if any part of the National Capital Region or any adjoining area records air quality in the ‘Severe’ or higher category for a continuous period of twenty-four consecutive hours, as notified by the Central Pollution Control Board or the concerned State Pollution Control Board.

(2) The quorum for a meeting of the Commission shall be one-half of the total number of Members.

(3) If any Member remains absent for more than two consecutive meetings without furnishing written reasons to the satisfaction of the Chairperson, such absence shall be recorded in the minutes, and the matter may be referred by the Chairperson to the Central Government for such action as may be deemed appropriate.

(4) Subject to the provisions of this Act and the rules made thereunder, the Commission shall have the power to lay down, by regulations, its own procedure.

(5) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by the Chairperson in this behalf.

(6) The Commission may, by general or special order, subject to such conditions and limitations, if any, as may be specified therein, delegate to the Chairperson, full-time Member, the Member-Secretary or any Sub-Committee constituted under section 11, such of its powers under this Act (except the power to make regulations under section 26) as it may deem necessary or expedient for the purpose of protecting and improving the quality of the air in the National Capital Region and adjoining areas.”

7. In section 11 of the principal Act,—

Amendment of section 11.

(i) after sub-section (5), the following sub-section shall be inserted, namely:—

“(5A) Every Sub-Committee constituted under this section shall—

(a) meet at such intervals as may be determined by the Commission; and

(b) place its minutes and recommendations before the Commission at its next meeting for consideration.”

(ii) for sub-sections (7), (8) and (9), the following sub-sections shall be substituted, namely:—

“(7) The Commission shall, for the efficient discharge of its functions, create such number of posts in Groups ‘A’, ‘B’ and ‘C’, as existing under the Central Government, as it may consider necessary.

(8) The regular posts so created under sub-section (7) shall be filled on deputation basis from amongst officers of the Central Government, State Governments or Union territory Administrations possessing such qualifications and experience as may be prescribed.

(9) The short-term or project-based posts may be created and filled on contractual basis by the Commission for such period and on such terms and conditions as may be prescribed in its regulations.”

(iii) after sub-section (9), the following sub-sections shall be inserted, namely:—

“(10) The Commission may, for the purpose of providing technical, research-based or field-level inputs in specific areas relating to its mandate, engage field experts, consultants or domain specialists, including field officers stationed in different regions of the country for on-site inspections, fact-finding and coordination with State Commissions and local authorities, for a period not exceeding one year, which may be extended for a further period on such terms and conditions as may be prescribed in its regulations.

(11) The Commission may, for the effective implementation of its programmes and for undertaking studies, outreach, awareness or capacity-building activities, collaborate or enter into arrangements with non-governmental organisations, civil society groups, research institutions or professional associations working in the field of air quality management, environment protection, or sustainable development.

(12) The officers, experts and other staff engaged or appointed under this section shall discharge their duties and functions under the general superintendence and control of the Chairperson.

(13) The salaries, allowances and conditions of service of the officers, experts and other staff appointed or engaged under this section shall be such as may be prescribed.”

Insertion of
new section
11A.

Establishment
of Directorate.

8. In Chapter II, after section 11 of the principal Act, the following section shall be inserted, namely:—

“11A. (1) The Commission may, by regulations, establish a Technical and Enforcement Directorate and such other Directorates or Divisions as may be necessary for the efficient discharge of its functions under this Act.

(2) The Directorate shall consist of such number of officers, technical experts, scientists and enforcement personnel as the Commission may determine, and may include officers on deputation from the Central Government, the Central Pollution Control Board, the State Pollution Control Boards, or other scientific or technical institutions.

(3) The Directorate shall—

(a) undertake inspection, monitoring and verification of compliance with directions, standards or measures issued under this Act;

(b) assist the Commission in investigation and in the collection of evidence for the imposition of penalties or environmental compensation;

(c) prepare technical and scientific assessments, emission inventories and enforcement reports; and

(d) perform such other functions as may be assigned to it by the Commission.

(4) The Director-General or Head of the Directorate shall be appointed by the Commission in such manner and on such terms and conditions as may be prescribed.

(5) The Commission may, by general or special order, authorise any officer of the Directorate to exercise such powers of entry, inspection, search, sampling or seizure as are exercisable by an officer of the Central Pollution Control Board under the Air (Prevention and Control of Pollution) Act, 1981, within the National Capital Region and adjoining areas, subject to such conditions as may be specified in the order:

Provided that the exercise of powers under this sub-section shall be without prejudice to the powers and functions of the Central Pollution Control Board or the State Pollution Control Boards under the said Act.”

9. In section 12 of the principal Act,—

(i) in sub-section (2), for clause (xi), the following clause shall be substituted, namely:—

“(xi) issue directions in writing to any person, officer, or authority, and such person, officer, or authority shall be bound to comply with such directions within the period specified by the Commission and to furnish a report of such compliance in such form as may be prescribed;”

Explanation.— For avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—

(a) the closure, prohibition or regulation of any industry, operation or process; or

(b) stoppage or regulation of the supply of electricity or water or any other service.

(ii) in sub-section (2), after clause (xi), the following clauses shall be inserted, namely:—

“(xii) where any person, body, or authority fails to comply with a lawful direction or order of the Commission, the Commission may, after giving such person, body, or authority an opportunity of being heard, impose such civil penalty as may be prescribed;

(xiii) take cognizance, either *suo motu* or on a reference made by the Central Government, any State Government or any statutory authority, private entity, social organisation or individual of matters involving substantial questions of environmental importance or systemic failures in the implementation of laws, policies or directions relating to air quality management in the National Capital Region and adjoining areas, and take such measures or issue such directions as may be necessary to ensure compliance and accountability:

Provided that for the purpose of inquiry into such matters, the Commission shall have the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document, record or report;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copy thereof from any office; and

(e) issuing such interim or final directions as may be necessary to prevent, control or abate air pollution or to secure compliance with the provisions of this Act or any order made thereunder.

Explanation.— For the removal of doubts, it is hereby declared that nothing in this clause shall be construed as empowering the Commission to entertain or adjudicate individual complaints or grievances until it has a larger public impact.

(xiv) every order or direction issued by the Commission under clause (xiii) shall be deemed to be a decree of a civil court and shall be executable as such, and any wilful disobedience thereof shall be punishable in the manner provided under section 14 of this Act;

(xv) maintain and publish, in such form and at such intervals as may be specified by regulations, data and information relating to air quality, directions issued and the status of compliance by the concerned authorities, and update such information on a monthly basis;

(xvi) prepare and notify, within such period as may be prescribed, a five-year and ten-year Clean Air Action Target Plan for the National Capital Region and adjoining areas, setting time-bound quantitative targets for the reduction of particulate matter, PM_{2.5} and PM₁₀, and other key air pollutants, aligned with the National Ambient Air Quality Standards or such standards as may be prescribed, and specifying the roles, responsibilities and targets of the Governments of the National Capital Territory of Delhi and the States of Punjab, Haryana, Rajasthan and Uttar Pradesh and other concerned authorities for achieving the same;

(xvii) prepare an Annual Clean Air Implementation Plan consistent with the targets specified in the Clean Air Action Target Plans, identifying priority sectors and geographical areas, specific measures to be undertaken by each concerned authority, the estimated expenditure therefor, and the timelines for completion, and monitor and review its implementation.”

(iii) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) In discharge of its functions, the Commission shall act independently and may, for purposes of policy coordination, consult the Central Government, and no executive direction inconsistent with the provisions or objectives of this Act shall be binding on the Commission.”

Substitution of new Section for section 14.

Penalty for contravention of provisions of Act, rules, orders or directions.

10. For section 14 of the principal Act, the following section shall be substituted, namely:—

“14. (1) Any person, body corporate or authority who contravenes any provision of this Act, or any rule, regulation, order or direction made or issued thereunder, shall be liable to—

(a) in the case of a minor contravention, a penalty which may extend to fifty lakh rupees, and where such contravention is a continuing one, to an additional penalty which may extend to one lakh rupees for every day during which such contravention continues;

(b) in the case of a major contravention likely to cause serious deterioration of air quality, a penalty which may extend to

five crore rupees, and where such contravention is a continuing one, to an additional penalty which may extend to one lakh rupees for every day during which such contravention continues, or with imprisonment for a term which may extend to five years, or both.

(2) Where a local authority, department of Government or statutory body fails to comply with any lawful direction or order of the Commission, the Head of such authority or department shall be personally liable for such failure, unless he proves that the contravention occurred without his knowledge or that he had exercised due diligence to prevent such contravention.

(3) The Commission may, by regulations, specify the classification of violations as minor or major having regard to their nature, extent and impact on air quality, and may adjudicate such violations and impose penalties after giving the person body corporate or authority concerned a reasonable opportunity of being heard.

(4) The Commission shall maintain and publish, in such form and manner as may be prescribed, a record of all orders imposing penalties and the status of compliance thereof.”

11. In section 16 of the principal Act,—

Amendment of section 16.

(i) in the marginal heading, for the words “Grants by Central Government”, the words “Funding and Financial Autonomy of the Commission” shall be substituted;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In addition to grants made under sub-section (1), there shall be constituted a non-lapsable fund to be called the Clean Air Fund, which shall be administered by the Commission in such manner as may be prescribed.”

(iii) after sub-section (2), the following sub-sections shall be inserted, namely:—

“(3) The Fund shall consist of—

(a) sums realised by way of environmental compensation, penalties or fees under this Act;

(b) grants, loans, donations or contributions made by the Central Government, any State Government, or any other body or person; and

(c) funds received from research institutions or public-private partnerships, in accordance with such rules as may be prescribed.

(4) The Fund shall be applied to—

(a) supporting projects, programmes and activities for improvement of air quality, including awareness, capacity-building and research; and

(b) providing grants or assistance to State Governments, local bodies and other implementing agencies for carrying out time-bound measures for pollution-control and air-quality management.”

12. In section 17 of the principal Act,—

Amendment of section 17.

(a) in the marginal heading, for the words “Accounts and audit”, the words “Accounts, audit and transparency” shall be substituted;

(b) for sub-sections (2), (3) and (4), the following sub-sections shall be substituted, namely:—

“(2) The accounts of the Commission, including the Fund, shall be audited by the Comptroller and Auditor-General of India at such intervals as maybe specified by him.

(3) The audit report, together with the certified accounts, shall be forwarded to the Central Government, which shall cause the same to be laid before each House of Parliament.

(4) The Commission shall, within six months after the close of every financial year, publish an annual financial and performance report indicating the receipts, disbursements and outcomes achieved through the utilisation of funds under this Act, and make such report available in the public domain.”

Omission of section 20.

13. Section 20 of the principal Act shall be omitted.

Amendment of section 25.

14. In section 25 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the manner of appointment of full-time Members, independent Members and the Member-Secretary under sub-section (2) of section 4;

(b) the procedure for inquiry, and the terms and conditions of suspension or removal of the Chairperson, under sub-section (4) of section 5;

(c) the manner of removal of a Member under sub-section (6) of section 5;

(d) the salaries and allowances payable to, and other terms and conditions of service of, the Chairperson and Members under sub-section (1) of section 8;

(e) the allowance payable to the members, other than *ex officio* members of the Sub-Committees, under sub-section (6) of section 11;

(f) the appointment of officers and other staff under sub-section (8) of section 11;

(g) the salaries, allowances and conditions of service of the officers, experts and other staff under sub-section (13) of section 11;

(h) the manner and terms and conditions of appointment of the Director-General or Head of the Technical and Enforcement Directorate under sub-section (4) of section 11A;

(i) the manner of taking samples under clause (a) and the form of notice under sub-clause (i) of clause (c), of sub-section (4) of section 12;

(j) the form and manner in which compliance reports shall be furnished under clause (xi) of sub-section (2) of section 12;

(k) civil penalty to be imposed under clause (xii) of sub-section (2) of section 12;

(l) the period within which Clean Air Action Target Plans be prepared and notified under clause (xvi) of sub-section (2) of section 12;

(m) the form and manner of record of all orders imposing

penalties and the status of compliance thereof under sub-section (4) of section 14;

(n) the rate at which, and the manner in which, the environmental compensation shall be imposed and collected under section 15;

(o) the sources of credit, administration and operation of the Clean Air Fund, under section 16;

(p) the form in which the annual statement of accounts shall be prepared under sub-section (1) of section 17; and

(q) any other matter which has to be, or may be, prescribed .”

15. In section 26 of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

Amendment of section 26.

“(1) Subject to the provisions of this Act and the rules made thereunder, the Commission may, by notification in the Official Gazette, make regulations for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the procedure to be followed by the Commission under sub-section (4) of section 10;

(b) the conditions and limitations subject to which power may be delegated by the Commission under sub-section (6) of section 10;

(c) the members of each Sub-Committee under sub-sections (2), (3) and (4) of section 11;

(d) period and terms and conditions of filling up short-term or project-based posts on contractual basis under sub-section (9) of section 11;

(e) establishment of a Technical and Enforcement Directorate and other Directorates or Divisions under sub-section (1) of section 11A;

(f) form of maintenance of data and information relating to air quality, directions issued and the status of compliance by the concerned authorities and intervals at which it is to be published, under clause (xiv) of sub-section (2) of section 12;

(g) the form and the manner of furnishing annual report under section 13;

(h) the classification of violations as minor or major under sub-section (3) of section 14;

(i) any other matter which has to be, or may be, specified by regulations.”

STATEMENT OF OBJECTS AND REASONS

The Commission for Air Quality Management in the National Capital Region and Adjoining Areas Act, 2021 was enacted to provide an institutional framework for coordinated action on air pollution in the National Capital Region (NCR). However, recurring episodes of severe air pollution and persistent enforcement gaps have demonstrated the need to strengthen the Commission's autonomy, institutional capacity and powers.

It has therefore become necessary to amend the Act to—

(a) reconstitute the Commission as an autonomous statutory body with a transparent and high-level selection mechanism;

(b) include full-time domain experts, representatives of concerned States, independent members and Members of Parliament from Delhi/NCR to improve institutional coordination;

(c) establish a Technical and Enforcement Directorate with powers of inspection, monitoring and compliance verification;

(d) provide enhanced powers to issue binding directions and impose civil penalty;

(e) mandate preparation of long-term Clean Air Action Target Plans and annual implementation plans with measurable pollution-reduction targets; and

(f) ensure financial autonomy through a non-lapsable Clean Air Fund and statutory grants, along with greater transparency in publication of data, compliance status and fund utilisation.

The amendments are intended to create a more effective, accountable and scientifically grounded mechanism to prevent, control and abate air pollution in Delhi NCR and adjoining areas, thereby safeguarding public health and environmental quality.

Hence, this Bill.

SWATI MALIWAL.

FINANCIAL MEMORANDUM

Clause 7 of the Bill provides that the Commission shall create such number of posts in Groups 'A', 'B' and 'C' as it may consider necessary and for the salaries, allowances and conditions of service of the officers, experts and other staff so appointed. It also provides for engagement of technical, research-based or field-level inputs in specific areas relating to its mandate, engage field experts, consultants or domain specialists, including field officers stationed in different regions of the country for on-site inspections, fact-finding and coordination with State Commissions and local authorities. Clause 8 provides for establishment of a Technical and Enforcement Directorate and for required number of officers, technical experts, scientists and enforcement personnel. Clause 11 provides for constitution of non-lapsable Clean Air Fund to be administered by the Commission which shall consist of grants, loans, donations or contributions made by the Central Government, any State Government, or any other body or person.

The Bill, therefore, if enacted, would involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult, at this juncture, to estimate the exact expenditure likely to be involved.

XXII**Bill No. VIII of 2026**

A Bill to provide for the prohibition of casual online dating services that promote transient and superficial relationships, while promoting and regulating serious matrimonial services aligned with cultural and familial ethos of the country; to protect users, particularly women and youth, from exploitation, harassment, and social harms; to preserve family structures and national social fabric, and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Online Matrimonial and Dating Services (Promotion and Regulation) Act, 2026.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act:

Provided that upon commencement of provisions relating to the prohibition of casual online dating services, a grace period of three months shall be provided for existing casual dating services to cease operations and migrate user data in such manner as may be prescribed.

Short title and commencement.

Definitions.

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

(a) "Authority" means the Matrimonial Services Authority established under section 8;

(b) "casual dating service" means any online platform, application or intermediary that primarily facilitates transient, superficial, or non-committal romantic or sexual encounters through features such as swipe-based matching, algorithmic promotion of short-term interactions, or lack of mandatory family or matrimonial intent verification;

(c) "matrimonial service" means any online platform, application or intermediary focused on facilitating long-term marital alliances with emphasis on cultural, familial, religious, and compatibility-based matching, including verified family endorsements and marriage-oriented outcomes;

(d) "online intermediary" means any platform offering dating or matrimonial services, as defined under clause (w) of section 2 of the Information Technology Act, 2000;

21 of 2000.

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

(f) "user" means any person accessing, registering or availing services of a matrimonial service or casual dating service within the territory of India.

Explanation.— The expressions used but not defined in this Act shall have the meanings respectively assigned to them in the Information Technology Act, 2000, as amended by this Act.

21 of 2000.

CHAPTER II

PROHIBITION OF CASUAL DATING SERVICES

Prohibition of casual dating services.

3. No person, intermediary, or entity shall offer, host, advertise, or facilitate any casual dating service in India, whether operated domestically or targeting users in the country from outside the territory.

Prohibition of advertisements and promotions.

4. No person shall publish, display or disseminate any advertisement, endorsement, or promotional material for casual dating services through any medium, including digital platforms.

Prohibition on financial facilitation.

5. No bank, financial institution, payment system operator or digital payment intermediary shall process any transactions related to casual dating services, including subscriptions or in-app purchases.

CHAPTER III

PROMOTION AND REGULATION OF MATRIMONIAL SERVICES

Promotion of matrimonial services.

6. The Central Government shall take such steps as it considers necessary to promote matrimonial services as constructive platforms, by —

(a) providing integration with government digital portals;

(b) launching public awareness campaigns on healthy matrimonial practices, digital literacy, and family harmony; and

(c) recognising matrimonial services which comply with cultural ethos and user safety standards.

Registration and regulation of matrimonial services.

7. (1) No matrimonial service shall operate in the country unless it is registered with the Authority established under section 8 in such manner as may be prescribed.

(2) Every matrimonial service shall adhere to the guidelines on verified profiles, family involvement, anti-harassment measures, and data privacy, as may be prescribed.

(3) Every matrimonial service shall provide for age-appropriate matching, cultural sensitivity, and grievance redressal, in such manner as may be prescribed.

8. (1) The Central Government shall, by notification, establish an Authority to be known as the Matrimonial Services Authority to perform the functions assigned to it under this Act.

Establishment of
Matrimonial
Services
Authority.

(2) The Authority shall consist of the following Members, to be appointed by the Central Government by notification in the Official Gazette, namely:—

(a) a Chairperson, who shall be a person of eminence, integrity and standing, having not less than twenty years' experience in law, public administration, social policy, digital governance, or regulation of technology platforms;

(b) one Member (Legal), who shall be a person qualified to be appointed as a Judge of a High Court or who has held the office of Secretary to the Government of India in the Ministry of Law and Justice, or possesses at least fifteen years' experience in cyber law, constitutional law, or regulatory adjudication;

(c) one Member (Technology and Digital Platforms), having at least fifteen years' experience in information technology, platform governance, algorithmic accountability, data security or digital public infrastructure;

(d) one Member (Women and Child Safety), drawn from persons having demonstrated experience of not less than fifteen years in the fields of women's rights, child protection, social welfare, gender justice or victim support systems;

(e) one Member (Sociology and Family Studies), being a recognised academic or practitioner with substantial experience in sociology, demography, family studies, or social psychology, with particular expertise in Indian social institutions;

(f) one Member (Consumer Protection and Grievance Redressal), having experience in consumer law, public grievance mechanisms, or regulatory compliance and enforcement;

(g) one Member *ex-officio*, not below the rank of Joint Secretary to the Government of India, to be nominated by the Ministry of Electronics and Information Technology; and

(h) one Member *ex-officio*, not below the rank of Joint Secretary to the Government of India, to be nominated by the Ministry of Women and Child Development.

(3) The Chairperson and Members, other than *ex-officio* Members, shall hold office for a term of five years or until attaining the age of sixty-five years, whichever is earlier, and shall be eligible for re-appointment for one further term:

Provided that no person shall be appointed as Chairperson or Member after attaining the age of sixty-two years.

(4) The salaries and allowances payable to, and other terms and conditions of service including resignation by the Chairperson and members or removal from Office shall be such as may be prescribed.

(5) No Chairperson or Member shall, during their term of office or for a period of two years thereafter,—

(a) hold any office of profit in, or

(b) have any financial or managerial interest in any matrimonial service, online intermediary, or digital platform regulated under this Act:

Provided that a declaration of assets and interests shall be made at the time of appointment and annually thereafter.

(6) The quorum for a meeting of the Authority shall be one-half of the total number of Members, and decisions shall be taken by majority vote of the Members present and voting, and in the event of equality of votes, the Chairperson shall have a casting vote.

(7) The Authority shall be assisted by a Secretariat consisting of officers and employees appointed by the Central Government, and the terms and conditions of their service shall be such as may be prescribed.

Functions and powers of the Authority.

9. (1) The Authority shall oversee registration, categorisation, and compliance of matrimonial services, issue codes of practice, and address public grievances and promote innovation in matrimonial services, and ensure alignment with familial values of the society.
- (2) Without prejudice to the generality of the foregoing functions, the Authority shall have powers to —
- (a) register, suspend or cancel registration of casual dating and matrimonial services;
- (b) issue binding codes of practice, advisories and compliance directions;
- (c) conduct audits, inspections and inquiries;
- (d) adjudicate complaints and impose penalties in accordance with this Act; and
- (e) recommend policy measures to the Central Government.

CHAPTER IV

ENFORCEMENT

Power to block access.

10. The Central Government may, under section 69A of the Information Technology Act, 2000, as amended by this Act, direct blocking of access to any casual dating services.

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Investigation and search.

11. Notwithstanding anything contained in this Act or in any other law for the time being in force, the Central Government may, by notification, authorize any officer or class of officers of the Central Government, Authority or State Government to exercise the power to investigate, search, seize, and arrest without warrant for offences under this Act, in accordance with the Bharatiya Nagarik Suraksha Sanhita, 2023.

46 of 2023.

CHAPTER V

OFFENCES AND PENALTIES

Punishment for offering casual dating services.

12. Whoever offers or facilitates a casual dating service shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to one crore rupees.

Punishment for advertisements.

13. Whoever advertises a casual dating service shall be punishable with imprisonment for a term which may extend to two years and with fine which may extend to fifty lakh rupees.

Punishment for financial facilitation.

14. Whoever facilitates financial transactions for casual dating services shall be punishable with imprisonment for a term which may extend to three years and with fine which may extend to one crore rupees.

15. For subsequent convictions under sections 12, 13 and 14, imprisonment may extend to five years and fine to two crore rupees.
16. All offences under this Act shall be cognisable and bailable.
17. (1) Where an offence has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of that part of the business of the company as well as the company, shall be liable to be proceeded against and punished accordingly.
- (2) Nothing contained in sub-section (1) shall render any such person liable to be proceeded against and punished accordingly under this act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.
- (3) Notwithstanding anything contained in sub-section (1), where an offence under this act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall hold an independent director or a non-executive director of a company who is not involved in the actual decision making, liable for such offence.

Explanation.— for the purposes of this section, the expressions—

(a) “company” means a body corporate, and includes—

(i) a firm; and

(ii) an association of persons or a body of individuals whether incorporated or not; and

(b) “director”, in relation to—

(i) a firm, means a partner in the firm;

(ii) any association of persons or a body of individuals, means any member controlling its affairs thereof.

CHAPTER VI

MISCELLANEOUS

18. (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Authority, for carrying out the purposes of this Act.
- (2) The amounts levied under the Act for the following purposes shall be credited to the Authority—
- (a) registration fees payable by matrimonial services;
- (b) renewal fees and compliance-related charges;
- (c) fines imposed for contraventions under the Act; and
- (d) such other fees as may be prescribed by rules.
19. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

Enhanced punishment for repeat offences.

Offences to be cognisable and bailable.

Offences by companies.

Provision of funds.

Accounts and audit.

(2) The accounts of the Authority shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Authority under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority.

(4) The accounts of the Authority, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Authority.

Annual Report.

20. The Authority shall prepare, in such form and at such time, for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government.

Annual report and audit report to be laid before Parliament.

21. The Central Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, in so far as they relate to the Central Government, and the reasons for the non-acceptance, if any, of any of such recommendations and the audit report to be laid as soon as may be after the reports are received, before each House of Parliament.

Act to have overriding effect.

22. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in any other law for the time being in force.

Protection of action taken in good faith.

23. No suit, prosecution or other legal proceedings shall lie against the Government or Authority or its members or its officers for actions taken in good faith in pursuance of this Act or of rules made thereunder.

Power to make rules.

24. (1) The Central Government may, by notification in the Official Gazette, make rules for promotion, registration, enforcement and to carry out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the form and manner of registration of matrimonial services with the Authority;

(b) the eligibility conditions, verification protocols and compliance requirements for matrimonial services;

(c) standards for user safety, grievance redressal, data protection, and prevention of harassment;

(d) the fees payable for registration, renewal and other regulatory purposes;

(e) the powers, functions and procedure to be followed by the Authority;

(f) the manner of conducting inspections, audits and inquiries by the Authority;

(g) the conditions subject to which exemptions, if any, may be granted; and

(h) any other matter which is required to be, or may be, prescribed under the Act.

(3) Every rule made by the Central Government 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 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.

25. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.

Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of the Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

21 of 2000.

26. (1) In section 2 of the Information Technology Act, 2000 (hereinafter referred to as the principal Act), in sub-section (1):—

Amendments to the Information Technology Act, 2000.

(i) after clause (f), the following clause shall be inserted, namely:—

“(fa) “casual dating service” shall have the same meaning as assigned to it under clause (a) of section 2 of the Online Matrimonial and Dating Services (Promotion and Regulation) Act, 2026;”;

(ii) after clause (y), the following clause shall be inserted, namely:—

“(ya) “matrimonial service” shall have the same meaning as assigned to it under clause (b) of section 2 of the Online Matrimonial and Dating Services (Promotion and Regulation) Act, 2026;”;

(iii) after clause (zb), the following clause shall be inserted, namely:—

“(zba) “prohibited online dating intermediary” means any intermediary offering or facilitating a casual dating service as defined under the Online Matrimonial and Dating Services (Promotion and Regulation) Act, 2026;”.

(2) In section 69A of the principal Act, in sub-section (1), after the words “or intermediary”, the words “including any prohibited online dating intermediary” shall be inserted.

(3) After section 79A of the principal Act, the following section shall be inserted, namely:—

“79B. Liability of prohibited online dating intermediaries.—

(1) Notwithstanding anything contained in section 79, no intermediary shall claim safe harbour protection under this section if it hosts, facilitates, or enables access to a casual dating service as defined under the Online Matrimonial and Dating Services (Promotion and Regulation) Act, 2026.

(2) Any intermediary found in violation shall be liable for penalties under the said Act and shall forthwith cease operations within India.”

Savings for existing matrimonial services.

27. Any intermediary operating as a matrimonial service existing on the date of commencement of this Act shall be deemed provisionally registered for a period of three months, within which it must obtain registration under section 7.

Repeal and transitional provisions.

28. All existing guidelines, circulars, or advisories issued by the Ministry of Electronics and Information Technology or any authority in respect of online dating platforms inconsistent with this Act stand repealed from the date of commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

The rapid proliferation of online casual dating applications in India demands urgent intervention to protect the nation's familial ethos and social fabric. This Bill seeks to ban casual dating services while promoting regulated matrimonial platforms aligned with Indian values.

2. The dating app sector is projected to reach \$1.42 billion by 2030, with user numbers surging 293 per cent. from 20 million (2018) to 82.4 million (2023). Adoption is widespread, with 70 per cent. of users from tier-2/3 cities (e.g., Pune, Ahmedabad), where 54 per cent. reside and contribute 45 per cent. of revenues, clashing with traditional values by prioritising superficial, swipe-driven encounters over lasting commitments.

3. These apps promote westernised fleeting relationships, undermining India's heritage of family, mutual respect, and collective well-being. A sociological study highlights erosion of familial ties coupled with urban isolation, emotional voids, and strained bonds from transient connections.

4. Women face heightened risks of harassment, catfishing, stalking, and assault; 83 per cent. report online abuse (one in three weekly). A Delhi case involved a 30-year-old woman raped and defrauded of rupees twenty two lakh via a dating app, deterring justice due to stigma.

5. Gender imbalance (70 per cent. male users) leads to heightened competition, emotional vulnerability and susceptibility to manipulation; This structural imbalance has been systematically exploited by organised criminal networks which deploy fabricated profiles to induce users into fraudulent engagements.

6. Apps foster non-marital intimate partnerships linked to depression, low self-esteem, and commodification of worth; a Jaipur study found 33.3 per cent. of youth struggling with meaningful relationships. Patriarchal norms amplify harassment, leading to withdrawal. NCRB data shows less than 29.6 per cent. cybercrime conviction rates, strained by underreporting and probes.

7. Transient relationships weaken family structures, exposing children to mental health risks like anxiety and depression. Western parallels show adolescents from single-parent families exhibit more behavioral issues and lower life quality, a cautionary trend for India where stable units are vital for resilient generations.

8. Blind adoption of Silicon Valley's individualism risks rising divorce rates and youth alienation, as seen in Western societies. India must prioritise dharma, harmony, and community over fleeting models.

9. In conclusion, regulation is insufficient; an outright ban on casual dating services is imperative to shield youth, preserve families, and reaffirm cultural ethos, while promoting matrimonial alternatives fosters a value-aligned digital ecosystem.

Hence, this Bill.

FAUZIA KHAN.

FINANCIAL MEMORANDUM

Clause 8 of the Bill provides for the establishment of Matrimonial Services Authority, its composition including appointment of Chairperson, Members, officers and employees of the Authority, their salaries and allowances. These expenses shall be met from the Consolidated Fund of India, to the extent such expenditure is not otherwise met by the Authority through fees or fines levied under the Act.

The Bill, therefore, if enacted, would involve recurring and non-recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 24 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill.

Clause 25 of the Bill empowers the Central Government to issue orders, by notification, for removing difficulties in giving effect to the provisions of the Act for a period of two years from the commencement thereof.

As the rules or orders will relate to matters of detail only, the delegation of legislative power is of a normal character.

XXIII**Bill No. X of 2026**

A Bill to provide for the establishment of a National Authority and State Authorities for regulating quality standards, licensing, inspection, current good manufacturing practices compliance, and safe manufacture, storage, distribution, and use of medical gases, and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Medical Gases (Quality, Safety and Regulation) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “Appellate Tribunal” means the National Appellate Medical Gases Tribunal established under section 18;

(b) “Fund” means the Medical Gases Regulation Fund established under section 20;

(c) “manufacturing practices” means current good manufacturing practices applicable to medical gases, including requirements relating to quality systems, production and process controls, testing and quality assurance, personnel qualifications, premises and facilities, equipment design, calibration, cleaning and maintenance, distribution controls and record-keeping, and as may be prescribed;

(d) “medical gas” means any drug which is manufactured, processed or stored in a liquefied, non-liquefied, or cryogenic state and is administered to human beings as a gas for therapeutic, diagnostic or prophylactic purposes, and includes the following designated medical gases, namely:—

- (i) oxygen;
- (ii) nitrogen;
- (iii) nitrous oxide;
- (iv) carbon dioxide;
- (v) helium;
- (vi) carbon monoxide; and
- (vii) medical air;

as recognized in any official pharmacopeia for the time being in force;

Explanation.— For the purposes of this Act, the expression “medical gas” shall not include gases used solely as excipients in drug products which are not medical gases, gases used merely as processing aids, or gases which do not qualify as drugs under any law for the time being in force.

(e) “medical gas producer” means any person engaged in the manufacture, processing, filling, refilling, transfilling, packing, repacking, storage, or distribution of medical gases;

(f) “National Authority” means the National Medical Gases Regulatory Authority established under section 4;

(g) “prescribed” means prescribed by rules made under this Act;

(h) “regulations” means regulations made by the National Authority under this Act;

(i) “State Authority” means a State or Union territory Medical Gases Regulatory Authority that may be established in every State and Union territory under section 10.

3. The provisions of this Act shall be construed and applied with a view to ensuring that the quality and safety of medical gases are maintained so as to protect human life, particularly in critical care, neonatal care, emergency medicine, anaesthesia and during public health emergencies.

CHAPTER II

NATIONAL MEDICAL GASES REGULATORY AUTHORITY

4. (1) **The Central Government shall, by notification in the Official Gazette, establish an Authority to be known as the National Medical Gases Regulatory Authority to perform the functions assigned to it under this Act.**

(2) The National Authority shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold, and dispose of

Guiding principle for interpretation and application.

Establishment of the National Authority.

property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The headquarters of the National Authority shall be at such place in the country as the Central Government may, by notification, specify.

(4) The National Authority shall function as the apex scientific and regulatory body for medical gases in the country and shall exercise such powers and perform such functions as are assigned to it under this Act.

5. **(1) The National Authority shall consist of the following, namely:—**

(a) a Chairperson, being a person of eminence in medical gases, pharmaceutical sciences, chemical engineering, biomedical engineering, or public health regulation;

Explanation.— For the purposes of this clause, a person shall be deemed to be a person of eminence in medical gases if he has demonstrated outstanding expertise or experience in the manufacture, regulation, clinical use or safety management of medical gases.

(b) a Vice-Chairperson, possessing special knowledge and professional experience in regulatory science or industrial gas safety;

(c) five full-time Members, to be appointed from amongst persons having proven expertise in—

(i) medical gas manufacturing and manufacturing practices compliance,

(ii) analytical chemistry and quality assurance,

(iii) clinical use of medical gases or anesthesiology,

(iv) industrial safety and pressure systems engineering, and

(v) regulatory affairs or public administration;

(d) three *ex-officio* Members, namely—

(i) the Drugs Controller General of India;

(ii) a representative not below the rank of Joint Secretary from the Union Ministry of Health and Family Welfare; and

(iii) a representative not below the rank of Joint Secretary from the Union Ministry of Commerce and Industry or the Union Ministry of Chemicals and Fertilizers;

(e) two part-time Members representing academic or research institutions, to be nominated by the Central Government.

(2) The composition of the Authority shall ensure adequate representation of scientific, technical, clinical and regulatory expertise.

(3) The Chairperson, Vice-Chairperson and Members, other than the *ex-officio* Members, shall be appointed by the Central Government on the recommendation of a Search-cum-Selection Committee constituted for the purpose in such manner as may be prescribed.

6. **(1) The Chairperson, Vice-Chairperson and the full-time Members shall hold office for a term not exceeding four years from the date on which they enter upon their office, and shall be eligible for re-appointment for one further term.**

(2) The salaries and allowances payable to, and other terms and conditions of service of, the Chairperson, Vice-Chairperson, and Members shall be such as may be prescribed.

Composition of the National Authority.

Term of office and conditions of service of the Chairperson and Members of the National Authority.

Powers and functions of the National Authority.

7. (1) The National Authority shall perform the following functions, namely:—
- (a) specify national standards for the quality and safety of medical gases;
 - (b) specify regulatory norms based on manufacturing practices for the manufacture, processing, filling, equipment control, testing, labelling, and distribution of medical gases;
 - (c) accredit laboratories for testing of medical gases, including tests for purity, identity, humidity, contamination, and composition;
 - (d) conduct or cause to be conducted scientific inspections and audits of medical gas production facilities;
 - (e) **maintain a national registry of licensed medical gas producers;**
 - (f) coordinate with State Authorities in matters relating to compliance, enforcement, investigation and recall of medical gases; and
 - (g) perform such other functions as may be assigned to it under this Act or as may be prescribed.

(2) The National Authority may, for the efficient discharge of its functions and in furtherance of the objects of this Act, issue directions consistent with the provisions of this Act to any State Authority, manufacturer, licensee, or accredited laboratory.

Promotion of research and capacity building.

8. The National Authority may promote and facilitate research and capacity building in relation to medical gases, including research on:
- (a) causes and prevention of contamination;
 - (b) technologies for humidity control;
 - (c) mitigation of risks relating to fungal infections;
 - (d) development of emergency oxygen surge capacity; and
 - (e) safe blending, storage and handling practices.

Officers and other employees of the National Authority.

9. (1) **The Central Government shall provide the National Authority with such officers and other employees, as may be necessary for the efficient performance of its functions under this Act.**
- (2) **The method of recruitment, salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees, so appointed for the purposes of the National Authority shall be such as may be prescribed.**

CHAPTER III

STATE MEDICAL GASES REGULATORY AUTHORITIES

Establishment of State Authority.

10. (1) **There shall be established in every State and Union territory, by the Central Government or the State Government, as the case may be, a body to be known as the (name of the State or Union territory) Medical Gases Regulatory Authority for the purposes of this Act.**
- (2) The State Authority shall exercise such powers and perform such functions as are conferred upon it under this Act, including—
- (a) grant, renewal, suspension and cancellation of licences;
 - (b) inspection and surveillance of compliance with manufacturing practices;
 - (c) investigation of accidents and safety incidents relating to medical gases;

- (d) monitoring of consumer and patient safety; and
- (e) institution of prosecutions for offences under this Act.

(3) The State Authority shall exercise its powers and discharge its functions within the State, subject to such standards, guidelines and coordination mechanisms as may be specified by the National Authority under this Act.

(4) The composition of the State Authority, the qualifications and experience, term of office, salary and allowances of the Chairperson and Members of the State Authority as well as the regulation of its procedure shall be such as may be prescribed by the respective State Government.

(5) The State Authority shall, while inquiring into any matter referred to it under this Act, have the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit and, in particular, in respect of the following, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or document or copy thereof from any court or office;
- (e) issuing commissions for the examination of witnesses and/or documents; and
- (f) any other matter which may be prescribed.

CHAPTER IV

LICENSING AND MANUFACTURING PRACTICES COMPLIANCE

11. (1) No person shall manufacture, process, fill, refill, transfill, store, distribute or supply any medical gas except under and in accordance with a licence issued by the State Authority subject to payment of such fees and in such manner as may be prescribed.

Licensing of
medical gas
producers.

(2) A licence granted under sub-section (1) shall be valid for a period of one year and shall be renewable in such manner and subject to such conditions as may be prescribed, including—

- (a) compliance with manufacturing practices requirements;
- (b) compliance with requirements of inspection of facilities, equipment, personnel, and record systems; and
- (c) demonstration of adequate quality systems.

(3) The fees payable for the grant or renewal of a licence shall be such as may be prescribed and shall be credited to the Fund constituted under section 20.

12. (1) Every licensed medical gas producer shall comply with the manufacturing practices applicable to medical gases, as may be prescribed.

Manufacturing
practices for
medical gases.

(2) Without prejudice to the generality of sub-section (1), such manufacturing practices may provide for requirements relating to—

- (a) organisation and personnel, including requirements relating to adequate qualifications, training, experience and periodic refresher training in manufacturing practices, conducted by competent persons, to ensure that personnel remain conversant with applicable requirements;
- (b) buildings and facilities, including requirements relating to adequate space, hygienic design, protection against contamination,

physical segregation to prevent mix-ups, cleanable surfaces and appropriate environmental controls;

(c) equipment, including requirements relating to appropriate design, capacity and placement, periodic maintenance, calibration and cleaning, use of non-reactive materials, and documented procedures for inspection, cleaning and maintenance;

(d) production and process controls to ensure the identity, strength, quality, purity and correct filling of medical gases, including validated procedures for evacuation of containers, controlled filling, leak detection and pressure-temperature safety checks;

(e) laboratory controls, including testing for identity, strength, impurities, contaminants, and humidity, validation of test methods, calibration of instruments and maintenance of records; and

(f) packaging, labelling and distribution controls, including colour coding, prevention of mix-ups, distribution traceability and recall mechanisms.

CHAPTER V

INSPECTION, ENFORCEMENT AND PENALTIES

Powers of inspection.

13. (1) The State Authority, or any officer authorised by it in this behalf, may, in such manner as may be prescribed, inspect—

(a) any premises where medical gases are manufactured, processed, filled, refilled, transfilled or stored;

(b) filling stations and related facilities;

(c) records, including electronic or computerised records, relating to the manufacture, testing, storage or distribution of medical gases;

(d) testing laboratories engaged in the analysis of medical gases; and

(e) containers, closure systems, manifolds, hoses, gauges and any other equipment that comes into contact with medical gases.

(2) An officer authorised under sub-section (1) may, for the purposes of this Act—

(a) take samples of any medical gas for testing or analysis;

(b) seal or seize any stock of medical gases found to be unsafe, contaminated or non-compliant with the provisions of this Act or the rules made thereunder;

(c) order the immediate stoppage of manufacture, filling or distribution, where such activity poses a risk to public health or safety; and

(d) recommend to the competent authority the suspension or cancellation of a licence, in such manner as may be prescribed.

Offences and penalties.

14. (1) Any person who manufactures, processes, fills, refills, transfills, stores, distributes or supplies any medical gas which does not conform to the standards specified under this Act or the rules made thereunder shall be guilty of an offence.

(2) Whoever commits an offence under sub-section (1) shall be punishable—

(a) for the first offence, with fine which may extend to twenty-five lakh rupees;

(b) for the second or subsequent offence, with imprisonment for a term which may extend to three years, or with fine which may extend to one crore rupees, or with both; and

(c) with suspension, cancellation or non-renewal of the licence, in such manner as may be prescribed.

(3) Where the manufacture or supply of any sub-standard, contaminated, moisture-laden or fungus-conducive medical gas or gas mixture results in, or is likely to result in, injury to health or death of any patient, such offence shall be punishable with imprisonment for a term which may extend to seven years, and with fine.

(4) Any person who—

(a) wilfully contravenes manufacturing practices;

(b) falsifies, alters or suppresses records required to be maintained under this Act; or

(c) mislabels or tampers with containers or cylinders of medical gases,

shall be deemed to have committed a cognizable offence punishable under sub-section (3).

15. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of that part of the business of the company as well as the company, shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided under this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) “company” means a body corporate, and includes a firm or other association of individuals; and

(b) “director” in relation to a firm means a partner in the firm.

16. (1) Every medical gas producer shall, in such manner and within such time as may be prescribed, report to the appropriate Authority any occurrence of—

Mandatory reporting of incidents.

(a) contamination or suspected contamination of medical gases;

(b) breach of prescribed humidity or moisture limits;

(c) failure or malfunction of equipment used in the manufacture, filling or storage of medical gases;

(d) leakage, filling defect or other defect affecting the integrity or safety of containers; or

(e) any adverse event or serious risk to health associated with the use of medical gases.

(2) The obligation under sub-section (1) shall apply irrespective of whether such occurrence results in actual harm.

Recall of unsafe or sub-standard medical gases.

17. Where any batch of medical gas is found to be unsafe or sub-standard, the State Authority, may, in such manner as may be prescribed, direct the manufacturer or any other person responsible, to forthwith recall such batch from the market, at his own cost.

CHAPTER VI

APPELLATE TRIBUNAL

Establishment of Appellate Tribunal.

18. **(1) The Central Government shall, by notification, establish an Appellate Tribunal to be known as the National Appellate Medical Gases Tribunal.**

(2) The composition of the Appellate Tribunal, the qualifications and experience, term of office, salary and allowances of the Chairperson and Members of the Appellate Tribunal as well as the regulation of its procedure shall be such as may be prescribed.

(3) Any medical gas producer aggrieved by an order of suspension or cancellation of licence, or imposition of penalty, passed by the National Authority or a State Authority under this Act, may prefer an appeal to the Appellate Tribunal within such period and in such manner as may be prescribed.

(4) The Appellate Tribunal shall, after giving the parties to the appeal a reasonable opportunity of being heard, pass such order thereon as it thinks fit, within such time as may be prescribed.

CHAPTER VII

FINANCE, ACCOUNTS AND AUDIT

Grants by Central Government.

19. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the National Authority and the State Authority for a Union territory, by way of grants such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.**

Constitution of Fund.

20. **(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be constituted for the purposes of this Act, a Fund to be called the Medical Gases Regulation Fund, and there shall be credited thereto—**

(a) fees received for the grant or renewal of licences under this Act;

(b) penalties realised under this Act;

(c) grants or loans made by the Central Government; and

(d) voluntary contributions, donations or other receipts, subject to such conditions as may be prescribed.

(2) The Fund shall be applied for meeting the expenditure incurred in the discharge of the functions under this Act, including—

(a) strengthening of regulatory and inspection mechanisms;

(b) establishment and accreditation of laboratories;

(c) training and capacity-building of personnel; and

(d) preparedness and response to medical gas emergencies.

(3) The Fund shall be administered by the National Authority in such manner as may be prescribed.

(4) The accounts of the Fund shall be audited by such auditor as may be prescribed every three months and the audit report shall be laid, as soon as may be after it is received, before each House of Parliament.

21. (1) The National Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

Accounts and
Audit of the
National
Authority.

(2) The accounts of the National Authority shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the National Authority to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the National Authority under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the National Authority.

(4) The accounts of the National Authority, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the National Authority and the Central Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of Parliament.

22. (1) The National Authority shall prepare every year, in such form and within such time as may be prescribed by the Central Government, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government, which shall cause it, as soon as may be after its receipt, to be laid before each House of Parliament.

Annual Reports.

(2) The State Authority shall, in such form and manner, as may be prescribed, submit annual reports to the Central Government and to the respective State Government, as the case may be on matters within its jurisdiction:

Provided that the Central Government shall cause such report received by it, as soon as may be after its receipt, to be laid before each House of Parliament:

Provided further that the State Government, shall cause such report, as soon as may be after its receipt, to be laid before both Houses of the State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House.

23. The State Government shall, after due appropriation made by Legislature by law in this behalf, pay to the State Authority for that State by way of grants such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

Grants by State
Government.

24. (1) The State Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government or the State Government, as the case may be, in consultation with the Comptroller and Auditor-General of India.

Accounts and
Audit of State
Authority.

(2) The accounts of the State Authority shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the State Authority to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the State Authority under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the State Authority.

(4) The accounts of the State Authority, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually to the Central Government or the State Government, as the case may be, by the State Authority and the audit report shall be caused to be laid, as soon as may be after it is received, before the Houses of Parliament or the State Legislature.

CHAPTER VIII

MISCELLANEOUS

Power of
Central
Government
to make rules.

25. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions 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 regulation or both 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.

Power of
Central
Government
to issue
directions.

26. (1) The Central Government may issue directions to the National Authority or any State Authority as it considers necessary in the public interest, particularly during pandemics or disasters and such Authority shall be bound to comply with such directions.

(2) If any question arises as to whether any direction relates to a matter of policy involving public interest, the decision of the Central Government thereon shall be final.

Power of
National
Authority to
make
regulations.

27. (1) Subject to the provisions of this Act and the rules made thereunder, the National Authority may, with the previous approval of the Central Government, by notification, make regulations to carry out the provisions of this Act.

(2) Every regulation made by the National Authority 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 or the successive sessions aforesaid, both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation 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 regulation.

Power of
State
Government
to make rules.

28. (1) The State Government may, by notification, make rules to carry out the provisions of this Act.

(2) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature

where it consists of two Houses, or where such Legislature consists of one House, before that House.

29. The existing medical gas producers shall comply with the provisions of this Act within two years of the commencement of this Act.

Transitional provisions.

30. The provisions of this Act shall have over riding effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Act to have overriding effect.

31. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.

Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of the Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

Medical gases such as Oxygen, Nitrogen, Nitrous Oxide, Carbon Dioxide, Helium, Carbon Monoxide, and Medical Air are critical life-supporting drugs essential for surgical, emergency, and intensive care. Their quality, purity, humidity levels, and absence of contaminants are directly linked to human life and medical outcomes. During the second wave of COVID-19, numerous cases emerged where medical oxygen containing high humidity and impurities resulted in fungal infections, including mucormycosis, leading to tragic loss of eyes, ears, and even life. These incidents highlighted the urgent necessity for strict scientific regulation, real-time inspections, and Current Good Manufacturing Practice (CGMP) enforcement across the entire spectrum of medical gas production and distribution.

Presently, there is no unified national scientific authority dedicated to monitoring medical gas quality across states. This Bill seeks to establish a National Scientific Authority and State Authorities to regulate quality standards, enforce CGMP, inspect facilities, license producers annually, impose penalties for substandard quality, and protect patient safety. This Bill further recognizes that medical gases are essential medicines whose quality standards must never be compromised, especially during pandemics or emergencies.

Hence, this Bill.

AJEET MADHAVRAO GOPCHADE.

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the establishment of a National Medical Gases Regulatory Authority, Clause 5 for its composition, and Clause 6 and 9 provide for the salaries and allowances payable and other terms and conditions of services of the members, officers and other staff of the National Authority. Clause 7 provides for maintaining a national registry of licensed medical gas producers by the National Authority. Clause 18 provides for the establishment of the National Appellate Medical Gases Tribunal. Clause 19 provides that the Central Government shall provide grants to the Authority for carrying out the purposes of this Act and Clause 20 provides for establishment of the Medical Gases Regulation Fund.

The Bill, therefore, if enacted, would involve both non-recurring and recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 25 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 27 empowers the National Authority to make regulations for carrying out the purposes of the Bill. Clause 31 provides that the Central Government may make such provisions, by order, as may be necessary for removing any difficulty in giving effect to the provisions of this Bill.

As the rules, regulations, orders will relate to matters of procedural and administrative details only, the delegation of legislative power is of a normal character.

XXIV

Bill No. XII of 2026

A Bill to provide for mandatory verification of antecedents of every delivery personnel employed by delivery platforms or other employers to ensure safety of consumers, maintenance of a mandatory register of delivery personnel, and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Delivery Platforms (Verification of Antecedents of Delivery Personnel) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) "delivery personnel" means any person engaged, whether as an employee, gig worker, contract worker, part-time worker, agent or independent partner, for the purpose of delivering goods or services to customers;

(b) "delivery platform" or "employer" means any company incorporated under the Companies Act, 2013 or any limited liability partnership registered under the Limited Liability Partnership Act, 2008 or any other body corporate, partnership, association of persons or digital intermediary including any logistics company, food delivery platform, grocery delivery platform, courier agency or any commercial entity, which owns, operates, manages or facilitates delivery services including through electronic or digital means and engages delivery personnel for the purpose of delivering goods or services to customers;

(c) "verification of antecedents" means the process of verification of identity, antecedents, past criminal record, and background check carried out through such authorities or systems, including jurisdictional police authorities, in such manner as may be prescribed;

(d) "Register" means a Register of Delivery Personnel maintained by the employer as provided in section 5; and

(e) "prescribed" means prescribed by rules under this Act.

Mandatory verification of antecedents of delivery personnel.

3. (1) No delivery platform or employer shall engage, appoint, deploy or permit engagement of any person as delivery personnel unless such person has, prior to such engagement, appointment or deployment undergone verification of antecedents and obtained a satisfactory certificate, in accordance with the provisions of this Act and the rules made there under.

(2) Every delivery platform or employer shall, within a period of three months from the date of commencement of this Act, ensure that all delivery personnel engaged by it on the date of such commencement, have undergone verification of antecedents and obtained a satisfactory certificate, in accordance with the provisions of this Act and the rules made there under.

(3) The certificate of verification of antecedents obtained under sub-sections (1) and (2), shall remain valid for a period of two years from the date of its issuance:

Provided that such certificate shall be got renewed by the delivery platform or employer before its expiry, in such manner as may be prescribed.

(4) No delivery platform or employer shall permit any delivery personnel whose certificate of verification of antecedents has expired or has not been renewed in accordance with provisions of sub-section (3), to engage in delivery of any goods or services.

Fees.

4. (1) The entire cost of verification of antecedents under this Act shall be borne by the delivery platform or employer, and shall not under any circumstances, be recovered, directly or indirectly, from the delivery personnel.

(2) The Central Government may prescribe a uniform fee payable for verification of antecedents under this Act, in all States and Union territories.

Register of Delivery Personnel.

5. (1) Every delivery platform or employer shall maintain a Register of Delivery Personnel in such manner and in such form, as may be prescribed, containing the following particulars in respect of each delivery personnel:

(a) full name;

(b) Aadhaar number or such other approved identification number as may be prescribed;

(c) permanent and current address;

- (d) recent photograph;
- (e) certificate of verification of antecedents and its validity;
- (f) nature of engagement, whether engaged as employee, partner, gig worker, or otherwise;
- (g) date of joining and particulars of termination or resignation;
- and
- (h) such other particulars as may be prescribed.

(2) The Register shall be maintained electronically and shall be made available, on demand, for inspection, to authorised police officers or such government officials as may be authorised for the purpose.

6. Every delivery platform or employer shall—

- (a) ensure that any person who has not undergone verification of antecedents as provided in section 3, is permitted to deliver goods or services;
- (b) maintain accurate and up-to-date records of all delivery personnel in the Register;
- (c) immediately report to the concerned police authority, if any delivery personnel is found or suspected to be involved in suspicious or criminal or unlawful activity;
- (d) produce and display proof of compliance with verification of antecedents requirements when called upon during inspections; and
- (e) comply with such other conditions or requirements as may be prescribed.

Duties of delivery platforms or employers.

7. (1) Any delivery platform or employer who engages or permits the engagement of delivery personnel without a satisfactory certificate of verification of antecedents shall be liable to a penalty which shall amount to not less than rupees twenty-five thousand but not exceeding rupees one lakh for each such violation.

Penalties.

(2) For subsequent and repeated offences, the digital platform or employer shall be liable to suspension of licence or temporary prohibition from operating delivery services, in such manner as may be prescribed.

8. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of and was responsible to the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section—

- (a) "company" means a body corporate, and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

Protection of data.

9. All records collected or maintained for the purpose of verification of antecedents under this Act, shall be utilized solely for ensuring safety and law-enforcement purposes and shall be handled in accordance with privacy and data-protection laws for the time being in force.

Power to make rules.

10. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act, including but not limited to digital verification systems, prescription of uniform forms, fees and reporting procedures, and integration with national crime and identity databases.

Overriding effect.

11. The provisions of this Act shall take effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Power to remove difficulties.

12. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

STATEMENT OF OBJECTS AND REASONS

In recent years, India has witnessed a rapid growth of e-commerce, food delivery, courier services, and last-mile logistics, resulting in millions of delivery personnel visiting residential and commercial premises daily. Alongside these developments, several incidents of crime, theft, assault, impersonation, and misuse of delivery uniforms have been reported, posing serious threats to public safety. At present, there is no uniform national law mandating pre-employment and periodic verification of antecedents of delivery personnel. Many delivery platforms operate without adequate background checks of delivery personnel. Delivery personnel frequently change companies, cities, and identities, making their traceability difficult. Given the increasing security risk, it is necessary to institute a compulsory, standardized, and renewable verification of antecedents system which ensures that only verified delivery personnel are permitted to visit homes for delivery of goods or services.

This Bill, therefore, seeks to:

- make pre-employment verification of antecedents mandatory;
- mandate renewal of such verification;
- impose liability upon employers to bear the cost of verification;
- require delivery platforms and employers to maintain a Register of Delivery Personnel, accessible for law-enforcement;
- prescribe penalties for non-compliance; and
- enhance safety of citizens, particularly senior citizens, women, and children.

The Bill is in the public interest and essential for ensuring safety in the rapidly expanding delivery ecosystem.

Hence, this Bill.

AJEET MADHAVRAO GOPCHADE.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 provides that Central Government may make rules for carrying out the purposes of this Bill. Clause 12 empowers the Central Government to make such provisions for removing any difficulty arising in giving effect to the provisions of this Bill.

As the rules will relate to matters of detail only, delegation of legislative powers is of a normal character.

XXV

Bill No. XIII of 2026

A Bill to provide for a comprehensive, scientific and patient-centric statutory framework for the ethical, safe and disciplined use of Artificial Intelligence in human health, clinical research and medical education; to enable Government and private hospitals, research institutions and medical colleges to utilize Artificial Intelligence to enhance patient care, prescription safety, clinical trials, drug discovery and medical education under strict human oversight; to ensure patient safety, data protection, accountability and transparency; to establish a statutory regulatory authority for the purpose and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Artificial Intelligence (Human Health and Medical Education) Regulation Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “Artificial Intelligence” means any computational system that uses algorithms, models, or rule-based techniques to analyse data or information and produce outcomes or actions, and which may operate with varying degrees of autonomy, adaptiveness, or human oversight;

(b) “Artificial Intelligence system” means any machine-based system that, for explicit or implicit objectives, infers from input data to generate outputs such as predictions, recommendations or analyses influencing diagnosis, prescription review, treatment, clinical research, patient management or medical education;

(c) “Authority” means the National Authority for Artificial Intelligence in Human Health and Medical Education established under section 13;

(d) “Fund” means the Artificial Intelligence Harm Compensation Fund established under section 17;

(e) “high-risk Artificial Intelligence system” means an Artificial Intelligence system whose failure, misuse or error may result in death, serious bodily injury, psychological harm, unethical experimentation, discrimination or grave clinical, research or educational consequences;

(f) “Human-in-the-Loop” means a governance mechanism ensuring meaningful human oversight, intervention and final responsibility over the outputs of an Artificial Intelligence system;

(g) “medical education” includes undergraduate, postgraduate and super-specialty medical education, faculty development, assessment, certification and continuing professional development; and

(h) “prescribed” means prescribed by rules made under this Act.

Application of the Act.

3. This Act shall apply to all Artificial Intelligence systems developed, deployed, imported, sold or used in India for —

(a) diagnostics, screening, treatment, prognosis and clinical decision support;

(b) prescription review, medication safety analysis and clinical audit;

(c) drug discovery, therapeutics and biomedical research involving human data;

(d) clinical trials, including protocol design support, patient eligibility assessment, safety monitoring and data analysis, subject to applicable laws and ethical approvals;

(e) mental and behavioural healthcare;

(f) public health surveillance and epidemiology;

(g) hospital and clinic management systems; and

(h) medical education, training, simulation, assessment and certification.

4. (1) Notwithstanding anything contained in this regard in any other law for the time being in force, the use of Artificial Intelligence in human health, clinical research and medical education shall be:-

(i) strictly as a supportive scientific tool intended to enhance, and not replace, human clinical judgment, ethical reasoning, compassion and professional accountability; and

(ii) permitted only in a regulated, supervised and disciplined manner, as provided under this Act recognising that human life, dignity and safety are paramount.

Disciplined and patient-centric use of Artificial Intelligence in human health, clinical research and medical education.

(2) The Central Government may encourage innovation in such use of artificial intelligence, in such manner as may be prescribed, subject to protection of patient safety, research ethics, student competence or professional responsibility.

5. (1) Subject to the provisions of section 4, any Government or private hospital or any other healthcare institution may utilise any Artificial Intelligence system to enhance diagnosis, treatment planning, patient monitoring, prescription review, clinical audit, quality assurance, public health functions and operational efficiency, subject to human oversight and informed consent, in such manner as may be prescribed:

Permissible use of Artificial Intelligence system in healthcare institutions.

Provided that Artificial Intelligence systems may be utilised for prescription and clinical audit purposes, including detection of medication errors, drug–drug interactions, contraindications, dosage deviations and non-compliance with standard treatment guidelines, only as clinical decision-support tools.

(2) No Artificial Intelligence system shall be deployed to autonomously generate, modify or finalise any prescription, and the final responsibility for a prescription shall at all times vest with a registered medical practitioner.

(3) The Artificial Intelligence system may suggest evidence-based treatment protocols, care pathways and risk stratification models subject to the final decision regarding diagnosis, initiation, modification or discontinuation of treatment being vested exclusively with a registered medical practitioner, who shall remain professionally and legally accountable.

(4) The Artificial Intelligence system may assist in clinical documentation, discharge summaries and follow-up planning, subject to verification and authentication by a human clinician.

6. No Artificial Intelligence system shall operate as the sole or final authority in diagnosis, prescription, treatment, prognosis, patient triage or clinical decision-making; and the final authority and accountability shall at all times vest with a qualified human medical professional.

Mandatory human-in-the-loop.

7. (1) Any Government or private medical college or any other medical education institution may utilise Artificial Intelligence systems to supplement teaching, clinical simulations, curriculum planning, faculty support, assessment analytics and continuing medical education:

Permissible use of Artificial Intelligence system in medical education institutions.

Provided that such use shall not replace hands-on clinical training, bedside teaching, clinical reasoning or ethical judgment.

(2) Artificial Intelligence systems may be used to analyse learning outcomes, identify competency gaps and suggest modifications or updates to medical syllabi, curricula and training methods, in alignment with emerging scientific evidence and national health priorities, in such manner as may be prescribed.

8. (1) Notwithstanding anything contained in this Act, no Artificial Intelligence system shall be used to replace faculty judgment, certify clinical competence autonomously or dilute ethical and clinical training standards.

Safeguards in medical education.

(2) Any syllabus or curriculum modification suggested with the aid of Artificial Intelligence shall be advisory in nature and shall be implemented only after due human review, expert deliberation and approval by the National Medical Commission or such other competent authority in such manner as may be prescribed.

9. (1) Any Artificial Intelligence system may be utilized to assist in drug discovery, molecule screening, protocol design, patient recruitment support, safety signal detection and data analysis in clinical trials, subject to compliance with any applicable law for the time being in force or ethical guidelines and regulatory approvals, as may be prescribed:

Permissible use of Artificial Intelligence system in clinical research.

Provided that all decisions relating to clinical trials shall remain under the control and responsibility of qualified investigators and such ethics committees, as may be appointed or constituted by the Central Government.

(2) No Artificial Intelligence system shall independently determine trial participation, dose escalation, adverse event management or trial termination.

(3) The use of any Artificial Intelligence system in clinical trials shall be transparent, auditable and subject to continuous oversight to prevent bias, unsafe experimentation or violation of participant rights, in such manner as may be prescribed.

Safety,
validation and
monitoring.

10. Every Artificial Intelligence system covered under this Act shall undergo scientific validation in clinical, research or educational settings of the country and shall be subject to continuous post-deployment monitoring, bias assessment and performance review, in such manner as may be prescribed.

Informed
consent.

11. Explicit, informed and Artificial Intelligence-specific consent shall be mandatory for the use of any Artificial Intelligence system involving identifiable human health, clinical trial or educational data, in such manner as may be prescribed:

Provided that refusal to provide such content shall not, in any circumstance, result in denial of healthcare services or educational opportunities.

Data
governance.

12. The collection, storage, processing and sharing of data by means of any Artificial Intelligence system shall be limited to necessity, and any unauthorised re-identification, profiling or secondary use of such data without consent shall be prohibited.

Establishment
of National
Authority for
Artificial
Intelligence in
Human Health
and Medical
Education.

13. **(1) The Central Government shall, by notification in the Official Gazette, establish an authority, to be known as the National Authority for Artificial Intelligence in Human Health and Medical Education, consisting of a Chairperson and such number of other Members to assist it in performing any of the functions under this Act.**

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue and be sued.

(3) The head office of the Authority shall be at New Delhi and it may with the prior approval of the Central Government, establish offices at other places in the country as it may deem necessary for carrying out the purposes of this Act.

(4) The Authority shall have the power to regulate its own procedure.

(5) **The Central Government may prescribe the following, namely:-**

(a) appointment of the Chairperson;

(b) composition and qualification for appointment of Members;

(c) salary, allowances payable to Chairperson and Members and their term of office;

(d) disqualification for appointment and continuation as Chairperson and Members;

(e) resignation by Members and filling of vacancy;

(f) proceedings of the Authority;

(g) officers and employees of the Authority;

(h) powers to be exercised by the Chairperson; and

(i) any other matter to further the objectives of this Act.

14. The Authority shall be the central regulatory, supervisory and enforcement body for Artificial Intelligence systems governed under this Act and shall exercise the following powers and functions:-

Powers and functions of the Authority.

(a) to register, scrutinise and approve Artificial Intelligence systems intended for development, deployment, import, sale or use in human health, clinical research and medical education, in such manner as may be prescribed;

(b) to classify Artificial Intelligence systems, including identification and designation of high-risk Artificial Intelligence systems, based on potential harm, complexity, autonomy and impact on human safety, ethics or rights;

(c) to recommend to the Central Government regarding the conditions, limitations or safeguards that may be prescribed for approval, deployment or continued operation of Artificial Intelligence systems;

(d) to formulate technical, ethical, clinical and educational standards for the safe, transparent and accountable use of Artificial Intelligence systems;

(e) to require pre-deployment scientific validation of Artificial Intelligence systems in the clinical, research or educational settings of the country;

(f) to mandate and oversee continuous post-deployment monitoring, performance review and bias assessment;

(g) to order suspension, modification, recall or withdrawal of Artificial Intelligence systems found to be unsafe, unethical, misleading or non-compliant.

(h) to investigate complaints, incidents, adverse events or whistleblower disclosures relating to Artificial Intelligence systems.

(i) to impose penalties for minor, serious or grave violations in accordance with section 15 of the Act;

(j) to establish and maintain a national registry of approved Artificial Intelligence systems, including their risk classification and permitted uses;

(k) to administer and manage the Artificial Intelligence Harm Compensation Fund established under section 17;

(l) to advise the Central Government on policy, legislative and regulatory measures relating to Artificial Intelligence in health and medical education; and

(m) to perform such other functions, as may be prescribed.

15. (1) Any person who contravenes or violates any provision of this Act shall be guilty of an offence and shall be liable for a fine of upto rupees ten lakh which may extend upto rupees five crore for violations of grave nature.

Penalties.

(2) Whoever, causes death either directly or indirectly due to violation of any provisions of this Act shall be liable for imprisonment for a term which may extend up to seven years or a fine up to rupees ten crore or both.

16. (1) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed, was in charge of and was responsible to the company for the conduct of the business of the company, as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation. — For the purposes of this section-

(a) "company" means a body corporate, and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

Establishment
of Artificial
Intelligence
Harm
Compensation
Fund.

17. (1) The Central Government shall, by notification in the Official Gazette, establish a fund to be called the Artificial Intelligence Harm Compensation Fund.

(2) The Fund shall be credited with—

(a) such sums as may be provided by the Central Government;

(b) contributions, fees, or levies imposed on developers, deployers, or operators of Artificial Intelligence systems, in such manner as may be prescribed;

(c) penalties recovered under this Act; and

(d) any other source as may be prescribed by the Central Government.

(3) The Fund shall be administered by the Authority, subject to rules made by the Central Government in this behalf.

(4) Every victim of harm caused by use of Artificial Intelligence systems shall be entitled to receive compensation from the Fund, in such manner as may be prescribed.

Whistleblower
protection.

18. No person who, in good faith, reports or discloses any violation of the provisions of this Act, shall suffer retaliation, discrimination, or adverse action of any kind; and such person shall be entitled to protection in such manner as may be prescribed.

Power to make
rules.

19. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions 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.

Overriding
effect.

20. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

- 21. The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Authority, by way of grants such sums of money as the Central Government may think fit for carrying out the purposes of this Act.** Central Government to provide funds.
- 22.** (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India. Accounts and audit.
- (2) The accounts of the Authority shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General.
- (3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Authority under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority;
- (4) The accounts of the Authority, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Authority.
- 23** The Authority shall prepare, in such form and at such time, for each financial year, as may be prescribed, its annual report, giving a full account of its activities during the previous financial year and forward a copy thereof to the Central Government. Annual Report.
- 24.** The Central Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, in so far as they relate to the Central Government, and the reasons for the non-acceptance, if any, of any of such recommendations and the audit report to be laid as soon as may be after the reports are received, before each House of Parliament. Annual report and audit report to be laid before Parliament.
- 25.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty. Power to remove difficulties.

STATEMENT OF OBJECTS AND REASONS

Artificial Intelligence has emerged as a transformative scientific tool with significant potential to enhance diagnostic accuracy, treatment planning, prescription safety, patient monitoring, public health surveillance, clinical research, drug development and the quality of medical education. Government and private hospitals, research institutions and medical colleges across India are increasingly adopting AI-based systems to support clinical decision-making, optimise healthcare delivery, conduct clinical audits, improve prescription safety and strengthen teaching–learning processes. At the same time, it is now well recognised that the application of Artificial Intelligence in human health, clinical trials and medical education is fundamentally different from its use in other sectors, as it directly affects human life, bodily integrity, mental health, dignity, autonomy, research ethics and professional medical judgment. Errors, bias, opacity, lack of validation or excessive reliance on automated systems may result in serious patient harm, misdiagnosis, unsafe prescriptions, unethical experimentation, erosion of clinical reasoning, dilution of professional accountability and long-term risks to public trust in the healthcare system.

The Indian Council of Medical Research (ICMR), as the apex body for biomedical research in the country, has issued detailed ethical and scientific guidance emphasising that Artificial Intelligence in healthcare and clinical research must adhere to the highest standards of safety, validation, transparency, accountability, data protection and human oversight, and must function strictly as a supportive tool rather than a substitute for human clinical judgment. Similarly, the National Medical Commission is mandated to ensure that medical education in India produces doctors who are clinically competent, ethically grounded and professionally accountable, which requires that Artificial Intelligence be used in medical education only in a supervised, supplementary and disciplined manner, without replacing hands-on training, ethical reasoning or faculty judgment.

At present, however, India lacks a comprehensive statutory framework specifically governing the use of Artificial Intelligence in human health, clinical trials and medical education. Existing laws relating to information technology, data protection, drugs, clinical research or professional regulation are fragmented and do not adequately address the unique scientific, ethical, safety and liability issues posed by AI systems that influence diagnosis, prescriptions, treatment decisions, clinical trials or medical training. Ethical guidelines, though valuable, remain advisory in nature and do not provide enforceable safeguards, accountability mechanisms or effective remedies for harm.

This Bill seeks to fill this critical regulatory gap by establishing a balanced, science-based and patient-centric statutory framework for the use of Artificial Intelligence in human health, clinical research and medical education. The Bill aims to—

(a) enable the responsible use of Artificial Intelligence by Government and private hospitals, research institutions and medical colleges to enhance patient care, prescription safety, clinical research and medical education;

(b) mandate strict human-in-the-loop oversight, ensuring that final authority and accountability for diagnosis, prescription, treatment decisions, clinical trial conduct and educational certification always rest with qualified medical professionals and educators;

(c) ensure patient safety and risk minimization through scientific validation, bias assessment, transparency, continuous monitoring and post-deployment surveillance of Artificial Intelligence systems;

(d) protect patient autonomy, dignity and data privacy, including mandatory informed consent for the use of Artificial Intelligence involving human health, clinical trial or educational data;

(e) safeguard the integrity of medical education by preventing the replacement of clinical reasoning, hands-on training and ethical judgment with

automated systems, while permitting advisory use of Artificial Intelligence for curriculum and syllabus development subject to statutory approval;

(f) provide a regulated framework for the use of Artificial Intelligence in drug discovery and clinical trials, including protocol design support, safety monitoring and data analysis, subject to human oversight, ethics committee approval and existing clinical trial laws, ensuring that innovation does not compromise participant safety or research ethics;

(g) establish clear accountability and liability, including penalties and compensation mechanisms, for harm caused by misuse, negligence or failure of Artificial Intelligence systems; and

(h) create a statutory regulatory authority to oversee registration, approval, audit and enforcement in respect of Artificial Intelligence systems used in human health, clinical research and medical education.

The Bill does not seek to stifle innovation. On the contrary, it seeks to foster responsible and trustworthy innovation by providing legal certainty, public confidence and robust patient protection, while making it unequivocally clear that human life, dignity, safety, ethics and professional responsibility are paramount and non-negotiable. The enactment of this legislation is therefore considered necessary in the national interest to ensure that Artificial Intelligence strengthens healthcare, clinical research and medical education in India as a scientifically sound and ethically governed aid, and not as an unregulated force capable of causing unintended harm to patients, students and society at large.

Hence, this Bill.

AJEET MADHAVRAO GOPCHADE.

FINANCIAL MEMORANDUM

Clause 13 of the Bill provides for the establishment of a National Authority for Artificial Intelligence in Human Health and Medical Education and appointment of Chairperson, Members and staff for its efficient discharge of functions. Clause 14, sub-clause (k) provides for establishment and maintenance of a national registry of approved artificial Intelligence systems. Clause 17 provides for establishment of an Artificial Intelligence Harm Compensation Fund. Clause 21 provides that the Central Government shall provide adequate funds to the Authority for carry out the purposes of this Act.

This Bill, therefore, if enacted would involve recurring and non-recurring expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 19 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Act. Clause 25 empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XXVI**Bill No. XV of 2026**

A Bill further to amend the Constitution of India.

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

1. (1) This Act may be called the Constitution (Amendment) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and
commencement.

Amendment
of article 15.

2. In article 15 of the Constitution, for clause (4), the following new clause shall be substituted:—

“(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens proportionate to their population in the caste census or for the Scheduled Castes and the Scheduled Tribes.”

Amendment
of article 16.

3. In article 16 of the Constitution, for clauses (4) & (4A), the following new clauses shall be substituted, namely:—

“(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of State, is not adequately represented in the services under the State proportionate to their population in the caste census.

(4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class or classes of posts in the services under the State in favour of the Scheduled Castes, the Scheduled Tribes and Other Backward Classes which, in the opinion of the State, are not adequately represented in the services under the State.”

Amendment
of article 124.

4. In article 124 of the Constitution, after clause (2A), the following new clauses shall be inserted, *namely*:—

“(2B) Notwithstanding anything in this Constitution, the appointment of Judges to the Supreme Court shall be made by giving due representation to members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, religious minorities and women, in proportion to their population in the country:

Provided that the provisions of this clause shall not apply to such categories which are already represented in the total strength of Judges of the Supreme Court in proportion to their population in the country.

(2C) Subject to the provisions of clause (2B), the Central Government shall frame a Memorandum of Procedure for appointment of Judges of the Supreme Court in consultation with the Chief Justice of India, setting out the timelines and procedure including identifying, assessing, recommending, and appointing suitable candidates as Judges of the Supreme Court.

(2D) If the Chief Justice or Judge of any High Court is being considered for appointment as a Judge of the Supreme Court, the Central Government shall consult the Government of that State before making such appointment.

(2E) The Central Government shall either return or notify any recommendation of the collegium of the Supreme Court for appointment of Judges of the Supreme Court within sixty days of receipt of the recommendation:

Provided that if any recommendation is returned by the Central Government and the same is re-iterated by the collegium of the Supreme Court, the Central Government shall notify the same within a period of thirty days of receipt of the reiteration.

Explanation— For the purpose of this clause, ‘collegium of the Supreme Court’ shall mean a Committee comprising of five senior-most Judges of the Supreme Court including the Chief Justice of India.”

5. For article 130 of the Constitution, the following article shall be substituted, namely:—

Substitution of article 130.

“130. (1) The Supreme Court established under Clause (1) of article 124 shall comprise of a Constitution Bench sitting at New Delhi and four Permanent Regional Benches for the northern, southern, eastern and western regions, which shall sit at New Delhi, Chennai, Kolkata and Mumbai respectively.

Constitution Bench and Permanent Regional Benches of the Supreme Court.

(2) The Constitution Bench at New Delhi shall hear only cases which are of constitutional importance.

Explanation— The Chief Justice of India shall have exclusive power to determine which case is to be classified as a case of constitutional importance.

(3) The four Permanent Regional Benches of the Supreme Court shall exercise the full jurisdiction of the Supreme Court of India, except over cases to be heard by the Constitution Bench.

(4) The territorial jurisdiction of the Permanent Regional Benches of the Supreme Court shall be as follows:—

(a) the northern Regional Bench of the Supreme Court at New Delhi shall deal with all cases, except cases to be heard by the Constitution Bench, arising out of the States of Uttar Pradesh, Uttarakhand, Rajasthan, Punjab, Haryana, Himachal Pradesh and the Union territories of Jammu and Kashmir, Ladakh, Delhi and Chandigarh;

(b) the southern Regional Bench of the Supreme Court at Chennai shall deal with all cases, except cases to be heard by the Constitution Bench, arising out of the States of Tamil Nadu, Kerala, Karnataka, Andhra Pradesh, Telangana and the Union territories of Puducherry and Lakshadweep;

(c) the eastern Regional Bench of the Supreme Court at Kolkata shall deal with all cases, except cases to be heard by the Constitution Bench, arising out of the States of West Bengal, Bihar, Odisha, Jharkhand, Assam, Sikkim, Arunachal Pradesh, Nagaland, Meghalaya, Manipur, Tripura, Mizoram and Union territory of Andaman and Nicobar Islands; and

(d) the western Regional Bench of the Supreme Court at Mumbai shall deal with all cases, except cases to be heard by the Constitution Bench, arising out of the States of Maharashtra, Madhya Pradesh, Chhattisgarh, Gujarat, Goa and Union territory of Dadra and Nagar Haveli and Daman and Diu:

Provided that the Chief Justice of India may, if in the interest of administration of justice, transfer any case pending before any Permanent Regional Bench to any other Permanent Regional Bench or the Constitution Bench:

Provided further that when cases involving the same substantial question of law or the same subject matter are pending before two or more Regional Benches, the Chief Justice of India may direct that all such cases be heard by any one of the Regional Benches.

(5) The Chief Justice of India shall nominate Judges of the Supreme Court to sit at the Constitution Bench and the Permanent Regional Benches:

Provided that Chief Justice of India shall nominate not less than six Judges of Supreme Court in each of the Permanent Regional Benches:

Provided further that while nominating Judges to the Permanent Regional Benches, the Chief Justice shall give preference to Judges whose parent High Court or erstwhile place of practice or residence prior to appointment as Judge, is within the territorial jurisdiction of that Permanent Regional Bench:

Provided also that nothing contained herein shall prevent the Chief Justice from nominating any Judge of the Supreme Court to the Constitution Bench or any of the Permanent Regional Benches on the basis of seniority, or if it is otherwise necessary to do so in the interest of administration of justice.”

Amendment
of article 217.

6. In article 217 of the Constitution—

(1) in clause (1), for the words “sixty-two years”, the words “sixty-five years” shall be substituted.

(2) after clause (2), the following new clauses shall be inserted, namely :—

“(2A) Notwithstanding anything contained in this Constitution, the appointment of Judges to the High Court of a State shall be made by giving due representation to members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, religious minorities and women, in proportion to their population within that State:

Provided that the provisions of this clause shall not apply to such categories which are already represented in the total strength of Judges of a High Court in proportion to their population within that State.

(2B) In all cases of appointments to a High Court of a State, the Central Government, the collegium of the Supreme Court and the collegium of that High Court shall take into consideration the opinion of the Government of that State before making the appointment.

Explanation— For the purpose of this clause, ‘State’ includes all States and Union Territories that share a common High Court.

(2C) Subject to the provisions of clause (2A), the Central Government shall frame a Memorandum of Procedure for appointment of Judges of High Courts in consultation with all the State Governments, Governments of Union Territories, the Chief Justice of India and Chief Justices of all High Courts, setting out the timelines and procedure including identifying, assessing, recommending, and appointing suitable candidates as Judges of High Courts.

(2D) The Central Government shall either return or notify any recommendation of the collegium of the Supreme Court for appointment of Judges of the High Court within sixty days of receipt of the recommendation:

Provided that if any recommendation is returned by the Central Government and the same is reiterated by the Supreme Court, the Central Government shall notify the same within a period of thirty days of receipt of the reiteration.

Explanation— For the purpose of article 217, ‘collegium of Supreme Court’ shall mean a Committee comprising the five senior most Judges of the Supreme Court including the Chief Justice of India and ‘collegium of High Court’ shall mean a Committee comprising the three senior most Judges of that High Court including the Chief Justice of that High Court.”

7. In article 224 of the Constitution—

Amendment of
article 224.

(1) after clause (1), the following new clause shall be inserted,
namely :—

“(1A) Notwithstanding anything contained in this Constitution, the appointment of additional Judges to the High Court of a State shall be made, by giving due representation to members of the Scheduled Castes, Scheduled Tribes, Other Backward Classes, religious minorities and women, in proportion to their population within that State:

Provided that the provisions of this clause shall not apply to such categories which are already represented in the total strength of Judges and additional Judges of a High Court in proportion to their population within that State.”

(2) in clause (3), for the words “sixty-two years”, the words “sixty-five years” shall be substituted.

8. In the Seventh Schedule to the Constitution: —

Amendment of
the Seventh
Schedule.

(a) In List I – Union List, Entry 69 shall be omitted;

(b) In List III – Concurrent List, after Entry 47, the following entry shall be inserted, namely: —

“48. Census”

STATEMENT OF OBJECTS AND REASONS

The Indian Constitution is the supreme law of this country which guarantees equality of status and opportunity. However, unequal cannot be treated equally and therefore the Indian Constitution allows for positive discrimination to foster equality. The origins of the reservation system may be traced back to India's old discriminatory caste system. With the object of making Indian society a democratic and egalitarian society, the framers of our Constitution framed the policy of reservation so that the oppressed and depressed classes can be joined in the mainstream. The reservations, therefore, were the exception to the general rule. Reservations in education and public employment are granted to elevate those regarded socially and educationally backward in the State's perspective or when a class of citizens is not properly represented in the services supplied by the State. Reservation is being offered to the citizens of India belonging to Scheduled Caste/Scheduled Tribe/Other Backward Classes (SCs/STs/OBCs) categories, who have been disadvantaged and exploited socially and educationally for generations.

The Mandal Commission Report published in the year 1980 was the first to define reservation for Other Backward Classes of citizens in India. The living standards of the Scheduled Castes, Scheduled Tribes, and Backward Class families were deemed much poorer than the mainstream population, including Hindu forward castes and other religious groups. Therefore, the Mandal Commission recommended to grant 27% reservations to Other Backward Class citizens.

Over the years, there has been unrest amongst the citizens belonging to the socially and educationally backward classes for not being treated fairly and equally and that there is no level playing field when compared to the socially and educationally forward citizens. The concept of reservations introduced to uplift the socially and educationally backward classes of citizens for the injustice being done to them generation after generation did not achieve any greater results due to disparity in the quantum of reservations compared to their population. The fact remains that the reservation at 27% offered to the Other Backward Classes of citizens on the basis of the 1931 census over a period of time is not sufficient that too for a community, which is the largest in population in this country. The accumulation of the deficit in honouring their due representations and reservations for socially and educationally backward classes of citizens each year, again brings out inequality in the society.

Constitution being an organic document should stretch itself to take care of the demand and needs of the society. The founding fathers of our Constitution have designedly couched Articles 14, 15 and 16 in comprehensive phraseology so that the frail and emaciated section of the people living in poverty, rearing in obscurity, possessing no wealth or influence, having no education, much less higher education and suffering from social repression and oppression should not be denied of equality before law and equal protection of the laws and equal opportunity in the matters of public employment or subjected to any prohibition or discrimination on grounds of religion, race, caste, sex or place of birth. For achieving these objects, provisions were inserted under Articles 15 and 16 for providing reservations to the SC, ST and Socially and Educationally Backward Classes of citizens.

The Mandal Commission while determining the criteria for defining the socially and educationally backward classes of citizens identified that the OBCs constituted nearly 52% of the Indian population on the basis of the 1931 census. That after considering all facts and circumstances, the Commission initially recommended for reserving 52% of all posts under the Central Government and in educational institutions both under the Central and State Governments, for the backward classes of citizens. It was due to the legal constraint of 50% cap on all reservations that initially the quantum of Other Backward Class reservation was fixed at 27%, in order to arrive at a figure which when added to the 22.5% reservation for SCs and STs remains below 50%. The reservation of 27% in education was introduced after the 93rd Constitutional amendment with effect from 20.1.2006. The twenty years of implementation of reservation in education has not

enabled the entire socially and educationally backward classes of citizens to realize the benefits of the reservation and disparity still prevails in the society and there is no achievement of level playing field. Moreover, the reservation in appointments introduced in the year 1981 also did not enable the Other Backward Classes of citizens to get their rightful share in employment and still there is inadequate representation in employment including in the promotional posts. Considering the fact that there exists no mathematical limit of 50% in aggregate for reservations, therefore it is essential that reservations for the backward classes of citizens be increased in proportion to the increase in their population over the years and shall be made proportionate to their population in the Caste Census.

Further, to achieve substantive equality, it is imperative that Articles 15 and 16 of the Constitution should be amended to increase the quantum of reservations of Socially and Educationally Backward Classes of citizens proportionate to their Caste Census.

The Constitution (Seventy-seventh Amendment) Act, 1995 inserted clause (4A) to Article 16 to extend the benefit of reservations in promotions as clause (4) is confined only to reservation in initial appointments. Parliament felt that it was necessary to continue providing reservations in promotion posts as well in the case of the Scheduled Castes and Scheduled Tribes. However, the said amendment did not consider the case of OBCs.

The discrimination faced by the OBCs is comparable and a similar level to the discrimination faced by the SCs and the STs. The abhorrent and inhuman system of classification of human beings merely based on their birth, over which they obviously had no control, led to systemic oppression and discrimination. The effect of this systemic discrimination was not just economic, it was social and psychological which was the primary reason for insertion of article 16(4) in the Constitution.

OBCs are constitutionally recognized to be socially backward but still there are no enabling provisions to provide reservations for them in promotional posts. Due to such non-inclusion, the OBCs are vastly unrepresented at the higher posts of the administration as they were never considered for promotions due to social status.

Recently, Parliament has extended the benefit of reservations to forward castes also in the category of economically weaker sections. Due to absence of the aforesaid Constitutional mandate in promotions, the real oppressed and downtrodden are not brought into the mainstream till today. Mere entry into service is not sufficient. Only when the OBCs are duly represented in promotional posts, a truly representative administration could be achieved, and real substantive equality is enabled.

Therefore, Article 16 of the Constitution of India must be further amended to grant reservations in promotional posts with consequential seniority for the backward classes of citizens and this would result in true social justice as it would ensure adequate representation of the backward class of citizens in higher offices of the administration.

India is a diverse nation with a rich tapestry of cultures, communities, genders, and religions. The preamble of our Constitution envisions securing social justice for all. However, the current composition of the higher judiciary does not adequately reflect this diversity. The current trend in judicial appointments shows a low representation of socially marginalized groups and there is significant over-representation of certain sections.

A representative judiciary is pivotal for fostering public confidence in the judiciary's ability to make sound and responsive decisions. When the judiciary includes Judges from all sections of society, it instills greater confidence amongst the public. Further, a diverse judiciary is imperative to enhance the quality of judicial decisions. Judges bring their personal experiences and perspectives to the bench, influencing how they interpret and apply the law.

A diverse judiciary is also less likely to violate the rights of underrepresented classes and more likely to prevent discrimination. The lack of Judges from historically oppressed and minority communities indicates systemic barriers that must be addressed. Increasing diversity ensures that the judiciary protects the rights of all citizens and reflects the nation's pluralistic society. A constitutional mandate in this regard would ensure that the superior courts are never underrepresented. It is of utmost importance that equitable representation and fair play in the higher judiciary are secured through constitutional channels.

The Collegium of the Justice(s) of the Hon'ble Supreme Court and Hon'ble High Courts is an aspect of judicial appointments which is a closed-door phenomenon. Having a transparent procedure for judicial appointments would reflect a greater faith in the Constitution and the Judiciary. An established Memorandum of Procedure by the Central Government in consultation with the Chief Justice of India for appointment of Judges of the Supreme Court and in consultation with all the State Governments, Governments of Union Territories, the Chief Justice of India and Chief Justices of all State High Courts for appointment of Judges of High Courts, would ensure that there are no deviations in conventions and would also ensure that the judicial appointments are fair and transparent. Furthermore, to enhance transparency, the Collegium should also consider the opinion of their respective State Governments while recommending names for appointment as Judges of the High Courts to the Central Government. Despite judicial pronouncements on the appointment of Judges calling for a Memorandum of Procedure, no such memorandum has been finalized till date by the Central Government.

Further, when the Judges of the Supreme Court and High Courts have the power of judicial review to test the policies and laws made or enacted by the lawfully and democratically elected State Governments, it is sequitur that the views and opinions of the concerned State Governments be heard before making such appointments. After all, the State and the Central Governments are equal and function in the spirit of co-operative federalism.

Therefore, this Bill seeks to amend the Constitution of India to provide for social diversity in the appointment of Judges to the Supreme Court and High Courts, proportional to the population of Scheduled Castes, Scheduled Tribes, and Other Backward Classes and to bring transparency in judicial appointments in higher judiciary. Providing for reservation in judicial appointments, with an aim to promote social diversity, will definitely help in improving the quality of judicial decisions, enhancing public confidence, bringing transparency to judicial appointments and upholding the constitutional values of equality and inclusivity.

Presently, the Supreme Court of India currently hears all appeals from the High Courts and Tribunals across India, apart from exercising original jurisdiction and writ jurisdiction under Article 32 of the Constitution of India. When the framers of our Constitution drafted Article 108A of the Draft Constitution, which was enacted and renumbered as Article 130, their intention was that in case the capital is shifted to any place other than Delhi, or if it became necessary to have "circuit Courts or regional Benches" of the Supreme Court, there should be a provision in the Constitution to enable such a need. Article 130 therefore empowers the Chief Justice of India to establish regional benches of Supreme Court in consultation with the President for the purpose of effective delivery of justice.

The framers of the Constitution, particularly Dr. B.R. Ambedkar, while debating Article 108-A of the Draft Constitution, which ultimately was enacted as Article 130, considered it appropriate to entrust the powers of establishment of Regional Benches to the Chief Justice of India. Since the enactment of our Constitution, the population of the country has grown over four times, and the docket of the Supreme Court has grown about 10,000 times. This is also because of the rapid economic and social growth of our nation.

For decades now, there has been a widespread demand from various quarters for the establishment of Permanent Regional Benches of the Supreme Court. Many representations have been made from various Bar Associations and litigants from across the country. The people's representatives in Parliament have also often raised this issue of Permanent Regional Benches of Supreme Court. The Standing Committees of Parliament recommended the setting up of Regional benches of the Supreme Court in 2004, 2005, and 2006. The Law Commission in its Report No. 229 dated 05.08.2009 to the Ministry of Law and Justice, Government of India has also emphasized the need for the establishment of "Cassation Benches" of the Supreme Court at New Delhi, Mumbai, Chennai and Kolkata.

The advantages of setting up Regional Benches are many fold: Presently, access to the Supreme Court is restricted to only those with the economic means to travel to Delhi and afford a lawyer in Delhi. This effectively rules out a large percentage of the population who do not have the economic means, and therefore can litigate only up to the High Court. In some cases, such as some categories of Writ Petitions, the case is heard at the first instance itself by a Division Bench of the High Court, and appeal against the same is only to the Supreme Court. Therefore, a person, who cannot afford to go to Delhi, or afford the fees of the lawyers at Delhi, which is invariably higher due to demand, is left without an appellate remedy. Therefore, litigation at the Supreme Court is increasingly becoming available only to the affluent class, and the economically weaker sections of society are deprived of access to the Apex Court.

Further, setting up of regional Benches of the Supreme Court would also increase the strength of the Bench of the Supreme Court. Presently, the ratio of number of Supreme Court Judges to the population of the country and the docket of the Court is miniscule. There are only 34 Judges for a country with a population of 133 crores. Having Regional Benches would necessarily increase the Bench strength of the Supreme Court as well. This would need a separate amendment to the Supreme Court (Number of Judges) Act, 1956.

The proposed amendment divides the Supreme Court into one Constitution Bench at the capital, and four regional Benches. The Constitution Bench would hear important constitutional cases only. The discretion to classify a case as a constitutional case has been conferred on the Chief Justice of India. Generally, constitutional cases are heard and decided by a Bench of five Judges or more. Regional Benches have been empowered under this amendment to exercise the full jurisdiction of the Supreme Court in all matters other than Constitution cases.

The persistent problem of backlog of cases in the higher judiciary - the High Courts and Supreme Court - is a matter of grave public concern. It is a well-known adage that justice delayed is justice denied. There are several factors which contribute to the inability of our higher judiciary to effectively tackle the backlog of cases. One of the chief causes of delay in disposing cases is the large number of vacancies in High Courts across the country. However, due to various reasons, this process is not completed on time leading to large number of vacancies as stated above.

One of the ways in which this situation can be ameliorated is by increasing the age of retirement of High Court Judges from 62 to 65 years. When the Constitution was originally enacted, article 217 (1) fixed the age of retirement of High Court Judges as 60 years. Subsequently, within 13 years, it was realized that the human body and mind does not become so incapacitate at the age of 60 that Judge must retire at that age. Hence, by virtue of the Constitution (Fifteenth Amendment) Act, 1963, the age of retirement was increased to 62 years. From 1963 onwards, the age of retirement has remained at 62. Over the past five decades, advancement in science and technology, medicine, better infrastructure and lifestyle has allowed Indians in other walks of life to be efficient, functional and work well up to the age of about 75 years.

In these circumstances, the time has come to increase the age of retirement of Judges of the High Court from 62 to 65 years. This would not only help the

judicial system but also the public at large, specifically the litigants before the Courts. The judicial system would be greatly benefited because a person who has a wealth of experience under his or her belt by virtue of a long tenure in the High Court would continue to serve the High Court for a further period of 3 years. Undoubtedly, the experience of the Judge would mean that he or she is better suited to perform the functions of a Judge than a newly elevated Judge of the High Court. The wealth of judicial experience gained over a decade or so in the High Court cannot be replaced by a newly elevated Judge. Longer tenures also ensure impartiality of Judges - an oft-raised criticism is that Judges begin looking for post-retirement jobs in the last year of their service. This can be removed by extending their tenure by a further three years. Similarly, the litigant public is also benefited, since the occurrence of vacancies would be less frequent and consequently, there would be Judges to hear and dispose of cases. Such a move would also benefit the Government of the day, since the Government would not be frequently embroiled with the process of appointment of new Judges.

In 2000, the National Commission to Review the Working of the Constitution (NCRWC), also known as Justice M.N. Venkatachaliah Commission, was set up by the then NDA Government. The said Commission submitted its report in the year 2002. One of the recommendations of this Commission was to increase age of retirement of Judges of the High Court to 65 years. In 2010, the Constitution (114th Amendment) Bill was tabled to increase the retirement age of High Court Judges to 65 years. However, this Bill could not be passed.

Internationally, the age of retirement of Judges is well above the current age of 62 years in India. The age of retirement of Judges in developed countries with good medical facilities and infrastructure is around 70. The USA, Austria and Greece have lifetime tenure for Judges of its Supreme Court and Federal Courts. In the U.K., the age of retirement is presently 70, though there have been calls to increase it to 75. In Belgium, Denmark, Ireland, the Netherlands, Norway and Australia, the retirement age for judges is 70 years. Judges in Canada and Germany retire at 75 and 68, respectively. Although India is a developing country, the Government provides Judges of the High Court with staff car, housing and sufficient facilities like office assistants, domestic assistants, etc. Therefore, our Judges are definitely in a position to continue serving as Judges of the High court till the age of 65 years. Therefore, the Bill proposes to increase the age of retirement of High Court Judges by amending the Constitution Articles 217 (1) and 224 (3).

An objective and thorough census across the country will give a correct picture of the representation of castes and communities in mainstream education and employment. Only based on such a scientific and empirical data can we make targeted, effective, affirmative action policies to uplift the really backward communities.

The States are not in a position to grant any reservation to any class or communities for want of empirical data and any reservation laws enacted by the states are being struck down by Constitutional Courts on the ground of lack of empirical data. Thus, the mandate of reservation by the Constitution is being defeated.

The States are in need of an accurate caste census data to enact targeted welfare measures on the basis of caste and community. Ultimately, this leads to perpetuating the *status quo* and social injustice. The data collected 92 years back cannot determine the entitlement and share of communities in this country.

The 73rd and 74th constitutional amendments advocated the need of strengthening the local bodies and parts IX and IXA of the Constitution provided for a robust framework for conducting local body elections. The prime objective was democratic decentralization of power and participation of the oppressed and backward classes in governance. The amendments provided for mandatory reservation for Scheduled Caste and Schedule Tribe communities and women belonging to these communities. On the other hand, for backward classes, the

Articles 243-D(6) and 243-T(6) were only enabling in nature. When States have attempted to apply these provisions, there were legal obstacles due to which reservations granted to OBC communities in local bodies have been struck down by the Hon'ble Supreme Court. The impediment to the States to grant OBC reservations was due to want of 'empirical data'. With the advent of 105th constitutional amendment and insertion of Article 342A(3), a State or a Union Territory can gather information for ascertaining political backwardness of the backward classes and can specify the proportion of the reservation required local body-wise and can prepare and maintain for its own purposes, a list of socially and educationally backward classes.

However, the entry 69 in List I of the Seventh Schedule of the Constitution empowers only the Union to conduct census. Since, a State or a Union Territory is not empowered to conduct their own census, the population of each class or community on the basis of local units cannot be ascertained by the States and consequentially, maintaining an accurate head count based upon the list of backward classes contemplated under Article 342A(3) would not be possible.

The objectives of democratic decentralization are not only to bring governance closer to the people, but also to make it more participatory, inclusive and accountable to the weaker sections of the society. Reservations in local self-government are intended to directly benefit the community as a whole rather than just the elected representatives. Despite the fact that Parts IX and IXA were introduced in the Constitution 30 years ago, reservation in politics and sharing of political power is still a distant dream, leaving the OBCs unrepresented in the local self-governments.

Therefore, placing the entry "census" in the Concurrent List would enable both the Union and the States to conduct their own census. The power to conduct a headcount by the States themselves will not only be useful for maintaining an accurate list of all classes including backward classes under Article 342A(3), and collect empirical data of communities on the basis of the local units and to grant reservations in local bodies, but also for other targeted welfare measures. This will enable the States to implement appropriate affirmative and welfare measures for all castes and communities based upon their due entitlement and share. The States can then grant reservations in accordance with this data, which would be constitutionally and legally tenable and therefore avoid judicial intervention in the grant of reservations.

Hence, this Bill.

P. WILSON.

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for establishment of four Permanent Regional Benches of the Supreme Court at New Delhi, Chennai, Kolkata and Mumbai. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India for creation of Regional Benches of Supreme Court at Chennai, Kolkata and Mumbai which includes land cost, construction, infrastructure, staff and other expenditure. It is likely to involve an initial expenditure of rupees six hundred crores for establishment of Benches including infrastructure and annual recurring expenditure of about rupees one hundred crores from the Consolidated Fund of India.

XXVII**Bill No. III of 2026**

A Bill to provide for proceedings of all Courts, Tribunals and Commissions to be held virtually in order to facilitate efficient and timely judicial proceedings, mitigate delays, reduce costs and increase convenience for all parties involved and for matters connected therewith and incidental thereto.

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

1. (1) This Act may be called the Virtual Court Proceedings Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “Commissions” includes all Commissions established by the Acts of the Parliament;

(b) “Courts” means the Supreme Court of India and High Courts of the States and includes a physical Court and a virtual Court;

(c) “live link” means and includes a live television link, audio-video electronic means or other arrangements provided by the Courts or Tribunals or Commissions, to the participants for participating in the virtual court proceedings;

(d) “participants” means and includes—

(i) “advocates” and “senior advocates” defined under clause (a), sub-section (1) of section 2 and sub-section (2) of section 16, respectively of the Advocates Act, 1961, as well as government pleaders/advocates and officers of the department of prosecution,

(ii) parties-in-person to the proceedings,

(iii) other parties to the proceedings,

(iv) litigants, officers connected to the proceedings,

(v) witnesses, and

(vi) any person who is to be examined, or in whose presence certain proceedings are to be recorded or conducted or who is required to make submissions or who intends to participate in the proceedings on his or her own or on behalf of a party to the proceeding, third party with authority or permission of the Courts or Tribunals or Commissions, as the case may be;

(e) “prescribed” means prescribed by rules and regulations made under this Act;

(f) “Tribunals” includes all Tribunals and Appellate Tribunals established by the Acts of the Parliament;

(g) “virtual court proceedings” means a proceeding where participants are not physically present in the Courts or Tribunals or Commissions, as the case may be, but attend and participate through electronic mode which may include video conferencing accessed through any electronic device, by accessing a live link provided by the Courts, Tribunals and Commissions.

3. (1) The proceedings of all Courts, Tribunals and Commissions shall be held, virtually in electronic mode, by use of electronic communication or use of audio-video electronic means such as video conferencing, apart from the regular physical hearings and such hearings shall be called as virtual court proceedings.

(2) The proceedings mentioned in sub-section (1) shall include: —

(a) all trials, inquires and proceedings including issuance of notice or summons, recording of evidence, service and execution of summons and warrant;

(b) examination of parties and witnesses;

Virtual court proceedings.

(c) pronouncement of orders, judgments, awards; and

(d) all appellate proceedings or any other proceedings as deemed appropriate by the Courts, Tribunals, or Commissions, as the case may be.

(3) The procedure and manner of conduct of the proceedings as given under sub-section (2) including the determination or apportioning of costs involved in virtual court proceedings and the requisite facilities and arrangements to be made for smooth conduct of the virtual court proceedings in each Court, Tribunal and Commission shall be governed by the rules and regulations framed by the Courts and the Central Government in the case of the Tribunals and Commissions.

(4) The Courts, Tribunals and Commissions, as the case may be, in order to enable access to virtual court proceedings, shall provide a live link to the participants *via* email address/mobile number furnished by the participants, or in any other manner, as may be prescribed.

(5) The Courts, Tribunals and Commissions, as the case may be, shall have the power to regulate appearances of participants during virtual court proceedings including removal or debarring any participant from further participation in such proceedings on any of the following grounds: —

(a) appearing from a vehicle;

(b) appearing with a background not dignified for participation in virtual court proceedings;

(c) engaging in any activity other than the normal course of business;

(d) engaging in any act which may be considered inappropriate while participating in virtual court proceedings;

(e) occurrence of a technical glitch, either on the part of the participant or on the part of the Courts, Tribunals, or Commissions, as the case may be, which disables conduct of virtual court proceedings;

(f) the participant is not authorized by the Court, Tribunal or Commission for participating in the virtual court proceedings;

(g) any other ground, as may be prescribed, through rules, regulations and guidelines by the Court, Tribunal or Commission, as the case may be.

(6) There shall be no unauthorized recording of the proceedings by any of the participants or by any other person or entity.

(7) The Courts, Tribunals and Commissions may from time-to-time issue directions or guidelines governing the access to and participation in virtual court proceedings including online etiquette and publish the same on their notice boards and websites.

(8) Subject to sub-sections (4) and (5), the Courts, Tribunals, or Commissions, as the case may be, shall allow participants to appear in virtual court proceedings, upon a request made by a participant in such form and manner as may be prescribed.

(9) Subject to maintaining independence, impartiality and credibility of judicial proceedings and subject to such rules, regulations, directions or guidelines as the Courts or Central Government may issue with respect to virtual court proceedings, the Courts, Tribunals and

Commissions may adopt such technological advances as may become available from time to time, for improving the quality and efficiency of the virtual court proceedings.

Facilities to be provided.

4. All Courts, Tribunals and Commissions shall provide the following facilities: —
- (a) e-filing of pleadings and documents as required;
 - (b) e-verification of pleadings and documents as required; and
 - (c) virtual certified copies of the orders and judgements as required.

Conduct of proceedings.

5. (1) All virtual court proceedings conducted by the Courts, Tribunals, or Commissions shall be judicial proceedings and all the courtesies and protocols applicable to a physical Court shall apply to such proceedings.
- (2) All relevant statutory provisions applicable to judicial proceedings including provisions of the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, the Bharatiya Sakshya Adhinyam, 2023, the Contempt of Courts Act, 1971, and the Information Technology Act, 2000, shall apply to virtual court proceedings.

45 of 2023.
46 of 2023.
47 of 2023.
70 of 1971.
21 of 2000.

Power to remove difficulties.

6. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty.
- (2) Every order made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of Parliament.

Provisions of the Act to have an overriding effect.

7. The provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law.

Power of Courts to make rules.

8. Notwithstanding anything contained in this Act, the Courts shall have the power to make rules, regulations, directions or orders, as may be required, for carrying out the purposes of this Act.

Power of Central Government to make rule.

9. (1) Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, make rules with respect to the Tribunals and Commissions for carrying out the purposes of this Act.
- (2) Every rule made by the Central Government 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 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.

STATEMENT OF OBJECTS AND REASONS

The advent of COVID-19 pandemic had forced us to conduct court proceedings virtually. Virtual courts have enabled participation from remote areas irrespective of geographical or economic constraints, eliminating the need for individuals to bear significant financial burdens associated with physically attending court sessions.

However, just like the COVID-19 times are behind us, the virtual courts are slowly becoming a thing of the past in some Tribunals and it is seen that even though Government had invested a huge amount of public money in the infrastructure for conducting and promoting virtual courts, this facility is not being utilized even though there is demand for the same.

The concept of access to justice has been etched in our Constitution. Virtual court can enable dispensation of justice to all citizens by mitigating delays, reducing costs and increasing convenience for all parties. Access to virtual court hearings not only help in reduced litigation costs, but also make complex and time-consuming judicial procedures accessible and convenient to the lay man. It also prevents a litigant belonging to other parts of the country from bearing the cost of travel, lodging and extra fees of the lawyer since most of the Commissions, Tribunals and the Hon'ble Supreme Court are situated at Delhi. Each time a case is adjourned for want of a lawyer; it is the litigant who bears the expense. It is also pertinent to note that a common reason for adjournments at the Supreme Court of India, High Courts and appellate tribunals is that the counsels from various parts of the country cannot make it to the hearing due to various reasons. Therefore, mandatory virtual court proceedings would certainly aid in the effective delivery of justice to all sections of citizens. Furthermore, virtual courts proceedings could also make the legal process more streamlined by reducing paperwork and automating administrative tasks.

Therefore, the present Bill proposes to mandate virtual court hearings and achieve the above objectives.

Hence this Bill.

P. WILSON.

FINANCIAL MEMORANDUM

Sub-clause (9) of Clause 3 of the Bill provides that the Courts, Tribunals and Commissions may, subject to the rules, regulations, directions or guidelines as the Courts or Central Government may issue with respect to virtual court proceedings, adopt such technological advances as may become available from time to time, for improving the quality and efficiency of the virtual court proceedings.

The Bill, therefore, if enacted, is likely to involve expenditure from the Consolidated Fund of India. However, at this stage, it is not possible to quantify the exact amount of recurring and non-recurring expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 6 of the Bill provides that the Central Government may, make such order, as necessary for removing any difficulty to give effect to the provisions of this Bill. Clause 8 empowers the Courts to make rules, regulations, directions or orders, as may be required, for carrying out the purposes of this Bill and Clause 9 empowers the Central Government to make rules with respect to the Tribunals and Commissions to carry out the provisions of this Bill.

As the orders, rules, regulations, directions etc. will relate to matters of details only, the delegation of legislative power is of a normal character.

XXVIII

Bill No. II of 2026

A Bill to give effect to the constitutional guarantee of religious autonomy under articles 25 and 26 of the Constitution of India by providing a national framework for autonomous, transparent, community-led and professionally governed management of Hindu temples and religious endowments; to ensure protection of India's temple heritage, rituals and traditions; to secure financial integrity and optimal utilisation of temple assets for religious and community welfare purposes; and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Temple Autonomy, Governance and Cultural Heritage Management Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) “Agamas” means the canonical texts governing temple rituals, architecture, administration, and religious practices within Hindu traditions;

(b) “Authority” means the National Temple Heritage Authority established under section 16 of this Act;

(c) “Board” means the Independent Temple Management Board constituted under section 6 of this Act ;

(d) “denominational representatives” includes hereditary trustees, traditional custodians, priests, *maths* or recognised sectarian bodies having a historical or traditional interest in the temple;

(e) “heritage temple” means a temple of archaeological, historical, architectural, or cultural importance, as may be notified by the Central Government or by the State Government with the approval of the Central Government;

(f) “large temple” means a temple whose average annual gross income exceeds rupees one hundred crore over the preceding three financial years, as may be notified by the Central Government;

(g) “prescribed” means prescribed by rules made under this Act;

(h) “temple” means a public Hindu religious institution dedicated to the worship of a Hindu deity, including temples, *maths*, *devasthanams*, and allied religious endowments, as may be notified by the Central Government;

(i) “temple assets” includes all movable and immovable properties, which may include, but not limited to, offerings, funds, securities, jewellery, lands, buildings, records, and rights belonging to or endowed to a temple.

CHAPTER II

CONSTITUTIONAL PRINCIPLES AND LIMITS OF REGULATION

Preservation of religious autonomy.

3. (1) A notification of temples by the Central Government under this Act shall recognise Hindu temples as religious institutions entitled to autonomy in matters of religion, rituals, and internal governance.

(2) Every temple, on being notified under this Act, shall be recognized as religious institutions entitled to autonomy in matters of religion, rituals, and internal governance.

Scope of permissible regulation.

4. (1) The regulations under this Act shall not extend to theological interpretations or essential religious practices.

(2) The regulatory powers exercised under this Act shall be limited to:—

(a) ensuring financial accountability and transparency;

(b) prevention of mismanagement or misappropriation;

(c) protection and safeguarding of temple property; and

(d) conservation of cultural and architectural heritage.

Non-interference in religious matters.

5. No authority constituted under this Act shall:—

(a) alter or modify the established rituals, customs or modes of worship; or

(b) interfere with Agamic prescriptions; or

(c) appoint or remove priests except in accordance with established denominational practice.

CHAPTER III

INDEPENDENT TEMPLE MANAGEMENT BOARDS

6. (1) Every temple shall be governed by an Independent Temple Management Board, which shall be constituted by the Authority in accordance with the provisions of section 18 of this Act.
- (2) The Board shall be responsible for the administration, management and governance of the temple in accordance with the provisions of this Act.
- (3) The Board shall consist of the following members:—
- (a) such number of denominational representatives, as may be prescribed;
- (b) one chartered accountant, possessing such qualifications and experience as may be prescribed;
- (c) one person having expertise in law;
- (d) one heritage conservationist, whose inclusion shall be mandatory in respect of heritage temples;
- (e) one representative of employees of the temple.
- (4) The members of the Board shall elect from amongst themselves a Chairperson.
- (5) The manner of appointment, remuneration, allowances and other terms and conditions of service of the Chairperson and members shall be such as may be prescribed.
- (6) The Board shall have the power to regulate its own procedure.
7. No person shall be eligible for appointment as a Chairperson or member of a Board if such person:—
- (a) is a serving government officer; or
- (b) holds any political office; or
- (c) has been convicted of an offence involving moral turpitude.
8. (1) The Chairperson and members of the Board shall hold office for a term of five years.
- (2) A member or Chairperson of the Board shall be removed only in the event of approved misconduct, incapacity, or financial irregularity, after due inquiry, conducted in such manner as may be prescribed.
9. (1) The transfer of administrative control of temples under State administration to the Boards constituted under section 6 of this Act shall be carried out in such manner, as may be prescribed, which shall not ordinarily exceed twelve months from the date of commencement of this Act.
- (2) Upon such transfer:
- (a) the management of temple assets shall vest in the Board;
- (b) the officers of the State Government shall cease to exercise any executive or administrative control over such temple;
- (c) all existing records, accounts, and properties shall be handed over intact to the Board; and
- (d) all legal proceedings pending immediately before such transfer shall continue in the name of the temple.

Constitution of Independent Temple Management Boards.

Disqualifications.

Tenure and removal.

Transfer of administrative control to the Boards.

CHAPTER IV

FINANCIAL MANAGEMENT AND TRANSPARENCY

Ring-fencing
of temple
income.

10. (1) The Board shall manage and administer the income of a temple which shall be solely utilised for: —

(a) arrangement for the proper performance of worship and rituals at the temple and to provide facilities to the pilgrims;

(b) maintenance, conservation and administration, which shall include developmental activities concerning the area of the temple and its surroundings including construction of buildings;

(c) education, healthcare, *annadanam*, and charitable activities and for such other related purposes as may be prescribed.

(2) No part of the income of a temple shall be credited to the Consolidated Fund of India or of any State.

Audit of
temples.

11. Every temple shall be subject to a mandatory annual audit to be conducted by an independent auditor in such manner as may be prescribed:

Provided that the large temples shall also be subject to statutory audit, social audit as well as heritage impact audit, in such manner as may be prescribed.

Productive
utilization of
assets.

12. (1) Subject to the standards or regulations made by the Authority, the assets of temple lying idle or underutilised may be utilised for: —

(a) pilgrim amenities and community welfare purposes;

(b) cultural centres; and

(c) skill development and livelihood programmes.

(2) Any leasing of temple assets shall be transparent and time-bound.

Prohibition on
alienation.

13. Notwithstanding anything contained in any other law for the time being in force, no permanent alienation of temple property shall be effected except with the prior sanction of a court of competent jurisdiction.

CHAPTER V

CULTURAL AND ARCHITECTURAL HERITAGE PROTECTION

Protection of
rituals and
traditions.

14. Every Board shall ensure the continuity and protection of:

(a) Agamic rituals;

(b) festivals; and

(c) oral and textual traditions

associated with the temple.

Architectural
safeguards.

15. (1) No person or authority shall affect any structural alteration without obtaining prior heritage clearance in such manner as may be prescribed.

(2) Every restoration work in a temple, shall conform to the recognized conservation principles and shall prioritise authenticity over modernisation.

CHAPTER VI

NATIONAL TEMPLE HERITAGE AUTHORITY

Establishment of
the National
Temple Heritage
Authority.

16. (1) **The Central Government shall, by notification in the Official Gazette, establish an Authority to be known as the National Temple Heritage Authority to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.**

(2) The Authority shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both

movable and immovable, and to contract, and shall by the said name sue and be sued.

(3) The headquarters of the Authority shall be at such place in the country as the Central Government may notify in the Official Gazette.

(4) The Authority may, with the approval of the Central Government, establish its offices at such other places within the country, as it may deem necessary for carrying out the purposes of this Act.

17. (1) **The Authority shall consist of the following members, namely:**

(a) a Chairperson, who shall be a person of eminence in constitutional law, public administration, heritage conservation or religious endowment governance;

(b) two members having recognised expertise in temple architecture, archaeology, or heritage conservation;

(c) one member having expertise in financial management, audit, or trust governance;

(d) one member, who shall be a scholar of Hindu Agamas or traditional temple systems;

(e) one member representing temple management boards on a rotational basis;

(f) one *ex officio* member nominated by the Union Ministry of Culture;

(g) one *ex officio* member nominated by the Union Ministry of Law and Justice.

(2) The Chairperson and members shall be appointed by the Central Government on the recommendation of a Selection Committee constituted for such purpose in such manner as may be prescribed.

(3) The term of office of, salaries and allowances payable to, other terms and conditions of service of, resignation by and removal of the Chairperson and members shall be such as may be prescribed:

Provided that removal shall only be for proved misbehaviour or incapacity after due inquiry conducted in such manner as may be prescribed.

18. The Authority shall perform the following functions, namely:—

(a) to appoint, constitute and regulate the Boards, constituted under section 6, with the prior approval of the Central Government, in accordance with the provisions of this Act, and to appoint members of such Boards by notification in the Official Gazette, in a transparent manner ensuring that the composition of each Board complies with the eligibility conditions, denominational representation and professional requirements specified under this Act;

(b) to frame and notify minimum governance standards for Independent Temple Management Boards, including norms relating to transparency, accounting, ethical administration and management of conflict of interest, and to issue advisory guidelines on professional management practices consistent with denominational autonomy.

(c) to establish and maintain a comprehensive, publicly accessible National Digital Temple Registry containing comprehensive information relating to temples and religious endowments, including details of temple assets and properties, management structures, audited financial statements, heritage classification and conservation status, and to ensure digitisation of records, inventories, and archival material relating to temples;

Composition
of the
Authority.

Functions of
the Authority.

(d) to discharge heritage protection and advisory role by:

- (i) advising the Boards on conservation, restoration and preservation of architectural and intangible cultural heritage;
- (ii) coordinating with archaeological and heritage authorities for protection of ancient temples; and
- (iii) promoting best practices in conservation consistent with Agamic prescriptions.

Powers of the Authority.

19. The Authority may, for the purpose of discharging its functions,

- (a) call for information, records or reports from any Board; and
- (b) issue advisory directions to Boards for rectification of systemic deficiencies:

Provided that the Authority shall not exercise any executive, religious or ritual control over temples and shall also not supersede or dissolve any Board.

Power to make regulations.

20. The Authority may, with the prior approval of the Central Government, make regulations consistent with this Act to carry out its functions, by notification in the Official Gazette.

CHAPTER VII

OFFENCE AND PENALTIES

Misappropriation of temple funds.

21. Any person who commits misappropriation of temple funds shall be punishable with imprisonment which may extend to seven years and with fine, or with both.

CHAPTER VIII

MISCELLANEOUS

Central Government to provide funds.

22. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Authority, for carrying out the purposes of this Act.

Accounts and audit.

23. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed, in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority, as audited and certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon, shall be forwarded annually by the Authority to the Central Government, which shall cause the same to be laid, as soon as may be after it is received, before each House of Parliament.

Protection of action taken in good faith.

24. No suit or other legal proceedings shall lie against the Board or the Authority or its members or its officers for actions taken in good faith in pursuance of this Act or of any rules, regulations or orders made thereunder.

Overriding effect of the Act.

25. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any law relating to Hindu Religious and Charitable Endowments or any other law for the time being in force.

Power to make rules.

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

(2) Every rule or regulation 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 regulation or both

Houses agree that the rule or regulation should not be made, the rule or regulation 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 or regulation.

27. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty.

Power to
remove
difficulties.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

28. Nothing in this Act shall—

Savings.

(a) be deemed to authorise any interference in matters of religious doctrine, rituals, customs or denominational practices of any temple;

(b) affect the operation of any law for the time being in force relating to archaeological or heritage protection, conservation or preservation of monuments or sites, insofar as such law is not inconsistent with the provisions of this Act;

(c) affect the jurisdiction of any court, tribunal or other authority in respect of any proceeding instituted or order passed prior to the commencement of this Act; or

(d) invalidate anything done or any action taken in good faith under any law relating to Hindu Religious and Charitable Endowments before the commencement of this Act, insofar as such action is not inconsistent with the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Articles 25 and 26 of the Constitution of India guarantee freedom of religion and confer upon every religious denomination, the right to manage its own affairs in matters of religion, to establish and maintain religious institutions and to administer property in accordance with law.

Notwithstanding these guarantees, the administration of Hindu religious institutions in several States continues to be governed by State-controlled statutory mechanisms under various Hindu Religious and Charitable Endowments laws. Over time, such arrangements have resulted in excessive bureaucratic control over religious affairs, diversion of temple revenues for non-religious purposes, political intervention in temple administration and dilution of traditional Agamic, ritualistic and architectural practices.

In contrast, religious institutions of minority communities are governed under autonomous, community-led statutory frameworks such as the Sikh Gurdwaras Act, 1925 and the Unified Waqf Management, Empowerment, Efficiency and Development Act, 1995. Comparative international practice also indicates that while States regulate religious institutions for financial accountability and heritage protection, management is ordinarily vested in the religious community itself.

The Bill seeks to establish a uniform national framework to provide for autonomous, transparent and professionally governed management of Hindu temples and religious endowments, consistent with articles 25 and 26 of the Constitution. It aims to de-bureaucratise temple administration, ensure financial integrity and accountability, protect cultural and architectural heritage, and enable lawful and productive utilisation of temple assets for religious and community welfare purposes. The Bill does not seek to interfere with matters of religion or essential religious practices and confines regulation to secular aspects of administration and heritage protection.

Hence, this Bill.

SUJEET KUMAR.

FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for constitution of Independent Temple Management Boards, its composition, salaries and allowances payable and other terms and conditions of services of the members of the Board. Clause 16 provides for the establishment of the National Temple Heritage Authority to exercise the powers conferred upon and to perform the functions assigned to it under this Act and clause 17 provides for its composition and the salaries and allowances payable to the Chairperson and Members thereof as well as the other terms and conditions of their service. Clause 18, sub-clause (c) provides for creation of a National Digital Temple Registry to establish and maintain comprehensive, publicly accessible details of temples and religious endowments, etc.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees five crore would be incurred per annum from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 20 of the Bill empowers the National Temple Heritage Authority to make regulations consistent with the proposed legislation to carry out its functions, with the prior approval of the Central Government.

Clause 26 of the Bill empowers the Central Government to make rules for carrying out the purposes of the proposed legislation. Clause 27 provides that the Central Government may make such provisions, by order, as may be necessary for removing any difficulty in giving effect to the provisions of this Bill.

As the matters in respect of which the rules and regulations may be made relate to matters of detail only, the delegation of legislative power is of a normal character.

XXIX**Bill No. VII of 2026**

A Bill to recognise emergency survival during the Golden Hour as a public health right intrinsically linked to the right to life; to establish a decentralized national emergency survival ecosystem through mandatory public access defibrillation, universal life-support education, digital integration of emergency response assets, legal protection for citizen responders, and coordinated institutional responsibility across public and private sectors; and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Advanced Medical Response Infrastructure and Training Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

2. In this Act, unless the context otherwise requires,—
- (a) "appropriate Government" means –
- (i) in the case of a State, the Government of that State;
- (ii) in the case of an Union Territory having its own legislature, the Government of that Union Territory; and
- (iii) in other cases, the Central Government;
- (b) "Basic Life Support" includes Cardiopulmonary Resuscitation (CPR), use of Defibrillators and immediate life-saving measures prior to the arrival of professional medical services;
- (c) "Defibrillator" means a portable electronic medical device, namely, the Automated External Defibrillator, approved by the Central Drugs Standard Control Organisation for diagnosing and treating sudden cardiac arrest;
- (d) "Golden Hour" means the first sixty minutes following the onset of a life-threatening medical emergency;
- (e) "good samaritan" means any person who, in good faith and without expectation of reward or compensation, renders emergency medical assistance;
- (f) "high-footfall public place" means any premises accessed by the public, exceeding such thresholds as may be notified by the Central Government;
- (g) "prescribed" means prescribed by rules made under this Act; and
- (h) "Registry" means the digital, geo-tagged National Defibrillator Registry established under Section 9 of this Act.

CHAPTER II

RIGHT TO EMERGENCY SURVIVAL

Right to medical assistance during Golden Hour.

3. (1) Every person shall have the right to reasonable access to immediate life-saving medical assistance during the Golden Hour, occurring within the territory of India.
- (2) **The Central Government shall take all necessary administrative and financial measures to operationalise the right under this section, in accordance with the provisions of this Act.**

Duty of the appropriate Government.

4. **The appropriate Government shall —**
- (a) **ensure availability of essential life-saving equipment in public and semi-public spaces, in such manner as may be prescribed;**
- (b) **promote universal training in life-support skills, as may be prescribed;**
- (c) **integrate emergency infrastructure with digital and communication platforms; and**
- (d) **protect and encourage citizens acting in good faith during medical emergencies.**

CHAPTER III

PUBLIC ACCESS DEFIBRILLATION INFRASTRUCTURE

Mandatory installation of Defibrillator.

5. (1) The following premises, as may be notified by the appropriate Government, shall mandatorily install, maintain and make publicly accessible, at least one functional Defibrillator at—
- (a) transport hubs, *namely*, airports, railway stations, metro stations,

- bus terminals, ports and major transport interchanges;
- (b) shopping centres, cinemas, stadiums, convention halls and entertainment venues;
- (c) educational institutions exceeding enrolment thresholds as may be prescribed;
- (d) religious, cultural and pilgrimage institutions with substantial public congregation;
- (e) government buildings and public sector establishments, including their residential complexes comprising fifty or more dwelling units;
- (f) private residential complexes comprising fifty or more dwelling units;
- (g) workplaces employing two hundred and fifty or more persons; and
- (h) any other high-footfall public place.
- (2) The Defibrillator shall be placed in clearly visible, unlocked and accessible locations, accompanied by standardised signage and basic operating instructions.
6. The Central Government may notify alternative and non-traditional Defibrillator deployment mechanisms, including —
- (a) integration with vending machines or automated kiosks;
- (b) installation at street-level public utilities; and
- (c) mobile or vehicle-mounted Defibrillator units:
- Provided that such deployment may be supported through public-private partnerships, cross-subsidisation models, or corporate social responsibility funding, in such manner as may be prescribed.
7. (1) Every premise notified under section 5 shall comply with the provisions of this Act within —
- (a) twelve months in the case of transport hubs, government buildings and public sector establishments; and
- (b) eighteen months in the case of private establishments and residential complexes.
- (2) The appropriate Government shall require the premises falling in any of the categories mentioned under section 5, which are completed after the commencement of this Act, to comply with its provisions prior to the issuance of any occupancy certificate, licence or operational approval.
8. **The Central Government shall establish a digital platform integrating emergency call systems, Defibrillator locations and trained volunteer responders.**
9. (1) **The Central Government shall establish and maintain a geo-tagged National Defibrillator Registry, in such manner as may be prescribed.**
- (2) The registration of every installed Defibrillator shall be mandatory.
- (3) The Registry shall be interoperable with State and municipal emergency response systems.
10. (1) The National Defibrillator Registry shall operate on an open Application Programming Interface, as may be prescribed, basis to enable—
- (a) real-time public access through mobile and digital applications;

Innovative
deployment
models.

Compliance
timelines.

National
emergency
survival platform.

National
Defibrillator
Registry.

Accessibility of
the Registry.

(b) integration with emergency helplines and response systems; and

(c) navigation to the nearest Defibrillator during an emergency.

(2) The Registry shall be integrated *via* Application Programming Interfaces with the Computer-Aided Dispatch system of the Emergency Response Support System functioning in the country.

(3) Upon receiving a cardiac emergency call, the Dispatch system mentioned at sub-section (2) shall automatically identify registered Defibrillator within a five hundred meter radius of the caller and relay this location information to:

(a) the caller;

(b) dispatched ambulance crews; and

(c) registered community first responders.

(4) The Registry shall comply with the provisions of Digital Personal Data Protection Act, 2023 and the appropriate data protection and cyber security safeguards shall be applied.

22 of 2023.

Community first responder alerts.

11. (1) The appropriate Government shall register and train volunteers, in such manner as may be prescribed.
- (2) The volunteers shall receive emergency alerts within a defined geographic radius during a medical emergency.
- (3) The participation of persons under this section shall be voluntary and subject to Good Samaritan protection provided under clause 15 of this Act.

CHAPTER IV

UNIVERSAL LIFE SUPPORT EDUCATION

Mandatory training in secondary education.

12. (1) All students of classes seventh to twelfth shall mandatorily undergo training in Cardiopulmonary Resuscitation and the operation of Defibrillator in such manner and at such intervals as may be prescribed.
- (2) The certification in Basic Life Support shall be a non-graded requirement for completion of secondary education.
- (3) The school curriculum, for the purposes of this section, shall emphasise on practical competence over theoretical evaluation.

Commercial driver and workforce training.

13. (1) Notwithstanding anything contained in the Motor Vehicles Act, 1988, every applicant for a commercial driving licence shall undergo mandatory Basic Life Support certification.
- (2) Every employer employing two hundred and fifty or more persons shall ensure periodic training of designated staff.

59 of 1988.

Community training programmes.

14. **The appropriate Government shall facilitate mass life-support training programmes through local authorities, civil society organisations, educational institutions and corporate entities.**

CHAPTER V

LEGAL PROTECTION AND DUTY OF CARE

Expanded Good Samaritan protection.

15. (1) No civil, criminal or administrative liability shall arise against any Good Samaritan for acts done in good faith while providing emergency medical assistance using Cardiopulmonary Resuscitation or a Defibrillator.
- (2) No police officer or authority shall compel disclosure of personal details or detain such person solely on the ground of having rendered assistance.

16. (1) No person in control of any notified premises shall deny access to the Defibrillator or obstruct emergency medical assistance during a medical emergency.
- (2) Any such obstruction shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees, or with both.

Permission of access and non-obstruction.

CHAPTER VI

CORPORATE SOCIAL RESPONSIBILITY FUNDING

17. The expenditure incurred on Defibrillator installation, maintenance, life-support training and public emergency preparedness shall qualify as eligible Corporate Social Responsibility expenditure.

Funding under corporate social responsibility.

CHAPTER VII

ADMINISTRATION, PENALTIES AND OVERSIGHT

18. (1) The Central Government shall designate a national nodal authority under the Union Ministry of Health and Family Welfare to oversee implementation, monitoring and evaluation of the provisions of this Act.

Nodal authority.

(2) The Central Government shall, from time to time, depute such number of officers and staff to the nodal authority, as may be required to assist it in its efficient functioning, in such manner as may be prescribed.

19. The Central Government may authorise officers, who may inspect premises, verify compliance and issue directions in accordance with the provisions of this Act.

Inspection and enforcement.

20. Any person, institution, authority or entity required under this Act to install, maintain, register or provide access to an Defibrillator, or to comply with mandatory training or disclosure obligations, fails to do so, shall be liable to all or any of the following penalties, namely :—

Penalties for non-compliance.

(a) fine, which may extend to—

(i) rupees fifty thousand for the first contravention;

(ii) rupees one lakh for the second contravention; and

(iii) rupees five lakh for every subsequent contravention;

(b) suspension, withholding or non-renewal of licence, registration, occupancy certificate or operational permission, where such requirement, issuance or renewal is mandatory under any other law for the time being in force; and

(c) mandatory community service, including—

(i) funding or sponsoring training programmes on Cardiopulmonary Resuscitation or Defibrillator functioning;

(ii) installation of Defibrillator in public spaces as directed by the competent authority; or

(iii) participation preparedness in public emergency initiatives, for such duration and in such manner as may be prescribed:

Provided that each day of continued non-compliance after notice shall constitute a separate offence:

Provided further that the penalty under this section shall be without prejudice to any civil liability arising from wilful obstruction of emergency medical assistance.

CHAPTER VIII

MISCELLANEOUS

Central Government to provide funds.

Power to make rules.

Act not in derogation of any other law.

Power to remove difficulties.

- 21. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds, from time to time, for carrying out the purposes of this Act.**
- 22.** (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.
- 23.** The provisions of this Act shall be in addition to, and not in derogation of any other law for the time being in force.
- 24.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may be necessary for removing the difficulty.

STATEMENT OF OBJECTS AND REASONS

Sudden Cardiac Arrest (SCA) is a leading cause of preventable deaths in the country, resulting in an estimated 7–15 lakh fatalities annually. Survival from SCA depends on intervention within minutes, as irreversible brain injury begins within four to six minutes, and the probability of survival declines sharply with every minute of delay in defibrillation. India's emergency response framework, which remains predominantly ambulance and hospital centric, is structurally incapable of addressing this time-critical challenge due to traffic congestion, infrastructure constraints and delayed response times.

India bears a disproportionate burden of premature cardiac mortality owing to the "Asian Indian phenotype", characterised by early-onset cardiovascular disease. More than sixty per cent of heart-related deaths occur in the working-age population, with a rising incidence among individuals aged 30–50 years. Survival outcomes for out-of-hospital cardiac arrest in India remain extremely poor, largely due to the absence of immediate bystander intervention and on-site defibrillation.

Public access to Automated External Defibrillators (AEDs) and population-level life support training in India is critically inadequate. Bystander cardiopulmonary resuscitation rates are low, and fear of legal harassment continues to deter emergency assistance in the absence of comprehensive statutory protection. This gap results in avoidable loss of life during the Golden Hour.

The economic cost of inaction is substantial. Premature cardiovascular deaths impose significant productivity losses on the national economy, while the cost of deploying AEDs and training citizens is minimal in comparison. Early intervention also reduces long-term disability and catastrophic healthcare expenditure.

The Bill seeks to establish a national emergency survival ecosystem by mandating AED installation in high-footfall public places and large residential and workspaces; creating a geo tagged National AED Registry integrated with digital emergency platforms; introducing mandatory CPR and AED training in secondary education and for commercial drivers; codifying Good Samaritan immunity; and aligning corporate social responsibility with public emergency health infrastructure.

The Bill recognises emergency survival during the Golden Hour as a core public health obligation of the State and an operational extension of the constitutional right to life, with the objective of transforming citizens and public spaces into active participants in saving lives.

Hence, this Bill.

SUJEET KUMAR.

FINANCIAL MEMORANDUM

Clause 9 of the Bill provides for establishment of a geo-tagged National Defibrillator Registry. Clause 21 provides that the Central Government shall provide requisite funds for carrying out the purposes of this Act.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. However, at this juncture, it is difficult to estimate the actual expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 22 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Act. Clause 24 provides that the Central Government may make such provisions, by order, as may be necessary for removing any difficulty in giving effect to the provisions of this Bill.

As the rules will relate to matters of procedure and administrative details only, the delegation of legislative power is, therefore, of a normal character.

XXX

Bill No. IV of 2026

A Bill to provide for the social security, welfare, regulation of employment conditions, dignity of labour, and protection of the rights of domestic workers; and to provide for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Domestic Workers (Social Security and Welfare) Act, 2026.

Short title and commencement.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint, and different dates may be appointed for different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

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) “Board” means the Domestic Workers Welfare Board constituted under section 3;

(c) “domestic work” means work performed in or for a household, including but not limited to cleaning, cooking, washing, care giving, childcare, elder care, gardening, driving for household purposes, and such other work as may be notified;

(d) “domestic worker” means any person engaged for remuneration, whether in cash or kind, directly or through an agency, in domestic work in a household, whether on a full-time, part-time, live-in, live-out, temporary or permanent basis, and includes migrant domestic workers, but excludes any member of the employer’s family;

(e) “employer” means any individual, household, or association of households that employs or engages a domestic worker, directly or through an agency;

(f) “Fund” means the Domestic Workers Welfare Fund constituted under section 8.

(g) “prescribed” means prescribed by rules made under this Act; and

(h) “welfare scheme” means any scheme formulated and notified under section 9 for providing benefits relating to health, maternity, old age, disability, accident, housing, education, skill development or any other social security measure.

CHAPTER II

SOCIAL SECURITY

Constitution
of Domestic
Workers
Welfare
Boards.**3. (1) The appropriate Government within their territorial jurisdiction, shall, by notification in the Official Gazette, constitute a State/Union territory Domestic Workers Welfare Board in each State and Union territory within six months from the date of commencement of this Act, to carry out such functions as may be prescribed.**

(2) The Board shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

(3) The Board shall consist of the following, to be appointed by the appropriate Government —

(a) a Chairperson who shall be a social worker with fifteen years of experience in the field of welfare of workers;

(b) five members representing various departments of appropriate Government, as may be prescribed;

(c) two members representing registered domestic workers’ unions or associations;

(d) two members representing employers; and

(e) two members of civil society having expertise in issues relating to labour matters.

(4) Not less than one-third of the members of the Board shall be women.

(5) The Board shall have office in each district of the State or Union territory, as the case may be.

(6) The terms and conditions of appointment and the salaries and other allowances payable to the Chairperson and other members of the Board, shall be such as may be prescribed.

(7) The Board shall have such number of officers and employees as may be prescribed.

(8) The terms and conditions of appointment and the salary and allowances payable to the officers and employees of the Board shall be as such as may be prescribed.

(9) The Board shall have powers to regulate its own procedure.

CHAPTER III

REGISTRATION, RIGHTS AND CONDITIONS OF EMPLOYMENT

4. (1) Every domestic worker shall have the right to be registered under this Act with the Board having territorial jurisdiction, either individually or through an organization, union, in such manner and form, as may be prescribed.

Registration of domestic workers and employers.

(2) Every employer engaging a domestic worker shall be required to register with the Board having territorial jurisdiction, in such manner as may be prescribed.

(3) The Board shall issue a unique identity card to the domestic worker on registration, which shall be transferable to other Boards constituted under this Act.

(4) Registration under this Act shall not be denied on the ground of lack of documentary proof of residence or employment.

(5) The renewal of registration of domestic workers shall be at such intervals and in such form and manner as may be prescribed.

5. (1) No employer shall engage a domestic worker without entering into a written contract, specifying—

Written contract and conditions of employment.

(a) the nature and scope of work to be performed;

(b) the hours of work including rest intervals;

(c) the wages payable and mode of payment thereof;

(d) the leave entitlements;

(e) the duration of employment and conditions governing termination of employment; and

(f) such other matters as may be prescribed:

Provided that every domestic worker shall be entitled to—

(a) a weekly day of rest;

(b) fifteen days of leave with wages in a calendar year;

(c) leave on such national and festival holidays, as may be notified;

and

(d) humane working hours and adequate rest intervals, consistent with human dignity and health, as may be notified.

(2) No domestic worker shall be subjected to any form of physical, verbal, sexual or economic abuse, or any forced or bonded labour, or to any discriminatory practices.

Wages and equal remuneration.

6. (1) No domestic worker shall be paid wages less than the minimum rates of wages notified by the appropriate Government for different categories of domestic work.
- (2) There shall be no discrimination in the payment of wages on the ground of gender, caste, religion, place of origin or any other status of the domestic worker.
- (3) Wages shall be paid to a domestic worker at least once every month, either in cash or through bank transfer or digital mode, with proper records maintained by the employer, in such manner as may be prescribed.

Central Government to formulate policy framework.

7. The Central Government shall, by notification in the Official Gazette, formulate a policy and model framework for implementation of the provisions of this Act in States and Union territories.

CHAPTER IV

WELFARE FUND AND SCHEMES

Domestic Workers Welfare Fund.

8. (1) There shall be constituted by the appropriate Government a Fund to be called the State/Union territory Domestic Workers Welfare Fund and there shall be credited thereto—
- (a) grants and loans made by the appropriate Government;
- (b) contributions or cess from employers registered with the Board having territorial jurisdiction, as may be prescribed;
- (c) amounts received from fines imposed under this Act, as may be apportioned by the Central Government; and
- (d) donations, contributions, or assistance from any lawful source.

(2) The Fund shall be utilized exclusively for the welfare and social security of registered domestic workers in such manner as may be prescribed.

Welfare schemes.

9. (1) The Central Government shall by notification in the Official Gazette formulate welfare schemes for domestic workers, which shall include, but not limited to —
- (a) health and accident insurance;
- (b) maternity benefits and childcare support;
- (c) old age pension and disability pension;
- (d) assistance in case of injury or death during employment;
- (e) housing, education scholarships for children, and skill upgradation;
- (f) legal aid and counselling services;
- (g) any other matter as may be prescribed.

(2) It shall be the responsibility of the Boards constituted under this Act to ensure the implementation of the welfare schemes, as may be notified under sub-section (1).

CHAPTER V

REGULATION, INSPECTION AND GRIEVANCE REDRESSAL

Inspection and monitoring.

10. (1) **The appropriate Government shall, by notification, appoint or designate inspectors or facilitators for the purposes of this Act possessing such qualifications and experience as may be prescribed.**
- (2) **The inspections of households shall be undertaken only upon receipt of a complaint and subject to such safeguards, as may be prescribed, in a manner that balances enforcement with the right to privacy.**

(3) Inspectors or facilitators shall have the power to examine records, inquire into complaints, and issue directions or recommend corrective measures in accordance with the provisions of this Act.

11. (1) The Board shall establish a toll-free helpline and one or more facilitation centres in each district, and shall establish a time-bound grievance redressal system.

Grievance redressal mechanism.

(2) The facilitation centre shall receive complaints, relating to non-payment of wages, abuse, harassment, wrongful termination, or denial of benefits, on behalf of the Board, from registered domestic workers, in written or electronic mode, in such manner or form as may be prescribed.

(3) The complaints received under sub-section (2) shall be inquired into and disposed of within a period of thirty days from the date of its receipt.

(4) The Board may, in the first instance, attempt conciliation and, wherever necessary, refer cases to the appropriate authority or a court of competent jurisdiction for such action as deemed fit.

CHAPTER VI

OFFENCES AND PENALTIES

12. (1) Any employer who contravenes the provisions of this Act or the rules and regulations made there under shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend up to rupees fifty thousand or with both.

Offences and penalties.

(2) Nothing contained in this Act shall prevent the application of relevant provisions of the Bharatiya Nyaya Sanhita, 2023 or of any other law for the time being in force, in cases involving abuse, trafficking, or forced labour.

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CHAPTER VII

MISCELLANEOUS

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

Central Government to provide funds.

14. (1) The Board shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Comptroller and Auditor-General of India.

Accounts and audit.

(2) The accounts of the Board shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Board to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General of India or any other person appointed by him in connection with the auditing of the accounts of the Board under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the auditing of the Government accounts and, in particular shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Board under this Act.

15. The Board shall prepare, in such form and at such time each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the appropriate Government.

Annual report.

16. The appropriate Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, and the reasons for the non acceptance, if any, of any of such recommendations and the audit report to be laid as soon as may be after the reports are received, before each House of Parliament or the State Legislature, as the case may be.

Annual report and audit report to be laid before Parliament or State legislature.

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| Power of Central Government to make rules. | 17. The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act. |
| Power of Boards to make regulations. | 18. The Boards may, with the previous approval of the appropriate Government, by notification in the Official Gazette, make regulations consistent with this Act and the rules generally to carry out the provisions of this Act. |
| Rules and regulations to be laid before Parliament or State legislature. | 19. Every rule and every regulation made under this Act shall be laid, as soon as after it is made before each House of Parliament or state legislature as the case may be, 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, the House or both Houses agree in making any modification in the rule or regulation 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 or regulation. |
| Protection of action taken in good faith. | 20. No suit, prosecution or other legal proceeding shall lie against the appropriate Government, the Board or any person acting under its authority for anything done in good faith under this Act. |
| Act to have overriding effect. | 21. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, save as otherwise provided. |
| Power to remove difficulties. | 22. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with this Act as appear necessary or expedient for removing the difficulty. |

STATEMENT OF OBJECTS AND REASONS

Domestic workers constitute one of the largest segments of the unorganized workforce and play an indispensable role in sustaining households and enabling broader economic participation, particularly of women. Despite their significant contribution, domestic workers largely remain outside the ambit of formal labour protection and social security laws. They are often subjected to low wages, excessive working hours, lack of written contracts, absence of social security, vulnerability to abuse and harassment, and denial of basic dignity and labour rights. The nature of domestic work, performed within private households, renders domestic workers particularly vulnerable to exploitation and makes enforcement of existing labour laws difficult. While certain welfare schemes exist, their coverage is fragmented, non-uniform, and largely dependent on voluntary registration, resulting in limited reach and effectiveness.

A separate national law for domestic workers is essential due to the unique nature of employment of the domestic workers *i.e.*, part-time / full-time, live-in and live-out. There are a lot of complexities in the employment of the domestic workers, and therefore, these workers are not squarely covered under the new Code of Wages 2019 or other labour laws. There is an asymmetric relationship between the employers and employees in case of domestic workers. Last year, the Supreme Court has given a direction to the Central Government for having a separate law for domestic workers. The Court took note of the vulnerability of domestic workers because of lack of regulations. Though some States do have regulations but the Court noted that there is a need for a national law applicable to all States.

It is therefore considered necessary to enact a comprehensive legislation to recognize domestic workers as workers, ensure their registration, regulate their conditions of employment, provide for minimum wages and decent working conditions, and establish a dedicated institutional mechanism for social security and welfare. The Bill seeks to create a Domestic Workers Welfare Board and a Welfare Fund for providing health insurance, maternity benefits, pension, skill development, accident compensation, and other welfare measures. It also provides for grievance redressal, inspection with due regard to household privacy, and penalties for violations.

The proposed legislation is aligned with the constitutional mandate of social justice under articles 14, 15, 16, 21, 23, 38, 39 and 43 of the Constitution, and is consistent with international labour standards, including the ILO Domestic Workers Convention, 2011 (No. 189). The enactment of this law will be a significant step towards ensuring dignity, security, and justice for domestic workers.

Hence, this Bill.

A. D. SINGH.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of Domestic Workers Welfare Boards to provide social security to domestic workers as well as appointment of Chairperson and Members of the Boards along with appointment of officers and staff for efficient discharge of its functions. Clause 10 provides for appointment of Inspectors for the purposes of this Bill. Clause 11 provides for establishment of toll-free helpline and facilitation centres in each district. Clause 13 provides that the Central Government shall provide adequate funds to the State Governments for carrying out the purposes of this Act.

The Bill, therefore if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees five hundred crores will be required as recurring expenditure. Non-recurring expenditure to the tune of rupees fifty crores is likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 17 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 18 empowers the Domestic Workers Welfare Boards to make regulations. Clause 22 empowers the Central Government to make such provisions through an order for removing any difficulty that might arise in giving effect to the provisions of the Bill.

As the rules or regulations or orders will relate to matters of procedural and administrative detail only, the delegation of legislative power is of a normal character.

XXXI

Bill No. V of 2026

A Bill to enforce the fundamental right of women to equal pay for work of equal value; to prescribe objective standards for job evaluation to eliminate gender bias in remuneration; to establish the National Authority for Pay Parity of Women with distinct investigative and adjudicatory powers; to prohibit systemic wage discrimination and non-transparent pay practices; and for matters connected therewith or incidental thereto.

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

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the *Shakti Samman* (Pay Parity for Women) Act, 2026.
(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different classes of establishments based on employee count or turnover.

Short title and commencement.

Definitions.

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

(a) “applicant” means any person who has formally expressed interest for employment against a specific vacancy or otherwise in an establishment by submitting an application, which may include a resume or a prescribed form;

(b) “audit” means the annual Pay Parity Audit conducted under section 10;

(c) “Authority” means the National Authority for Pay Parity of Women constituted under section 6;

(d) “employee” means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, on a remuneration, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

(e) “employer” means a person who employs, whether directly or through any person, or on his behalf, or on behalf of any person, one or more employees in his establishment and where the establishment is carried on by any department of the Central Government or the State Government, the authority specified, by the head of such department, in this behalf or where no authority is so specified, the head of the department and in relation to an establishment carried on by a local authority, the chief executive of that authority, and includes, —

(i) in relation to an establishment which is a factory, the occupier of the factory;

(ii) in relation to mine, the owner of the mine or agent or manager having requisite qualification under the law for the time being in force and appointed by the owner or agent of the mine as such;

(iii) in relation to any other establishment, the person who, or the authority which has ultimate control over the affairs of the establishment and where the said affairs are entrusted to a manager or managing director, such manager or managing director;

(iv) contractor; and

(v) legal representative of a deceased employer;

(f) “establishment” includes:

(i) any office or department of the Government or a local authority;

(ii) any factory, mine, plantation, or commercial establishment;

(iii) any company, firm, cooperative society, or trust; and

(iv) gig-economy platforms and aggregators employing or contracting more than ten individuals;

(g) “pay” or “wage” means all remuneration whether by way of salaries, allowances or otherwise, expressed in terms of money or capable of being so expressed which would, if the terms of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes,—

- (i) basic pay;
- (ii) dearness allowance; and
- (iii) retaining allowance, if any,

but does not include such allowances or compensation, as may be prescribed.

(h) “Portal” means the Equal Pay Digital Compliance Portal established under section 12;

(i) “prescribed” means prescribed by rules made under this Act;

(j) “systemic discrimination” means a pattern of practice, policy, or class-wide disparity where the average remuneration of women is lower than that of men for the same job category without lawful justification;

(k) “work of equal value” means work that is determined to be equivalent based on the composite assessment of the following four factors, namely:

(i) skill, which includes the required knowledge, qualifications, and experience;

(ii) effort, which includes the physical, mental, and emotional exertion required;

(iii) responsibility, which includes the accountability for people, resources, and decision-making; and

(iv) working conditions, which includes the physical and psychological environment of the work.

CHAPTER II

SUBSTANTIVE RIGHTS AND PROHIBITED PRACTICES

3. (1) No employer shall, in respect of any woman employee, grant pay at a rate less favorable than the rate at which pay is granted to a male employee for performing:—
- Right to equal pay.
- (a) the same work; or
 - (b) work of equal value.
- (2) In determining whether work is of equal value, the employer shall not take into account: —
- (a) the job title or designation;
 - (b) the time of day at which the work is performed, unless a shift allowance is uniformly payable to all employees; or
 - (c) the bargaining power of the employee at the time of hiring.
4. (1) In any proceeding under this Act, the burden shall initially lie upon the complainant to establish a *prima facie* case of pay disparity for work of equal value.
- Burden of proof.
- (2) Where a *prima facie* case is established under sub-section (1), the burden of proof shall shift to the employer to prove that the difference in pay is based on a *bona fide* factor and not on the gender of the employee.
- Explanation.* — For the purposes of sub-section (2), a “*bona fide* factor” shall be: —
- (a) objective, reasonable and directly related to the job including specific seniority system or merit system or measuring remuneration by production quantity or quality;

Prohibited practices.

- (b) applied uniformly and consistently to all employees; and
- (c) not derived from or tainted by historical gender bias.
5. No employer shall, directly or indirectly:—
- (a) require any applicant to make the disclosure of prior pay history as a mandatory precondition for interviewing, considering, or hiring such applicant:
- Provided that nothing in this clause shall prevent an employer from considering or verifying pay history if such information is voluntarily disclosed by the applicant without coercion, for the purpose of negotiating a pay higher than the initial offer;
- (b) require an employee to sign a waiver or contract that prohibits the employee from disclosing or discussing the wages of the employee with others;
- (c) classify or channel women employees into specific job titles which are substantially similar in skill, effort, responsibility and working conditions to male-dominated titles but are paid less; or
- (d) discharge, demote, or otherwise discriminate against an employee because such employee has inquired about, discussed, or disclosed comparative pay rates.

CHAPTER III

THE NATIONAL AUTHORITY FOR PAY PARITY OF WOMEN

Constitution of the National Authority for Pay Parity of Women.

6. **(1) The Central Government shall, by notification in the Official Gazette, constitute an Authority to be known as the National Authority for Pay Parity of Women to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.**
- (2) The Authority shall be a body corporate having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.
- (3) **The headquarters of the Authority shall be at New Delhi and the Authority may, with the prior approval of the Central Government, establish Regional Offices at Mumbai, Kolkata, Chennai and Bengaluru.**
- (4) **The Authority shall consist of a Chairperson and four Full-time Members to be appointed by the Central Government on the recommendation of a Selection Committee constituted for the purpose, comprising of:—**
- (a) the Chief Justice of India or a Judge of the Supreme Court nominated by him — Chairperson;
- (b) the Union Minister for Women and Child Development - Member; and
- (c) the Union Minister for Labour and Employment - Member.
- (5) **The Chairperson of the Authority shall be a retired Judge of the Supreme Court or retired Chief Justice of a High Court.**
- (6) **The Members of the Authority shall be from amongst persons of ability, integrity and standing, who have special knowledge of and professional experience of not less than twenty years in law, labour economics, industrial relations, or gender studies.**

(7) Not less than three members of the Authority, including the Chairperson shall be women.

(8) The term of office of, the salaries and allowances payable to and other terms and conditions of service of, resignation by and removal of the Chairperson and members shall be such as may be prescribed.

(9) The Central Government shall provide the Authority with such officers and other employees as may be necessary for the efficient performance of its functions under this Act.

(10) The method of recruitment, salaries and allowances payable to, and the other terms and conditions of service of, the officers and other employees, so appointed for the purposes of the Authority shall be such as may be prescribed.

7. The Authority shall perform the following functions, namely:—

(a) enforce the provisions of this Act relating to pay parity for women;

(b) inquire into and adjudicate complaints of gender-based wage discrimination;

(c) conduct *suo motu* investigations into systemic wage discrimination;

(d) prescribe objective methodologies for determining work of equal value;

(e) monitor compliance through audits and digital reporting systems;

(f) advise the Central Government on gender pay equality policies;

(g) promote awareness, research and capacity-building programmes on equal pay; and

(h) perform such other functions as may be prescribed.

8. (1) The Authority shall, for the purposes of any inquiry or investigation under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents, including digital payroll records and internal emails;

(c) receiving evidence on affidavits; and

(d) requisitioning any public record or copy thereof from any court or office.

(2) The Authority shall have the power to initiate *suo motu* investigations if:

(a) data from the annual audit under section 10 reveal a gender pay gap exceeding five per cent. in any job category; or

(b) it receives credible information regarding systemic pay discrimination in an industry.

Functions of
the Authority.

Powers of
Inquiry and
Investigation.

Power of search and seizure.

9. (1) Where the Authority has reason to believe that an employer is suppressing evidence of wage discrimination, it may authorize an officer not below the rank of Director to:—
- (a) enter and search any building or place where the establishment is functioning;
 - (b) break open the lock of any door, box, locker, safe, or almirah where wage records are kept; and
 - (c) seize any such books of account, wage registers, other documents, or electronic records or devices.
- (2) The provisions of the, Bharatiya Nagarik Suraksha Sanhita, 2023, relating to search and seizure shall, so far as may be, apply to search and seizure under this section.

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CHAPTER IV

OBLIGATIONS OF EMPLOYERS

Mandatory Pay Parity Audit.

10. (1) Every establishment employing fifty or more employees shall conduct an annual Pay Parity Audit for a calendar year, in such form and manner as may be prescribed, for the purpose of assessing compliance with the provisions of this Act relating to equal pay for work of equal value.
- (2) The audit shall calculate:—
- (a) the mean and median gender pay gap in respect of hourly pay;
 - (b) the mean and median gender bonus gap; and
 - (c) the proportion of men and women employees in each quartile of the pay structure.
- (3) The audit report for a calendar year shall be submitted to the Authority in such electronic or other form as may be prescribed and published on the website of establishment on or before the 31st of March of the succeeding year.

Transparency in recruitment and posting processes.

11. Every employer shall, in every notification of advertisement for recruitment or posting order, disclose the pay scale or salary range applicable to the position and any failure to do so shall render the recruitment process or the posting order voidable at the instance of any applicant or any employee or the Authority.

Equal Pay Digital Compliance Portal.

12. (1) **The Authority shall establish and maintain an Equal Pay Digital Compliance Portal, in such manner as may be prescribed.**
- (2) **Without in anyway affecting the generality of sub-section (1), the Portal shall provide for:**
- (a) **electronic submission of audit reports;**
 - (b) **automated compliance monitoring;**
 - (c) **artificial intelligence-based detection of wage anomalies and systemic discrimination; and**
 - (d) **secure electronic filing and tracking of complaints.**

CHAPTER V

GRIEVANCE REDRESSAL AND ADJUDICATION

Filing of complaints.

13. Any aggrieved woman employee or applicant, or a registered trade union or civil society organisation duly authorized by such employee or applicant, may file a complaint electronically through the Portal to the Authority in such form as may be prescribed.

14. (1) The Authority shall make efforts to resolve any complaint filed under this Act through conciliation within thirty days of date of its receipt. Conciliation and inquiry.
- (2) Where conciliation fails, the Authority shall commence a formal inquiry in such manner as may be prescribed and such inquiry shall be concluded within ninety days from the date of commencement of such inquiry.
- (3) Pending the final disposal of the complaint, if the Authority is satisfied that the complainant is suffering significant financial hardship or harassment, it may direct the employer to pay provisional wages equal to the claimed disparity as interim relief or pass any order, including interim stay on transfer of the complainant, as may be deemed appropriate.
15. (1) Any person aggrieved by an order of the Authority under this Act, may prefer an appeal to the High Court having jurisdiction, within sixty days from the date of communication of such order. Appeals.
- (2) No appeal by an employer against any order of the Authority shall be entertained unless the employer deposits seventy five per cent. of the compensation amount awarded by the Authority with the Registrar of the High Court.

CHAPTER VI

PENALTIES, COMPENSATION AND FUND

16. (1) Where an employer fails to conduct the audit as required under this Act or publish or disclose transparency data in the manner prescribed, shall be liable to the following penalties, namely:- Penalties.
- (a) for the first contravention, a fine which may extend to five lakh rupees; and
- (b) for subsequent contravention, a fine which may extend to ten lakh rupees per day of default.
- (2) Where an employer contravenes the provisions of sections 3 and 5 of this Act, such employer shall be liable to:-
- (a) the penalty of twice the total wage differential calculated from the date, on which such disparity began; and
- (b) a fine of up to one per cent of the total annual turnover of the establishment for the preceding financial year.
17. (1) **With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act, a Fund to be called the Gender Justice Fund.** Gender Justice Fund.
- (2) **There shall be credited to the Gender Justice Fund all sums realised by way of penalties imposed and collected under section 16, including penalties calculated with reference to the turnover of an establishment.**
- (3) **The Gender Justice Fund shall be utilised for the purposes of—**
- (a) **providing legal aid, assistance and support to women employees for the enforcement of rights under this Act;**
- (b) **undertaking or supporting research, surveys and data collection relating to gender-based wage differentials and employment practices;**
- (c) **conducting awareness, education and capacity-building programmes for employers, employees and other stakeholders; and**
- (d) **such other purposes as may be prescribed.**

Compensation to the employee.

18. In addition to penalty that may be imposed under this Act, the Authority shall, by order, direct the employer to pay the aggrieved employee:—
- (a) the difference in pay for the entire period of employment, up to a maximum of six years preceding the date of complaint;
 - (b) a simple interest calculated at the rate of twelve per cent. per annum on the difference in wages; and
 - (c) compensation for emotional distress suffered and legal costs incurred by the employee, if any, which shall not be less than two lakh rupees as damages.

Offences by companies.

19. (1) Where an offence has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of that part of the business of the company as well as the company, shall be liable to be proceeded against and punished accordingly.
- (2) Nothing contained in sub-section (1) shall render any such person liable to be proceeded against and punished accordingly under this act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.
- (3) Notwithstanding anything contained in sub-section (1), where an offence under this act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall hold an independent director or a non-executive director of a company who is not involved in the actual decision making, liable for such offence.

Explanation.—for the purposes of this section, the expressions—

- (a) “company” means a body corporate, and includes—
 - (i) a firm; and
 - (ii) an association of persons or a body of individuals whether incorporated or not; and
- (b) “director”, in relation to—
 - (i) a firm, means a partner in the firm; and
 - (ii) any association of persons or a body of individuals, means any member controlling its affairs thereof.

CHAPTER VII

MISCELLANEOUS

Central Government to provide funds.

20. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Authority, for carrying out the purposes of this Act.**

Accounts and audit.

21. (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.
- (2) The accounts of the Authority shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Authority under this Act shall have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority.

(4) The accounts of the Authority, as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Authority.

22. The Authority shall prepare, in such form and at such time as may be prescribed, an annual report of its activities and submit the same to the Central Government. Annual Report.
23. The Central Government shall cause the annual report together with a memorandum of action taken on the recommendations contained therein, in so far as they relate to the Central Government, and the reasons for the nonacceptance, if any, of any of such recommendations and the audit report to be laid as soon as may be after the reports are received, before each House of Parliament. Annual report and audit report to be laid before Parliament.
24. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the other provisions of this Act. Power to make rules.
- (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 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.
25. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act. Act to have overriding effect.

STATEMENT OF OBJECTS AND REASONS

The Constitution of India, through Articles 14, 15, and 39(d), envisages a society founded on equality and justice, explicitly mandating "equal pay for equal work" for both men and women. Despite these constitutional guarantees, the gender pay gap in India remains a persistent and systemic challenge. Economic data indicates that women continue to earn significantly less than men for work of comparable value, a disparity exacerbated by occupational segregation, lack of transparency in pay structures, and the historical undervaluation of work traditionally performed by women.

The existing legal framework has faced challenges in enforcement due to the narrow interpretation of "same work or work of a similar nature," which fails to account for roles that are different in description but equivalent in value. Furthermore, the burden of proving discrimination has traditionally rested heavily on the employee, often rendering the pursuit of justice prohibitively difficult for women facing wage disparities.

The *Shakti Samman* (Pay Parity for Women) Bill, 2026 seeks to bridge this gap by introducing a robust, modern, and enforceable legislative framework. The Bill adopts the internationally recognized standard of "Work of Equal Value," allowing for a scientific comparison of dissimilar jobs based on skill, effort, responsibility, and working conditions. This shift ensures that women in female-dominated sectors are not penalized for the nature of their work.

The principal objects of the Bill are as follows:—

(a) to establish the National Authority for Pay Parity of Women as a specialized regulatory body with the powers of a Civil Court to monitor compliance, conduct audits, and adjudicate disputes;

(b) to shift the burden of proof onto the employer once a prima facie case of pay disparity is established, thereby correcting the procedural imbalance in wage litigation;

(c) to mandate transparency through annual Pay Parity Audits, ensuring that wage discrimination is identified and corrected proactively rather than reactively;

(d) to prohibit restrictive practices such as the mandatory disclosure of salary history and pay secrecy clauses, which perpetuate historical wage gaps; and

(e) to provide for deterrent penalties and a compensation mechanism that offers genuine restitution to aggrieved women, including the recovery of arrears with interest.

This legislative measure is a step towards fulfilling India's international obligations under the International Labour Organization (ILO) Equal Remuneration Convention, 1951 (No. 100), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It recognizes that economic empowerment is central to gender justice and that true equality cannot be achieved without pay parity.

Hence, this Bill.

KARTIKEYA SHARMA.

FINANCIAL MEMORANDUM

Clause 6 provides for constitution of the National Authority for Pay Parity of Women, establishment of its head office and regional offices, its composition, salaries and allowances payable and other terms and conditions of services of its members and officers and staff. Clause 7 provides for promotion of awareness, research and capacity-building programmes on equal remuneration. Clause 12 provides for establishment and maintenance of an Equal Pay Digital Compliance Portal. Clause 17 provides for establishment of the Gender Justice Fund and Clause 20 provides Central Government to provide funds to the Authority for carrying out the purposes of this Act.

The Bill, therefore, if enacted, would involve expenditure, both of recurring and non-recurring nature, from the Consolidated Fund of India. However, it is difficult, at this juncture, to estimate the exact expenditure likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 24 of the Bill empowers the Central Government to make rules for carrying out the provisions of this Act, including matters relating to the methodology for determining “Work of Equal Value,” the format and manner of conducting Pay Parity Audits, and the procedures governing inquiries, investigations, and search and seizure operations by the Authority.

As the matters in respect of which rules may be made relate to matters of detail only, the delegation of legislative power is, therefore, of a normal character.

XXXII**Bill No. VI of 2026**

A Bill to provide for the identification, designation, and protection of critical infrastructure of strategic importance; to establish a framework for its resilience through technological integration; to impose strict liability and accountability on parties responsible for failure of, or loss of lives due to defects in the critical infrastructure; and for matters connected therewith or incidental thereto.

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

CHAPTER I**PRELIMINARY**

1. (1) This Act may be called the Critical Infrastructure (Resilience, Protection and Accountability) Act, 2026.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title and commencement.

Definitions.

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

(a) "Committee" means the Critical Infrastructure Oversight Committee constituted under section 6;

(b) "critical infrastructure" means an asset, project, facility, system, or part thereof, whether physical or virtual, as may be specified under section 3;

(c) "Dashboard" means National Real-Time Critical Infrastructure Monitoring Dashboard as established under section 9;

(d) "defect liability period" means the period specified in the contract, concession agreement, or other binding arrangement, commencing from the date of completion, commissioning, or handover of a critical infrastructure, during which the contractor, sub-contractor, concessionaire, vendor, technology provider, or any other party responsible for the works, goods, or services, shall remain liable to remedy, repair, replace, or rectify any defect, deficiency, or failure arising from design, workmanship, materials, or performance, at no additional cost to the Nodal Ministry of the critical infrastructure;

(e) "Digital Twin" means a dynamic, virtual representation of a physical critical infrastructure that uses real-time data to enable understanding, learning, and reasoning regarding the performance and lifecycle of the critical infrastructure;

(f) "Nodal Ministry" means the Ministry or Department of the Central Government having administrative and financial control over the specific critical infrastructure;

(g) "party" means any individual or entity engaged in the lifecycle of the critical infrastructure, and shall include following:

(i) the contractor, the primary individual or entity executing the works;

(ii) the sub-contractor, any individual or entity to whom part of the work is delegated;

(iii) concessionaire, the holder of a concession for public-private partnership projects;

(iv) Special Purpose Vehicle, a subsidiary created for the specific project;

(v) Joint Venture, a commercial enterprise undertaken jointly by two or more parties;

(vi) vendor, the supplier of materials or components;

(vii) the technology provider, any individual or entity providing software, hardware, or integration services; and

(viii) the consultant, any individual or entity providing architectural, structural, or management advice.

(h) "prescribed" means prescribed by rules made under this Act;

(i) "Protocol" means Critical Infrastructure Safety Protocol as provided under section 5; and

(j) "Registry" means National Critical Infrastructure Registry as provided under section 4.

CHAPTER II

DESIGNATION AND REGISTRY

3. The Central Government may by notification in the Official Gazette specify critical infrastructure, satisfying one or more of the following criteria:

(i) financial threshold: the total commissioning cost or replacement value exceeds rupees one thousand crore; or

(ii) beneficiary threshold: serves a daily user base or beneficiary population exceeding one million individuals; or

(iii) strategic importance: the compromise, loss, or failure would result in debilitating impact on national security, defence capabilities, or national sovereignty.

Provided that such notification shall be issued after consultation with the State Government or local authority, where such Government or authority is a partner in the development, operation, or maintenance of the critical infrastructure.

4. (1) The Central Government shall, by notification in the Official Gazette, establish, maintain and operate a Registry to be known as the National Critical Infrastructure Registry.

(2) The Central Government shall classify the critical infrastructure in the Registry into the following categories:

(a) Tier 1, strategic and life-critical, the failure of which would pose an immediate threat to human life, public safety or national sovereignty, including but not limited to dams, nuclear installations and defence corridors;

(b) Tier 2, economic and urban, the failure of which would cause massive disruption of economic activity or essential urban services, including but not limited to major expressways, ports, and power grids; and

(c) any other category, as may be classified by the Central Government.

5. (1) Every critical infrastructure shall be subject to, and governed by the Critical Infrastructure Safety Protocol, as may be prescribed by the Central Government.

(2) The Central Government may, for the purposes of enforcement of the Protocol, make rules and lay down procedures, specifically to provide for:

(a) the manner of conducting inquiries into complaints relating to safety violations or non-compliance;

(b) the procedure for investigation of incidents, structural failures, or service disruptions involving critical infrastructure; and

(c) the authorization of officers to institute suits, prosecutions, or other legal proceedings in competent courts on behalf of the Central Government.

CHAPTER III

GOVERNANCE AND OVERSIGHT

6. (1) The Central Government shall, by notification in the Official Gazette, constitute in every Nodal Ministry a Committee, to be known as the Critical Infrastructure Oversight Committee, to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.

Central Government to notify critical infrastructure.

National Critical Infrastructure Registry.

Critical Infrastructure Safety Protocol.

Constitution of Critical Infrastructure Oversight Committee.

(2) The Committee shall consist of:

(a) the Union Minister in charge of the Nodal Ministry, who shall be the *ex-officio* Chairperson; and

(b) the Secretary of the Nodal Ministry, who shall be the *ex-officio* Member-Secretary.

(3) The Central Government may depute such number of officers and staff to the Committee, as may be required for its efficient functioning.

Functions and powers of the Committee.

7. The Committee shall exercise and perform the following functions:

(a) monitor the security and resilience of the critical infrastructure;

(b) review the compliance and performance of parties with respect to the Protocol;

(c) initiate penal proceedings in the event of failure or non-compliance, as specified in section 10 of this Act; and

(d) any other functions as assigned to it by the Central Government from time to time.

CHAPTER IV

TECHNOLOGICAL INTEGRATION

Mandatory Digital Twin.

8. (1) Every party responsible for the design, construction, operation or maintenance of any physical critical infrastructure shall possess a functioning Digital Twin.

(2) The Digital Twin shall conform to such technical standards and specifications, as may be prescribed by the Committee, with the approval of the Central Government.

(3) The Digital Twin shall be utilized for:

(a) real-time monitoring of the structural health of the critical infrastructure;

(b) stress testing of the critical infrastructure against simulated natural and man-made disasters;

(c) predictive scheduling of maintenance of the critical infrastructure; and

(d) any other purpose, as may be prescribed.

National Real-Time Critical Infrastructure Monitoring Dashboard.

9. (1) The Central Government shall establish a centralized and electronic National Real-Time Critical Infrastructure Monitoring Dashboard, in such manner as may be prescribed.

(2) Every virtual critical infrastructure and Digital Twin shall act as a node, transmitting such data to the Dashboard, as may be prescribed.

(3) The Dashboard shall be accessible to the Committee of the respective Nodal Ministry for the purpose of:

(a) surveillance of health of the critical infrastructure;

(b) facilitating data sharing between different Nodal Ministries to ensure systemic resilience and interoperability; and

(c) supply data driver insights to the Central Government for future infrastructure planning.

CHAPTER V

LIABILITIES AND PENALTIES

10. (1) Where there is a gross breach of a duty of care owed to its employees or to the members of the public by any party engaged in construction, operation or maintenance of critical infrastructure or there is structural failure of the critical infrastructure directly or indirectly attributable to design flaws, poor quality of construction or materials, or negligence, and such breach or failure results in loss of human life, the party shall be deemed to have committed the offence of corporate manslaughter under this Act.

Offence of
corporate
manslaughter.

(2) The offence under sub-section (1) shall be cognizable and non-bailable.

(3) Whoever is found guilty of corporate manslaughter shall be punishable with imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life.

11. Whoever, being a party, by act of negligence, inefficiency, or willful delay causes disruption in the service of any critical infrastructure, shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Offence of
Service
Disruption and
Negligence

12. (1) Where an offence under section 10 has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of that part of the business of the company, as well as the company, shall be liable to be proceeded against and punished accordingly.

Offence by
companies

(2) Nothing contained in sub-section (1) shall render any such person liable to be proceeded against and punished accordingly under this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(3) Notwithstanding anything contained in sub-section (1), where an offence under this act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall hold an independent director or a non-executive director of a company who is not involved in the actual decision making, liable for such offence.

Explanation.— for the purposes of this section, the expressions—

(a) “company” means a body corporate, and includes—

(i) a firm; and

(ii) an association of persons or a body of individuals whether incorporated or not; and

(b) “director”, in relation to—

(i) a firm, means a partner in the firm;

(ii) any association of persons or a body of individuals, means any member controlling its affairs thereof.

- Defect Liability Period. 9 of 1872
13. (1) Notwithstanding anything contained in the Indian Contract Act, 1872, the Defect Liability Period in respect of the critical infrastructure shall be twenty-five years from the date of commissioning.
- (2) The party shall be liable to repair or rebuild any defects arising in the critical infrastructure at their own cost during the Defect Liability Period.
- (3) Notwithstanding anything in any other law for the time being in force, the liability under this section of the transferor party prior to its merger, amalgamation or acquisition shall continue after such merger, amalgamation or acquisition.
- Provisional attachment of assets. 46 of 2023
14. (1) In the event of a catastrophic failure of a Tier 1 critical infrastructure, the Central Government may, by order, direct the immediate freezing of the personal assets of the responsible Party or if the Party is a company, then of the members of its Board of Directors.
- (2) The attachment under sub-section (1) shall be effective prior to the commencement of any trial, inquiry or arbitration.
- Criminal Liability for Service Disruption and Negligence. 46 of 2023
15. (1) Whoever, being a public servant employed in a Nodal Ministry, by act of negligence, inefficiency, or willful delay causes disruption in the service of any critical infrastructure, shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.
- (2) Notwithstanding anything contained in section 218 of Bharatiya Nagarik Suraksha Sanhita, 2023, no prior sanction shall be required for prosecution under this section in respect of offences relating to critical infrastructure.

CHAPTER VI

PUBLIC ACCOUNTABILITY

- Whistleblower protection. 17 of 2014
16. (1) Any person who makes a disclosure of information relating to safety violations or corruption in the critical infrastructure, shall be entitled to protection under the provisions of the Whistle Blowers Protection Act, 2014.
- (2) The identity of such whistleblowers shall be secured through encryption within the Dashboard.
- Internal Ombudsman.
17. (1) The Nodal Ministry shall designate an officer of the rank of Joint Secretary to the Government of India as the internal Ombudsman.
- (2) The Ombudsman shall receive, inquire into, and redress public grievances relating to the safety and performance of the critical infrastructure.

CHAPTER VII

MISCELLANEOUS

- Annual Report.
18. The Committee shall prepare an annual report on the state of the critical infrastructure in the country and submit it to the Central Government which shall cause the same to be laid before both Houses of Parliament, within three months after the end of each financial year.
- Power to make rules.
19. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.
- (2) Every rule made by the Central Government 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 the Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation 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 or regulation.

20. The provisions of this Act shall have effect, notwithstanding anything therewith inconsistent contained in any other law for the time being in force or any instrument having effect by virtue of any such law.
21. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty.

Act to have
overriding
effect.

Removal of
difficulties.

STATEMENT OF OBJECTS AND REASONS

The rapid urbanization and strategic development of India necessitates an infrastructure framework that is not only robust but resilient. In recent times, instances of infrastructure failure have highlighted casual attitude towards safety standards and asset longevity. Such negligence, when applied to critical infrastructure of strategic importance, amounts to a betrayal of public trust and national security.

Existing legal frameworks treat infrastructure failure largely as a contractual dispute or a tort of negligence. This Bill seeks to shift the paradigm from "civil negligence" to "criminal accountability." It recognizes that the sabotage of critical infrastructure, whether through malice or gross incompetence, is an offense against the State.

The Bill introduces a "Zero Cost" oversight mechanism by empowering existing Ministry officials rather than creating regulatory bodies. It mandates "Skin in the Game" for private contractors and public officials alike, ensuring that those who build and monitor our critical infrastructure are personally liable for their integrity.

The Bill seeks to achieve the above objectives.

KARTIKEYA SHARMA.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 19 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Clause 21 provides that the Central Government may make such provisions, by order, as may be necessary for removing any difficulty in giving effect to the provisions of this Bill.

As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

P.C. MODY,
Secretary-General.