

**Bill No. 175 of 2022**

THE AGNIPATH SCHEME BILL, 2022

By

SHRI N.K. PREMACHANDRAN, M.P.

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BILL

*to provide for framing of Agnipath Scheme for recruitment of soldiers in the armed forces of the Union and for matters connected therewith.*

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

1. (1) This Act may be called the Agnipath Scheme Act, 2022.

(2) It shall also apply to citizens recruited under the Agnipath Scheme introduced  
5 by the Central Government on 14th June, 2022.

(3) It shall, in case of citizens recruited under this Act, come into force at once and in respect of recruits appointed under the Central Government Agnipath Scheme, be deemed to have come into force *w.e.f.* the date of commencement of the Central Scheme.

Short title,  
application and  
commencement.

Definitions.	2. In this Act, unless the context otherwise requires.	
	(a) "Agnipath Scheme" means Agnipath Scheme framed under section 3;	
	(b) "Agniveer" means the candidate selected and enrolled under the Agnipath Scheme under this Act; and	
	(c) "prescribed" means prescribed by rules made under this Act.	5
Agnipath Scheme.	3. The Central Government shall, by notification in the Official Gazette, frame a Scheme to be known as the Agnipath Scheme and maintain a corp under the scheme to be named as Agnipath to provide academic, military and physical training in a moral-ethical military environment.	
Units of Agnipath and Recruitment of Agniveer	<b>4. The Central Government may constitute one or more units of Agnipath in Indian Army, Navy and Air force as it deems fit.</b>	10
Enrolment as Agniveer.	5. (1) Under the Agnipath Scheme framed under section 3, Indian citizens between the age of seventeen and half and twenty three years with requisite qualification, may be enrolled as Agniveer in Indian Army, Navy, Air force in such manner as may be prescribed:	
	Provided that the enrolment of Agniveer under the Agnipath Scheme shall be in addition to the existing personnel under the Indian Army, Navy and Airforce.	15
	(2) Each Agniveer shall be enrolled through central transparent rigors system by ensuring proportionate representation of candidates from each States and Union territories in such manner as may be prescribed.	
Tenure of service of Agniveer.	6. The tenure of service of Agniveer enrolled under the Agnipath Scheme formulated under section 3 shall be four years.	20
Duties of Agniveer.	7. Each Agniveer shall—	
	(a) be liable for active military service;	
	(b) serve the nation from terrain to mountain to deserts on land, sea or air; and	
	(c) be liable to perform such duties as may be prescribed.	25
Pay and Allowances of Agniveer.	<b>8. The pay and allowances of Agniveer shall not be less than that of the soldier, sailor or airman of the similar period of service in Indian Army, Navy and Air force, as the case may be.</b>	
Disability and Death Compensation of Agniveer.	<b>9. The disability and death compensation of Agniveer shall not be less than that of the soldier, sailor or airman of the similar period of service in Indian Army, Navy and Air force.</b>	30
Benefits and Family Benefits of Agniveer.	<b>10. The benefits welfare of Agniveer and the family of the Agniveer shall not be less than that of soldier, sailor or airman of the same period of service in Indian Army, Navy and Air force.</b>	
Option to continue in Defence Service.	11. Each Agniveer shall have option to continue in the service of Indian Army, Navy and Air force as the case may be:	35
	Provided that no Agniveer shall continue in Indian Army, Navy and Air force, as the case may be, after successful completion of four years of service under he has given his consent in writing to that effect.	
Retirement Benefit.	<b>12. (1) Every Agniveer enrolled under this Act shall retire on expiration of the period of four years for which he was enrolled as an Agniveer and shall be entitled to every retirement benefit except the case in which he has consented to continue in the service of Indian Army, Navy, Air force, as the case may be.</b>	40

(2) Every Agniveer retired from Agnipath without opting continuous service in Indian Army or Navy or Air force shall be entitled financial benefit of an amount of rupees not less than fifty lakhs, skill gained certificate and certificate of academic qualification in such manner as may be prescribed.

5           **13. The Central Government may provide for the appointment of officers in or for the Unit of Agniveer from amongst the officers of the Army, Navy and Air force as the case may be.** Appointment of Officers.

**14.** If any Agniveer contravenes any provision of this Act he may be liable to such punishment and in such manner as may be prescribed. Punishment for offences under this Act.

10           **15.** There shall be three divisions of Agnipath namely— Divisions of Agnipath.

          (1) Army Division : Recruitment of Agniveer for training and service under Indian Army.

          (2) Navy Division : Recruitment of Agniveer for training and service under Indian Navy; and

15           (3) Air force Division : Recruitment of Agniveer for training and service under Indian Air force.

**16. (1) The Central Government may, for the purpose of advising it on all matters of policy connected with the Constitution and administration of the Agnipath Scheme, appoint a Central Advisory Committee consisting of the following persons namely:—** Power to appoint Advisory Committees.

20           (a) Union Minister of Defence, who shall be the Chairperson of the Committee;

          (b) the Secretary to the Government of India, Ministry of Defence — Member;

          (c) the Chief of the Defence Staff — Member;

          (d) the Chief of the Army Staff — Member;

          (e) the Chief of the Naval Staff — Member;

25           (f) the Chief of the Air Staff — Member; and

          (g) five Members of Parliament of whom three shall be elected by the House of the People and two by the Council of States — in such manner as may be prescribed— Members.

30           (2) A member elected under clause (g) of sub-section (1) shall hold office for a period of three years from the date of his election or until he ceases to be a Member of the House from which he has been elected whichever is earlier.

          (3) The Committee shall meet at least once in three months.

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

35           (2) In particular and without prejudice to the generality of the foregoing power such rules may—

          (a) prescribe the conditions subject to which Army, Navy and Air force shall be allowed to raise units under this Act;

          (b) prescribe the persons who may be eligible for enrollment as Agniveer;

40           (c) prescribe the manner in which, the period for which and the conditions subject to which any person or class of persons may be enrolled under this Act;

(d) provide for the medical examination of persons offering themselves for enrollment under this Act;

(e) prescribe periodical military training for any person for class of persons subject to this Act;

(f) prescribe the military or other obligations to which members of the Agnipath shall be liable when undergoing military training and provide generally for the maintenance of discipline amongst members of the Corps; 5

(g) prescribe the duties, powers and functions of officers appointed under this Act;

(h) prescribe the allowances or other remuneration payable to persons subject to this Act; 10

(i) provide for the removal or discharge of any person subject to this Act;

(j) prescribe the offences for which any person subject to this Act may be tried and provide for the trial thereof;

(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 thirty days as 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 made without prejudice to the validity of anything previously done under the rule. 15 20

## STATEMENT OF OBJECTS AND REASONS

To provide academic, military and physical training in a moral ethical military environment to prepare and motivate Indian youth between age of Seventeen and half and Twenty Three for the enrolment in Army, Navy and Air force, it is necessary to constitute a scheme. Modern training under the supervision of the Defence Force is necessary for the recruits in Army, Navy and Air force. At the very same the service of the candidates enrolled in the scheme is utilized for the Defence force. It is necessary to protect the interest of the candidates enrolled named Agniveer in the scheme Agnipath. Hence statutory recognition is necessary for the scheme.

The scheme announced by the Government is causing unrest among the Indian youth. It is not just and proper to recruit and enroll candidate on contract basis in the Defence services. Hence modification of the scheme is also required. In the present situation statutory recognition and modification is necessary for the scheme.

Hence this Bill.

NEW DELHI;  
4 July, 2022.

N.K. PREMACHANDRAN

## FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for constitution of Units of Agnipath in Indian Army, Navy and Air force. Clause 8 provides for pay and allowances of Agniveer. Clause 9 provides for disability and death compensation of Agniveer. Clause 10 provides for benefits and family benefits of Agniveer. Clause 12 provides for retirement benefits of Agniveer. The Bill, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees ten thousand crore per annum is likely to be incurred from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees ten thousand crore is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

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

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