

Bill No. 43 of 2024

THE ARTISTS (SOCIAL SECURITY) BILL, 2024

By

SHRI RAVI KISHAN, M.P.

A

BILL

to provide for social security and welfare measure for artists 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:—

1. (1) This Act may be called the Artists (Social Security) Act, 2024.

(2) It extends to the whole of India.

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

Short title,
extent and
commencement.

Definitions.

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

(a) "artist" means a person who through his creative skill performs any activity concerned with the production, exhibition of imaginative designs, videos, sounds, actions or ideas including a person engaged in cinema industry either as an actor, dancer, singer, producer, photographer, editor or distributor of films or a group of persons who exhibit their skills in unison to produce or exhibit such designs, videos, sounds, action or idea but does not include a person who works under any State Government or the Central Government or in any Public Sector Undertaking under the control of the Central Government or a State Government;

(b) "Board" means the National Artists Security Advisory Board constituted under section 4;

(c) "cinema" means a feature film or a documentary or a short film;

(d) "Fund" means the National Artists Welfare Fund constituted under section 6; and

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

Framing of welfare schemes for artists by the Central Government.

3. The Central Government may formulate, from time to time, suitable welfare schemes for artists on the matters relating to—

(a) insurance covering life and disability;

(b) health and maternity benefits;

(c) provident fund; and

(d) old age protection.

Constitution of the National Artists Social Security Advisory Board.

4. (1) **The Central Government shall, by notification in the Official Gazette, constitute a Board to be known as the National Artists Social Security Advisory Board to exercise the powers conferred upon, and to perform the functions assigned to it, under this Act.**

(2) **The Board shall consist of the following, namely:—**

(a) **a Chairperson to be appointed by the Central Government;**

(b) **two eminent artists to be nominated as members by the Central Government; and**

(c) **the Secretary to the Government of India in-charge of the Ministry of Culture shall be the *ex-officio* member-Secretary to the Board.**

(3) **The salary and allowances payable to and other terms and conditions of service of the Chairperson and members of the Board shall be such as may be prescribed.**

(4) **The Central Government shall make available to the Board such number of officers and staff as may be required for efficient functioning of the Board.**

Functions of the Board.

5. The Board shall,—

(a) make recommendations to the Central Government to formulate and implement suitable schemes for the welfare of artists;

(b) advise the Central Government on such matters arising out of the administration of this Act as may be referred to it;

(c) advise the Central Government regarding administration of the Fund; and

(d) undertake such other functions as may be assigned to it by the Central Government from time to time.

5 **6. The Central Government shall, by notification in the Official Gazette, constitute a Fund to be known as the Artists Welfare Fund for carrying out the purposes of this Act.** Constitution of National Artists Welfare Fund.

7. **The Central Government may, after due appropriation made by Parliament by law in this behalf, credit such sums of money to the Fund as it may think fit for being utilized for the purposes of this Act.** Central Government to grant funds.

10 **8.** The Fund shall be utilized to provide financial assistance to the artists for the following purposes:— Utilization of Fund.

(a) compensation in case of death or accident;

(b) old age pension;

(c) disability assistance;

15 (d) free healthcare facility to the artists and their family members; and

(e) subsidized housing facilities.

9. The provisions of this Act and the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force. Act to have overriding effect.

20 **10. (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.

25 (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

India is a welfare State and it is the duty of the State to ensure that all sections of the society are covered by a State sponsored social security network. On account of their unorganized nature of profession artists do not get adequate social security. There is practically no welfare scheme for their benefit. There is an urgent need to enact a legislation to provide for social security and welfare of the artists so that they can live a life of comfort and dignity.

The present Bill provides for:—

- (a) empowering the Central Government to formulate welfare schemes for the artists;
- (b) constitution of a Board to be known as the National Artists Social Security Advisory Board to recommend the Government to formulate and implement suitable schemes for welfare of artists; and
- (c) constitution of a Welfare fund to be known as National Artists Welfare Fund in order to provide social security to the artists in the country.

Hence this Bill.

NEW DELHI;
June 14, 2024.

RAVI KISHAN

FINANCIAL MEMORANDUM

Clause 4 provides for constitution of the National Artists' Social Security Advisory Board. Clause 6 provides for constitution of a Fund to be known as a National Artists Welfare Fund by the Central Government. Clause 7 provides for supply of fund by the Central Government. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. At this stage, it is difficult to give an exact estimate of expenditure likely to be involved as the exact amount of expenditure likely to be involved will depend upon the number of schemes formulated by the Government. However, it is estimated that an annual recurring expenditure of about rupees five hundred crore is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees two hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Act. Since the rules will relate to the matters of detail only. The delegation of legislative power is, of a normal character.

LOK SABHA

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(Shri Ravi Kishan, M.P.)