

Bill No. 84 of 2019

**THE RESERVATION FOR SCHEDULED CASTES AND SCHEDULED
TRIBES IN PRIVATE SECTOR BILL, 2019**

By

SHRI KODIKUNNIL SURESH, M.P.

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BILL

*to provide for reservation for the person belonging to the Scheduled Castes and the
Scheduled Tribes in private sector and for matters connected therewith.*

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Reservation for Scheduled Castes and Scheduled Tribes in Private Sector Act, 2019. Short title.

5 **2.** In this Act, unless the context otherwise requires:— Definitions.

(a) 'private sector' means any organization or establishment which is owned purely by private individual or corporation or limited company or in any organization in which the Government of India or a State has no financial interest and wherein not less than fifty persons are employed; and

10 (b) 'prescribed' means prescribed by rules made under this Act.

Government to encourage private sector to make provision for reservation.	3. (1) The Central Government shall give due encouragement to private sector to make provisions for reservation for the person belonging to the Scheduled Castes and the Scheduled Tribes in their organization.	
	(2) The encouragement as provided in sub-section (1) may include:—	
	(i) special concessions under various existing Central schemes; and	5
	(ii) loans from nationalized banks at reduced rate of interest.	
Annual Report.	4. The Central Government shall cause to be laid an annual report before both Houses of Parliament about the action taken under this Act.	
Power to make rules.	5. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.	10
	(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.	15

STATEMENT OF OBJECTS AND REASONS

At present reservation is available in favour of persons belonging to the Scheduled Castes and the Scheduled Tribes under the State. The number of posts and appointments in Government sector has come down considerably, especially after the economic liberalization. Now, the private sector is more involved in the nation building activities and infrastructure and economical projects. Also, people belonging to the Scheduled Castes and the Scheduled Tribes find it very difficult to get into Government service due to less number of posts available.

At present, there is no provision for reservation in favour of persons belonging to the Scheduled Castes and the Scheduled Tribes in services under private sector. But the Government cannot force private sector to make reservation for them. This can be done only by providing concessions and special schemes to encourage private sector to provide reservation.

Hence this Bill.

NEW DELHI;
June 6, 2019.

KODIKUNNIL SURESH

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 5 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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