

AS INTRODUCED IN LOK SABHA

Bill No. 58 of 2019

THE NATIONAL TOURISM (SUSTAINABLE DEVELOPMENT AND
PROMOTION) BILL, 2019

By

SHRI SUNIL KUMAR SINGH, M.P.

A

BILL

*to provide for the constitution of a Sustainable Tourism Interventions Council for
establishment of tourism as an organized sector in India, for job-creation,
higher foreign exchange reserve and greater cultural intermingling
and for matters connected therewith or incidental thereto.*

WHEREAS the United Nations World Tourism Organization in its Bali Declaration on Tourism recognizes tourism as a major contributor to world economy and one that may enhance quality of human relationships in September 1996.

AND WHEREAS the Seoul Declaration on Peace and Tourism adopted on the September, 2001 at Seoul recognizes tourism as a means to promote world peace.

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

1. (1) This Act may be called the National Tourism (Sustainable Development and Promotion) Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

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

Definitions.

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

(a) "Agency" refers to the Skill Enhancement Certification Agency constituted under section 7; 5

(b) "Chairperson" refers to the Chairperson of the Sustainable Tourism Interventions Council established under section 3;

(c) "Council" means the Sustainable Tourism Interventions Council established under section 3; 10

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

(e) "States" means the State Governments referred to in under article 1 of the Constitution of India; and

(f) "Task Force" means the Marketing Task Force constituted under section 9.

Establishment
of Sustainable
Tourism
Interventions
Council.

3. (1) The Central Government shall, within sixty days of the commencement of this Act, by notification in the Official Gazette, establish a Council to be known as the Sustainable Tourism Interventions Council for carrying out the purposes of this Act. 15

(2) The Council shall consist of,—

(a) the Union Tourism Minister, *ex-officio*, Chairperson;

(b) the Union Ministers of Environment, Forests and Climate Change, Finance, Housing and Urban Affairs and External Affairs —Members; 20

(c) the State Tourism Ministers— Members;

(d) the Secretary to Union Tourism Ministry—Member;

(e) the Secretaries to State Tourism Ministries—Member;

(f) representatives from Hotel Associations, Travel Agent's Associations, Adventure Sports Operator's Association and other interested groups of tourism industry; and 25

(g) three other persons from amongst the persons, having outstanding contribution or expertise in the field of development and promotion of tourism industry and having experience of working in the tourism trade for at least ten years, 30

to be nominated by the Central Government, by notification in the Official Gazette, in such manner as may be prescribed.

(3) The term of the members of the Council referred to under clauses (f) and (g) of sub-section (2) shall be for four years from the date of election or nomination or attainment of the age of seventy years or whichever is earlier and shall not be eligible for the re-election or re-nomination. 35

(4) The salary and allowances payable to and other terms and conditions of service of members referred to under clauses (f) and (g) of sub-section (2) shall be such as may be prescribed.

(5) The Council shall meet at least once in a year to decide the annual agenda. 40

Employees of
the Council.

4. (1) The Central Government shall depute to the service of the Council such of its employees from the Tourism Department or from any other Department or may employ any person on contractual basis as it considers necessary for carrying out the purposes of this Act.

(2) The salary and allowances payable to and other terms and conditions of service of deputed and contractual employees shall be such as may be prescribed.

5. The Council shall,—

Functions of
the Council.

5 (a) make recommendations to the Union and the States on important issues related to tourism including tax-subsidies, new destinations, international promotions and employment;

(b) create annual State-specific Action Plans on issues mentioned under clause (a);

(c) create and discover new tourist destinations;

10 (d) except for adventure tourism destinations, connect through adequate road connectivity and regulated transport infrastructure;

(e) provide health centres intermittently to destinations of trekking and hiking;

(f) recognize all buildings older than one hundred and fifty years as vintage buildings;

15 **(g) constitute a Heritage Fund both at the Central and State level, through appropriate financial tools, which shall be used to acquire vintage buildings as recognized under clause (i) under their jurisdictions;**

20 (h) undertake ease-of-tourism initiative using the Tourism Satellite Account constituted under section 6 to release biennial rankings on the ability of the State Government to attract tourists, domestic and foreign;

(i) take cognizance of the State security in each State for tourists based on how friendly the State police is to the tourists;

25 (j) establish a Standard Operating Procedure for each State for sensitizing the people of the States for friendly reception of all kinds of tourists and for helping them in understanding the culture of the State;

(k) strive to reduce the consumption of energy-intensive and water-intensive tourism industry through certification to promote sustainable tourism infrastructure; and

30 **(l) constitute a sub-council consisting of representatives of Central Government and State Governments to grant Energy Conservation Certificate to the energy-intensive and water-intensive tourism industry.**

6. (1) The Central Government shall, by notification in the Official Gazette, constitute a Tourism Satellite Account for the economic measurement of tourism in the country.

Constitution of
Tourism
Satellite
Accounts.

35 **(2) The Tourism Satellite Account shall include,—**

(a) harmonization and reconciliation of tourism statistics from an economic perspective;

(b) tourism economic data that is comparable with other economic statistics; and

40 (c) inbound domestic tourism and outbound tourism expenditure including internal tourism expenditure, production accounts of tourism industries, the Gross Value Added (GVA) and Gross Domestic Product (GDP) attributable to tourism, employment, investment, Government consumption and non-monetary indicators.

45 **7. (1) The Central Government shall, by notification in the Official Gazette, constitute an Agency to be known as the Skill Enhancement Certification Agency for carrying out the purposes of this Act.**

Constitution of
Skill
Enhancement
Certification
Agency.

(2) The Agency shall,—

(a) establish and recognize skill development institutions which provide courses in any such activity which aid in tourism; and

(b) provide to every student who successfully complete courses in tourism guides, languages, cookery and driving a certificate for acquiring respective skills.

5

Target Five States.

8. (1) The Central Government shall, in consultation with the Council, choose five States every two years, from the five regions of the country, namely, North, South, West, East and North-East, to form a group to be known as the Target Five States for development and promotion of tourism in those States.

(2) The Central Government shall, in consultation with the Council, for the purposes of development and promotion of tourism in Target Five States chosen under sub-section (1),—

10

(a) allot a fixed percentage of budget of Target Five States for tourism in those States;

(b) grant tax-holiday for a stipulated period of time to any project by a private party that may increase the number of tourists and also the stay of tourists in the Target Five States;

15

(c) develop tourism circuits viz., spiritual, adventure and natural;

(d) develop nodes in tourism circuits keeping in view the global standards in cleanliness, water and energy efficiency, crowd management, security, policing and hospitality;

20

(e) renovate historical sites to maintain and preserve the monuments from the vagaries of nature and man-made elements like pollution;

(f) establish at least one museum to be developed and maintained by a corporate entity or any other organization;

25

(g) recognize annual festivals in the Target Five States, ranging from tribal to more modern festivals; and

(h) train the festival conductors with event management training, or give them the necessary professional assistance.

Constitution of Marketing Task Force.

9. (1) The Central Government shall, in consultation with the Council, constitute a Task Force to be known as the Marketing Task Force for marketing and campaigning of the tourism in the country.

30

(2) The Task Force shall consist of,—

(a) a Chief Public Relations Officer having compulsory training in marketing, even if recruited from All India Civil Services; and

35

(b) representatives from the marketing and personal relations industry,

to be appointed by the Central Government in such manner as may be prescribed.

(3) The Task Force shall,—

(a) strive to develop positive image of tourism in India and also in other countries;

(b) make tailor-made ad campaigns and other marketing modes to promote tourism in the Target Five States;

40

(c) report negative experiences of tourists in a particular place as collated through analytics to the local administration for their immediate redressal; and

(d) showcase the trouble-shooting and hassle-free tourism experiences in the place.

45

10. (1) The Council shall, by notification in the Official Gazette, formulate adequate schemes and policies to incentivise the organizations and buildings involved in tourism industry to promote and develop environment friendly tourism in the country.

Formulation of schemes and policies to promote and develop environment friendly tourism.

(2) Every organizations and buildings involved in tourism industry in order to avail the incentives of the schemes and policies formulated under sub-section (1) shall ensure that—

- (a) purchasing policy favours environmentally responsible and eco-friendly products for building materials, capital goods, food and consumables;
- (b) purchase of disposable and consumer goods is measured, and the organisation actively seeks ways to reduce their use;
- (c) energy consumption be measured, sources indicated, and measures to decrease overall consumption be adopted, while encouraging the use of renewable energy;
- (d) water consumption be measured, sources indicated and measures to decrease overall consumption be adopted;
- (e) step-by-step plan to identify, and then quantify, sources of greenhouse gas emissions under its control, and activate measures to offset climate change in a time-bound manner is effectively implemented;
- (f) waste water including grey water, is treated effectively and reused, wherever possible;
- (g) solid waste management plan is implemented, with quantitative goals to minimise waste that is non-biodegradable, not reused or recycled;
- (h) use of harmful substances including pesticides, harmful chemicals, swimming pool disinfectants and cleaning material is minimized, substituted, when available, by innocuous products, and all chemical use is properly managed;
- (i) pollution from noise, light, runoff, erosion, ozone-depleting compounds and air and soil contaminants is reduced;
- (j) biodiversity, ecosystems and landscapes are conserved;
- (k) refrain from participation in, accept, allow or encourage the use of, or display or trade in endangered species of flora and fauna, except trophy displays, as permitted under the law;
- (l) no wildlife is held in captivity;
- (m) use of endemic native species for landscaping and restoration and takes measures to avoid the introduction of invasive alien species;
- (n) biodiversity conservation, including supporting natural protected areas and areas of high biodiversity value is supported;
- (o) interactions with wildlife not produce adverse effects on the viability of populations in the wild; and
- (p) any disturbance of natural ecosystems is minimised, and, if it occurs inadvertently, steps are taken for immediate rehabilitation and/or compensatory contribution for conservation of management.

11. (1) The Council shall maintain proper accounts and other relevant records and prepare annual statement of accounts in such form as may be prescribed.

Audit and Account.

(2) The accounts and Funds of the Council shall be audited by the Comptroller and Auditor General of India and any expenditure incurred in connection with such audit shall be payable by the Council.

(3) The accounts of the Council as certified by the Comptroller and Auditor General of India together with the audit report thereon shall be forwarded annually to the Central Government which shall cause it to be laid before each House of Parliament.

Protection of
action taken in
good faith.

12. No suit, prosecution or other legal proceedings shall lie against any person or authority for anything which has been done or intended to be done in good faith under this Act or the rules made thereunder. 5

Power to
remove
difficulty.

13. (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: 10

Provided that no such order shall be made after the expiry of two 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.

Power to make
rules.

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

(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. 20

STATEMENT OF OBJECTS AND REASONS

Today tourism is an important economic sector for any country. Tourism is also a source of revenue and economic growth. For an ancient civilization like India, tourism shall play a pivotal role in driving not just our messages and ancient wisdom, but shall also attract the world's tourists to India.

Tourism is also increasingly being recognised for its contribution to national development strategies and in the global development. Tourism has been identified by the United Nations (UN) as one of the ten sectors to drive the change towards a Green Economy and was included in the Rio+20 Outcome Document as one of the sectors capable of making "a significant contribution to the three dimensions of sustainable development, has close linkages to other sectors, and can create decent jobs and generate trade opportunities".

India's share in international tourist arrivals is around 11.8 per cent. Moreover our foreign exchange due to tourism is also closer to \$22 billion. For a country like India with rich history, heritage and culture, the potential from tourism is much higher.

Therefore, the need is to channelize several policy interventions for tourism in India and create an affirmative legislative framework to tap into our tourism potential and make India as the prominent tourism country around the world.

Hence this Bill.

NEW DELHI;
June 4, 2019.

SUNIL KUMAR SINGH

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for establishment of a Sustainable Tourism Interventions Council. It also provides for appointment of representatives from Hotel Associations, etc. to the Council. Clause 4 provides for deputation of employees of the Central Government to the Council. It also provides for employment of persons on contractual basis to the Council. Clause 5 provides for constitution of a Heritage Fund to acquire vintage buildings as recognized under this Act. Clause 6 provides for constitution of a Tourism Satellite Account for economic measurement of tourism. Clause 7 provides for constitution of an Skill Enhancement Certification Agency. Clause 8 provides for choosing Target Five States for development and promotion of tourism in those States. Clause 9 provides for constitution of a Marketing Task Force for marketing and campaigning of tourism in the country. Clause 10 provides for formulation of schemes and policies to incentivize the organizations and buildings involved in tourism industry. Clause 11 provides for maintenance of accounts and other relevant records of the Council. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees fifty crore per annum.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 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.

LOK SABHA

A

BILL

to provide for the constitution of a Sustainable Tourism Interventions
Council for establishment of tourism as an organized sector in India,
for job-creation, higher foreign exchange reserve and greater
cultural intermingling and for matters connected
therewith or incidental thereto.

(Shri Sunil Kumar Singh, M.P.)