

Bill No. 92 of 2024

THE NATIONAL YOUTH COMMISSION BILL, 2024

By

SMT. SMITA UDAY WAGH, M.P.

A

BILL

to constitute a Youth Commission for the purpose of evolving and implementing programmes for educating and empowering the youth and to function as protector of the rights of youth 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 National Youth Commission Act, 2024.

Short title and commencement.

5 (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,—

Definitions.

(a) “Chairperson” means the Chairperson of the Commission;

(b) “Commission” means the National Youth Commission constituted under section 3;

(c) “member” means a member of the Commission;

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

(e) “youth” means a person who has attained eighteen years of age but has not completed thirty five years of age.

CHAPTER II

5

CONSTITUTION OF THE COMMISSION

Constitution of
the Commission.

3. (1) The Central Government shall, as soon as may be after the commencement of this Act, by notification in the Gazette, constitute a Commission to be known as the National Youth Commission to exercise the powers conferred on, and to perform the functions assigned to it under this Act.

10

(2) The Commission shall consist of,—

(a) a Chairperson; and

(b) such number of members not more than ten, out of which one shall be a woman, one each shall be a person belonging to the Scheduled Caste and Scheduled Tribe and one shall be a qualified legal practitioner,

15

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

(3) The Chairperson and the members of the Commission shall be youth.

(4) The Central Government shall appoint a person who holds, or has held, a post not below the rank of an Additional Secretary to the Central Government as the Secretary of the Commission.

20

(5) The headquarters of the Commission shall be at New Delhi.

Term of office
and conditions
of service of the
Chairperson and
the members.

4. (1) The Chairperson and members of the Commission shall hold office for a period of three years from the date on which they assume office:

Provided that the Chairperson shall continue to hold such office until his successor is appointed in accordance, with the provisions of section 3 and assumes office, or for six months, whichever is earlier.

25

(2) The Chairperson or member may, at any time, by writing under his hand addressed to the Central Government, resign from his office.

(3) A casual vacancy in the office of the Chairperson or member, caused by reason of death, removal or resignation or otherwise, shall be filled by fresh appointment and the person so appointed shall hold office for the remaining period of the term of the person in whose place he is appointed.

30

(4) The Central Government may, by order, remove the Chairperson or any member from his office if he,—

(a) is adjudged as an insolvent; or

35

(b) has been convicted and sentenced to imprisonment for an offence which, in the opinion of the Central Government, involves moral turpitude; or

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

(d) without obtaining leave of absence from the Commission, is absent from three consecutive meetings of the Commission; or

(e) is in the opinion of the Government, abused his official position so as to render his continuance in office prejudicial to the interest of the youth or to the public interest:

5 Provided that no person shall be removed under this clause unless he has been given a reasonable opportunity of being heard.

(5) Where the Chairperson or a member cease to be a youth he shall cease to hold the office.

10 (6) The Chairperson or a member shall not be eligible to hold office for more than two terms.

(7) The general superintendence, direction and administration of the day-to-day affairs of the Commission shall vest in the Chairperson and he shall be assisted by the other members.

15 **(8) The Chairperson shall be a full-time officer having the rank of Secretary to the Central Government and shall be paid with such salary and allowances, as may be prescribed.**

(9) The members shall be paid with such allowances or sitting fees, as may be prescribed, for attending the meetings of the Commission.

20 **5. (1) The Central Government shall provide the Commission with such officers and other employees as may be required for the proper functioning of the Commission.**

Staff of the Commission.

(2) The salaries and allowances payable to and other terms and conditions of service of the officers and other employees appointed for the purpose of the Commission shall be such as may be prescribed.

25 **6. The salary and allowances payable to the Chairperson and the allowances or sitting fees payable to the members and the administrative expenses including the salary, allowances and pension payable to the officers and other employees referred to in section 5 shall be paid out of the grants referred to in sub-section (1) of section 12.**

Salary, allowances and administrative expenses to be paid out of grants.

7. No act or proceedings of the Commission shall be invalid on the ground merely of the existence of any vacancy in the Commission or any defect in its constitution.

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

30 **8. (1) The Commission shall meet at such places and at such time as the Chairperson may think fit and the Commission shall have the power to regulate its own procedure.**

Meetings of the Commission.

35 (2) All orders and decisions of the Commission shall be authenticated by the signature of the Chairperson or any other member authorised by the Commission in this behalf and other instruments executed by the Commission shall be authenticated by the signature of the Secretary or any other officer of the Commission authorised by the Chairperson in this behalf.

(3) The Commission may, for the purpose of transacting any business before it or for considering any special issue, invite persons not exceeding two, having specialized knowledge in the matter, but they shall have no right to vote in the meetings of the Commission.

40

CHAPTER III

POWERS AND FUNCTIONS OF THE COMMISSION

9. (1) Subject to the provisions of this Act, it shall be the duty of the Commission to guide, assist, promote and develop, for the welfare of the youth and to perform such functions as the Central Government may, from time to time, assign to it.

Functions of the Commission.

(2) The Commission may, in furtherance of its object, perform the following functions, namely:—

- (a) co-ordinate the Government departments for securing better education and employment opportunities to youth;
- (b) function as a protector of youth affairs of the country; 5
- (c) include and educate the dignity of labour among the youth;
- (d) collect sector-wise data of youth of the country according to age, education, field, economical condition to formulate policy for youth;
- (e) undertake promotional and educational research so as to suggest the Central Government better ways of ensuring employment opportunities to the youth; 10
- (f) monitor occupational hazards faced by the youth in the unorganized sector;
- (g) formulation of policies and programmes according to clustered data with the help of experts;
- (h) formation of Youth Hubs at different levels;
- (i) engagement and coordination for implementing policies with Universities, College, Institutes, Government and non-Governmental organizations at State, national and international level, Nehru Yuva Kendra Sanghathan, National Service Scheme, National Cadet Corps, Model Career Centre (MCC), National Green Corps (NGC) and United Nations; 15
- (j) establish and developed Youth Development Institute in each districts; 20
- (k) coordination with Youth Affairs and Sports ministries at National and State level;
- (l) implementing schemes and programmes by Government and non-Governmental organizations for youth at different levels;
- (m) monitoring sector-wise training of youth at different levels; 25
- (n) formulation of different programmes with the help of all engaged systems;
- (o) monitoring implementation of all the programmes;
- (p) Union Public Service Commission / Maharashtra Public Service Commission competitive exam Training Center;
- (q) formation of Local Youth Organizations working under supervision of National Youth Commission; 30
- (r) Anti-Drug Campaign;
- (s) establishing district level health-care centers specifically dealing in counselling into depression and anxiety;

(t) conducting Mission – *Ek Ghar Ek Rojgar*; and

(u) vouch for dialogue between the youth and various educational institutes, Universities, non-Governmental organisations, International Forums for policy recommendations.

5 **10. (1)** The Commission may, for the purpose of carrying out its functions, utilize the services of,—

Powers of the Commission.

(a) any officer of the Central Government with prior permission of the Central Government; or

10 (b) any officer of the Central Government-owned Corporations or of the local Authorities with the consent of such Corporation or local Authority and with the concurrence of the Central Government.

5 of 1908 (2) The Commission shall, while performing its functions under section 9, have all the powers of a Civil Court trying a suit under the Code of Civil Procedure, 1908 in respect of the following matters, namely:—

15 (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 copy thereof from any court or office;

20 (e) appointing commissions for the examination of witnesses or documents; and

(f) for any other matter, as may be prescribed.

(3) The Commission shall, while conducting the enquiry under section 9, afford opportunity to all parties to present their views by themselves or through authorised representative.

25 (4) The findings of the Commission on any enquiry conducted under this Act shall be communicated to the Central Government with its recommendation for appropriate action or relief to the parties to the dispute.

30 **11.** The Commission shall, with the previous sanction of the Central Government, and subject to such terms and conditions as may be required by the Central Government in this matter, receive money from any organization or person by way of donation, contribution or in any other name, for creating endowments and for providing prizes to encourage the youth in various literary, cultural and sports activities.

Donations, contributions etc. to the Commission.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

35 **12. (1)** The Central Government shall, after due appropriation made by the Parliament by law in this behalf, provide to the Commission by way of grant, such sums of money as the Central Government may think fit for being utilised for the purpose of this Act.

Grants by the Government.

(2) The Commission shall spend such sums out of the grants as it may deem fit for performing the functions under this Act and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

Accounts and
Audit.

13. (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form and manner as may be prescribed in consultation with the Comptroller and Auditor General. 5

(2) The accounts of the Commission shall be audited annually by the Comptroller and Auditor General and any expenditure incurred in respect of such audit shall be paid by the Commission to the Comptroller and Auditor General.

(3) The Comptroller and Auditor General and any person appointed by him in connection with the audit of accounts of the Commission under this Act shall have the same rights and privileges as usually the Comptroller and Auditor General 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 office of the Commission. 10
15

(4) The accounts of the Commission 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 Government by the Commission and the Central Government shall, within a period of six months from the date of its receipt, cause the report to be laid before the Parliament. 20

Annual report of
the Commission.

14. (1) The Commission shall, as soon as may be, after the end of each financial year, submit to the Central Government an annual report giving a full account of the activities and programmes undertaken during the previous financial year, together with a status statement of the youth, in such form and on such date, as may be prescribed.

(2) A copy of the report received under sub-section (1) shall be laid before the Parliament within six months after it is received by the Government. 25

CHAPTER V

MISCELLANEOUS

Protection of
action taken in
good faith.

15. No suit, or prosecution or other legal proceeding shall lie against the Commission, the Chairperson or any member or Secretary or any officer or any other employee of the Commission acting under the direction of the Commission in respect of anything which is done or purported to be done in good faith under this Act. 30

Chairperson,
members,
Secretary and
officers of the
Commission
to be public
servant.

16. The Chairperson, members, Secretary, officers and employees of the Commission shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code, 1860. 45 of 1860

Application of
other laws not
barred.

17. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force. 35

Power to
remove
difficulties.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the 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: 40

Provided that no such order shall be issued after the expiry of a period of two years from the date of commencement of this Act.

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

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

Power to make rules

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

- 5 (a) salary and allowances payable to, and other terms and conditions of service of, the Chairperson, allowances and sitting fees payable to the members;
- (b) allowances and other benefits payable to other officers engaged for duties under clauses (a) and (b) of sub-section (1) of section 10;
- 10 (c) the summoning and holding of the meetings of the Commission and the quorum for the meeting;
- (d) the powers and functions of the Secretary of the Commission;
- (e) the form of annual statement of accounts to be maintained;
- (f) the form of annual report to be prepared; and
- (g) any other matter which is required to be, or may be, prescribed.

15 (3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Parliament while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Parliament makes any modification in the rule or decides that the rule should not be made, the rule shall
20 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

Our country has one of the largest youth population in the world. According to census data we have a population of forty-two crores (approx.) in the age group of fifteen to thirty-five years out of which male youth population is 21.76 crores and female youth population is 20.43 crores (approx).

The purpose of bringing this Bill is to have a National Youth Commission for the purpose of evolving and implementing programmes for educating and empowering the youth. The National Youth Commission can work on motto of “*Atmavat Manyet Jagat*” which means “*Consider World Like your own self*”.

With the vision of inculcation of values of patriotism, nationalism among youth and strive for world peace, promotion and protection of physical, moral, spiritual and intellectual well-being of the youth as well as developing innovative and scientific attitude among the youth with traditional value system, the need for setting of a National Youth Commission has been felt for a long time.

The aim of the constitution of National Youth Commission is to mobilize and organize dynamic youth of nation for resolution of problems of community and to undertake issues pertaining to their constructive development and hence to utilize this power for overall sustainable development of nation.

In view of the above, our Nation needs an institutional mechanism with the objectives to formulate skilled and flourished youths especially from rural and tribal areas, to devise young generation for their perennial and overall development, to mould energetic young human resources for sustainable development of the community, to manoeuvre competent youths in policy making, involvement in different welfare activities of Government for national building and also to make available platform on national level as well as globalisation of traditional Indian eco friendly skill.

World’s superpowers are struggling for the young workforce whereas our country is the youngest country in the world and in India there is wide human resources which is youth. But the fact is these human resources are not utilized in proper way and grievously youth of our nation has neutrality about participation in Government initiatives mainly in supporting good governance and policy making. Youth are the nation builders and they have capacity to transform the face of the nation.

In order to organize the youth in proper way with achieving the both goals of their development and nation building, it demands a powerful focused system comprehend all the youth development activities under common aegis.

Hence this Bill.

NEW DELHI;
July 9, 2024.

SMITA UDAY WAGH

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for constitution of the National Youth Commission. Clause 5 provides for appointment of Officers and employees of the Commission. Clause 6 provides for payment of salaries, allowances and administrative expenses in respect of the National Youth Commission. Clause 12 provides for the payment of grants by the Central Government to the Commission. 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 may be incurred per annum.

A non-recurring annual expenditure of about rupees ten crore is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 19 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

A

BILL

to constitute a Youth Commission for the purpose of evolving and implementing programmes for educating and empowering the youth and to function as protector of the rights of youth and for matters connected therewith or incidental thereto.

(Smt. Smita Uday Wagh, M.P.)