

Bill No. VII of 2013

THE NATIONAL AUTHORITY FOR REHABILITATION AND
WELFARE OF PERSONS LIVING AROUND RAILWAY
TRACKS BILL, 2013

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BILL

to provide for establishment of an authority for rehabilitation and welfare of persons living around railway tracks and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks Act, 2013.

Short title,
extent and
commence-
ment.

(2) It extends to the whole of India.

(3) It shall come into force at once.

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

Definitions.

(a) “around railway tracks” means the land area extending upto twenty five meters on both sides of the railway tracks and includes land of such villages which are close to the site of railway tracks;

(b) “authority” means the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks established under section 3; and

(c) “prescribed” means prescribed by rules made under this Act.

Establishment of the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks.

3. (1) The Central Government shall, by notification, in the Official Gazette, establish an authority to be known as the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks for carrying out the purposes of this Act. 5

(2) The authority shall consist of,—

(a) the Union Minister of Railways—Chairperson, *ex-officio*;

(b) twenty-eight members representing each of the States to be nominated by the Central Government in consultation with the concerned State Governments; 10

(c) twelve members representing the persons living around railway tracks for a period of not less than ten years, to be appointed by the Central Government in such manner as may be prescribed;

(3) The salary and allowances payable to, and other terms and conditions of service of members of the authority shall be such as may be prescribed by the Central Government. 15

(4) The headquarters of the authority shall be at New Delhi.

(5) The authority shall establish its offices in the capital city of every State and Union Territory.

(6) The Central Government shall provide such number of officers and other employees to the authority, as may be necessary, for the purposes of this Act. 20

(7) The qualifications and experience, terms of office and allowances of the officers and employees of the authority shall be such, as may be prescribed.

Functions of the authority.

4. (1) The authority shall formulate a policy to provide for such measures, as may be necessary, for the rehabilitation and welfare of persons living around railway tracks.

(2) The authority shall provide to the persons living around railway tracks such facilities, free of cost, namely:— 25

(i) dwelling units at alternate sites, in case their land is acquired by the Central Government.

(ii) free educational facilities to the dependent children;

(iii) drinking water and sanitation facilities; and 30

(iv) healthcare facilities.

Central Government to provide funds.

5. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds for carrying out the purposes of this Act.

Annual report.

6. The authority shall prepare once in every calendar year in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the President of India who shall cause the same to be laid before both the Houses of Parliament. 35

Overriding effect of the Act.

7. Notwithstanding anything inconsistent therewith contained in any other law for the time being in force, the provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force. 40

8. 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 order or give such directions, not inconsistent with the provisions contained in this Act, as appears to it to be necessary or expedient for the removal of such difficulty.

Power to
remove
difficulties.

5 **9.** (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.

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.

STATEMENT OF OBJECTS AND REASONS

Several persons come to big cities in search of livelihood as scant opportunities exist in their native villages. They are force to stay back in the big cities and most of them have to live around the railway tracks as they do not have the means to afford the expenses of living in big cities and they also have a burden on their shoulders to send some money out of their earnings to their families back home. In such a scenario, they are force to live in sub-human conditions. Due to lack of civil amenities like latrines, they are force to defecate in the open in all types of weather, i.e., scorching heat or rain. They do not have access to drinking water and have to travel a long distance to fetch water for daily needs. Moreover, they have to live in deprivation of educational facilities for their children and healthcare centres for their families. Since ours is a welfare state, it is the duty of the Government to take care of its citizens who are not in a position to take care of themselves. Thus, there is a dire need to protect and rehabilitate the affected persons living around railway tracks.

Hence this Bill.

PARSHOTTAM KHODABHAI RUPALA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of the National Authority for the rehabilitation and welfare of persons living around railway tracks. It further provides for salary and allowances payable to the members, officers and employees of the National Authority. Clause 4 provides for certain welfare measures to the people living around railway tracks. Clause 5 provides for payment of funds to the Authority by the Central Government.

The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees two thousand crore will be involved. A non-recurring expenditure of about rupees two thousand crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to frame rules for carrying out the purposes of the Bill. The rules will relate to matters of details only. The delegation of legislative power is of a normal character.

RAJYA SABHA

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persons living around railway tracks and for matters connected
therewith or incidental thereto.

(Shri Parshottam Khodabhai Rupala, M.P.)