

AS INTRODUCED IN THE RAJYA SABHA
ON THE 11TH MARCH, 2016

Bill No. IV of 2016

THE NATIONAL AUTHORITY FOR REHABILITATION AND WELFARE
OF PERSONS LIVING AROUND RAILWAY TRACKS BILL, 2016

A

BILL

*to provide for setting up 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-Seventh 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, 2016.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India.

(3) It shall come into force at once.

Definitions.	2. In this Act, unless the context otherwise requires,—	
	(a) "around railway tracks" means the land area extending up to thirty meters on both sides of the railway tracks;	
	(b) "authority" means the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks set up under section 3; and	5
	(c) "prescribed" means prescribed by rules made under this Act;	
Setting up of National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks.	3. (1) The Central Government shall set up an authority to be known as the National Authority for Rehabilitation and Welfare of Persons Living around Railway Tracks.	
	(2) The authority shall consist of,—	
	(a) the Union Minister of Railways, who shall be its Chairperson, <i>ex-officio</i>;	10
	(b) twenty nine members representing each of the States to be nominated by the Central Government in consultation with the concerned State Governments;	
	(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.	
	(4) The headquarters of the authority shall be at New Delhi.	15
	(5) The authority shall establish its offices in every State and Union territory as and when required.	
	(6) The Central Government shall provide such number of officers and other employees to the authority, as it thinks fit, for the purposes of this Act.	
	(7) The qualifications and experience, and other terms and conditions of service of officers and employees of the authority shall be such as may be prescribed.	20
Functions of the Authority.	4. (1) The authority shall formulate a policy to provide such measures as it may deem fit for the rehabilitation and welfare of persons living around railway tracks.	
	(2) The authority shall provide to the persons living around railway tracks the following facilities, free of cost, namely:—	25
	(i) dwelling units at alternate sites;	
	(ii) free educational facilities to the dependent children; and	
	(iii) drinking water and sanitation facilities.	
Central Government to provide funds.	5. The Central Government shall, after due appropriation made by Parliament in this behalf by law, provide requisite funds for carrying out the purposes of this Act.	30
Overriding effect of the Act.	6. 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.	
Power to remove difficulties.	7. if any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such directions, not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of such difficulty.	35
Power to make rules.	8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.	
	(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	40

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
5 rule.

STATEMENT OF OBJECTS AND REASONS

Several persons come to big cities in search of livelihood as scant opportunities exist in their villages. They stay back in the big cities and most of them live around the railway tracks as they do not have the means to afford the expenses of 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 forced to live in sub-human conditions. They do not have toilets and are forced 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 long to fetch water for daily needs. Their children do not get to study. There are no healthcare facilities available to them also. 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. This is high time to address this important issue as these poor people are essential part of our society.

Hence this Bill.

MANSUKH L. MANDAVIYA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up 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 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 8 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 detail only, the delegation of legislative power is of a normal character.

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(Shri Mansukh L. Mandaviya, M.P.)