

AS INTRODUCED IN THE RAJYA SABHA
ON 8TH DECEMBER, 2023

Bill No. XII of 2023

THE NATIONAL COMMISSION FOR THE WELFARE OF YOUTH
BILL, 2023

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BILL

*to provide for the establishment of a National Commission for the Welfare of Youth and
for matters connected therewith or incidental thereto.*

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

1. (1) This Act may be called the National Commission for the Welfare of Youth Act, 2023. 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.

Definitions.

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

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(b) "member" means a member of the National Commission;

(c) "National Commission" means the National Commission for the Welfare of Youth established under clause 3;

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

(e) "youth" means any person who has attained the age of eighteen years but is not above the age of forty years.

Establishment of a National Commission for the Welfare of Youth.

3. (1) The Central Government shall, by notification in the Official Gazette, establish a body to be known as the National Commission for the Welfare of Youth to exercise powers conferred on and to perform the functions assigned to it under this Act.

(2) The Commission shall consist of—

(a) a Chairperson, below the age of forty years, having specialised knowledge and remarkable experience in the field of youth welfare to be appointed by the Central Government in such manner as may be prescribed;

(b) four members, below the age of forty years, to be nominated by the Central Government in such manner as may be prescribed, from amongst persons of ability, integrity and standing who have extensive professional experience in or with—

(i) law or legislation and legal bodies; or

(ii) voluntary organisations working for the welfare and empowerment of youth; or

(iii) organisations or industrial units or educational institutions committed to increasing the employability of youth; or

(iv) organisations working towards causes relating to health or social welfare, with a special focus on youth;

(c) one member-secretary, who shall be a senior member of the Indian Civil Service having at least ten years of professional experience in the management of matters related to the welfare and empowerment of youth.

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

4. (1) The Chairperson and members of the Commission may hold office for a period not exceeding three years from the date on which they assume office, or for such period as may be prescribed by the Central Government.

(2) The salary and allowances payable to, and other terms and conditions of service of the Chairperson and members of the Commission shall be such as may be prescribed.

Staff of the Commission.

5. (1) The Central Government shall appoint such number of officers and staff, including experts, to the Commission as may be required for its efficient functioning in such manner as may be prescribed.

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

Duty and functions of the National Commission.

6. The National Commission shall function as an authority for ensuring the welfare and empowerment of youth in the Country and perform the following functions, namely:—

(a) formulate a comprehensive national policy for the welfare and empowerment of youth in the country;

(b) study, investigate and review all matters relating to the safeguards provided for youth under the Constitution and other laws and make recommendations for the effective implementation of these safeguards to improve the condition of youth in the country;

5 (c) formulate and implement schemes for the welfare of youth as may be assigned to it by the Central Government;

(d) coordinate with the departments of the appropriate Government for securing better education, well-being and employment opportunities for youth;

10 (e) undertake educational research to advise the Central Government to improve and ensure employment and entrepreneurial opportunities for the youth;

(f) advise the appropriate Government in the planning process for the socio-economic development of the youth, especially those belonging to Scheduled Castes, Scheduled Tribes and other weaker sections of the society;

15 (g) monitor the occupational health, safety and welfare-related issues of the youth working in the unorganised sector and other hazardous employment;

(h) act as a national-level grievance redressal mechanism in matters related to youth development, welfare and empowerment;

20 (i) receive and enquire into any complaints concerning the deprivation of rights of youth and recommend to the appropriate Government the action to be taken in that matter;

(j) advise the appropriate Government in any other matter as may be referred for its consideration, from time to time.

7. (1) The Central Government shall constitute a fund to be known as the Youth Welfare Fund to implement the provisions of this Act. Youth Welfare Fund.

25 **(2) The Central Government and the State Governments shall contribute to the Youth Welfare Fund in such ratio as may be prescribed.**

8. (1) It shall be the duty of the Commission to present annually to the President a report as to the work done by the Commission within six months of the close of the year under report. Annual report.

30 (2) The President shall cause to be laid before each House of Parliament the report submitted to him along with a memorandum explaining the reasons for not accepting any of the recommendations made thereto.

35 (3) Where the report or any of its part is related to any of the issues connected with a State Government, a copy of such report shall be forwarded to the Governor of that State, who shall in turn, along with an explanatory memorandum concerned with the action taken or proposed to be taken on the recommendations related to the State, if any, and reasons for not accepting any of the recommendations, cause such report to be laid before the State legislature.

40 **9.** The National Commission shall, while investigating any matter referred to it under clause (i) of section 6 of this Act, have all the powers of a Civil Court trying a suit and, in particular in respect of the following matters, namely:— Commission to have powers of Civil Court.

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

(b) requiring the discovery and production of any document;

45 (c) receiving evidence on affidavits;

(d) requisitioning any public record or document or copy thereof from any Court or office;

(e) issuing commissions for the examination of witnesses and/or documents;
and

(f) any other matter which may be prescribed.

Appropriate
Government
to
consult the
Commission.

10. The appropriate Government shall consult the National Commission on all policies affecting the interests of the youth. 5

Power to
remove
difficulties.

11. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty.

Act to have
an
overriding
effect.

12. The provisions of this Act and rules made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force. 10

Power to
make rules.

13. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes 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 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 20

STATEMENT OF OBJECTS AND REASONS

India has one of the youngest populations in the world. Recently, the Ministry of Statistics and Programme Implementation released the 'Youth in India 2022' Report, according to which India is experiencing a demographic window of opportunity, known as the "youth bulge". Youth bulge refers to a demographic pattern in which a large proportion of the population is comprised of children and young adults. In this context, there is a need to reap the potential of our youth population through adequate policies, schemes and investments that can ensure the welfare and empowerment of the young population in this country.

Although youth constitute a significant share of our population, Indian youth is seriously constrained by various developmental challenges including lack of access to education and gainful employment, gender inequality, child marriage, lack of youth-friendly health services and adolescent pregnancy. There is an alarming rate of drug abuse among the youth as well. Hence, there is an urgent need to address these problems and make concrete efforts to ensure the welfare and empowerment of the Indian youth.

One of the serious limitations of our current policy framework for youth is the absence of an institutional mechanism at the national level to design, oversee and coordinate all the relevant matters related to youth in the country. Besides, even after 75 years of independence, we do not have a comprehensive youth policy that can effectively channelise the potential of our young population. Therefore, setting up a National Commission for the Welfare of Youth equipped with necessary powers and functions is an urgent policy priority.

The Bill seeks to attain the objectives mentioned above through the establishment of the National Commission for the Welfare of Youth.

SANDOSH KUMAR P.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of a National Commission for the Welfare of the Youth to carry out the responsibilities assigned to it. It also provides for the appointment of a Chairperson, members and member-secretary. Clause 4 of the Bill provides for the term of office and conditions of service of the Chairperson and members of Commission. Clause 5 of the Bill provides for appointment of officers, staff and experts for the efficient functioning of the Commission and their salary and allowances. Clause 7 provides for the Central Government to establish a Youth Welfare Fund for the effective functioning of the Commission. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India which cannot be estimated at present. Recurring expenditure is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 13 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.

RAJYA SABHA

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(Shri Sandosh Kumar P., M.P.)