

Bill No. 70 of 2017

THE NATIONAL COMMISSION FOR BACKWARD CLASSES
(REPEAL) BILL, 2017

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to repeal the National Commission for Backward Classes Act, 1993.

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

1. (1) This Act may be called the National Commission for Backward Classes (Repeal) Act, 2017.

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.

27 of 1993.

2. (1) The National Commission for Backward Classes Act, 1993 is hereby repealed and the National Commission for Backward Classes constituted under sub-section (1) of section 3 of the said Act shall stand dissolved.

Repeal and savings.

(2) The repeal of the National Commission for Backward Classes Act, 1993 shall, however, not affect,— 27 of 1993.

(i) the previous operation of the Act so repealed or anything duly done or suffered thereunder; or

(ii) any right, privilege, obligation or liability acquired, accrued or incurred under the Act so repealed; or 5

(iii) any penalty, confiscation or punishment incurred in respect of any contravention under the Act so repealed; or

(iv) any proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, confiscation or punishment as aforesaid, and any such proceeding or remedy may be instituted, continued or enforced, and any such penalty, confiscation or punishment may be imposed or made as if that Act had not been repealed.

(3) The mention of the particular matters referred to in sub-clause (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal. 10 of 1897.

STATEMENT OF OBJECTS AND REASONS

The National Commission for Backward Classes was constituted under the National Commission for Backward Classes Act, 1993 which shall examine requests for inclusion of any class of citizens as a backward class in the lists and hear complaints of over-inclusion or under-inclusion of any backward class in such lists and tender such advice to the Central Government as it deems appropriate. The said Act does not empower the Commission to hear the grievances of Other Backward Classes.

2. *Vide* the Constitution (One Hundred and Twenty-third) Amendment Bill, 2017, by inserting a new article 338B in the Constitution, it is proposed to constitute the National Commission for Socially and Educationally Backward Classes. With the constitution of the said Commission as a constitutional body having same functions including power to hear grievances of socially and educationally backward classes, the National Commission for Backward Classes Act, 1993 will become redundant and it needs to be repealed. Accordingly, it is proposed to repeal the National Commission for Backward Classes Act, 1993.

NEW DELHI;

THAAWARCHAND GEHLOT

The 29th March, 2017.

LOK SABHA

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to repeal the National Commission for Backward Classes Act, 1993.

(Shri Thaawarchand Gehlot, Minister of Social Justice and Empowerment)