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असाधारण
EXTRAORDINARY

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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on the 24th August, 1973:—

BILL NO. 44 OF 1973

A Bill to provide for a scheme for eradication of poverty from the country.

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

1. This Act may be called the Eradication of Poverty Scheme Act, 1973.

Short title.

2. Every citizen of India who is unable to earn a livelihood, for any justifiable reason, shall be entitled to a subsistence allowance to be fixed and payable by the Government.

Subsistence allowance.

3. For every twenty-five thousand of rural population, there shall be established by the State Government an Industrial Training Institute.

Establishment of Industrial Training Institute.

4. Every Institute established under section 3, shall admit candidates who have passed at least fifth class of school education and shall prepare the candidates in one of the trades to be prescribed under a model scheme of vocational training to be prepared by the Central Government.

Minimum qualification for admission and model scheme for vocational training.

Free
training.

5. The training in the Institute shall be free and all expenses in connection with the training shall be borne by the State.

Stipend
to
trainees.

6. Every trainee shall be paid by the Government a prescribed monthly stipend during the course of training.

Loan and
other
facilities
for
cottage
industry.

7. After a candidate has completed the training in the Institute, he shall be granted by the Government all facilities, including a suitable amount of loan, under a scheme to be prepared by the State Government, for starting a cottage industry.

Power to
make
rules.

8. The Central Government shall make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

According to the estimates of national incomes for 1970-71, released by the Central Statistical Organisation, the daily *per capita* income in the country is 95 paise at 1960-61 prices. This is the average for the country as a whole. In rural areas the condition is more miserable. Majority of people in rural areas hardly get a square meal a day, not to talk of any standard of living. Approach to the Fifth Plan states: "A large proportion of the population has to go without even the most essential needs of daily life because total national income, and hence aggregate consumption, is too small relatively to the enormous size of the population.....". In these circumstances, it would only be a very modest step towards social justice to pay subsistence allowance to those who are unable to earn their livelihood for some justifiable reason. But that would be only in the nature of a relief. In order to enable the people to earn their living and to raise their lot, it is necessary that our youngmen are trained in some vocation and thereafter provided with all facilities, including financial assistance, by the State to set up their own cottage industries. This would go a long way to relieve the burden on land and to provide vastly expanded employment opportunities at reasonable income levels. Self-employment is the sure way to enable the vast numbers living below the poverty level to rise above it.

Hence this Bill.

NEW DELHI;

YAMUNA PRASAD MANDAL

The 16th May, 1973.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for payment of subsistence allowance to the citizens. Clause 3 provides for establishment of Industrial Training Institutes. Under clauses 5 and 6, training shall be free and the trainees shall be paid stipends. Clause 7 provides for facilities and grant of loan by the Government for starting a cottage industry. A recurring expenditure of about rupees twenty-five lakhs is likely to be involved from the Consolidated Fund of India in respect of Union territories.

A non-recurring expenditure of about rupees one crore is also estimated to be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 4 empowers the Central Government to prepare a model scheme of vocational training. Clause 7 empowers the State Governments to prepare schemes for extending facilities for starting of cottage industries and clause 8 empowers the Central Government to frame rules for carrying out the purposes of this Act. These are matters of details and the delegation of power is of a normal character.

BILL NO. 52 OF 1973

A Bill further to amend the Constitution of India.

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

Short
title and
commen-
cement.

1. (1) This Act may be called the Constitution (Amendment) Act, 1973.

(2) It shall come into force at once.

Insertion
of new
article
125A.

2. After article 125 of the Constitution, the following article shall be inserted, namely:—

Prohibi-
tion as to
the hold-
ing of
offices by
judges of
Supreme
Court on
ceasing
to be
such
Judges

“125A. The Judges of the Supreme Court, on ceasing to hold office as Judges, shall be ineligible for further employment either under the Government of India or under the Government of a State, except in accordance with the provisions of article 128.”.

3. After article 221 of the Constitution, the following article shall be inserted, namely:—

Insertion
of new
article
221A.

“221A. The Judges of the High Courts, on ceasing to hold office as Judges, shall be eligible for appointment as Judges of the Supreme Court or for appointment in accordance with the provisions of articles 127 and 128, but not for any other employment under the Government of India or under the Government of a State.”.

Prohibi-
tion as to
the hold-
ing of
offices by
Judges of
High
Courts
on ceas-
ing to be
such
Judges.

STATEMENT OF OBJECTS AND REASONS

In order to preserve the independence and impartiality of the Union and State Public Service Commissions and the Comptroller and Auditor General of India, our Constitution has prohibited further employment of the holders of these offices under the Union Government or the State Governments.

This is a salutary principle and needs to be applied to the Judges of the Supreme Court and the High Courts also. The independence of our judiciary is the pre-condition of the effective functioning of our democratic institutions. In recent years this independence of the Judges has been undermined by the ruling party which offered them further employment in some capacity or the other. The first Law Commission had also frowned upon further employment of the Judges by the Government.

The recent suspension of the three senior Judges has evoked widespread protests against this attack on judicial independence. Judges "Committed" to the official view point and with an eye on future employment (after retirement), cannot be expected to act as fearless champions of citizen's rights against the State.

If the judiciary is not to be completely subordinated to the executive, it is all the more necessary now to impose a total ban on further employment of Judges of the Supreme Court and High Courts. Hence this Bill.

MADHU LIMAYE,

NEW DELHI;
The 15th June, 1973

BILL No. 66 OF 1973

A Bill further to amend the University Grants Commission Act, 1956.

Enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

1. This Act may be called the University Grants Commission (Amendment) Act, 1973.

Short
title.

3 of 1956.

2. After section 12A of the University Grants Commission Act, 1956 (hereinafter referred to as the principal Act), the following new section shall be inserted, namely:—

Insertion
of new
section
12B.

“12B. Notwithstanding anything contained in this Act or any other Act, it shall be the special duty of the Commission to make recommendations to the State Governments and Universities concerned in respect of—

Commis-
sion to
recom-
mend sett-
ing up of
Unions of
teachers,
students,
etc., and
for their
representa-
tion on
University
bodies,

(a) (i) the compulsory setting up of University Teachers' Unions and College Teachers' Unions with the right to opt out of membership;

(ii) the compulsory setting up of University Students' Unions and College Students' Unions with the right to opt out of membership;

(iii) the compulsory setting up of University non-teaching Employees' Unions and College 'non-teaching Employees' Unions with the right to opt out of membership;

(b) the necessary amendment of the University Acts to provide for effective participation in and association with the University bodies, such as Court/Senate/Academic Council/Syndicate/ Executive Council specified by the Commission, of representatives elected by the teachers or nominated by their unions provided that their number shall not be less than one-third of the total membership of these bodies

(c) the necessary amendment of the University Acts to provide for effective participation in and association with the University bodies, such as Court/Senate/Academic Council/Syndicate/Executive Council specified by the Commission, of representatives elected by the students or nominated by their Unions provided that their number shall not be less than one-fourth of the total membership of these bodies;

(d) the necessary amendment of the University Acts to provide for effective participation in and association with the University bodies, such as Court/Senate specified by the Commission, of representative elected by the non-teaching employees or nominated by their unions provided that their number shall not be less than one-sixth of the total membership of these bodies;

(e) the setting up of teacher-student joint staff committees at the University and College levels for discussing University problems and making suggestions to the appropriate college and University bodies.

Explanation.—The word "teachers" includes "demonstrators", "tutors", "lecturers", "readers" and "professors" but not "Heads of Departments" or "Deans" or "Vice-Chancellors" or "Principal".

3. In section 14 of the principal Act, after the words and figures "section 12", the words and figures "or section 12B" shall be inserted.

Amend
ment of
section
14.

STATEMENT OF OBJECTS AND REASONS

Under the various enactments relating to State Universities, the teachers are at present represented on the various University bodies such as the Courts, Senates etc. on faculty basis but not collectively, not as an organised body. As to the students and non-teaching staff, they are not represented on these bodies in any capacity at all.

Unless the teachers, students and employees are encouraged to form their own unions and associations and are given representation as a class, their point of view will not be properly represented in the Councils of the Universities. The Universities and colleges today have become an arm of the establishment; they are under the domination of money power, Governments and, in some cases, unhealthy foreign influences.

After my Bill providing for students' participation in University bodies was circulated for eliciting public opinion, the University Grants Commission set up a Committee on Governance of Universities under the chairmanship of Dr. G. B. Gajendragadkar. I gave evidence before this Committee. But I am sorry to say that the recommendations of this Committee are timid and halting, and in some respects, outright reactionary. In the subsequent University legislation (relating to Aligarh and North Eastern Hill Universities) the Ruling Party, using its steam-roller majority, has sought to transform the universities into mere governmental agencies. The visitor-President will now be the supreme boss, and the autonomy of the academic world will be buried seven fathoms deep.

My Bill, therefore, seeks amendment of the University Grants Commission Act, 1956 to project the idea of a progressive and autonomous university community of students and teachers (and non-teaching staff).

NEW DELHI;
The 15th June, 1973.

MADHU LIMAYE.

BILL No. 67 OF 1973

A Bill to amend the Delimitation Act, 1972.

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

Short
title and
commen-
cement.

1. (I) This Act may be called the Delimitation (Amendment) Act, 1973.

(2) It shall come into force on the first day of January, 1974.

Insertion
of new
section
9A.

2. After section 9 of the Delimitation Act, 1972, the following section 76 of 1972.
9A shall be inserted, namely:—

Delimita-
tion of
constitu-
encies
on the
basis of
number
of voters.

“9A. Notwithstanding anything contained in section 9 of the Act, the Delimitation Commission shall, in order to give effect to the provisions of articles 81, 82 and 170 of the Constitution of India, delimit the territorial constituencies in such manner that:

- (a) for the House of the People, the difference in the number of voters in any two territorial constituencies of the States, mentioned in sub-clause (a) of clause (1) of article 81 of the Constitution shall not exceed, so far as practicable, the ratio of 100 : 110;
- (b) for the House of the People, the difference in the number of voters in any two territorial constituencies in the Union Territories, mentioned in sub-clause (b) of clause (1) of article 81 of the Constitution, shall not exceed, so far as practicable, the ratio of 100 : 110; and
- (c) for the Legislative Assemblies mentioned in article 170 of the Constitution and the bodies mentioned in articles 239A and 240 thereof and the Delhi Administration Act, 1966 the difference between the number of voters in any two territorial constituencies of the said State or Union territory shall not exceed, so far as practicable, the ratio of 100 : 110."

19 of 1966.

STATE OF OBJECTS AND REASONS

The Constitution of India has given certain fundamental rights to the citizens of the country and among them one of the most precious is the right to equality. The Constitution also prescribes that elections to the House of the People and Legislative Assembly of every State shall be on the basis of adult suffrage; that is to say every person who is a citizen of India and who is not less than 21 years of age shall be entitled to be registered as a voter at any such election. This implies that the value of every citizen's vote shall be nearly equal as possible. The principle of one man, one vote can be realised only if the territorial constituencies are so delimited that they are roughly equal in size. If there are wide discrepancies in the size of the constituencies, the value of the vote of a voter in smaller constituencies will be higher than the value of the vote of a voter in the larger constituencies, and, to that extent, the principle of equality and adult franchise will be violated and the results of the election vitiated. An analysis of the size of constituencies for the House of the People and the Legislative Assemblies reveals wide disparities. For example, the largest constituency in Bihar (Nalanda) has 594,698 voters and the smallest (Jamshedpur) has only 442,633 voters. The largest constituency in Maharashtra (Bombay North East) has 644,638 voters and the smallest (Rajapur) has only 396,066 voters. The largest constituency in Orissa (Kendrapara) has 561,875 voters and the smallest (Kalahandi) has only 415,610 voters. The largest constituency in West Bengal (Calcutta North West) has 591,674 voters and the smallest (Darjeeling) has only 422,699 voters.

Our Vidhan Sabha constituencies reveal similar or even perhaps wider variations in different States. Thus, in Madras the largest constituency (Saidapet) has 121,979 voters and the smallest constituency (Gudalpur) has 69,434 voters. The largest constituency in Maharashtra (Mulund) has 127,089 voters and the smallest constituency (Aurangabad East) has only 37,095 voters.

These wide differences in the size of the constituencies make a mockery of the principle of equality and is highly discriminatory in character.

In England electoral reform was aimed at abolition of rotten boroughs and pocket constituencies which favoured the vested interests and the ruling group. Similarly in the United States, after prolonged agitation, the Supreme Court ordered redistricting of the constituencies on a rational and equalitarian basis for the House of Representatives.

This Bill seeks to lay down that the ratio in any two Assembly constituencies in the same State and the House of the People constituencies in the various States shall, as far as practicable, be 100:110. This will do away with gerrymandering and will make electoral results reflect more faithfully the state of popular opinion in the country.

MADHU LIMAYE.

NEW DELHI:

The 15th June, 1973.

BILL NO. 57 OF 1973

A Bill further to amend the Code of Criminal Procedure, 1898.

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

1. This Act may be called the Code of Criminal Procedure (Amendment) Act, 1973. Short title.

5 of 1898. 2. Section 107 of the Code of Criminal Procedure, 1898 shall be omitted. Omission of section 107.

5 of 1898. 3. Section 109 of the Code of Criminal Procedure, 1898 shall be omitted. Omission of section 109.

STATEMENT OF OBJECTS AND REASONS

Sections 107 and 109 of the existing Code of Criminal Procedure, 1898 have become an instrument of oppression in the hands of the local police. Before the decision of the special 7-Judges Bench of the Supreme Court in my *Habeas Corpus* case, the Magistrates used to make orders under section 117(3) without going through the formalities prescribed by the Code. The practice still continues in defiance of the judgment of the highest tribunal of the land.

It is a disgrace that such repressive provisions should be allowed to remain on the statute book of a country which claims to be the leading democracy of Asia and the largest democracy in the world. In a country where unemployment is mounting and where the number of those unemployed has reached the staggering figure of 120 million, any one of these can be hauled, upon the ground that he has no "ostensible" means of livelihood. Complaints are often being heard of innocent people being harassed by the local police officials and unsocial elements who are in league with them, under these sections. The omission of these two sections will come as a great boon to the common people and will enable them to have a feel of democracy and freedom.

NEW DELHI;

MADHU LIMAYE.

The 15th June, 1973.

BILL NO. 65 OF 1973

A Bill to provide for the utilization of land adjoining railway tracks on both sides for agricultural purposes.

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

1. This Act may be called the Utilization of Land Adjoining Railway Track Act, 1973.

Short
title.

2. The land lying vacant on both sides of the railway track in the whole of India shall be utilized for agricultural purposes:

Utiliza-
tion of
land on
both
sides of
railway
track.

Provided that 10 feet of land on either side of the Railway track shall be left vacant.

Lease
of land
to land-
less agri-
cultural
labour,
etc. for
agricul-
tural
purposes.

3. The entire railway land, save ten feet of land on either side of the railway track, shall be leased for fifteen years in the first instance for agricultural purposes to—

(a) landless agricultural labourer residing in the village where such land is situated or in the adjoining village;

(b) war widows;

(c) landless agricultural labour other than those specified in part (a) above;

(d) farmers owning less than 2 acres of land adjoining such railway land;

in the order of priority indicated above subject to the ceiling on holding of land fixed or which may be fixed by the Government of the State or the Union territory, as the case may be, in which such railway land is situated.

Right of
railway
adminis-
tration to
utilize the
land
given on
lease.

4. The railway administration shall have a right to take earth from the land adjoining the railway track for repairs and for such use the concerned lessee shall be given due remission in lease money.

Right of
adminis-
tration to
take back
the land
given on
lease.

5. The railway administration shall also have the right to take back the minimum required land, out of the land so leased, for the extension of railway track or railway bridge etc. and the terms and conditions of lease shall not stand in the way:

Provided that the land shall be taken back after due notice and after the crop standing on the date on which the notice is served has been harvested by the lessee within a reasonable period.

Permis-
sion for
cutting or
planting
of trees.

6. The lessee shall have to obtain prior permission from the railway administration for cutting any tree standing in the leased land or to plant a tree there which shall be governed by the terms and conditions to be laid down in this behalf.

Adminis-
tration to
frame
rules.

7. The railway administration shall frame appropriate rules to regulate the terms and conditions of lease, to realise the lease money and all other matters connected therewith.

Settle-
ment of
disputes.

8. All disputes arising in respect of the leased land shall be referred for settlement to the nearest court of law.

STATEMENT OF OBJECTS AND REASONS

Lakhs of acres of railway land is lying vacant on both sides of the railway track throughout the length and breadth of the country. The said land is neither brought under cultivation nor put to any other use except for digging out earth only occasionally and there is no likelihood of the utilisation of the land for extension of railway tracks.

In view of the continuing food shortage and growing population, it is imperative that the entire fertile land is utilised for growing foodgrains. If the land lying vacant on both sides of the railway track is brought under the plough, there will be no shortage of foodgrains in the country and a lot of valuable foreign exchange spent on food imports will be saved. Apart from increasing food production, it will augment railway revenue and help in checking the attempts of anti-national elements to damage the railway track.

Besides, the proposed measure would go a long way to provide gainful employment to landless labour and help reducing disparities in incomes.

Hence this Bill.

NEW DELHI;
The 23rd July, 1973.

VISHWANATH PRATAP SINGH.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the railway administration to frame rules to regulate the lease of land lying vacant on both sides of the railway track, to realise lease money, etc. These are matters of detail and the delegation of legislative powers is of general nature and normal character.

BILL NO. 70 OF 1973

A Bill to provide for prevention and control of leprosy and rehabilitation of lepers and for matters connected therewith.

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

1. This Act may be called the Leprosy Control and Rehabilitation of Lepers Act, 1973.

Short
title.

2. The Central Government shall be the co-ordinating authority responsible for the provision of curative and preventive measures, research facilities for control of leprosy and for rehabilitation of lepers in the country either independently or in collaboration with the State Governments, public organisations within the country or any international organisation,

Central
Govern-
ment
to co-
ordinate
measures
to con-
trol
leprosy
and for
rehabilita-
tion of
lepers,

State Government to take steps for prevention and control of leprosy within the State.

3. The Government of the State or of the Union territory, as the case may be, shall undertake all such measures and take all such steps as may be necessary for the purpose of prevention and control of leprosy within the State/Union territory either independently or in collaboration with the Government of India, Local Authorities or public organisations in the State.

Survey to determine and notify endemic leprosy areas in the country.

4. An intensive survey shall be made by the Central Government to determine endemic leprosy areas in the country and such areas shall be so declared by notification by the Government.

Establishment of organisation for survey, detection, etc. of leprosy.

5. The Government of the State/Union territory and the Local Authority shall establish and maintain adequate organisation for leprosy surveys, detection, registration and examination of persons suffering or suspected to be suffering from leprosy and their contacts.

Setting up of leprosy clinics in endemic areas.

6. In endemic areas, after every 25,000 of population, there shall be set up by the Government of the State/Union territory, a leprosy clinic.

Functions of leprosy clinics.

7. The functions of a leprosy clinic shall include—

(a) examination and treatment of persons found to be suffering or suspected to be suffering from leprosy;

(b) examination of contacts;

(c) treatment of patients at their homes if unable to attend clinic;

(d) medical surveillance of patients under home isolation;

(e) health education regarding leprosy.

Segregation of "open" cases of leprosy isolation centres.

8. Persons suffering from "open" or infective leprosy shall be kept and treated in segregation in isolation centres to be established by the Government of the State/Union territory at district level in the endemic areas and such a person shall remain there until he is certified by the Leprosy Officer of the Leprosy Clinic to be "closed" or non-infective.

9. In non-endemic areas, in all Government dispensaries and hospitals, arrangements shall be made for proper examination and treatment of leprosy patients. **Arrange-
ments for
treat-
ment of
leprosy
in non-
endemic
areas.**
10. The Central Government shall establish Regional Leprosy Homes for the isolation of beggars and other persons with "open" leprosy as also those crippled due to leprosy. **Establish-
ment of
Regional
Leprosy
Homes.**
11. The Regional Leprosy Homes shall have up-to-date recreational facilities, separate homes for healthy children of persons suffering from "open" leprosy and infected children, workshops, agricultural programmes, well-equipped operation units, departments of physical medicine and occupational therapy schools, and educational facilities upto the high school level. **Facili-
ties in
Regional
Leprosy
Homes.**
12. (1) The Regional Homes shall provide accommodation, treatment and occupation for the patients from within the region which may consist of one or more States. **Func-
tions of
Regional
Homes.**
- (2) The Regional Homes shall also carry out research for the prevention and control of leprosy and adequate facilities for research shall be provided in such Homes.
13. Central and the State Governments shall arrange for special training of medical men in the prevention and control of leprosy and also arrange for training of leprosy technicians, nurses, attendants and other personnel. **Training
of lep-
rosy
control
personnel.**
14. The Central Government and the State Government may give recognition and extend its patronage to any Association or Organisation for the control and prevention of leprosy. **Recogni-
tion of
Associa-
tions, etc.**
15. The beggars or vagrant leprosy patients shall be given training in different occupations during their stay in Regional Homes and shall be given a suitable financial aid, to be prescribed by the Government, for their rehabilitation. **Occupa-
tional train-
ing and
financial
aid
for rehabi-
litation
of
beggars.**
16. The leprosy patients who have been certified as "closed" or cured shall be given preference in the matter of employment in the Government offices and projects. **Preference
in Gov-
ernment
employ-
ments.**

Leprosy patients not to engage in certain occupations.

17. No person who knows that he is suffering from leprosy shall, until he is certified by an authorised practitioner or a medical officer of a leprosy clinic to be non-infective or a "closed" case and to have been so for a period of not less than six months engage himself or accept any employment—

(a) as a cook, attendant, workman, salesman, server or carrier in any place where food is sold to members of the public or is prepared or stored for such sale, or as a hawker;

(b) as a driver or conductor of a public conveyance;

(c) as a teacher or in any other similar profession leading to contact with children;

(d) as a dhobi or launderer;

(e) as a house servant, personal attendant or a peon;

(f) as a person begging in any public place or exposing leprosy lesions for that purpose;

(g) in any other capacity which, in the opinion of the Government, involves close contact with children and other persons not suffering from leprosy.

Power to arrest pauper lepers.

18. (1) Any police-officer may arrest without warrant any pauper leper and the leper so arrested shall be handed over to the medical officer or the leprosy officer of the nearest leprosy clinic where the leper shall be examined and taken care of under this Act.

(2) A person arrested under sub-section (1), if found on examination, to be not suffering from leprosy shall be discharged.

Power to make rules.

19. The Central Government shall make rules, from time to time, for carrying out the purposes of this Act.

Repeal.

20. The Lepers Act, 1898 is hereby repealed.

3 of 1898.

STATEMENT OF OBJECTS AND REASONS

The incidence of leprosy is very high in India. Out of an estimated 10 to 15 million persons infected with this disease world over, about 3.1 million cases have been estimated to exist in India. Total endemic population has been estimated at 300 million. While the incidence is moderate in some parts of the country, it is high in some places like Himalayan foot-hills, West Bengal, Orissa and Tamil Nadu.

There is widespread tendency to think of a leprosy patient as one who is damned, as one for whom the future holds nothing. Complicated by social stigma and irrelevant psychological factors, leprosy has been treated so far with prejudice and fear. This is because the problem of leprosy has not been tackled in the correct way. Large number of lepers do not get proper medical treatment and care and as a result go on suffering and inflating the number of such patients by their contacts. The problem of leprosy requires a humanitarian approach for its solution.

The existing Lepers Act, 1898 has failed completely to tackle this problem. The Act deals mostly with the problem of beggars with leprosy, while such a beggar does not constitute a real problem from the public health point of view. It is the sufferers from disease in the general population that constitute a real problem. While the provisions of the Act appear to be based on the assumption that leprosy is spread by indirect contact through clothes, water, food, etc., the most common mode of spread is the direct contact between the infectious cases and healthy individuals, specially children.

Moreover, the Act merely provides for arrest of beggars suffering from leprosy, sending them to a leper asylum and prohibiting them from carrying certain trades and doing certain acts. It does not provide for measures for eradication of leprosy which is the most important aspect.

Therefore, there is an urgent need for enacting a humane and enlightened legislation in the light of the modern knowledge of the disease which provides for detection, prevention and control of leprosy and for rehabilitation of lepers.

Hence this Bill.

NEW DELHI

VISHWANATH PRATAP SINGH.

The 24th July, 1973.

FINANCIAL MEMORANDUM

Clauses 4 to 6, 8, 10, 13 and 15 of the Bill, if enacted, will involve expenditure from the Consolidated Fund of India on account of various provisions for prevention and control of leprosy contained in the Bill, particularly, on establishing of Regional Leprosy Homes and grants-in-aid to the State Governments. A recurring expenditure of about 25 lakh of rupees is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees 50 lakh is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 20 of the Bill empowers the Central Government to frame rules for carrying out the purposes of the Bill. The delegation of power is of a normal character.

S. L. SHAKDHER,
Secretary.

