

The Assam Backward Classes Commission (Amendment) Bill, 2023.

A

Bill

further to amend the Assam Backward Classes Commission Act, 1993.

Preamble

Whereas it is expedient further to amend the Assam Backward Classes Commission Act, 1993, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Act No.
XVII of 1993

It is hereby enacted in the Seventy-fourth Year of the Republic of India, as follows:-

Short title,
Extent and
Commencement

- (1) This Act may be called the Assam Backward Classes Commission (Amendment) Act, 2023.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of
Section 3

- In the principal Act, in section 3 in sub-section (2),
 - in clause (b), for the words "a Social Scientist" the words "a Vice-Chairperson" shall be substituted.
 - in clause (d), for the words "Secretary to the Government of Assam" appearing in between the words in the "rank of a" and the punctuation mark "." the words "Joint Secretary to the Government of Assam or above" shall be substituted.

Amendment of
Section 11

- In the principal Act, in section 11, in sub-section (1), the words "and shall, at the expiration of ten years from the coming into force of this Act and every succeeding period of ten years thereafter" appearing in between the words "at any time" and "undertake" shall be omitted.

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CHECKED BY THE
LEGISLATIVE DEPARTMENT
ON 21.08.2023

STATEMENT OF OBJECTS AND REASONS

The bill proposes amendment of Assam Backward Classes Commission Act, 1993.

It is proposed to amend Section 3(2) of the Act to change the position of a member to the position of Vice-Chairperson and to allow an officer in the rank of Joint Secretary and above to be the Member-Secretary of the Commission. It is also proposed to amend section 11(1) of the Act to allow Government to choose the timing of revision of the list of backward classes of citizens.

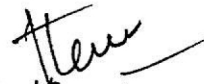
The draft Bill in this regard is placed at **Annexure-I**.

Government posted Dr Ranjan Gogoi as the Vice Chairman of the Commission for which the position needs to be created. Further, although an officer in the rank of Secretary is discharging the duties as Member-Secretary of the Commission, however allowing officers of rank Joint Secretary and above will provide more flexibility in choice of officers.

Amendment of section 11(1) has been proposed to allow Government to choose suitable time of revision of list of backward classes of citizens.



Sri Pijush Hazarika,
Minister,
Social Justice & Empowerment.



Principal Secretary,
Assam Legislative Assembly

FINANCIAL MEMORANDUM

The proposed bill will not have financial burden on the State Exchequer.

MEMORANDUM OF DELEGATED LEGISLATION

The proposed Bill provides for framing of Act by Executives. The delegation is however of normal nature.

Comparative Statement

	Existing	Proposed
Section 3, sub-section (2) b	a social scientist	a Vice-Chairperson
Section 3, sub-section (2) d	a Member- Secretary, who is or has been an officer of the Government in the rank of a Secretary to the Government of Assam.	a Member- Secretary, who is or has been an officer of the Government in the rank of a Joint Secretary to the Government of Assam or above
Section 11, sub-section 1	The Government may, at any time and shall, at the expiration of ten years from the coming into force of this Act and every succeeding period of ten years thereafter, undertake revision of the lists with a view to excluding from such lists those classes who have ceased to be backward classes or for including in such lists new backward classes.	The Government may, at any time undertake revision of the lists with a view to excluding from such lists those classes who have ceased to be backward classes or for including in such lists new backward classes.