Anti-Discrimination and Equality Bill, 2016

Why in news?

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MP Shashi Tharoor has sought to bring in the Anti-Discrimination and Equality Bill, 2016.

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How successful is the present law?

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- At present, discriminatory attitudes based on marital status, caste-affiliation, sexual orientation, disability, religion or food preferences do not come within the law's scope.
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- The Constitution and relevant laws do prohibit the practice of untouchability.
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- But they do not address situations where a private landlord refuses to let out his house to Dalits, Muslims, homosexuals or non-vegetarians.
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- The law also does not cover situations where discrimination on various grounds is practised in private sector organisations, clubs, societies, NGOs, educational institutions, hospitals, panchayats.
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What are the features of the bill?

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- The Bill brings all these entities within its ambit.
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- It includes service providers, customers and employees in both the organised and unorganised sectors.
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- It is a comprehensive anti-discrimination law, which would go a long way in fostering diversity and pluralism in Indian society.
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- The bill significantly broadens the categories of what will be regarded as discrimination and prejudicial treatment under law.
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- It also extends protection to many individuals and groups who were earlier left defenceless.
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- It also lay down a strong structure and mechanism to provide redress, and of measures which could serve as deterrents.
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- The menace posed by khap panchayats and similar entities based on caste and communal lines is notorious.
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- By prohibiting segregation and boycott (economic, cultural and social) of individuals and others the Bill seeks to take a key power of the khaps.
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- And public servants such as police and other officials who are complicit in such acts would also be held liable.
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- The Bill makes it mandatory for organisations to carry out anti-discrimination and diversification duties, and progressively realise diversification through providing scholarships, recruitment measures and trainings, and targeted advertisements.
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- It provides for compensation to be paid by those indulging in discrimination, segregation or boycott.
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- The amount for damages is twice the monthly salary of an MP, or Rupees 1 lakh, whichever is higher.
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- And for aggravated discrimination, exemplary damages can be awarded.
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- It also provides for protective orders, which are a type of restraining orders to prevent an individual or organisation from continuing to carry out a discriminatory act or practice.
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Source: First Post

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