Anti-discrimination and equality bill 2016

Why in news?

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Recently, a Congress MP introduced Anti-Discrimination and Equality Bill in Lok Sabha.

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What is the speciality of the bill?

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- The Bill's highlights are symmetric protection, its experiential understanding of discrimination, and its proportionate regulation of the private sector.
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- Almost everyone in our country has faced, or is likely to face, some form of discrimination.
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- Women, Dalits, religious and sexual minorities, people from the North East, hijras, disabled persons and the elderly are especially at the receiving end.
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- On the other hand, we have all also been perpetrators, sometimes consciously, but often unconsciously do the discrimination.
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- Recognising this **universality in the experience and perpetration of discrimination,** the ADE Bill seeks to symmetrically protect majorities as well as minorities.
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- The bill explains comprehensively, multiple grounds upon which discrimination takes place.
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- The ADE Bill understands discrimination as it is experienced by its victims, and is sensitive both to the evolving nature of this social phenomenon and its particular character in the Indian context.
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- The Bill **prohibits overt prejudice or stereotyping** as direct discrimination.
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- But it also recognises that sometimes, **one can discriminate indirectly** by doing something that disproportionately impacts a group. Ex: Minimum height requirement for performing a job.
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- The bill treats harassment, bullying, segregation, boycott, violence and victimisation as the various guises that discrimination can take.
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- Finally, it prohibits discrimination in public as well as private sectors.
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- It also imposes diversification duties, while ensuring that private businesses can discharge their social obligations with minimal regulatory burdens.
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- Marking a break from past laws that criminalised discrimination, the focus of the ADE Bill is to create a **civil liability to protect and compensate the victim, rather than to punish the discriminator.**
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- The "lighter touch" approach of the ADE Bill is complemented by a dedicated, efficient and independent enforcement mechanism.
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- It therefore strikes a proportionate balance between competing demands.
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Source: Indian Express

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