

AS INTRODUCED IN LOK SABHA

Bill No. 13 of 2021

THE WOMEN (DEVELOPMENT AND WELFARE) AUTHORITY

BILL, 2021

By

SHRIMATI RAMA DEVI, M.P.

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BILL

to provide for constitution of the Women Development and Welfare Authority to formulate schemes and recommend measures to the appropriate Government for women empowerment and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Women (Development and Welfare) Authority, Act, 2021.

Short title,
extent and
commencement.

5 (2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "annual report" means a report giving the details of developmental activities taken up over the year by the Authority and detailing about targets set and achieved; 5

(b) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

(c) "Authority" means the Women (Development and Welfare) Authority constituted under section 3;

(d) "domestic worker" means a woman employed to do work in or for a private household(s) including cooking, cleaning, gardening, childcare, and old-age care; 10

(e) "health certificate" means a document signed by a competent health authority providing proof that a person is non-alcoholic;

(f) "placement agency" means any agency or contractor, whether registered or otherwise, engaged in the placement of domestic workers with prospective employers; and 15

(g) "prescribed" means prescribed by rules made under this Act.

Constitution
of Women
(Development
and Welfare)
Authority.

3. (1) With effect from such date as the Central Government may, by notification in the Official Gazette specify, there shall be constituted an Authority, to be known as the Women (Development and Welfare) Authority for carrying out the purposes of this Act. 20

(2) The Authority shall consist of:

(a) Union Minister, Ministry of Women and Child Development—Chairperson, *ex-officio*;

(b) a Deputy Chairperson, preferably a woman with such qualifications and experience, as may be prescribed, to be appointed by the Central Government in such manner as may be prescribed; 25

(c) Chairperson, National Commission for Women—member, *ex-officio*;

(d) Director General of Health Services, Ministry of Health and Family Welfare—member, *ex-officio*;

(e) one member representing single women with such qualification, as may be prescribed, to be appointed by the Central Government; 30

(f) seven women Members of Parliament of whom four shall be from the House of the People and three from the Council of States, to be nominated by the respective Presiding Officers of such House;

(g) five members representing Union Ministries of Home Affairs, Education, Health and Family Welfare, Finance and Social Justice and Empowerment to be appointed by the Central Government in such manner as may be prescribed; 35

(h) not more than four members to be appointed by the Central Government in consultation with the Governments of the States, by rotation in alphabetical order, to represent the Governments of the States in such manner as may be prescribed; and 40

(i) three members to be appointed by the Central Government from amongst the registered Non-Governmental Organisations (NGOs) working in the field of women empowerment and welfare and having an experience of at least ten years in the field of protection of women rights in such manner as may be prescribed.

(3) The Central Government shall appoint such number of officers and staff as it considers necessary for the efficient functioning of the Authority under this Act.

(4) The qualifications and experience, salary and allowances payable to and other terms and conditions of services of officers and staff of the Authority shall be such, as may be prescribed.

(5) The Authority shall follow such procedure for holding its meetings and the quorum for such meetings shall be such, as may be prescribed.

(6) The Authority shall have a Secretariat Consisting of a Member Secretary and such number of officers, employees and establishments with such conditions of service, emoluments and perks, as may be prescribed or determined, from time to time, for the efficient functioning of the Authority.

4. (1) Subject to the guidelines issued by the Central Government under the provisions of this Act, the Authority shall formulate a comprehensive policy within one year of its constitution to achieve the objective of this Act and perform such functions as may be necessary to ensure empowerment of women.

Functions of
the Authority.

(2) Without prejudice to the provisions contained in sub-section (1), the functions of the Authority shall include but not limited to:—

(a) work out plans and formulate schemes for the overall welfare and rehabilitation of abandoned, disowned or distressed widows and single women covered under this Act and implement such measures in right earnest;

(b) provide funds to encourage micro credit for young women entrepreneurs;

(c) frame guidelines regarding mobile health care facilities and social security cover to the women agricultural labour to be followed by agricultural land owners;

(d) recommend to the appropriate Government on free legal aid to women;

(e) recommend to the appropriate Government the penalties to be imposed for harassment of domestic women workers;

(f) establish a separate Widow Welfare Board to collect data of widows and formulating rehabilitation schemes for them;

(g) provide guidelines to the appropriate Government for establishing all women police stations, banks and courts at district levels within specific timelines;

(h) undertake, promote and publish studies relating to the importance of women empowerment;

(i) including in school curriculum the subject of creating awareness about women empowerment among general public; and

(j) recommend for setting up of such number of Women Employment Centres in every district as may be prescribed to provide assistance to women for employment or self-employment;

(k) frame guidelines to provide scholarships to girl students;

(l) recommend to the Central Government to prepare a special savings scheme for woman with higher rates of interest;

(m) recommend to the appropriate Government for formulating stringent regulations for private placement agencies and regulations for domestic workers; and

(n) undertake such other activities as may be prescribed by the Central Government.

(3) The Authority shall disseminate necessary knowledge and information collected, to the respective departments of the Central and the State Governments.

Annual Report.

5. The Authority shall prepare once in every year, in such form and at such time as may be prescribed, an annual report giving the summary of its activities, including schemes it has undertaken and recommended to the Central Government during the year and it shall contain statements of annual accounts of the Authority.

Annual Report and audit report to be laid before Parliament.

6. The Central Government shall cause the annual report and the audit report, together with a memorandum of action taken thereon, of the Authority to be laid before each House of Parliament.

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Central Government to provide requisite funds.

7. The Central Government, shall from time to time provide, after due appropriation made by Parliament by law in this behalf, requisite funds for carrying out the purposes of this Act.

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Power to remove difficulty.

8. If any difficulty arises in giving effect to the provisions of this Act, the Central Government in consultation with the State Governments may make such order or give such direction not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of any difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

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Power to make rules.

9. (1) The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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STATEMENT OF OBJECTS AND REASONS

We are a nation of one hundred and thirty-two crores people out of which 64.3 crores are women. To emphasise the urgency and importance of women empowerment, the revered Swami Vivekananda said—'*There is no chance for the welfare of the world unless the condition of women is improved. It is not possible for a bird to fly on only one wing...*'. It is true that we have come a far way in these seven decades as a nation, in realising this dream where men and women are on an equal footing given any social, economic or cultural indicator. But at the same time, it is an undeniable truth that it is a dream that is yet to be fully realised. While decades of policies, laws and welfare schemes have aimed at bridging this gap, we can still do a lot better as a society and a young country. An aim of constant improvement in the sphere of women empowerment should be at every citizen's heart. Only then will we be in the right direction of realising our fullest potential as a country and an evolved society.

Purely economic indicators, which the Government very proudly cites to assert success, present a very fallacious picture. They often mask the low gender inclusivity and pitiable state of social indicators for women that India suffers from. An encompassing policy which secures fundamentals like equitable proportion of women in the workforce as entrepreneurs, scientists, policy experts, healthcare workers and skilled labour force in factories should be the primary step. Gender quality and equity in the best educational institutions and skill development centres will further accelerate the achievement of this goal.

The creation of a Women (Department and Welfare) Authority to orchestrate policy changes that can pave way for empowerment in the truest sense is the need of the hour. The Authority shall devise special saving schemes shall be introduced for women in every household with higher rates of interest and annual bonuses if husband produces a non-alcoholic certificate from Government hospital. Special fund would be created to provide for micro credit to women entrepreneurs to set up their start-ups after education. Mobile health care facilities and social security cover would also be provided for agricultural labourers. It will regulate placements by organizing domestic workers under a newly formed body to safeguard their rights. A separate Widows Welfare Board is required to be set-up for maintaining data on widowed women in the country and to formulate subsistence schemes for the needy.

This need is also to create a conducive and just social and economic environment for the women of this country. We should realise that women must be the sole authority to choose what the best is for them. The Government shall uphold and create equality, liberty and freedom in every sphere of life whenever necessary. The constitution of an inclusive Authority specifically dedicated for effective implementation of the policies of women empowerment is also required.

Hence this Bill.

NEW DELHI;
October 31, 2019.

RAMA DEVI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the constitution of the Women (Development and Welfare) Authority. It also provides for appointment of a Deputy Chairperson, members, officers and staff to the Authority for its effective functioning. It further provides for constitution of a Secretariat to the Authority. Clause 4 provides for the provisions of funds to young entrepreneurs, and establishment of Widow Welfare Board. Clause 7 makes it obligatory for the Central Government to provide requisite funds for carrying out the purposes of this Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about three thousand crore rupees per annum would involve from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees three hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of normal character.

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