

Bill No. 30 of 2019

THE PREVENTION OF FEMALE INFANTICIDE BILL, 2019

By

SHRI ADHIR RANJAN CHOWDHURY, M.P.

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BILL

to prevent female infanticide.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Female Infanticide Act, 2019.

Short title
and com-
mencement.

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

5 **2.** In this Act, unless for context otherwise requires,

Definitions.

(i) "girl child" means a girl upto the age of ten years; and

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

10 **3.** Whoever causes, or does any act with the intention of causing death of a girl child or allows a sick girl child to die by deliberately not giving timely and proper medical assistance or does any act or neglects the care of the girl child which may result in her death, commits the offence of female infanticide.

Female
infanticide.

Information about birth or death of a girl child to be given to authorities.	<p>4. (1) Whenever a girl is born or a girl child dies, it shall be the duty of the parents or the guardian of the child to inform the nearest health centre run by the Government or such authority as may be prescribed for this purpose, about the birth or death of the girl child.</p> <p>(2) In case of death of a girl child, the child shall not be cremated or buried unless the health centre or such other authority, as may be prescribed for this purpose, has caused an investigation into the cause of the death of the child.</p> <p>(3) The investigation under sub-section (2) shall be completed within twenty-four hours from the time the information about death is received.</p>	5
Arrest of person committing female infanticide.	<p>5. If after a preliminary investigation into the cause of the death of a girl child, any person is found to have committed the offence of infanticide, he shall be taken into custody at once.</p>	10
Punishment.	<p>6. Any person who commits or abets the commission of the offence of female infanticide or withholds information about the death of the girl child, shall be punished with imprisonment for a period of ten years and also with fine of rupees one lakh:</p> <p>Provided that any person who withholds information about the birth of a girl shall be punished with imprisonment for a period of six months.</p>	15
Investigation and filing of report.	<p>7. Any inquiry or investigation into female infanticide and filing of reports or a suit in a court of law shall be completed within a period of three months from the date of the death of the girl child.</p>	
Offence to be non-bailable.	<p>8. An offence under this Act shall be non-bailable.</p>	20
Act to have over-riding effect.	<p>9. The provisions of this Act and the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in the Indian Penal Code, 1860 or any other law for the time being in force.</p>	45 of 1860.
Power to make rules.	<p>10. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.</p> <p>(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.</p>	25 30

STATEMENT OF OBJECTS AND REASONS

With the menace of dowry system still continuing in the country, birth of a girl child in an ordinary family is considered as inauspicious and a curse. Birth of a girl child is considered as a burden by poor families. As a result, the number of cases of female infanticide has increased manifold in the country. Thousands of innocent girls are dying prematurely as a result of inadequate care and indifference on the part of their families. It is high time that this dastardly act is brought to an end. However, in the absence of a stringent legislation, it is quite difficult to put end to this evil practice.

It is, therefore, proposed to bring forward a legislation providing for severe punishment to those who commit female infanticide in order to eradicate this malady from the country.

Hence this Bill.

NEW DELHI;
June 4, 2019.

ADHIR RANJAN CHOWDHURY

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 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 a normal character.

LOK SABHA

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(Shri Adhir Ranjan Chowdhury, M.P.)