

Bill No. 117 of 2019

THE GIRL CHILD AND ADOLESCENT GIRLS (WELFARE) BILL, 2019

By

SHRI SUDHAKAR TUKARAM SHRANGARE, M.P.

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BILL

to provide for the protection of girl child and adolescent girls from malnutrition, anaemia and various diseases afflicting them and for matters connected therewith.

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

1. (1) This Act may be called the Girl Child and Adolescent Girls (Welfare) Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

5 (3) It shall come into force with immediate effect.

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

Definitions.

(a) “adolescent girl” means a female who has attained puberty and is below the age of eighteen years;

10 (b) “appropriate Government” means in the case of a State, the Government of that State and in other cases, the Central Government;

(c) “girl child” means a female who is below the age of ten years;

(d) “parent” in relation to a girl child or adolescent girl, as the case may be, include mother, father, a guardian and every person who has the actual custody of such girl child or adolescent girl; and

(e) “prescribed” means prescribed by rules made under the Act. 5

National Policy for the protection and welfare of girl child and adolescent girls.

3. (1) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall, as soon as may be, but within one year of the commencement of this Act, formulate and publish in the Official Gazette, a national policy for the overall protection and welfare of the girl child and adolescent girls belonging to poor and middle class families in the society who are malnourished, anaemic and diseases prone and shall take appropriate measures for the uniform implementation of such a national policy. 10

(2) In particular and without prejudice to the generality of the provisions contained in sub-section (1) such national policy may include provision for,—

(a) census or survey, from time to time, of girl child and adolescent girls who are malnourished in slum areas, *Jhuggi-Jhopri* clusters, backward and tribal areas and rural areas and maintain a data thereof in such manner and with such particulars, as may be prescribed; 15

(b) conducting a periodic medical examination of every girl child and adolescent girl covered under this Act from time to time and taking such remedial measures as are recommended by the medical authorities; 20

(c) making it mandatory for the appropriate Government to provide folic acid and multi-vitamin tablets to every malnourished and anaemic girl child and adolescent girl; 25

(d) providing a monthly allowance of not less than two thousand rupees to every malnourished girl child and adolescent girl covered under this Act for taking healthy meals in such manner as may be prescribed; 30

(e) providing sanitary napkins and proper dresses to the adolescent girls covered under this Act in such manner as may be prescribed.

Certain welfare measures for the girl child and adolescent girls.

4. (1) It shall be the duty of the appropriate Government to provide every girl child and adolescent girl covered under this Act— 30

(a) medical facilities including medicines and hospitalization wherever necessary free of cost;

(b) educational facilities including technical, medical, vocational, information technology and higher education at the college and university level free of cost;

(c) recreational, entertainment and playing facilities; 35

(d) such other welfare and protective measures as may be deemed necessary and appropriate or as may be prescribed.

(2) It shall be the duty of every parent of a girl child or adolescent girl covered under this Act,—

(a) to send the girl child or adolescent girl, as the case may be, to an educational institution for getting education as per her age; 40

(b) not to burden the girl child or adolescent girl, as the case may be, with household chores and allow her to study, play and entertain;

(c) Not to pledge or force the girl child or adolescent girl, as the case may be, to work as a domestic servant. 45

(3) No person shall employ a girl child or adolescent girl as domestic servant or in any establishment in any manner whatsoever.

5 **5.** Whoever contravenes the provisions of sub-section (2) or (3) of section 4 shall be punishable with imprisonment for a term which shall not be less than one year but may extend upto three years and also with fine which may extend upto two lakh rupees. Penalty.

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

10 **7.** The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act. Act to supplement other laws.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.

15 **(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 modifications,**
20 **or annulment shall be without prejudice to the validity of anything previously done under that rule.**

STATEMENT OF OBJECTS AND REASONS

Malnutrition and anaemia is prevalent among the girl child and adolescent girls in all the States and regions of the country. India has the highest number of malnourished and anaemic girl child and adolescent girls. It is very unfortunate that girl child and adolescent girls in major parts of our vast nation remain neglected, malnourished and suffer from anaemia and various diseases. In some parts they are married off before becoming adult and majority of such malnourished *Balika Vadhus* meet pre-natal and post-natal deaths. They are not treated well in their own families. They are either not given nutritious meals or their families cannot afford nutritious meals for them. In some cases, they don't even get two square meals. Majority of them are forced to work as domestic maids etc. They remain illiterate and exploited.

Ours is a welfare State and it is the duty of the State to take care of these malnourished girl child and adolescent girls and initiate welfare measures for them.

Hence this Bill.

NEW DELHI;
June 6, 2019.

SUDHAKAR TUKARAM SHRANGARE

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that Central Government shall formulate a National policy for the protection and welfare of girl child and adolescent girls. Clause 4 provides for certain welfare measures for the girl child and adolescent girls. Clause 6 makes it mandatory for the Central Government to provide requisite funds for carrying out the purposes of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees thirty thousand crore may involve as recurring expenditure per annum.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill gives power to 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 Sudhakar Tukaram Shrangare, M.P.)