

**Bill No. 73 of 2021**

THE CHILD WELFARE BILL, 2021

By

SHRI JUGAL KISHORE SHARMA, M.P.

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BILL

*to provide for welfare of children and for matters connected therewith.*

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 Child Welfare Act, 2021.  | Short title and extent.          |
|    | (2) It extends to the whole of India.  |                                  |
| 5  | 2. In this Act, unless the context otherwise requires, ‘child’ means a person who has not completed the age of fifteen years.                            | Definition.                      |
|    | 3. Notwithstanding anything contained in any other law for the time being in force, no child shall be employed by any person for any work in any manner. | Prohibition of child employment. |

Establishment  
of juvenile  
homes.

**4. (1) The Central Government shall establish adequate number of juvenile homes with all basic amenities for the welfare of children in every district of the country.**

(2) Any child who is abandoned, orphan, destitute, neglected or engaged in any job, occupation or begging shall be admitted to the juvenile homes setup under sub-section (1). 5

Facilities to  
be provided  
to the  
children in  
juvenile  
homes.

**5. (1) Every child who is admitted into the juvenile home shall be entitled to the following facilities free of cost, —**

- (a) accommodation, food and clothing;
- (b) education including higher and technical education; and 10
- (c) medical assistance.

**(2) Every child shall also be entitled to such other facilities as are necessary for his all-round development.**

Provision for  
reservation in  
posts and  
services under  
Central  
Government.

**6. The Central Government shall make provisions of reservation in posts and services under its control for children admitted to juvenile homes on attaining the age of eighteen years.** 15

Power to  
make rules.

**7. (1) The Central Government 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. 20 25

## STATEMENT OF OBJECTS AND REASONS

A large number of children are forced by their parents to do menial labour, in order to sustain their livelihood. Due to lack of proper diet and healthcare, these children become victims of a number of diseases. Some of them even succumb to premature death. Many of these children are highly talented. But due to lack of proper education and other opportunities, their talent goes waste.

Children are the future of a country. It is, therefore, the responsibility of the Government to provide opportunities of all-round development to every child and also to provide protection against exploitation. Thus, it is proposed to bring in a legislation for the welfare and protection of children against exploitation.

Hence this Bill.

NEW DELHI;  
*March 8, 2021.*

JUGAL KISHORE SHARMA

## FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for setting up of adequate number of juvenile homes with all basic amenities for the welfare of children in every district of the country by the Central Government. Clause 5 provides for free of cost food, accommodation, clothing, education and medical facilities to the children in juvenile homes. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees fifty crore is likely to be involved.

A non-recurring expenditure of about rupees five crore is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 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.

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*(Shri Jugal Kishore Sharma, M.P.)*