

Bill No. 82 of 2020

THE ANGANWADI WORKERS (REGULARISATION OF SERVICE AND
WELFARE) BILL, 2020

By

SHRI UNMESH BHAIYASAHEB PATIL, M.P.

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BILL

*to regularise the services and introduce performance and bonus linked to
inflation of wages of Anganwadi Workers and for matters connected
therewith or incidental thereto.*

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

1. (1) This Act may be called the Anganwadi Workers (Regularisation of Service and Welfare) Act, 2020.

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) "anganwadi worker" means a women employed to provide additional and supplementary healthcare and nutritional services to children and pregnant women under the Integrated Child Development Services Scheme (ICDS Scheme);

(b) "appropriate Government" means in the case of a State or a Union territory having legislature, the concerned State Government or the Union territory Government, as the case may be, and in all other cases, the Central Government; and

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

Appropriate Government to take steps to regularize the services of Anganwadi workers and helpers.

3. **The appropriate Government shall, through the concerned Ministry, take all such steps as may be necessary to regularize the services of persons currently employed as Anganwadi Workers and helpers and confer the status of permanent Government employee on such workers and helpers.**

Determination of wages of Anganwadi workers.

4. (1) **The appropriate Government shall determine the wages payable to Anganwadi Workers and helpers in such manner as may be prescribed:**

Provided that the wages to be paid to Anganwadi workers and helpers shall be linked to performance of such Anganwadi workers and helpers and to market inflation:

Provided further that the appropriate Government shall undertake a revision of the wages to be paid to Anganwadi workers and helpers every two years.

(2) **For the purpose of determining performance linked wages under sub-section (1), the appropriate Government shall—**

(a) **expand the ambit of the role of an Anganwadi Workers to include activities undertaken to organize health camps, spread awareness on healthcare, education, sanitation and such other services that may be discharged by the Anganwadi workers; and**

(b) **determine the additional amount other than wages payable for each such task undertaken by the Anganwadi Workers:**

Provided that any additional work undertaken by the Anganwadi Workers due to vacancies in the posts of supervisors, workers or helpers shall be a relevant factor in the computation of additional amount other than wages payable to such Anganwadi workers and helpers.

Appropriate Government to fill vacancies.

5. **The appropriate Government shall undertake to fill the existing vacancies in post of Anganwadi workers and helpers within two months from the date on which such post becomes vacant.**

Savings.

6. The provision of this Act shall be in addition to, and not in derogation of the provisions of any other law for the time being in force.

Power to make rules.

7. (1) The Central Government shall, by notification in the Official Gazette, make rules for carrying out all purposes of this Act ensuring the service status and welfare of the Anganwadi workers.

(2) Every rule made under this section 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 aforesaid both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rules 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 or anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Anganwadi Workers are the backbone of the Indian healthcare and education system in rural and remote areas. These workers are responsible for the early childhood healthcare for new-born and for pregnant and lactating mothers. The pre-natal and post-natal care provided to women is extremely vital for the health of both the child and the mother. In addition to this indispensable role, Anganwadi Workers also play the role of Auxiliary Nurse Midwife and are also enrolled for other activities like surveying the success of Integrated Child Development Services Scheme (ICDS), awareness and health camps for cancer, and non-ICDS work such as panchayat and election work. This puts considerable work pressure on the workers who currently are hired on a contractual basis.

Today in India, every fifty out of thousand children die before the age of five. Nearly thirty-six per cent. children under the age of five are underweight as per the National Family Health Survey-4. Only half the women who gave birth had four or more ante-natal care visits. Even as the Government has attempted to make the provision of ante-natal care, immunization and nutritional care popular in the rural areas, the efforts are contingent on the active participation of the workers. It is necessary to create incentives for them, which makes them an active stakeholder in the dispensation of universal healthcare and nutrition. It is thus proposed to introduce a performance-based wages system which shall be linked to inflation. This will ensure that the purchasing power of the workers keeps up with the rise in the prices of goods and services.

A factor that adds to the work pressure is the existing vacancies in the posts of supervisors, workers and helpers. The need is to make provision to mandate the authorities to fill the posts within two months from when such vacancy arises.

Hence this Bill.

NEW DELHI;
February 17, 2020

UNMESH BHAIYYASAHEB PATIL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the regularization of services for Anganwadi Workers by the appropriate Government. Clause 4 provides that the wages shall be performance based and indexed to market inflation. Clause 5 mandates the appropriate Government to fill vacancies within two months from when such vacancies arise. The expenditure in respect of States will be met from the respective Consolidated Fund of State and expenditure in respect of Union territories shall be met out of Consolidated Fund of India. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. A recurring expenditure of about rupees fifty thousand crore is likely to be involved per annum from the Consolidated Fund of India.

No non-recurring expenditure is likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purpose 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 Unmesh Bhaiyyasaheb Patil, M.P.)