

Bill No. XXXVII of 2024

**THE ASHA WORKERS (REGULARIZATION OF
SERVICE AND OTHER BENEFITS) BILL, 2024**

A

BILL

*to provide for regularization of the services of ASHA workers by
giving them the status of a permanent employee of the
Government and for matters connected
therewith or incidental thereto.*

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

1.

(1) This Act may be called the ASHA Workers (Regularization of Service and Other Benefits) Act, 2024.

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

In this Act, unless the context otherwise requires,—
(a) "ASHA worker" means Accredited Social Health Activist working as community health worker deployed as a part of the National Health Mission of the Government of India;

Definitions.
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- (b) "Committee" means the Committee for Welfare of ASHA workers constituted under section 5 of this Act; and
(c) "prescribed" means prescribed by rules made under this Act.

Regularization of
services of ASHA
workers.

3. (1) The Central Government shall, by notification in the Official Gazette, take all such steps as may be necessary to regularize the services of ASHA workers and confer the status of not less than that of Group 'C' employees of the Central Government on all such ASHA workers who are serving in the National Health Mission immediately before the commencement of this Act. 5
- (2) Every ASHA worker, whose service has been regularized, shall be entitled to such tenure, terms and conditions of service including remuneration, leave, provident fund, retirement and other terminal benefits as are available to Group "C" or above employees of the Central Government, as the case may be. 10
- (3) Every ASHA worker deployed after the commencement of this Act shall be conferred the status of not less than that of a Group 'C' employee of the Central Government and shall be entitled to all other benefits as mentioned in sub-section (2). 15

Accommodation
to ASHA workers.

4. The Central Government shall take steps to provide residential accommodation to all the ASHA workers within the vicinity of their workplace, in such manner as may be prescribed. 20

Committee for
welfare of ASHA
Workers

5. (1) The Central Government shall, by notification in the Official Gazette, establish a Committee to be known as the Committee for Welfare of ASHA workers for the purpose of socio-economic development of ASHA workers and to advise the Central Government on such matters arising out of the administration of this Act. 25
- (2) The Committee shall consist of,-
(i) a Chairperson;
(ii) a Vice-Chairperson; and
(iii) three Members; 30
- to be appointed by the Central Government.
- (3) The Central Government shall appoint such number of officers and staff, as it may deem fit, to assist the Committee in carrying out the duties assigned to it under this Act.
- (4) The qualifications and experience, term of office, salaries, remuneration and other allowances payable to, and other terms and conditions of service of the Chairperson, Vice-Chairperson, Members and officers and staff of the Committee, shall be such as may be prescribed. 35
- (5) The Committee shall have the power to regulate its own procedure. 40

Duties of the
Committee

6. It shall be the duty of the Committee to—
(a) investigate and monitor all matters relating to the safeguards provided for ASHA workers under any law in force at the time of the commencement of this Act, or under any other law for the time being in force or under any order of the Central or State Government and to evaluate the working of such safeguards and to present to the Central 45

	Government, annually and at such other intervals, as the Commission may deem fit, reports on the working of those safeguards;	
5	(b) inquire into specific complaints with respect to the deprivation of rights and safeguards of the ASHA workers as received by it, in such manner as may be prescribed;	
	(c) advise the Central Government on the socio-economic development of the ASHA workers and to evaluate the progress of their development;	
10	(d) bring about synergy between technology and public policy and recommend measures for enhancing the income and employment potential of ASHA workers through training and reforms in the health sector; and	
15	(e) discharge such other functions, as it may consider necessary, in relation to the protection, welfare, development and advancement of ASHA workers and any other matters incidental to the above-said duties.	
	7. The Committee shall, while investigating any matter referred to it in under clause (b) of section 6, have all the powers of a Civil Court trying a suit and, in particular in respect of the following matters, namely,—	Committee to have powers of Civil Court
20	(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;	
	(b) requiring the discovery and production of any document;	
	(c) receiving evidence on affidavits;	
25	(d) requisitioning any public record or copy thereof from any court or office;	
	(e) issuing commission for the examination of witnesses and documents; and	
	(f) any other matter which may be prescribe.	
30	8. (1) The Committee shall prepare every year, in such form and within such time as may be prescribed by the Central Government an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government.	Annual Reports.
35	(2) The Central Government shall cause the annual report of the Committee to be laid before each House of Parliament along with a memorandum of action taken or proposed to be taken on the recommendations of the Committee and the reasons for non-acceptance of the recommendations, if any, within a period of one year from the date of receipt of such report(s).	
40	9. The Central Government shall, after due appropriation made by Parliament by law on this behalf, grant such sums of money to the Committee, as it may think fit, for carrying out the purposes of this Act.	Central Government to provide adequate funds to the Committee.
	10. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.	Act not in derogation of any other law.

Power to remove
difficulties.

- 11.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act, as may appear to be necessary or expedient for removing such difficulty.

Power to make
rules.

- 12.** (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. 5

(2) Every rule made by the Central Government 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 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. 10 15

STATEMENT OF OBJECTS AND REASONS

ASHA workers, the Accredited Social Health Activists, are working under the Ministry of Health and Family Welfare as part of the National Health Mission contributing remarkable service in the health sector. The ASHA workers work as a link between the Department of Health & Family Welfare and the common man to create awareness and promote health activities in the country. The contributions of ASHA workers help to improve the health standards of the country. They are promoters of various schemes of the Central Government and State Governments and ensuring the health of the common man. However, they do not have job security and the honorarium given to them is not sufficient to sustain their living expenses. This may, in the long term, adversely affect the effective implementation of various health programmes of the Government including the Integrated Child Development Scheme. Therefore, considering the importance of their duties and service, it is imperative to take necessary steps for their upliftment.

The Bill provides for regularization of the services of ASHA workers by giving them the status of a permanent employee of the Government. It also proposes to establish a Committee for Welfare of ASHA workers for the purpose of socio-economic development of ASHA workers.

Hence this Bill.

ASHOK KUMAR MITTAL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for regularization of the services of ASHA workers and confers the status of not less than that of Group 'C' employees of the Central Government on all such workers. It also provides for such tenure, terms and conditions of service including remuneration, leave, provident fund, retirement and other terminal benefits to the ASHA workers, as are available to Group 'C' employees of the Central Government. Clause 4 of the Bill stipulates that the Central Government shall take steps to provide housing facilities to all ASHA workers and helpers within the vicinity of their workplace. Clause 5 provides for the constitution of the Committee for Welfare of ASHA workers for the purpose of socio-economic development of ASHA workers; appointment of a Chairperson, Vice-Chairperson and Members therein; appointment of such number of officers and staff as are required to assist the Committee and the salary and allowances payable to, and other terms and conditions of their service. Clause 9 provides that the Central Government, shall after due appropriation made by Parliament by law in this behalf, grant such sums of money to the Committee, as it may think fit for carrying out the purposes of this Bill.

The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. A recurring expenditure of about rupees three hundred crore is likely to be involved per annum from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make provisions through an order or direction to remove any difficulties likely to arise in giving effect to the provisions of the Bill, if enacted. Clause 12 of the Bill empowers the Central Government to make rules for carrying out the purpose of the Bill. As the orders and rules will relate to matters of detail only, the delegation of legislative powers is of a normal character

RAJYA SABHA

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(Dr. Ashok Kumar Mittal, M.P.)