

**Bill No. LVI of 2010**

THE PREVENTION OF FEMALE INFANTICIDE BILL, 2010

A

BILL

*to provide for measures to stop female infanticide and make it punishable with stringent penalty and for matters connected therewith or incidental thereto.*

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

- 1.** (1) This Act may be called the Prevention of Female Infanticide Act, 2010. Short title and commencement.

(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,— Definitions.

  - (i) "girl child" means a girl upto the age of ten years; and
  - (ii) "prescribed" means prescribed by rules made under this Act.
- 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.

**4.** (1) Whenever a girl child is born or a girl child below ten years of age 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.

(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.

(3) The investigation under sub-section (2) shall be completed within twenty-four hours from the time information about death is received.

Arrest of person committing female infanticide.

**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.

Punishment.

**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 term which may extend to ten years and also with fine of rupees one lakh:

Provided that any person who withholds information about the birth of a girl child shall be punished with imprisonment for a term which may extend to six months.

Investigation and filing of report.

**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.

Offence to be non-bailable.

**8.** Notwithstanding anything contained in the Code of Criminal Procedure 1973, the offence committed under this Act shall be non-bailable. 2 of 1974.

Act to have over-riding effect.

**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. 45 of 1860.

Power to make rules.

**10.** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

## STATEMENT OF OBJECTS AND REASONS

With the menace of dowry system continuing in the country, birth of a girl child in an ordinary family is considered to be very inauspicious and a curse. A girl child is considered a burden by poor families. As a result, female infanticide is widely prevalent in the country. Thousands of innocent girls are dying prematurely as a result of inadequate health care and indifferent attitude 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 an 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.

MOHAN SINGH

## 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.

RAJYA SABHA

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*(Shri Mohan Singh, M.P.)*