

Bill No. XVII of 2017

THE WOMEN (EMPOWERMENT AND WELFARE) BILL, 2017

A

BILL

to establish a Women Empowerment and Welfare Authority to provide for monthly incentive schemes for girl Children to delay marriage until age of twenty one years, special saving schemes for women with higher rate of interests inclusive of annual bonus if husband is non-alcoholic, special fund for micro credit schemes, guidelines for mobile healthcare facilities for agricultural labour, regulation of private placement agencies, schemes for widows and for all matters connected therewith and incidental thereto.

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

1. (1) This Act may be called the Women (Empowerment and Welfare) Act, 2017. Short title,
extent and
commencement.
- (2) It extends to the whole of India.
- 5 (3) 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.
 - (a) "annual report" means a report giving the details of developmental activities

taken up over the year by the authority and detailing about targets set and achieved;

(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.

(c) "authority" means the Women Empowerment and Welfare Authority established under section 3; 5

(d) "domestic worker" means a woman employed to do work in or for a private household(s) which includes cooking, cleaning, gardening, childcare, and old-age care.

(e) "health certificate" means a document signed by a competent health authority providing proof that a person is non-alcoholic. 10

(f) "placement agency" means any agency or contractor, whether registered or otherwise, engaged in the placement of domestic workers with prospective employers.

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

(h) "small family" means family having not more than two children.

Constitution of
Women
Empowerment
and Welfare
Authority.

3. (1) With effect from such date as the Central Government may, by notification, appoint, there shall be constituted, for the purposes of this act, an Authority, to be known as the Women Empowerment and Welfare Authority consisting of the following members, namely:— 15

(a) **Union Minister, Ministry of Women and Child Development —*ex officio* Chairperson;** 20

(b) **Chairperson, National Commission for Women—*ex officio* Member;**

(c) **Secretaries of the Union Ministries of (i) Women and Child Development, (ii) Health and Family Welfare and (iii) Statistics and Programme Implementation—*ex officio* Members;**

(d) **Director General of Health Services, Ministry of Health and Family Welfare—*ex officio* Member;** 25

(e) **Director, National Institute of Health and Family Welfare—*ex officio* Member.**

(2) The Central Government shall appoint such number of officers and staff as it considers necessary for the efficient functioning of the Authority under this Act. 30

(3) The qualifications and experience, salary, allowances and terms of conditions of services of officers and staff of the Authority shall be such, as may be prescribed.

Meetings of
the Authority.

4. (1) The Authority shall meet at such intervals and places and shall observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed by the Central Government. 35

(2) The expenditure incurred to attend meetings by the Members referred to in sub-clauses (a) to (e) of section 3, shall be borne by their concerned controlling authorities.

Functions of
the Authority.

5. (1) Subject to any guidelines issued by the Central Government under the provisions of this Act, the Authority shall perform and undertake such functions as may be necessary to ensure empowerment of women in the country and shall formulate a comprehensive policy within one year of its constitution to achieve the objective. 40

(2) Without prejudice to the provisions contained in sub-section (1), the functions of the Authority shall include to:—

(a) undertake a baseline study to collect comprehensive data about girl children

and their families above the age of eighteen which shall be completed within one year of setting up of the authority;

(b) formulate a monthly incentive scheme to provide for regular income to families having unmarried girl children upto the age of twenty one years;

5 (c) recommend to the Central Government to prepare a special savings schemes for woman with higher rates of interest;

(d) formulate a special bonus scheme for families where the husband produces health certificate;

(e) provide for funds to encourage micro credit for young women entrepreneurs;

10 (f) frame guidelines for agricultural land owners to provide for mobile health care facilities and social security cover for the women agricultural labour;

(g) recommend to the appropriate Government for formulating stringent regulations for private placement agencies and regulations for domestic workers;

15 (h) recommend to the appropriate Government for penalties for harassment of domestic workers;

(i) establish a separate widow welfare board to look into collecting data on widowed woman and formulating rehabilitation schemes for widowed women;

(j) provide guidelines to the appropriate Government for establishing all woman police stations, banks and courts as district levles within specific timelines;

20 (k) undertake, promote and publish studies relating to the importance of woman empowerment;

(l) frame syllabus for including awareness about woman empowerment in school curriculum; and

25 (m) undertake such other activities as may be prescribed by the Central Government.

(3) The Authority shall disseminate necessary knowledge and information collected, to the respective departments of the Central and the State Governments.

30 **6. (1)** The Authority shall prepare once in every year, in such form and at such time as may be prescribed, an Annual Report giving the summary of its activities, including schemes it has undertaken and recommended to the Government during the year and it shall contain statements of Annual Accounts of the Authority.

Annual report and its laying before the parliament.

(2) A copy of the report shall be forwarded to the Central Government, and the Central Government shall lay the report before each House of Parliament.

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

Government to provide funds.

40 **8.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government in consultation with the State Governments may make such order or give such direction not inconsistent with the provisions of this Act, as appears to it to be necessary or expedient for the removal of any difficulty.

Power to remove difficulty.

9. The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

STATEMENT OF OBJECTS AND REASONS

'There is no chance for the welfare of the world unless the condition of woman is improved. It is not possible for a bird to fly on only one wing.' This was said by Swami Vivekananda when he was asked about welfare of woman. Out of the 125 crore citizens of this country, 65.2 crores are women. The sex ratio is 945 females per 1000 males. Though targeted welfare schemes, taken up by the Government over the past five decades for woman have resulted in better livelihood for them, still there is a lot more to be achieved. Literacy rates among woman in India is still lagging and the numbers relating to woman in the workforce is abysmal. Though our Constitution envisages to provide for equal means of livelihood and equal pay for men and woman, it is still a distant dream.

We pride ourselves as a country, with regard to our economic growth but this growth remains a façade, masking our low social indicators. Woman should be key players for this change to happen. Policy which aims at bringing higher proportion of woman into the workforce, as teachers, health care workers and skilled labour force in factories should be the first stepping stone towards this. Providing them with the weapon of education will give them this much required freedom.

This Bill, proposes to create a Women Empowerment and Welfare Authority to carry out major policy changes and provide for the necessary guidelines. This Authority will *inter alia* bring in monthly incentive schemes for families of girl children who have not been married until the age of twenty one. Also, special saving schemes shall be introduced for woman in every household with higher rates of interest and annual bonuses if husband produces a non-alcoholic certificate from government hospital. Special fund would be created to provide for micro credit to woman entrepreneurs who plan on start-ups just after their college education. Mobile health care facilities and social security cover would also be provided for agricultural labour working in their lands. It will regulate placement of agency and also organizing domestic workers under a newly formed body to safeguard their rights. A separate Widows welfare arm proposed to be created to provide for maintaining data on widowed woman in the country and to provide for a subsistence allowance to the needy.

This Bill, shall endeavour to create a positive and just social and economic environment for the woman of this country. Woman must be put in a position to solve their own problems in their own ways. The State must endeavour to take that extra effort to provide for the equal platform. This is what this Bill envisions, to offer the required momentum to kick start this process. Our country's journey to regain the status of '*Vishwa Guru*' will become a reality only if the woman folk of this great nation lead the way.

Hence this Bill.

VIVEK GUPTA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for Constitution of the Women Empowerment and Welfare Authority and appointment of officers and staffs for its functioning. Clause 7 makes it obligatory for the Central Government to provide requisite funds for carrying out the purposes of this Bill. The Bill, therefore, if enacted, will involve recurring expenditure of five thousand crore rupees per annum from the Consolidated Fund of India. A non-recurring expenditure to the tune of rupees two hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill gives power to the Central Government to make rules for carrying out the purposes of the Bill. The rules will relate to matters of details only. The delegation of legislative power is of normal character.

RAJYA SABHA

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(Shri Vivek Gupta, M.P.)