

Bill No. XLV of 2014

THE GIRL CHILD AND ADOLESCENT GIRLS (PROTECTION FROM
MALNUTRITION, ANAEMIA, DISEASES AND WELFARE) BILL, 2014

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BILL

to provide for the protection and other measures to be undertaken by the Central and State Governments for the girl child and adolescent girls to save them from malnutrition, anaemia and various diseases afflicting them in Gujarat and other parts of the Country and for special provisions for nutritious meals supplemented by folic acid and multi vitamin tablets, timely health check-ups and medication free of cost and certain welfare measures to be undertaken by the State for the girl child and adolescent girls and for matters connected therewith and incidental thereto.

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

1. (i) This Act may be called the Girl child and Adolescent Girls (Protection from Malnutrition, Anaemia, Diseases and Welfare) Act, 2014.

Short title,
extent and
commencement.

(ii) It extends to the whole of India.

5 (iii) It shall come into force with immediate effect.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) “adolescent girl”, means a female human being who has attained puberty and is below the age of eighteen years;

10 (b) “appropriate Government” means in the case of a State, the Government of that State and in other cases the Central Government ;

(c) "girl child" means a female human being who is below the age of ten years;

(d) "parent" in relation to a girl child or adolescent girl, as the case may be, include mother, father, a guardian and every person who has the actual custody of such girl child or adolescent girl ;

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

National
Policy for the
protection
and welfare of
girl child and
adolescent
girls.

3. (1) Notwithstanding anything contained in any other law for the time being in force, the Central Government shall, as soon as may be, but within one year of the commencement of this Act, formulate and publish in the Official Gazette, a national policy for the overall protection and welfare of the girl child and adolescent girls belonging to poor and middle class families in the society who are malnourished anaemic and diseases prone and shall take appropriate measures for the uniform implementation of such a National policy.

(2) In particular and without prejudice to the generality of the provisions contained in sub-section (1) such national policy may include provision for,—

(a) census or survey, from time to time, of girl child and adolescent girls who are malnourished in slum areas, *Jhuggi-Jhopri* clusters, backward and tribal areas and rural areas and maintain a data thereof in such manner and with such particulars, as may be prescribed;

(b) conducting a periodic medical examination of every girl child and adolescent girl covered under this Act from time to time and taking such remedial measures as are recommended by the medical authorities;

(c) making it mandatory for the appropriate Government to provide folic acid and multi-vitamin tablets to every malnourished and anaemic girl child and adolescent girl;

(d) providing a monthly allowance of not less than two thousand rupees to every malnourished girl child and adolescent girl covered under this Act for taking healthy meals in such manner as may be prescribed;

(e) providing sanitary napkins and proper dresses to the adolescent girls covered under this Act in such manner as may be prescribed,—

4. (1) It shall be the duty of the appropriate Government to provide every girl child and adolescent girl covered under this Act,—

(a) Medical facilities including medicines and hospitalization wherever necessary free of cost ;

(b) Educational facilities including technical, medical, vocational, information technology and higher education at the college and university level free of cost;

(c) Recreational, entertainment and playing facilities;

(d) Such other welfare and protective measures as may be deemed necessary and appropriate or as may be prescribed.

(2) It shall be the duty of every parent of a girl child or adolescent girl covered under this Act,—

(a) To send the girl child or adolescent girl, as the case may be, to an educational institution for getting education as per her age;

(b) Not to burden the girl child or adolescent girl; as the case may be, with household chores and allow her to study, play and entertain;

(c) Not to pledge or force the girl child or adolescent girl, as the case may be, to work as a domestic servant.

Certain
welfare
measures for
the girl child
and
adolescent
girls.

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(3) No person shall employ a girl child or adolescent girl as domestic servant or in any establishment in any manner whatsoever.

5. Whoever contravenes the provisions of sub-section (2) or (3) of section 4 shall be punishable with imprisonment for a term which shall not be less than one year but may extend up to three years and also with fine which may extend up to two lakh rupee.

Penalty.

6. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds, from time to time, to the States and Union Territories for carrying out the purposes of this Act.

Central Government to provide funds.

7. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force dealing with the subject matter of this Act.

Act to supplement other laws.

8. The Central Government 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

Recently, it was widely reported in the national print and electronic media that malnutrition and anaemia is prevalent among the girl child and adolescent girls of not only the economically backward States and regions of the Country but in the model State of Gujarat also, which has the highest number of malnourished and anaemic girl child and adolescent girls. It is very unfortunate that girl child and adolescent girls in major parts of our vast nation remain neglected, malnourished and suffer from anaemia and various diseases. In some parts they are married off and majority of such malnourished *Balika Badhus* meet pre-natal and post-natal deaths. It is very common that they are not treated well in their own families. They are either not given nutritious meals or their families cannot afford nutritious meals for them. In some cases let alone the nutritious meals, they don't even get two square meals. Majority of them are forced to work as domestic maids etc. They remain illiterate and exploited.

Ours is a welfare State and it is the duty of the State to take care of these unfortunate girl child and adolescent girls and initiate welfare measures for them.

Hence this Bill.

AHMED PATEL

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for a National policy for the protection and welfare of girl child and adolescent girls. Clause 4 provides for certain welfare measures for the girl child and adolescent girls. Clause 6 makes it mandatory for the Central Government to provide requisite funds for carrying out the purposes of the Bill. The Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of rupees Thirty thousand crore may involve as recurring expenditure per annum.

A non-recurring expenditure to the tune of twenty thousand crore rupee may also be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 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 Ahmed Patel, MP.)