

Bill No. 231 of 2016

THE INTEGRATED CHILD DEVELOPMENT SERVICES
(REGULARISATION) BILL, 2016

By

DR. Udit RAJ, M.P.

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to provide for regularisation and universalisation of Integrated Child Development Services in the country and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Integrated Child Development Services (Regularisation) Act, 2016.

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.

Definitions.	<p>2. In this Act, unless the context otherwise requires,—</p> <p>(a) "anganwadi centre" means a centre which shall be used for providing integrated child development services by the appropriate Government and includes all the existing centres being used for providing integrated child development services in the country;</p> <p>(b) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government; and</p> <p>(c) "prescribed" means prescribed by rules made under this Act.</p>	5
Regularisation and institutionalisation of Integrated Child Development Services.	<p>3. On and from such date as the Central Government may, by notification in the Official Gazette appoint, the existing Integrated Child Development Services for overall development of children shall be deemed to be regularised and institutionalized under this Act in such manner as may be prescribed.</p>	10
Establishment of adequate number of anganwadi centres.	<p>4. (1) The appropriate Government shall establish adequate number of anganwadi centres in every settlement or village throughout the country.</p> <p>(2) The appropriate Government shall make available land, building infrastructure and all basic facilities including nutritious meal, educational games, toys, stationery items, learning and writing material, television sets, computers and such material as required for the overall development of children and facility of pre-natal and post-natal care to infants and mothers at every anganwadi centre.</p> <p>(3) The appropriate Government shall regulate the functioning of anganwadi centres, in such manner and through such bodies of local self government, as may be prescribed.</p>	15
Redesignation of anganwadi workers and helpers.	<p>5. The 'anganwadi workers' and 'helpers' working in the existing anganwadi centres shall hereinafter be known as 'anganwadi teachers' and 'anganwadi assistants', respectively.</p>	20
Setting up of National Committee.	<p>6. (1) The Central Government shall constitute a Committee to be known as the National Committee for the welfare of persons working in anganwadi centres in such manner as may be prescribed.</p> <p>(2) The National Committee shall perform the following functions, namely:—</p> <p>(i) suggest measures to streamline the functioning of existing anganwadi centres;</p> <p>(ii) identify areas where cases of malnutrition of children are reported and recommend opening up of anganwadi centres in such areas;</p> <p>(iii) monitor the functioning of anganwadi centres;</p> <p>(iv) conduct foundation training course for anganwadi teachers and assistants;</p> <p>(v) fix working hours for anganwadi teachers and assistants;</p> <p>(vi) prescribe the educational qualification and other criteria for recruiting the persons as anganwadi teachers and assistants;</p> <p>(vii) recommend salary, allowances, over-time, honorarium, leave, provident fund and other benefits, including maternity benefits, for employees of anganwadi centres from time to time;</p> <p>(viii) provide free health care to anganwadi teachers and assistants and their minor children;</p> <p>(ix) provide insurance cover to anganwadi teachers and assistants; and</p> <p>(x) suggest other measures for overall development of children and efficient functioning of anganwadi centres.</p>	25
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7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, release the necessary funds to the National Committee for effective implementation of the Act. Release of funds.

5 **8.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order publish in the Official Gazette, make such provision, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing such difficulty: Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

10 **9. (1)** The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Power to make rules.

(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, 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 the 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.

STATEMENT OF OBJECTS AND REASONS

The rights of women and children and their aspirations are of paramount importance in our march towards an inclusive and equitable society. Keeping in view the constitutional provisions and in order to give greater focus to issues relating to women and children, it is necessary to invest more in the programmes meant for eradication of malnutrition and expansion of anganwadis. It is a fact that the Integrated Child Development Services (ICDS) has grown by leaps and bounds with a wide range of activities being brought within its ambit and consequent expansion of the area of work of anganwadi workers and helpers and increase in their working hours. There is no justification for their being treated as social and honorary workers with the paltry amount doled out to them as honorarium, especially when they have put in long years of service and the success of the scheme, which has been lauded by various agencies, is due to the hard work of the anganwadi workers and helpers. These anganwadi workers are working in close relationship with the people and their services are being utilized by the respective State Governments for a whole range of activities—be it survey, promotion of small saving schemes, group insurance or non-formal education. Despite this, their demand for seeking regularisation and institutionalisation of services is being brushed aside. Therefore, in recognition of their services, they need a better lot and improvement in their service conditions and remunerations. There is also need of an effective system of supervision of anganwadi centres.

In view of the above, the Bill seeks to provide for universalisation, regularisation and institutionalisation of Integrated Child Development Services for all-round development of children and expansion of anganwadi centres for effective implementation of the scheme.

Hence this Bill.

NEW DELHI;
July 8, 2016.

UDIT RAJ

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117(3) OF THE CONSTITUTION

[Copy of letter No. 20011/13/2016-CD.I dated 19 September, 2016 from Shrimati Maneka Sanjay Gandhi, Minister of Women and Child Development to the Secretary General, Lok Sabha]

The President, having been informed of the subject matter of the Integrated Child Development Services (Regularization) Bill, 2016 by Dr. Udit Raj, M.P., has recommended the consideration of the Bill under article 117(3) of the Constitution in Lok Sabha.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for regularisation and institutionalisation of the Integrated Child Development Services by the Central Government. Clause 4 provides for setting up of adequate number of anganwadi centres with basic facilities in every settlement. Clause 6 provides for setting up of a National Committee for the welfare of persons working in anganwadi centres. Clause 7 provides that the Central Government shall release necessary funds to the National Committee for effective implementation of this Bill. The State Governments will incur expenditure in respect of their States out of their respective Consolidated Funds for implementing the provisions of this Bill. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees ten thousand crore per annum.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. Since the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

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(Dr. Udit Raj, M.P.)