

Bill No. 216 of 2018

**THE ASHA WORKERS (REGULARIZATION OF SERVICE AND OTHER
BENEFITS) BILL, 2018**

By

SHRI N.K. PREMACHANDRAN, M.P.

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BILL

to provide for regularization of the services of ASHA workers conferring the status of permanent employee of the Government on them and for matters connected therewith.

BE it enacted by the Parliament in the Sixty-ninth 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, 2018.

Short title,
extent and
commencement.

5 (2) It extends to the Union territories only.

(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.

10 (a) "ASHA worker" means accredited social health activist working as community health worker instituted by the Government of India, Ministry of Health and Family Welfare as a part of National Health Mission; and

(b) "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 steps to regularize the services of ASHA workers and confer the status of Group "C" employees of the Government on such ASHA workers who are serving in National Health Mission immediately before the commencement of this Act.

(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" employees of the Central Government.

Accommodation to ASHA workers.

4. The Central Government shall take steps to provide accommodation to all ASHA workers within the vicinity of their workplace.

Power to remove difficulty.

5. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after expiry of two years from the date of commencement of this Act.

Provisions of the Act to be in addition to other laws.

6. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

Power to make rules.

7. (1) The Central Government may make rules for carrying out the purposes of this Act.

(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 session 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

ASHA workers the accredited social health activist are working under the Ministry of Health and Family Welfare as part of National Health Mission contributing remarkable service in Health sector. The ASHA workers working as link between Health Department and Common man so as to create awareness and promote health activities in the country. The contribution of ASHA workers are helpful to improve the health standard of the country. The ASHA workers are good promoters of various schemes of the Central Government and State Government and ensuring the health of common man. The duties and service rendered by the ASHA workers are very important for the protection of the health. The ASHA workers do not have job security and the honorarium given to them are not sufficient for meet their immediate requirement. This may adversely affect the working of the integrated child development scheme.

The ASHA workers are one of the main link between Government and general public. They are helping the Government for the effective implementation health programmes. Considering the importance of their duties and service, it is highly necessary to protect their service and welfare.

Hence this Bill.

NEW DELHI;
November 19, 2018.

N.K. PREMACHANDRAN

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides the regularization of service of ASHA workers and confer the status, wages and welfare not less than the status, wages and welfare of Group "C" employees of the Central Government. Clause 4 provides for provision of accommodation to ASHA workers. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees three thousand crore per annum is likely to be incurred from the Consolidated Fund of India.

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

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 7 of the Bill empowers the Central Government to make rules for carrying out the purpose of the Bill. As the rules will relate to matters of detail only, the delegation of legislation powers is of a normal character.

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