

Annexures

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Constitutional Provisions for Women and Children

Article 15 – The State shall not discriminate against any citizen Nothing in this article prevents the State from making any special provision for women and children.

Article 15(1) – Prohibits discrimination against any citizen on the grounds of religion, race, caste, sex etc.

Article 15(3) – Special provision enabling the State to make affirmative discriminations in favour of women.

Article 21A -The State shall provide free and compulsory education to all children of the age 6-14 years in such manner as the State may, by law, determine.

Article 24 –No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment.

Article 39(a) – The State shall direct its policy towards securing all citizens men and women, equally, the right to means of livelihood.

Article 39(d) – Equal pay for equal work for both men and women.

Article 39(e) enjoins the State to ensure that the health and strength of workers, men and women and the tender age of children are not abused and that the citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

Article 39(f) enjoins the State to ensure that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that the childhood and youth are protected against exploitation and against moral and material abandonment.

Article 42 – The State to make provision for ensuring just and humane conditions of work and maternity relief.

Article 45 -The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.

Article 51 (A)(e) – To renounce the practices derogatory to the dignity of women.

Article 243 G read with Schedule 11- provides for institutionalization of child care by seeking to entrust programmes of women and child development to Panchayat (item 25 of Schedule 11), apart from education (item 17), family welfare (item 25), health and sanitation (item 23) and other items with a bearing on the welfare of children.

Legal Provisions for Women and Children

I. Laws related to women

- ✍ Legal Practitioners (Women) Act, 1923
- ✍ Maternity Benefit Act, 1961
- ✍ Equal Remuneration Act, 1976
- ✍ Dowry Prohibition Act, 1961
- ✍ Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 (PNDT) amended in year 2003
- ✍ Prohibition of Child Marriage Act, 2006
- ✍ Crimes identified under IPC
- ✍ Immoral Traffic (Prevention) Act, 1956
- ✍ Dowry Prohibition Act, 1961
- ✍ Indecent Representation of Women (Prohibition) Act, 1986
- ✍ Commission of Sati (Prevention) Act, 1987
- ✍ Protection of Women from Domestic Violence Act, 2005
- ✍ Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013

II. Laws related to children

- ✍ The Guardian and Wards Act, 1890.
- ✍ The Immoral Traffic (Prevention) Act, 1956.
- ✍ The Young Persons (Harmful Publications) Act, 1956.
- ✍ The Child Labour (Prohibition and Regulation) Act, 1986.
- ✍ The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994.
- ✍ The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and distribution) Act, 1992 and its amendment Act in 2003.
- ✍ The Commissions For Protection of Child Rights Act, 2005
- ✍ The Juvenile Justice (Care and Protection of Children) Act, 2000 and its Amendment Act, 2006
- ✍ The Prohibition of Child Marriage Act, 2006
- ✍ The Protection of Children from Sexual Offences (POCSO) Act, 2012

**Subject allocated to the Ministry of Women and Child Development
(Mahila Aur Bal Vikas Mantralaya) vide Government notification
dated 16.2.2006**

1. Welfare of the family.
2. Women and Child welfare and co-ordination of activities of other Ministries and Organisations in connection with this subject.
3. Reference from the United Nations Organisations relating to traffic in women and children.
4. Care of pre-school children including pre-primary education.
5. National Nutrition Policy, National Plan of Action for Nutrition and National Nutrition Mission.
6. Charitable and religious endowments pertaining to subjects allocated to this Department.
7. Promotion and development of voluntary effort on subjects allocated to this Department.
8. Implementation of-
 - (a) The Immoral Traffic (Prevention) Act, 1956 (as amended upto 1986);
 - (b) The Indecent Representation of Women (Prevention) Act, 1986 (60 of 1986);
 - (c) The Dowry Prohibition Act, 1961 (as amended upto 1986);
 - (d) The Commission of Sati (Prevention) Act, 1987 (3 of 1988), excluding the administration of criminal justice in regard to offences under these Acts.
9. Implementation of the Infant Milk Substitutes, Feeding Bottles and Infant Food (Regulation of Production, Supply and Distribution) Act, 1992 (41 of 1992).
10. Coordination of activities and programmes of Cooperative for Assistance and Relief Everywhere (CARE).
11. Planning, Research, Evaluation, Monitoring, Project Formulations, Statistics and Training relating to the welfare and development of women and Children, including of gender sensitive data base.
12. United Nations Children's Fund (UNICEF).
13. Central Social Welfare Board (CSWB).

14. National Institute of Public Cooperation and Child Development (NIPCCD).
15. Food and Nutrition Board.
16. (i) Development and popularization of subsidiary and protective foods.
(ii) Nutrition extension.
17. Women's Empowerment and Gender Equity.
18. National Commission for Women.
19. Rashtriya Mahila Kosh.
20. Juvenile delinquency and vagrancy.
21. Probation of Juvenile offenders.
22. Issues relating to adoption, Central Adoption Resource Agency and Child Help Line (Childline).
23. The Children Act, 1960 (60 of 1960).
24. The Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of 2000).
25. The Child Marriage- Restraint Act, 1929 (19 of 1929).
26. Institutional and non-institutional services for the care and development of children in need including orphans and orphanages.

Annexure - IV

(As on 25.2.2016)

ORGANISATIONAL STRUCTURE OF MINISTRY OF WOMEN & CHILD DEVELOPMENT

Smt. Maneka Sanjay Gandhi, Minister, WCD

Sh. V. Somasundaran, Secretary

