

IndiaCode

The Women's and Children's Institutions (Licensing) Act, 1956

(ACT NO. 105 OF 1956)

[*As on the* 1*st June,* 2026]

THE WOMEN'S AND CHILDREN'S INSTITUTIONS (LICENSING) ACT, 1956

ARRANGEMENT OF SECTIONS

SECTIONS

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THE WOMEN'S AND CHILDREN'S INSTITUTIONS (LICENSING) ACT, 1956

ACT NO. 105 OF 1956

[30*th December*, 1956.]

An Act to provide for the licensing of institutions for women and children and for matters incidental thereto.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. Short title, extent and commencement.—(*1*) This Act may be called the Women's and Children's Institutions (Licensing) Act, 1956.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force in a State on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(*a*) "child" means a boy or girl who has not completed the age of eighteen years;

(*b*) "institution" means an institution established and maintained for the reception, care, protection and welfare of women or children;

(*c*) "licensing authority" means the State Government or such officer or authority as may be prescribed;

(*d*) "prescribed" means prescribed by rules made by the State Government under this Act;

(*e*) "woman" means a female who has completed the age of eighteen years.

3. Licensing of institutions.—After the commencement of this Act, no person shall establish or maintain an institution except under and in accordance with the conditions of a licence granted under this Act.

4. Application for licence.—Every person desiring to establish an institution shall make an application to the licensing authority in such form and containing such particulars as may be prescribed:

Provided that a person maintaining an institution at the commencement of this Act shall be allowed a period of three months from such commencement to make an application for a licence.

5. Grant of licence.—(*1*) On receipt of an application under section 4, the licensing authority, after making such inquiry as it considers necessary, shall, by order in writing, either grant thelicence or refuse to grant it.

(*2*) Where a licence is refused, the grounds for such refusal shall be communicated to the applicant in the prescribed manner.

(*3*) A licence, unless sooner revoked, shall remain in force for such period as may be specified in the licence and may, on application made in this behalf sixty days before the date of its expiration, be renewed for such period as the licensing authority may deem proper:

Provided that a licence may be renewed on an application made within sixty days before the date of its expiration if the licensing authority is satisfied that there was sufficient cause for not making the application earlier.

(*4*) Every licence granted under this Act shall be in the prescribed form and shall be subject to such conditions as may be prescribed:

Provided that any such condition may require that the management of an institution shall, wherever practicable, be entrusted to women.

(*5*) No fee shall be charged for the grant of a licence under this Act.

6. Licence not transferable.—A licence granted under this Act shall not be transferable.

7. Revocation of licence.—(*1*) Where any person to whom a licence has been granted under this Act, or any agent or servant of such person commits a breach of any of the conditions thereof, or any of the provisions of this Act, or any of the rules made thereunder, or where the licensing authority is not satisfied with the condition, management or superintendence of an institution, the licensing authority may, without prejudice to any other penalty which may have been incurred under this Act, for reasons to be recorded, revoke the licence by order in writing:

Provided that no such order shall be made until an opportunity is given to the holder of the licence to show cause why the licence should not be revoked.

(*2*) Where a licence in respect of an institution has been revoked under the foregoing sub-section, such institution shall cease to function from the date of such revocation:

Provided that where an appeal lies under section 8 against the order of revocation, such institution shall cease to function—

(*a*) where no such appeal has been preferred, immediately on the expiration of the period prescribed for the filing of such appeal;

(*b*) where such appeal has been preferred but the order of revocation has been upheld, from the date of the appellate order.

(*3*) On the revocation of a licence in respect of an institution, the licensing authority may direct that any woman or child who is an inmate of such institution on the date of such revocation shall be—

(*a*) restored to the custody of her or his parent, husband or lawful guardian, as the case may be; or

(*b*) transferred to another institution.

8. Appeals.—(*1*) Where the licensing authority is other than the State Government, any person aggrieved by an order of the licensing authority refusing to grant a licence or revoking a licence, may within such period as may be prescribed, prefer an appeal to the State Government against such refusal or revocation.

(*2*) The order of the State Government on such appeal and subject only to such order, the order of the licensing authority shall be final.

9. Penalty.—Any person who contravenes any of the provisions of this Act or of any rule made thereunder, or any of the conditions of a licence shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both.

10. Act not to apply to certain institutions.—Nothing in this Act shall apply to—

(*a*) hostels, or boarding houses attached to, or controlled or recognised by educational institutions; or

(*b*) any protective home established under the Suppression of Immoral Traffic in Women and Girls Act, 1956 (104 of 1956).

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

(*2*) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(*a*) the form of application for licence and the particulars to be contained therein;

(*b*) the form of licence and the conditions subject to which such licence may be granted;

(*c*) the management of institutions;

(*d*) the reception, care, protection and welfare of women and children in institutions, including all matters relating to their diet, clothing, accommodation, training and general conduct;

(*e*) the inspection of institutions;

(*f*) the maintenance of registers and account and submission of returns and audit of such accounts;

(*g*) the discharge from institutions of women and children and their transfer from one institution to another;

(*h*) the manner of filing appeals under this Act and the time within which such appeals shall be filed;

(*i*) the manner of service of orders and notices Under this Act;

(*j*) any other matter which is to be or may be prescribed.

12. Repeal and savings.—(*1*) As from the date of commencement in any State of this Act, any State Act corresponding to this Act in force in that State immediately before such commencement shall stand repealed.

(*2*) Notwithstanding the repeal by this Act of any State Act referred to in sub-section (*1*), anything done or any action taken (including any direction given, any register, rule or order made or any restriction imposed) under the provisions of such State Act shall in so far as such thing or action is not inconsistent with the provisions of this Act be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

Explanation.—In this section, the expression "State Act" includes a "Provincial Act".

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