

Bill No. 113 of 2022

THE CONSTITUTION (AMENDMENT) BILL, 2022

By

DR. NISHIKANT DUBEY, M.P.

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BILL

further to amend the Constitution of India.

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

1. (1) This Act may be called the Constitution (Amendment) Act, 2022.

Short title and
commencement.

5 (2) It shall come into force on such date as the Central Government may,
by notification in the Official Gazette, appoint.

Insertion
of new
article 44A.

2. After article 44 of the Constitution, the following article shall be inserted,
namely,—

Population
control.

“44A. The State shall take steps to control population growth by
promoting small family norms to achieve a stable population.”

Amendment of
article 51A.

3. In article 51A of the Constitution, after clause (k), the following clause 5
shall be inserted, namely,—

“(l) to adopt small family norms and work towards achieving a stable
population.”.

STATEMENT OF OBJECTS AND REASONS

India is world's second most populous country after China. Aggressive population control measures have led to a substantial decline in fertility rate in China and, according to a recent United Nations report, India is slated to become the world's most populous nation in the next decade.

India has had shown a state-sponsored family planning programme since 1951. Of late, the programme has shown some results. The total fertility rate (TFR) has fallen from around 6 at the time of independence, to around 2.3. The result of the programme have, however, been skewed. While the States in the southern part of India and most States in western India have been receptive to the idea of family planning, many States in the northern parts of the country, which also account for majority of our population, have not shown encouraging results. The larger States like Uttar Pradesh, Madhya Pradesh and Bihar still continue to have a high fertility rate nearing 3. So much so, that the gains of achievement of other States in population control have largely been neutralized by the rise in population in these States.

The benefits of collective efforts of nation building have been squandered by rise in population which is evident from economic data. India's per capita Gross Domestic Product in 1998 was \$413 and it has grown to about \$2016 in the year 2018. However, during this period our population is estimated to have grown from 1 billion to 1.4 billion. If we had a stable population during this period, the per capita GDP would have been higher by another forty percent. Certainly, a rising population limits the ability of the State to provide better quality of life to its citizens, since a large chunk of national income is spent on maintaining the existing facilities.

It is, therefore, essential that a more focussed approach is adopted, even if it requires a change of strategy. Towards this end, the Bill seeks to insert a new directive principle in Part IV of the Constitution enjoining upon the State to take all steps to control population growth by promoting small family norms and achieve a stable population. The Bill also makes it a fundamental duty for citizens to adopt small family norms and work towards a stable population of the country.

The Bill seeks to achieve the above objectives.

NEW DELHI;
22 November, 2021.

NISHIKANT DUBEY

ANNEXURE

[EXTRACTS FROM THE CONSTITUTION OF INDIA]

Fundamental
duties.

51A. It shall be the duty of every citizen of India—

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|-----|---|---|---|---|---|
| | * | * | * | * | * |
| (a) | * | * | * | * | * |
| (b) | * | * | * | * | * |
| (c) | * | * | * | * | * |
| (d) | * | * | * | * | * |
| (e) | * | * | * | * | * |
| (f) | * | * | * | * | * |
| (g) | * | * | * | * | * |
| (h) | * | * | * | * | * |
| (i) | * | * | * | * | * |
| (j) | * | * | * | * | * |

(k) who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the age of six and fourteen years.

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(Dr. Nishikant Dubey, M.P.)