

AS INTRODUCED IN LOK SABHA

Bill No. 272 of 2019

THE POPULATION CONTROL BILL, 2019

By

SHRI VISHNU DAYAL RAM, M.P.

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BILL

to provide for population control and for matters connected therewith.

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

1. (I) This Act may be called the Population Control Act, 2019.

Short title
and
commencement.

(2) It extends to the whole of India.

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

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

Definitions.

(a) "appropriate Government" means in the case of a State, the Government of the State and in all other cases, the Central Government; and

(b) "prescribed" means prescribed by rules made under this Act.

Central Government to encourage, promote and motivate small family norm.

Benefits to couples who opt to undergo sterilization.

Compulsory subject relating to population control in educational institutions.

Establishment of a Health Care Centre in every village of the country.

Minimum age for marriage.

Provisions relating to Government employees, etc.

Punishment.

Act to have overriding effect.

Power to make rules.

3. It shall be duty of the Central Government to encourage, promote and motivate married couples to opt for small family norm with a view to control the rising population in the country.

4. If either the husband or the wife in case of a married couple, who have only two living children on the date of commencement of this Act, voluntarily undergoes sterilization, the appropriate Government shall provide them with the following benefits, namely:—

- (i) free education including higher education to one child and to the second child, if any, born within one year from the date of commencement of this Act;
- (ii) suitable employment to one child after he completes his education; and
- (iii) such other benefits as may be prescribed.

5. The appropriate Government shall introduce population control as a compulsory subject in all educational institutions for all children who have attained the age of fifteen years, irrespective of class in which they are studying and the course they are pursuing.

6. (I) The Central Government shall set up a Health Care Centre in every village of the country with a view to create awareness about population control amongst the people.

(2) The Health Care Centres established under sub-section (I) shall disseminate such information amongst, and provide such assistance to masses, with regard to population control, as may be prescribed by the Central Government.

7. No marriage shall be solemnized between a male who is less than twenty-seven years of age and a female who is less than twenty-two years of age.

8. (I) Any person who is serving in connection with the affairs of the Union Government or of the State Government or in any undertaking or organization under the control of the Central Government or the State Government, as the case may be, and,—

(a) who has only one living child or who has not procreated any child or who is unmarried on the date of commencement of this Act, shall give an undertaking that he shall not procreate more than two living children,

(b) who has two living children on the date of coming into force of this Act, shall give an undertaking that he shall not procreate any child one year after the coming into force of this Act.

(2) Any person, violating the provisions of sub-section (I) shall be subject to such disciplinary action as may be determined by the appropriate Government.

9. Any person who contravenes the provisions of section 7 shall be punished with simple imprisonment for a term which shall not be less than five years and with fine which shall not be less than rupees twenty thousand.

10. The provisions of this Act shall have effect notwithstanding anything contained to the contrary in any other law for the time being in force.

11. (I) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act 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

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- 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
- 5 be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

Rapid increase in the population has given rise to many socio-economic problems like poverty, food and housing shortage, unemployment, environmental degradation, etc. We are the most populous country after China. If the present trend continues, it will not be possible for us to tackle the growing socio-economic problems. It is, therefore, imperative that certain effective steps are taken to check the increasing growth of our population. Since our resources are limited, proper upbringing of children is possible only when we opt for small family norm. Despite existence of various birth control measures and various family planning programmes, the problem of over population still remains.

The Bill, therefore, seeks to promote voluntary sterilization among the married couples having two children and also provides for certain measures like fixing the minimum age for marriages, promoting small family norm, introduction of a compulsory subject on population control in the school curricula for promoting and inculcating small family norm in the future generation.

Hence this Bill.

NEW DELHI;
October 30, 2019

VISHNU DAYAL RAM

FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for certain benefits to be given to those persons who undergo sterilization voluntarily. Clause 5 provides for introduction of a compulsory subject relating to population control in all educational institutions. Clause 6 provides for establishment of Health Care Centres in every village of the country to provide assistance and information regarding population control. The Central Government shall have to incur some expenditure for implementing the provisions of this Bill in respect of Union territories. The State Governments will incur expenditure in respect of their States out of their respective consolidated funds. The Bill, therefore, if enacted, would involve an annual recurring expenditure of about rupees one hundred crore from the Consolidated Fund of India.

A non-recurring expenditure of rupees ninety crore is also likely to be involved for establishment of Health Care Centres in every district.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purpose of the Bill. As the rules to be made relate to matters of detail only, the delegation of legislative power is of a normal character.

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