

AS INTRODUCED IN LOK SABHA

Bill No. 45 of 2022

THE POPULATION CONTROL BILL, 2022

By

SHRI C. P. JOSHI, M.P.

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BILL

*to provide for controlling the population of the country and for
establishment of National Population Control Committee
and for matters connected therewith.*

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 Population Control Act, 2022.

(2) It extends to the whole of India.

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

Short title,
extent and
commencement.

Definitions.

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

(a) “Committee” means the National Population Control Committee established under section 3; and

(b) “family” means mother, father and two or less than two children; and

(c) “prescribed” means prescribed by the rules made under this Act.

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CHAPTER II

NATIONAL POPULATION CONTROL AND PUBLIC WELFARE COMMITTEE

Establishment of
the National
Population
Control
Committee.

3. (1) The Central Government shall, with effect from such date as it may, by notification, specify, establish a Committee to be known as the National Population Control Committee.

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(2) The headquarters of the Committee shall be at New Delhi.

(3) The Committee shall consist of—

(a) the Union Minister of Planning, Chairperson, *ex-officio*;

(b) the Planning Ministers of all the States Members; and

(c) Secretaries of the Union Ministries of Planning, Health and Family Welfare, Statistics and Programme Implementation, Women and Child Development and Social Justice and Empowerment—Members, *ex-officio*.

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(4) The Central Government shall appoint such number of officers and employees as it may consider necessary for the working of the Committee.

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(5) The salaries and allowances to be paid and other terms and conditions of service of the officers and employees of the Committee shall be such as may be prescribed.

(6) The Committee shall follow such method for the conduct of its meetings and the quorum of such meetings shall be such, as may be prescribed.

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CHAPTER III

FUNCTIONS OF THE COMMITTEE

Functions of the
Committee.

4. The Committee shall,—

(a) formulate and implement a National Policy on two-child norm and review the policy every five years;

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(b) organise workshops and awareness programmes regarding population control;

(c) formulate plans regarding contraception and sterilization and other family planning measures and organize counselling sessions for couples with the aid of district administration;

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(d) ensure appointment of a Nodal Officer for family planning in every hospital from amongst the existing management in Government and private hospitals; and

(e) perform such other functions for carrying out the purposes of this Act, as may be prescribed.

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CHAPTER IV

INCENTIVES AND DISINCENTIVES

5. Every married couple, having two or less than two living children, shall be entitled to the following incentives by the Central Government:—

Incentives for the married couples with two or less than two living children.

5 (a) **free treatment for the whole family in Government Primary Health Centres;**

(b) if either of the married couple is a Government servant, then priority in promotion; and

(c) **scholarship for higher education to the children.**

10 6. If a married couple, having more than two living children at the commencement of this Act, procreates another living child one year after the commencement of this Act, then both the husband and the wife shall not be entitled to,—

Disincentives for the married couples with more than two living children.

15 (a) contest elections to Houses of Parliament, State Legislature, Panchayat and Municipal Corporation;

(b) exercise franchise right;

(c) benefits of Government schemes;

(d) Government jobs;

(e) benefits of Government scholarship or fellowship; and

20 (f) be engaged either directly or indirectly to a Government institution.

CHAPTER V

MISCELLANEOUS

25 7. The Committee shall prepare, in such form as may be prescribed, for each financial year an annual report giving an account of the activities undertaken during the previous financial year and submit a copy of that report to the Central Government.

Annual Report.

8. **The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide adequate funds to the Committee every year for carrying out the purposes of this Act.**

Central Government to provide funds.

30 9. The provisions of this Act shall apply notwithstanding anything contained in any other law for the time being in force.

Act to have overriding effect.

10. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purpose of this Act.

Power to make rules.

35 (2) Every rule made under this Act by the Central Government 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 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 be without prejudice to the validity of anything previously done under that rule.

STATEMENT OF OBJECTS AND REASONS

The population of India is the second largest in the world after the China. The population of the country has exceeded 130 crore and according to the United Nations, by the year 2027, the population of India will exceed that of China and India will become the most populous country in the world.

As the resources of the country are limited due to the population explosion, they are being depleting rapidly. A time will come when we will not have enough resources to fulfil the needs of the entire population. Therefore, it is necessary that the population be controlled well in time. China has been successful in controlling its population by making laws and implementing them strictly. There is also a need for a similar population control law in India so that the population can be controlled. The welfare of public is inherent in it.

Hence this Bill.

NEW DELHI;
February 3, 2022

C.P. JOSHI

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of a National Population Control Committee. It also provides for appointment of officers and employees to the committee.

Clause 5 provides for the incentives like free treatment to the whole family in Government providing health centres who is having two or less than two living children. Clause 8 provides that the Central Government shall provide adequate funds to the Committee. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India.

However, at this stage, it would be difficult to state the exact amount both recurring and non-recurring expenditure to be incurred from the Consolidated Fund of India on the constitution and functioning of the Committee.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As these rules will relate to the matter of detail only, the delegation of legislative power is of a normal character.

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