

**Bill No. I of 2017**

THE POPULATION (STABILISATION) BILL, 2017

A

BILL

*to increase the minimum age of marriage for woman from eighteen years to twenty one years and to establish a National Population Stabilisation Authority to look into the schemes to encourage two-child norm and having on appropriate gap between children, incentivising adoption, creating recreational centres in villages, formulating policies wherein certain minimum criteria is present before a family can start having children and for all matters connected herewith and incidental thereto.*

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

1. (1) This Act may be called the Population (Stabilisation) Act, 2017.

Short title,  
extent 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) "annual report" means a report giving the details of developmental activities taken up over the year by the authority and detailing about targets set and achieved.

(b) "Authority" means the National Population Stabilisation Authority  
10 established under section 4;

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

(d) "small family" means family having not more than two children.

Minimum age of marriage for woman.	<b>3.</b> Notwithstanding anything contained in any other law for the time being in force, the minimum age for marriage for woman shall be raised from eighteen year to twenty one year.	
Constitution of National Population Stabilisation Authority.	<b>4. (1) With effect from such date as the Central Government may, by notification, appoint, there shall be constituted, for the purposes of this Act, an Authority, to be known as the National Population Stabilisation Authority consisting of the following members, namely:—</b>	5
	<b>(a) Director General of Health Services, Ministry of Health and Family Welfare—<i>ex officio</i> Chairperson;</b>	
	<b>(b) Secretaries of the Union Ministries of Human Resource Development, Health and Family Welfare and Statistics and Programme Implementation—<i>ex officio</i> Members;</b>	10
	<b>(c) Director, International Institute of Population Sciences—<i>ex officio</i> Member;</b>	
	<b>(d) Director, National Institute of Health and Family Welfare—<i>ex officio</i> Member;</b>	
	<b>(e) Senior Research Officer or equivalent officer of Population Research Centres, Ministry of Health and Family Welfare—<i>ex officio</i> Member;</b>	15
	<b>(2) The Central Government shall appoint such number of officers and staff as it considers necessary for the functioning of the Authority.</b>	
	<b>(3) The salary, allowances and terms of conditions of services of officers and staff of the Authority shall be such, as may be prescribed.</b>	20
Meetings of the Authority.	<b>5. (1) The Authority shall meet at such times and places and shall observe such rules of procedure in regard to transaction of business at its meetings as may be prescribed by the Central Government.</b>	
	<b>(2) The expenditure incurred to attend meetings by the Members referred to in sub-clauses (a) to (e) of section 4, shall be borne by their concerned controlling authorities.</b>	25
Functions of the Authority.	<b>6. (1) the Authority shall discharge such functions as may be necessary to ensure stabilisation of population in the country and formulate a comprehensive policy within one year after its constitution under Sec. 4 (1) to achieve this objective.</b>	
	<b>(2) Without prejudice to the provisions contained in sub-section (1), the functions of the Authority shall include to:—</b>	30
	<b>(a) undertake a baseline study to collect data about small families and to help arrive at a qualitative human dignity index which shall be completed within one year of setting up of the authority;</b>	
	<b>(b) recommend to the Central Government, a framework to regulate families to have children based on certain minimum standards fixed, including the human dignity index;</b>	35
	<b>(c) formulate schemes to provide for subsidised health care, education upto college level for the first child and to the second child only if gap between children is greater than four years;</b>	
	<b>(d) provide for funds to help incentivise adoption of children;</b>	40
	<b>(e) establish recreational centres at panchayat level to host traditional art forms and also use them as medium to disseminate messages regarding family planning;</b>	
	<b>(f) recommend to the Central Government penalties to those who do not follow the said policies framed by the authority;</b>	
	<b>(g) undertake, promote and publish studies relating to the Indian population and the impact of developmental schemes on population stabilisation;</b>	45

(h) frame syllabus for including awareness about family planning in school curriculum;

(i) provide for free contraceptives and other hormone tablets through the recreational centres;

5 (j) conduct awareness campaigns relating to medical procedures regarding birth control and strive to improve sterilisation rates among men, in particular; and

(k) undertake such other activities as may be prescribed by the Central Government.

10 (3) The Authority shall disseminate any necessary knowledge and information collected, to the respective departments of the State Governments.

7. (1) The Authority shall prepare once every year, as may be prescribed, an annual report giving the summary of its activities, including schemes it has undertaken and recommended to the Government during the previous year and it shall contain statements of annual accounts of the Authority.

Annual report and its laying before the Parliament.

15 (2) A copy of the report shall be forwarded to the Central Government, and the Central Government shall lay the report before each House of Parliament as soon as it is received.

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

Government to provide funds.

20 9. If any difficulty arises in giving effect to the provisions of this Act, the Central Government, in consultation with the State Governments, may make such order or give such direction, not inconsistent with the provisions of this Act, as appears to it be necessary or expedient for the removal of any difficulty.

Power to remove difficulty.

25 10. The Central Government, in consultation with the State Governments, may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

## STATEMENT OF OBJECTS AND REASONS

According to the last census of 2011, the population of our country stood at 121 crores. The Government estimates that it is approximately 127 crores in 2016 and by 2025 it will be 139 crores. The annual rate of growth has been about 2 per cent with a total fertility rate at 2.3 per cent. India spans 2.4 per cent of the land area of the world but contains 15 per cent of the world population. One fact to note is that more than 50 per cent of this population is within the reproductive age of 18—50. Expert reports suggest that the population in India will stabilize only around the year 2045. This growing population creates enormous stress on infrastructure and leads to rapid usage of natural resources. This population pressure leads to deterioration of the quality of basic human sustenance.

Our country has the largest number of under-nourished children and malnourished woman. We have one of the highest number of illiterate children in the world. The huge population is one of the main reasons which has led to such a pathetic scenario. The primary infrastructure needed for survival is crumbling fast. This problem of un-controlled growth in population has various socio-economic reasons. One major factor is that families in our country, mainly in the rural areas, equate more kids to safer livelihood. The poverty prevalent in large parts of our country, creates a situation where more children means more hands to go to work and earn for the household. Another contributing factor has been social practices like child marriage or marriage at an early age which leads to a scenario where the first pregnancy happens early. Some studies also point out the idle lifestyle among people in villages, as a causative reason for this. Even though medical science has shown rapid advancements, lack of awareness among the rural parts of our country has still kept large portions of our society in darkness.

This Bill proposes to increase the minimum age of marriage of woman from 18 years to 21 years. This will ensure that the woman is better informed and attains greater mental maturity before having her first child. Also, it is proposed in this Bill to constitute a National Population Stabilisation Authority consisting of Members from the concerned Ministries and expert bodies. This body will be responsible for stabilizing the population growth in the country. It will recommend measures wherein, a family will be allowed to have a child only when certain basic living conditions are present and if they are absent, this body will take measures to provide for the same. It will also bring in schemes to provide for subsidised health care and higher education along with assured job opportunities for the first child. The same will be applicable for the second child only if the gap between two children is greater than four years and will be discontinued if the family has more than two children. It will work to frame a policy providing for greater incentives to the girl child. The body shall organise greater awareness campaigns regarding medical science relating to contraceptives and surgical birth control procedures. It shall also help develop recreational centres in rural areas which will host traditional art forms to keep the community engaged and also use it as a mode of spreading the Government's message.

This Bill, by providing a comprehensive plan to help stabilise the population, will help to fill the long pending void for a legislation in the area of population control. Development in both the social and economic aspects of the people is the best solution to control population and the independent body established by this Bill, will aim to work towards this objective. This will result in higher standards of living for the citizens of the country, thereby creating greater quality of human capital which is much needed in India's journey to become a developed superpower.

Hence this Bill.

VIVEK GUPTA

#### FINANCIAL MEMORANDUM

Clause 4 of the Bill provides for the constitution of National Population Stabilisation Authority and also appointment of such number of officers and staffs for its functioning. Clause 8 makes it obligatory for the Central Government to provide requisite funds for carrying out the purposes of this Bill. The Bill, therefore, if enacted, will involve recurring expenditure of rupees two thousand crore per annum from the Consolidated Fund of India. A non-recurring expenditure to the tune of rupees one hundred crore is also likely to be involved.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill gives power to the Central Government to make necessary rules for making rules, by notification in the official gazette for carrying out the purposes of the Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

RAJYA SABHA

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*(Shri Vivek Gupta, M.P.)*