

AS INTRODUCED IN THE RAJYA SABHA  
ON THE 3RD DECEMBER, 2021

**Bill No. XXXVII of 2021**

THE POPULATION CONTROL BILL, 2021

A

BILL

*to provide for measures to control the population in the country and for matters  
connected therewith and incidental thereto.*

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

1. (1) This Act may be called as the Population Control Act, 2021.

(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,  
commencement  
and  
application.

(4) Notwithstanding anything contained in any other law for the time being in force, this Act shall be applicable to all married couples including couples in a live in relationship, even if the boy is less than twenty-one years of age and the girl is less than eighteen years of age.

|   |   |    |
|---|---|----|
| Definitions   | <p><b>2.</b> In this Act, unless the context otherwise requires,—</p> <p>(a) “appropriate Government” means in the case of a State, the Government of that State and in all other cases, the Central Government;</p> <p>(b) “Committee” means District Population Stabilizing Committee set up under Section 5;</p> <p>(c) “employee of the Union Government” means any person who is serving in connection with the affairs of the Central Government or in any undertaking or organization under the control of the Central Government;</p> <p>(d) “Fund” means the National Population Stabilization Fund constituted under Section 10; and</p> <p>(e) “prescribed” means prescribed by the rules made under this Act.</p>   | 5  |
| Availability of contraceptives.                           | <p><b>3.</b> The Central Government shall ensure that contraceptives are available at all sub-health centres in the country and provided free of cost to EWS and BPL groups.</p>  |    |
| National Population Control Council.                      | <p><b>4. (1)</b> The Central Government shall constitute a National Population Control Council of which the Union Health Minister shall be the Chairman and State Health Ministers and Lt. Governor or Administrators in case of Union Territories shall be the Members.</p> <p>(2) The Council shall meet quarterly in first week of January, April, July and October to discuss the Population Control Program.</p>   | 20 |
| State Population Control Council.                         | <p><b>5. (1)</b> The State Governments shall constitute State Population Control Council of which the Health Minister or Lt. Governor/Administrators in case of Union Territories shall be the Chairman and District Magistrates and Chief Medical Officers shall be the Members.</p> <p>(2) The Council shall meet in the first week of every month to monitor the Population Control Program.</p>   | 25 |
| Setting of District Population Stabilisation Committee.   | <p><b>6. (1)</b> The appropriate Government shall set up district level monitoring committee to be known as District Population Stabilization Committee in all districts.</p> <p><b>(2) The Committee shall consist of;</b></p> <p>(a) the District Collector;</p> <p>(b) the Chief Medical Officer; and</p> <p>(c) One representative from each Panchayat Samiti in the district.</p> <p><b>(3) The Committee shall take steps to encourage the use of contraceptives and control the population growth rate in their concerned district in such manner as may be prescribed.</b></p> <p><b>(4) The first Sunday of every month shall be celebrated as Population Control Day and contraceptives etc. shall be provided free of cost to economically weaker sections and people below poverty line.</b></p> <p><b>(5) There shall be sterilization camps on first Sunday of every month in every hospital including primary-health centres and recognized private hospitals.</b></p> | 30 |
| Benefits to married couples for undergoing sterilization. | <p><b>7.</b> If both the husband and the wife, who have only one child, undergo sterilization/operation, the appropriate Government shall provide them with following benefits namely:—</p> <p>(a) preference for admission in Kendriya Vidyalaya and Navodaya Vidyalayas;</p>  | 35 |

- (b) preference for admission in institutes of Higher Education;
- (c) preference to the single child for selection in Government jobs;
- (d) fifty thousand rupees each to wife and husband as one time grant;**
- (e) such other benefits as appropriate Government deems fit.**
- 5        **8. If both the husband and the wife are living below the poverty line and having only one child, undergo sterilization/operation, in addition to the benefits granted under Section 8 by the appropriate Government, such married couple shall be eligible for payment from the Central Government a one-time lump sum amount of fifty thousand rupees if the single child is a boy or one lakh rupees if the single child is a girl.** Additional benefits for married couples living below the poverty line.
- 10       **9. Both the husband and the wife, who have more than two children after the commencement of this Act, shall be debarred from:—** Disincentives for the married couples with more than two children.
- (a) contesting Lok Sabha, State Legislature and Panchayat elections;
- (b) getting elected to the Rajya Sabha and State Legislative Council;
- (c) forming political party and becoming political office bearer;
- 15        (d) applying for State Government jobs of any category;
- (e) applying for Central Government jobs of any category;
- (f) applying for Private jobs of any category;
- (g) receiving any kind of subsidy including free food, free electricity, free water;
- (h) receiving any kind of loan from banks and financial institutions;
- 20        (i) receiving any kind of incentive, stipend and monetary benefits;
- (j) forming association or union or cooperative society;
- (k) practicing any profession and carrying out any occupation;
- (l) using right to vote, right to contest and right to form association.
- 25        **10. The appropriate Government shall introduce a compulsory subject explaining the adverse effects of population explosion and benefits of population control in all schools including recognized, unrecognized, minority education schools and essay competition and debates etc. will be organized every month.** Compulsory subject on Population Control.
- 11. (1) There shall be constituted a Fund called the National Population Stabilization Fund by the Central Government.** Constitution of National Population Stabilisation Fund.
- 30        **(2) The Central Government and the State Government shall contribute to the Fund in such a ratio as may be determined by the Central Government:**
- Provided that the ratio shall be such that the State with higher fertility rate shall contribute in higher proportion compared to the States with lower fertility rate.**
- 35        **(3) The money collected under the Fund shall be redistributed to the States and Union Territories that have implemented reforms to control population and have been able to significantly reduce their population growth rate, in such manner as may be prescribed.**
- 12. The Central Government shall provide adequate funds after due appropriation by the Parliament by law in this behalf, from time to time, for carrying out the purposes of this Act.** Provision for Central Government Employees.
- 40        **13. (1) After one year from the commencement of this Act, all employees of the Central and State Government shall submit an undertaking in writing to the respective appointing authority that they shall not procreate more than two children:** Undertaking by the Government Employees.

Provided that the employees who already have more than two children at the commencement of the Act shall submit an undertaking that they shall not procreate any more children.

Miscellaneous provisions.

**14.** (1) The Central and State Government, when recruiting employees, shall give preference to candidates having two or less than two living children.

5

(2) The employees of the Central and State Government already having two living children may be allowed to procreate one more child in case of disability of living child or any such circumstances as prescribed in the rules.

(3) An employee of the Central and State Government whose action is found to be in violation of any provision of this Act shall be liable for dismissal from service.

10

Power to make rules.

**15.** The Central Government may, by notification in the Official Gazette, make rules for carrying the purpose of this Act.

Power to override laws.

**16.** The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

## STATEMENT OF OBJECTS AND REASONS

At present, 125 crore Indians have AADHAAR, around 20 per cent *viz.* 25 crore are without AADHAAR, and around 5 crore Bangladeshi-Rohingya infiltrators illegally reside in India. From this, it is evident that the total population of our country is more than 150 crore and we have marched ahead of China. If we calculate natural resources, then we have around 2 per cent of agriculture land and 4 per cent drinking water of the world. However, our population is 20 per cent.

Russia is five times bigger than India but its population is 15 crores. China is three times bigger than India and population is 144 crores. America is three times bigger than India and its population is 33 crores. Canada is three times bigger than India and its Population is just 4 crores. Brazil is 2.5 times bigger than India and its population is 22 crores. Australia is 2.5 bigger than India and its population is 2.5 crores and we are now 150 crores. Similarly, 5000 children are born per day in Russia, 1000 children are born per day in Canada, 44000 children are born per day in China, 11000 children are born per day in America, 8000 children are born per day in Brazil, 900 children are born per day in Australia. But 70,000 children are born per day in India.

Population explosion is root cause of most of our problems including shortage of water, forests, land, bread, clothes and house, poverty and unemployment, hunger and malnutrition and air, water, soil and sound pollution. It is root cause of the crowds in trains, police stations, tehsils and jails, High Courts and Apex Court. Population explosion is the root cause of theft, dacoity and snatching, domestic violence, physical and mental harassment of women and separatism, fanaticism, stone pelting etc. From a survey, conducted on thieves, dacoits, snatchers, rapists and mercenaries, it is apparent that about 80 per cent criminals and offenders are such that their parents have not followed policy of “Ham Do - Hamare Do”. Therefore, it is evident from the above stated facts that population explosion is the basic cause of more than 50 per cent problems of India.

The Bill, therefore, seeks to introduce incentives for population control and provides for constitution of a National Population Stabilization Fund and National Population Control Council. It is vital for us to realize that population control and enforcement of two child norms are immediate measures, and steps such as providing contraceptives and encouraging family planning will play a stronger role in decreasing the population growth rate in long run.

Hence this bill.

HARNATH SINGHYADAV

## FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for establishment of District Population Stabilization Committees that would work to provide assistance and information regarding population control. Clauses 7 and 8 provide for cash amount to be given to couples as an incentive for population control. Clause 10 provides for the introduction of a compulsory subject on population control in schools of certain districts. Clause 11 provides for the establishment of the National Population Stabilization Fund. Clause 12 provides that the Central Government shall provide funds for carrying out the purposes of this Act. 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 five hundred crore rupees per annum from the Consolidated Fund of India. No non-recurring expenditure is likely to be involved.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 15 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of normal character.

RAJYA SABHA

---

A

**BILL**

to provide for measures to control the population in the country and for matters  
connected therewith and incidental thereto.

---

*(Shri Harnath Singh Yadav, M.P.)*