THE NATIONAL POPULATION (CONTROL AND STABILIZATION) BILL, 2020

A Bill to revitalize efforts and provide for measures to control and stabilize the population of the country by implementation and promotion of two child norm and for matters connected therewith and incidental thereto.

WHEREAS Article 38 of the Indian Constitution, inter-alia, as a directive principle of state policy casts a duty upon the state to secure a social order for promotion of welfare of the people by minimizing the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities amongst its citizens.

AND WHEREAS India is projected to become the world’s most populous country by with a gigantic projected population of 1.6 billion by 2024 surpassing China.

AND WHEREAS in India, given the limited resources ecological and economic resources at hand, it is necessary and urgent that the provision of the basic necessities of human life including affordable food, safe drinking water, decent housing, access to quality education, economic/livelihood opportunities, power/electricity for domestic consumption, and a secure living is accessible to all citizen.

AND WHEREAS it is necessary to stabilize the population of the country for promotion of sustainable development with more equitable distribution.

AND WHEREAS it is necessary to ensure healthy birth spacing through measures related to augmenting the availability, accessibility and affordability of quality reproductive health services to achieve the goal of population stabilization in the nation;

AND WHEREAS it is necessary to provide for measures to control and stabilize the population of the country by implementation and promotion of two child norm per eligible couple in the country by means of incentives and disincentive.

Be it enacted by Parliament in the Seventy First Year of the Republic of India as follows—

CHAPTER I

PRELIMINARY

1. Short title, Extent and Commencement —

   (1) This Act shall be called as the National Population (Control and Stabilization) Act, 2020.
(2) It shall extend to the whole of India.

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

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. Application— The provision of this Act shall apply to a married couple where the boy is not less than twenty-one years of age and the girl is not less than eighteen-years of age.

3. Definition— In this act, unless the context otherwise requires,—

(1) ‘act’ means The National Population (Control and Stabilization) Act, 2020;

(2) ‘appropriate government’ in case of state means, the government of that state and in other cases, the central government;

(3) ‘disability’ shall have the same meaning as the term ‘person with disability’ defined under Section 2 (t) of the Rights of Person with Disability Act, 2016;

(4) ‘fund’ means The National Population Fund constituted under Section 22 of this Act;

(5) ‘married couple’ means a married couple, the marriage of which has been solemnized legally and where the boy is not less than twenty-one years of age and the girl is not less than eighteen years of age;

Explanation - In cases, where the religious or personal law governing an individual allows for polygamous or polyandrous marriage, there may be a set of married couple, each of which shall consist of one man and one woman only, though the husband or wife, may be common in each set.

Illustration

(a) The personal law governing A allows polygamy. A has three wives B, C and D. A and B, A and C, and A and D shall be counted as three distinct married couple.

(b) The personal law governing B allows polyandry. B has two husbands A and C. B and A shall be counted as one married couple. B and C shall be counted as another married couple;
(6) ‘multiple birth’ means birth of two or more children out of the same pregnancy;

(7) ‘polygamy’, ‘polygamous’ means the practice wherein a man can marry more than one woman at the same time;

(8) ‘polyandry’, ‘polyandrous’ means the practice wherein a woman can marry more than one man at the same time;

(9) ‘prescribed’ means prescribed by rules made under this Act;

(10) ‘two-child norm’ means an ideal size of a family consisting of a married couple with two children.

CHAPTER II

OF INCENTIVES & DISINCENTIVES

Of Benefits & Incentives

4. Incentives to Central Government Employees etc.—Notwithstanding anything contained in any other law for the time being in force, the employee of Central Government or a Public Sector Enterprise under the control of Central Government who adopts two-child norm by undergoing voluntary sterilization operation upon himself or spouse, shall be given the following incentives—

(a) two additional increments during the entire services;

(b) subsidy towards purchase of plot or house site or built house from Housing Board or Development Authority of the Government, as may be prescribed by the Central Government;

(c) soft loan for construction or purchasing a house from banks on nominal rates of interest, as may be prescribed by the Central Government;

(d) rebate on income tax, as may be prescribed by the Central Government;

(e) rebate on charges for utilities such as water, electricity, water, house tax, as may be prescribed;

(f) paternity leave of 12 weeks, with salary and allowances;

(g) three per cent increase in the employer’s contribution under national pension scheme;

(h) free health care facility and insurance coverage to parents; and

(i) such other benefits and incentives, as may be prescribed.
5. **Additional incentives to Central Government employees, Public Sector employee etc.** — Notwithstanding anything contained in any other law for the time being in force, the employee of Central Government or a Public Sector Enterprise under the control of Central Government who have only one-child and undergo voluntary sterilization operation upon himself or spouse, in addition to the incentives provided under Section 4, shall be given the following incentives,—

(a) two additional increments during the entire services

*Provided that the additional increments provided shall be in addition to the increments provided under clause (a) of Section 4;*

(b) free health care facility and insurance coverage to the single child till he/she attain the age of twenty years;

(c) preference to single child in admission in all education institutions, including but not limited to Indian Institute of Management, All India Institute of Medical Science etc.;

(d) free education up-to graduation level;

(e) scholarship for higher studies in case of a girl child;

(f) preference to single child in government jobs; and

(g) such other benefits and incentives, as may be prescribed.

6. **Extension of incentive to general public** — (1) Notwithstanding anything contained in any other law for the time being in force, any individual other than the employee of Central Government or a Public Sector Enterprise under the control of Central Government, who adopts two-child norm by undergoing voluntary sterilization operation upon himself or spouse, shall be given the incentives and benefits as provided under clause (c), (d), (e) and (h) of Section 4, and such other benefits and incentives, as may be prescribed.

(2) Notwithstanding anything contained in any other law for the time being in force, any individual other than the employee of Central Government or a Public Sector Enterprise under the control of Central Government, who have only one-child and undergo voluntary sterilization operation upon himself or spouse, in addition to the incentives provided under sub-section (1) of this section, shall be given the incentives and benefits as provided under clause (b), (c), (d), (e) and (f) of Section 5, and such other benefits and incentives, as may be prescribed.
7. **Special Benefit to Couple Living under the Below Poverty Line.** — Notwithstanding anything contained in this act or any other law for the time being in force, a couple living below the poverty line, having only one-child and undergo voluntary sterilization operation upon himself or spouse shall be eligible for payment from the Central Government for a one-time lump-sum amount of rupees eighty thousand if the single child is a boy, and rupees one lakh if the single child is a girl.

Of Revocation of Benefits & Disincentives

8. **Disincentives, Revocation of Incentives etc** — Whosoever, after the commencement of this act, in contravention of two child norm procreates more than two children shall be ineligible to avail any incentives and benefits provided under Section (4) to Section (7), and, in addition thereto, shall be subject to additional disincentives as may be prescribed.

9. **Bar on contesting election to Lok Sabha, Rajya Sabha, State Legislature etc.** — (1) Notwithstanding anything contained in any election law for the time being in force, whosoever, after the commencement of this act, in contravention of two child norm procreates more than two children shall be ineligible to contest elections to Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government.

Provided that sub-section (1) shall not apply in cases of an individual, who is already a member of Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government, having more than two children at the time of commencement of this act.

(2) Every member of Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government, having more than two children at the time of commencement of this act, have to give an undertaking to the effect that they shall not act in contravention to the two-child norm.

(3) Every such application under sub-section (2) has to be made within a period of one year from the date of commencement of this act, in the manner as may be prescribed.

(4) If any action of a member of Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government, is found to be in violation of the undertaking given by him/her under sub-section (2), he/she shall be dismissed from his/her post as a members of Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government, as the case may be, with immediate effect and shall be debarred from contesting further election to Lok Sabha, Rajya Sabha, State Legislature or any body of the local self-government.
10. **Bar on applying to ‘Group A’ government jobs**— (1) Notwithstanding anything contained in any law dealing with employment of government employees for the time being in force, whosoever, after the commencement of this act, in contravention of two child norm procreates more than two children shall be ineligible to apply for ‘Group A’ government jobs under the Central or the State Government.

*Provided that this sub-section (1) shall not apply in cases of an individual, who is already a Group A government employee under the Central or the State Government.*

(2) Every ‘Group A’ government employee under the Central or the State Government, having more than two children at the time of commencement of this act, have to the effect that they shall not act in contravention to the two-child norm, in the manner as may be prescribed.

(3) Every such application under sub-section (2) has to be made within a period of one year from the date of commencement of this act.

(4) If any action of a ‘Group A’ government employee under the Central or the State Government, is found to be in violation of the undertaking given by him/her under sub-section (2), he/she shall be dismissed from his/her employment with immediate effect and shall be debarred from applying in future for any ‘Group A’ government jobs under the Central or the State Government.

11. **Bar on Promotion in government services:** Notwithstanding anything contained in any law dealing with employment of government employees for the time being in force, any employee of the government other than those under ‘Group A’ jobs of under the Central or State Government, after the commencement of this act, in contravention of two child norm procreates more than two children shall be ineligible to get promotion in government services.

*Provided that sub-section (1) shall not apply in cases of an individual, who is already a government employee under the Central or the State Government, having more than two children at the time of commencement of this act*

12. **Bar on receiving any kind of government subsidy**- Notwithstanding anything contained in any law dealing with subsidies provided by government, any individual who after the commencement of this act, in contravention of two child norm procreates more than two children shall be ineligible receive any kind of government subsidy.

*Provided that this sub-section shall not apply in cases of an individual, having more than two children at the time of commencement of this act*
CHAPTER III

OF GENERAL EXCEPTIONS

Of Multiple Birth and Adoption of Child

13. Multiple Birth out of Second Pregnancy - Notwithstanding anything contained in this act or any other law for the time being in force, an action of an individual shall not be deemed to be in contravention of the two child norm under this Act, if he/she having a child born out of the first pregnancy, subsequently have more than two children, as a result of multiple birth subsequently out of the second pregnancy.

Explanation— For the purpose of this section, the term multiple birth means birth of two or more children out of the same pregnancy.

Illustrations

(a) A and his wife B had a child born out of the first pregnancy on 01.01.2019. On 01.01.2021, they subsequently have two children born out of the second pregnancy. The actions of A and B are not in contravention to the two-child norm under this Act.

(b) A and his wife B had a child born out of the first pregnancy on 01.01.2019. On 01.01.2021, they subsequently have three children born out of the second pregnancy. The actions of A and B are not in contravention to the two-child norm under this Act.

(c) A and his wife B had two children born out of the first pregnancy on 01.01.2019. On 01.01.2021, they subsequently have two child-born out of the second pregnancy. The actions of A and B are in contravention to the two-child norm under this Act.

14. Adoption- Notwithstanding anything contained in this act or any other law for the time being in force, an action of an individual shall not be deemed to be in contravention of the two child norm under this Act, if he/she having two children conceived from his/her marriage adopts a third child under The Hindu Adoption and Maintenance Act, 1956 or The Juvenile Justice Act, 2015, The Guardians and Ward Act, 1890 or any other law for the time being in force dealing with adoption in India.

Explanation I— This section shall apply only for individuals who have two children born out of their marriage and have opted for an adoption of a third child.
**Explanation II**—This section shall not apply to individuals having no child or one child born out of his/her marriage, and subsequently has more than two children, as a result of adoption.

*Illustrations*

(a) A and his wife B have no child born out of their marriage. They have adopted two children subsequently. The actions of A and B are not in contravention to the two-child norm under this Act.

(b) A and his wife B have no child born out of their marriage. They have adopted more than two children subsequently. The actions of A and B are in contravention to the two-child norm under this Act.

(c) A and his wife B have a child born out of their marriage. They have adopted two children subsequently. The actions of A and B are in contravention to the two-child norm under this Act.

(d) A and his wife B have two children born out of their marriage. They have adopted one child subsequently. The actions of A and B are not in contravention to the two-child norm under this Act.

(e) A and his wife B have two children born out of their marriage. They have adopted two or more child subsequently. The actions of A and B are in contravention to the two-child norm under this Act.

*Of Death or Disability of Child*

15. **Disability of the first or second child**—Notwithstanding anything contained in this act or any other law for the time being in force, an action of an individual shall not be deemed to be in contravention of the two child norm under this Act, if the either, or both, of his/her children born out of the earlier pregnancy suffer from disability and the couple conceives a third child subsequently.

**Explanation** - The term ‘disability’ for the purpose shall have same meaning as the term ‘person with disability’ defined under Section 2 (t) of the Rights of Person with Disability Act, 2016.

*Provided that in no case shall the total number of children under this section shall be more than three, except in cases where there has been multiple birth.*
Illustrations

(a) A and his wife B had two children born out of the marriage. The first child suffers from disability. A and B subsequently have a third child born out of the marriage. The actions of A and B are not in contravention to the two-child norm under this Act.

(b) A and his wife B had two children born out of the marriage. The first child suffers from disability. A and B subsequently have third and fourth child born out of the same pregnancy as a result of multiple birth. The actions of A and B are not in contravention to the two-child norm under this Act.

(c) A and his wife B had two children born out of the marriage. Both the children suffer from disability. A and B subsequently have third and fourth child born out of the different pregnancies. The actions of A and B are in contravention to the two-child norm under this Act.

(d) A and his wife B had one child born out of the marriage. The child suffers from disability. A and B subsequently have second and third child born out of the same pregnancy as a result of multiple birth. The actions of A and B are not in contravention to the two-child norm under this Act.

(e) A and his wife B had one child born out of the marriage. The first child suffers from disability. A and B subsequently have second and third child born out of difference pregnancies. The actions of A and B are in contravention to the two-child norm under this Act.

16. Death of the child— Notwithstanding anything contained in this Act or any other law for the time being in force, an action of an individual shall not be deemed to be in contravention of the two child norm under this Act, if either, or both, of his/her children born out of the earlier pregnancy dies and the couple conceives a third child subsequently.

Provided that in no case shall the total number of children of the couple under this section shall be more than three, except in cases where there has been multiple birth.

Illustrations

(a) A and his wife B had two children born out of the marriage. The first child died. A and B subsequently have a third child born out of the marriage. The actions of A and B are not in contravention to the two-child norm under this Act.

(b) A and his wife B had two children born out of the marriage. The first child died. A and B subsequently have third and fourth child born out of the same pregnancy as a result of
multiple birth. The actions of A and B are in contravention to the two-child norm under this Act.

(c) A and his wife B had two children born out of the marriage. Both the children died. A and B subsequently have third and fourth child born out of the different pregnancies. The actions of A and B are in contravention to the two-child norm under this Act.

(d) A and his wife B had one child born out of the marriage. The child dies. A and B subsequently have second and third child born out of the same pregnancy as a result of multiple birth. The actions of A and B are not in contravention to the two-child norm under this Act

(e) A and his wife B had one child born out of the marriage. The first child dies. A and B subsequently have second and third child born out of subsequent pregnancies. The actions of A and B are in contravention to the two-child norm under this Act.

Of married couple expecting a child at the time of commencement of this act

17. Married couple expecting a child at the time of commencement of this act—

Notwithstanding anything contained in this act or any other law for the time being in force, an action of an individual shall not be deemed to be in contravention of the two child norm under this Act, if he/she already having two children conceived from his/her marriage, conceives a third child within one year from the date of commencement of this act.

Provided that in no case shall the total number of children of the couple under this section shall be more than three, except in cases where there has been multiple birth.

Of exceptions in cases of polyandrous or polygamous marriages

18. Effect of contravention of two-child norm in cases of polygamous marriages—

(1) Notwithstanding anything contained in this act or any other law for the time being in force, if actions of a husband of polygamous marriage is in contravention of the two-child norm, he shall be precluded from receiving any benefits and incentives under provided under this Act, and in addition as a consequence of such contravention, shall be liable to face the disincentives provided under this Act.

(2) Notwithstanding anything contained in this act or any other law for the time being in force, the mere fact that the actions of a husband of polygamous marriage is in contravention of the two-child norm, shall not preclude his wives and their children who are eligible for claiming incentives and benefits provided under this act.
Provided that in any case, if the actions of any of the wives of polygamous marriage is in contravention of two-child norm, she shall not be eligible for benefits and incentives provided under this act, and in addition for such contravention, shall be liable to face the disincentives provided under this Act

19. Actions when in contravention to two-child norm in cases of polygamous marriages— In cases of a polygamous marriages, where the husband has more than one wife—

(I) it shall be deemed that the action of the husband is in contravention of two child norm, if he has more than two children, from all his marital relationships.

Provided that in cases of multiple birth, where more than one child is born out of same pregnancy, all the children in excess of ‘one’ shall be counted as ‘one’ for the computation of total number of children.

Provided further that the first proviso shall not apply in case of multiple children born out of the first pregnancy of the first marriage of the husband with his first wife, and in such cases the number of children shall be counted as ‘two’

Illustrations to Sub-Section (I)

(a) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive a child. A subsequently marries C and conceive another child. A has a total of two children from all his marital relations and has not acted in contravention of two child norm.

(b) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive two children. A subsequently marries C and conceive another child. A has a total of three children from all his marital relations has acted in contravention of two child norm.

(c) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive two children, born out of the same pregnancy. A subsequently marries C and conceive another child. A has a total of three children from all his marital relationships has acted in contravention of two child norm.

(d) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive a child. A subsequently marries C and conceive three children, all the three children being born out of the same pregnancy as a result of multiple
birth. A has a total of two children from all his marital relations and has not acted in contravention of two child norm.

(e) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive a child. A subsequently marries C and conceive two children, both born at the time of same pregnancy. A has a total of two children from all his marital relationships and has not acted in contravention of two child norm.

(f) The personal law governing A allows polygamy. A with his first wife B conceive a child. A subsequently marries C, and after few-year marries D. A conceive another child with D. A has a total of two children and has not acted in contravention of two child norm.

(g) The personal law governing A allows polygamy. A with his first wife B conceive a child. A subsequently marries C, and after few-year marries D. A conceive two children with D, both born at the time of same pregnancy. A has a total of two children and has not acted in contravention of two child norm.

(2). it shall be deemed that the action of the wife of a polygamous marriage, is in contravention of two child norm, only if she has more than two children from her marital relationship with the husband, irrespective of the total number of children the husband may have from all his marital relationships.

Provided that in cases of multiple birth, where more than one child is born out of same pregnancy, all the children in excess of ‘one’ shall be counted as ‘one’ for the computation of total number of children.

Provided further that for computation of number of children of the wife only, the first proviso shall not apply in case of multiple children born out of the first pregnancy of the marriage, and in such cases the number of children shall be counted as ‘two’.

Illustrations to Sub-Section (2)

(a) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive two children. A subsequently marries C and conceive two more children. Here, though A may have acted in contravention of the two-child norm, however, B and C have not acted in contravention of the two-child norm.

(b) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceives a child and subsequently after a few years conceives two
more children born, out of the same pregnancy as a result of multiple birth. A subsequently marries C and conceive two more children. Here, though A may have acted in contravention of the two-child norm, however, B and C have not acted in contravention of the two-child norm.

(c) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceive a child. A subsequently marries C and conceive two more children, born out of the same pregnancy. A and C further conceive another child. Here, A and has acted in contravention of the two-child norm. Similarly, C has also acted contravention of the two-child norm. However, B has not acted in contravention of the two-child norm.

(d) The personal law governing A allows polygamy. A has two wives B and C. A with his first wife B conceives a child, and, subsequently after a few years conceive two more children born out of the same pregnancy as a result of multiple birth. A marries C after few years and further conceive two children with C. Here, though A may have not acted in contravention of the two-child norm, however, B and C have not acted in contravention of the two-child norm.

(e) The personal law governing A allows polygamy. A has three wives B, C and D. A with his first wife B conceives a child, and, subsequently after a few years conceive another child with her. A marries C after few years and further conceive two children with C. After a few years A marries D and conceives two more children. Here, though A may have not acted in contravention of the two-child norm, however, B, C and D have not acted in contravention of the two-child norm.

(f) The personal law governing A allows polygamy. A has three wives B, C and D. A with his first wife B conceives a child, and, subsequently after a few years conceive another child with her. A marries C after few years and further conceive two children with C. After a few years A marries D and conceives three more children. Here, besides A, D has acted in contravention of the two-child norm, however, B and C have not acted in contravention of the two-child norm.

20. Effect of contravention of two-child norm in cases of polyandrous marriages— In cases of a polyandrous marriages, where the wife has more than one husband, the Section 18 of this Act shall apply *mutatis mutandis*. 
21. Actions when in contravention to two-child Norm in cases of Polyandrous Marriages—In cases of a polyandrous marriages, where the wife has more than one husband, in order to determine whether the actions of husband or wife are in contravention of the two-child norm, Section 19 of this Act shall apply mutatis mutandis.

CHAPTER IV
NATIONAL POPULATION FUND

22. Constitution of National Population Fund—There shall be constitutes, as on such date notified by the Central Government, a Fund called the National Population Fund.


24. Utilization of National Population Fund—The money collected under the National Population Fund shall be redistributed to the States and Union Territories that have implemented reforms to control populations and have been able to significantly reduce their population growth, in such a manner, as may be prescribed.

CHAPTER V
DUTIES OF APPROPRIATE GOVERNMENT

25. Duties of Appropriate Government—The appropriate government shall—

(a) implement the Revised National Population Policy to achieve the goals mentioned therein;

(b) establish maternity centers at all the primary health centers;

(c) distribute contraceptive pills, condoms, etc through Healthcare Centres and Non-Governmental Organizations;

(d) encourage use of contraceptive pills, condoms, etc through Healthcare Centres and Non-Governmental Organizations;

(e) spread awareness about family planning methods through community health workers such as auxiliary nurse midwife or accredited social health activist;

(f) ensure mandatory registration of pregnancy, deliveries, birth and death across country;

(g) distribute iron and vitamin capsules and tablets amongst the expecting mothers;
(h) conduct regular vaccination and immunization drives to protect the children from various health risks;

(i) undertake efforts to encourage the husband-wife communication and male participation in family planning matters;

(j) organize massive information and education campaigns to generate public awareness related to the benefits of having small families and healthy birth spacing;

(k) form village level societies to encourage/disseminate benefits of small family norm, value of girl child and efforts to promote gender equality in all walks of life; and

(l) undertake such other measures as it may deem fit and expedient for the purposes of this Act.

26. Introduction of Population Control in School Curriculum— In addition to the duties mentioned in Section 21 of this Act, it shall be the duty of the appropriate government to introduce a compulsory subject relating to population control in all secondary schools.

27. Availability of Contraceptives— In addition to the duties mentioned in Section 21 of this Act, it shall be the duty of the appropriate government to ensure that contraceptives are available at reasonable rates at all sub-health centres in the country.

CHAPTER VI

MISCELLANEOUS

28. Overriding effect— Notwithstanding anything contained in any other law for the time being in force, the provisions of this Act and any rules, notification or circular made thereto under this Act shall have an overriding effect.

29. Savings— Save as otherwise expressly provided in this Act, the provision of this Act shall be in addition to and not in derogation of any other law for the time being in force in any part of the country.

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

(2) Every rule made under sub-section (1) 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 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.

31. **Power to remove difficulties**— If any difficulty arises in giving effect to the provisions of this Act, the Central Government may make such order or give such direction, not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for the removal of the difficulty:

*Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.*

*Provided further that every order made under this section shall be laid, as soon as may be after it is made before each house of the Parliament.*
STATEMENT OF OBJECTS AND REASONS

In today’s scenario, one has to take into account emerging development challenges, such as financial and economic issues (volatile energy situation, food prices and unemployment), environmental issues including climate change, shrinking base of agricultural land and negative ecological impact when we talk about demographic sustainability and development. India with more than 1.3 billion people stands today as the second most populous country in the world. In other words, close to 17 percent of global population resides here, and every sixth global citizen is an Indian. The heterogeneous demographic composition of India’s population presents multitude of opportunities and challenges with far reaching socio-economic, health, nutritional, and political implications that deserves a systematic scrutiny. As per the latest United Nation Population Projections, India is expected to surpass China by 2024 and shall become the most populous country with a population of 1.6 billion populations by 2050.

This gigantic population size with its inherent diversities present eminent challenges before national leaders and policy makers to ensure the provision of the basic necessities of human life including affordable food, safe drinking water, decent housing, access to quality education, economic/livelihood opportunities, power/electricity for domestic consumption, and a secure living. The increasing population has resulted in an increasing pressure on the country’s limited natural resources. As a result, the nation has witnessed a range of socio-economic issues in the past few decades such as large-scale environmental degradation, urban air pollution and the reduction in the size of agricultural holdings. Additionally, the state of the infrastructure in the country has failed to meet the demands of the growing population. Given the series of socio-economic issues arising as a result of overpopulation, it is important that India as a country starts focusing on steps to decrease population rather than just stabilizing it.

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

HENCE THIS BILL.
FINANCIAL MEMORANDUM

1. Clause 4 and 5 of the Bill provides certain benefit for government employees who adopt two-child norm.

2. Clause 6 of the Bill provides for extension of benefits to general public who adopt small family norm.

3. Clause 7 of the Bill provides for a lump sum cash amount to be given to married couple under the Below Poverty Line as an incentive for adopting two-child norm.

4. Clause 22 provides for establishment of National Population Fund and Clause 23 provides that the central and the state government shall contribute to the National Population Fund.

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8. Clause 22 provides for establishment of National Population Fund and Clause 23 provides that the central and the state government shall contribute to the National Population Fund in the ratio 2:1.

9. Clause 25 provides inter-alia for establish maternity centers at all the primary health centers, distribute contraceptive pills, condoms, etc through Healthcare Centres and Non-Governmental Organizations; distribute iron and vitamin capsules and tablets amongst the expecting mothers; conduct regular vaccination and immunization drives to protect the children from various health risks, undertake such other measures as it may deem fit and expedient for the purposes of this Act, etc.

10. Clause 26 provides for introduction of a compulsory subject relating to population control in all secondary schools.

11. Clause 27 provides for availability of contraceptives at subsidized rates at all sub-health centres in the country.
12. 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.

13. The Bill, therefore, if enacted, would involve an annual recurring expenditure of about seven hundred crore rupees per annum from the Consolidated Fund of India.

14. No non-recurring expenditure is likely to be involved.
MEMORANDUM REGARDING DELEGATED LEGISLATION

1. Sub-clause (1) of clause 30 of the Bill provides that the Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the proposed legislation.

2. Sub-clause (2) of clause 30 provides that every rule made under this clause shall be laid, as soon as may be after it is made, before each House of Parliament.

3. The matters in respect which the Central Government may make rules are matter of procedure and administrative details and it is not practicable to provide for them in the Bill itself. The delegation of Legislation power is, therefore, of a normal character.