

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

STARRED QUESTION NO:445

ANSWERED ON:27.04.2005

SUPREME COURT'S SUGGESTION FOR POPULATION CONTROL

Choudhary Shri Nikhil Kumar;Shakya Shri Raghuraj Singh

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the honourable Supreme Court suggested to the Government for enactment of a law for population control;
- (b) if so, the reaction of the Government thereto;
- (c) the concrete steps taken/proposed to be taken by the Government to control population;
- (d) the names of the States which have achieved the targets of population control/growth rate;
- (e) whether any proposal is under the consideration of the Government to reduce or withhold the financial assistance to those States which have not achieved the targets in this regard; and
- (f) if so, the details thereof?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS)

(a)to(f): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 445 FOR 27TH APRIL, 2005

(a) The Hon'ble Supreme Court of India, has in its judgment dated 30th July, 2003, in the case of Javed & Others versus State of Haryana & Others in Writ Petition No. 302 of 2001, upheld the provisions of the Haryana Panchayati Raj Act, 1994, debarring persons having more than two children from becoming Sarpanch or a Panch of a Gram Panchayat or member of Panchayat Samiti or Zila Parishad. The Hon'ble Court had stated that the rate of growth of population was alarming and posed a menace to be checked, and that no fault could be found with the State of Haryana for enacting such a legislation. It was for the others to emulate.

(b) The Union Government had already introduced the Constitution (79th Amendment) Bill in 1992, which aimed to disqualify a person having two or more children from election to either House of Parliament or State Legislature. This Bill has been pending in the Parliament for evolving consensus amongst political parties.

(c): The National Population Policy, 2000, adopted by Government affirms the commitment of Government towards voluntary and informed choice and consent of citizens while availing of reproductive health care services. The Policy is to address the unmet needs for contraception, health care infrastructure and health personnel, and to provide integrated service delivery for basic reproductive and child health care so as to bring the Total Fertility Rate (TFR) to replacement level by 2010 to achieve a stable population by 2045.

Various steps have been taken to stabilize the population of the country. These include adoption of National Population Policy (NPP), constitution of the National Commission on Population, registration of The National Population Stabilization Fund and constitution of an Empowered Action Group (EAG) for focused attention on 8 demographically weaker States. The Reproductive and Child Health (RCH) Programme was launched by Government in 1997 for provision of comprehensive reproductive, maternal, child health and contraceptive services to the people.

The Government have recently launched the National Rural He

(d) The National Population Policy, 2000, aims at attainment of Total Fertility Rate of 2.1 by 2010. Nine States/Union Territories namely Tamil Nadu, Kerala, Goa, Nagaland, Delhi, Pondicherry, A&N Islands, Chandigarh and Mizoram have already achieved the desired Total Fertility Rate of 2.1 or less. Eleven other States and Union Territories viz. Karnataka, Andhra Pradesh, West Bengal, Maharashtra, Punjab, Himachal Pradesh, Manipur, Arunachal Pradesh, Lakshadweep, Daman and Diu and Sikkim have achieved Total Fertility Rate of less than 3.0.

(e) & (f): No, Sir. The goal of achieving population stabilization can be attained only through socio economic development and improved access to family welfare services, especially in the underserved areas of the country. Linking financial assistance to attainment of goal of Total Fertility Rate may lead to a compulsive and dysfunctional approach for various family planning procedures at field levels, which is against the spirit of National Population Policy. However under the Gadgil formula being used by Planning Commission for release of Central Assistance to States, weightage is given for performance in attaining the levels of Birth Rate (BR)

and Infant Mortality Rate (IMR).