

highlighted its problems like unemployment, under-employment, low-wages, lack of amenities, inadequate housing, lack of organisations, all of which result in a low standard of living. In September 1978, the Government constituted a Central Standing Committee on Rural Unorganised Labour to advise Government on the various administrative and legislative measures for improving the socio-economic conditions of the rural unorganised labour and for promoting their organisations. One of the important terms of reference of the Standing Committee was to advise on ways and means of removing unemployment and under employment in rural areas through employment generating schemes.

The Standing Committee constituted three Sub-Committees

- (i) to prepare the framework of a Central Bill to regulate the wages and conditions of employment of agricultural workers and to provide a machinery for the settlement of disputes and claims;
- (ii) to review the procedure and practices in identifying and freeing bonded labourers and recommend what improvements could be brought about to make them more effective;
- (iii) report on the administrative and legal measures necessary to strengthen the organisation of rural workers and give proper attention to rural workers, training and education.

The Sub-Committees mentioned at (i) and (ii) have finalised their reports and the report of the Sub-Committee at item (iii) is expected to be finalised shortly. Reports of all the Sub-Committees will be placed before the Central Standing Committee on Rural Unorganised Labour at its meeting to be convened shortly. The Standing Committee will then recommend further action to the Government.

The Draft Five Year Plan 1978-83 envisages massive shift of resources in favour of rural areas. Government have launched several special schemes such as the Small Farmers' Development Programmes, the Integrated Rural Development Programme, the Drought Prone Areas Programmes and the Desert Development Programme for increasing the employment level of agricultural labour. The objective of these schemes is the development and optimum utilisation of all available resources in the programme areas and thereby assisting the weaker sections to take to productive activities—like dairing, poultry, sheep rearing and wool production, piggery etc. The beneficiaries are assisted with loans and subsidies as well as with technical advice. Government have also given high priority to irrigation development both with a view to increasing total food production and the labour absorption capacity of agriculture. Further implementation of existing labour laws, education of rural workers through Rural Labour Camps, rehabilitation programmes for bonded labour, etc. are some of the other measures being taken to improve the conditions of unorganised agricultural labour.

**Seminar on "Law as an Instrument of Population Control in India"**

387. SHRIMATI MOHSINA  
KIDWAI:

SHRI TARIQ ANWAR:

will the Minister of HEALTH be pleased to state:

(a) whether, at a Seminar recently held in New Delhi on "the Law as an Instrument of Population Control in India", a number of suggestions were made to achieve the objective;

(b) if so, the salient features thereof; and

(c) the reaction of Government thereto?

THE MINISTER OF STATE IN THE  
MINISTRY OF HEALTH

SHRI NIHAR RANJAN LASKAR:

(a) Yes, a Seminar on "Law as an Instrument of Population Control in India" was held in New Delhi from 9—11th Feb. 1980 and some suggestions have been made.

(b) The salient features of the suggestions made at the Seminar are given in the Press Release dated 11-2-80 issued at the end of the Seminar by the Director of the Project, a copy of which is attached.

(c) the Govt. has not received a full report from the organisers of the Seminar. While due consideration will be given to all helpful suggestion, it is the firm view of the Govt.

U. N. PROJECT ON LAW &  
POPULATION STUDY IN INDIA

National Seminar on Law as an  
Instrument of Population Control  
in India

The three day Seminar on Law as an Instrument of Population Control in India organised under the auspices of the U. N. Project on Law and Population Study in India concluded in Delhi on 11th of February, 1980. This was a multidisciplinary Seminar in which besides the law teachers from different Universities and Research Institutions from all over the country, eminent Demographers, Sociologists, Medical Doctors, Administrators and Parliamentarians also participated. Supreme Court Judges, Mr. Justice V. R. Krishna Iyer & Mr. Justice R. S. Pathak and Mr. Justice Harish Chandra of Delhi High Court presided over three of the business sessions. The fourth business session was presided over by Dr. R. K. Sanyal, Director of the National Institute of Health and

Family Welfare. The Seminar was inaugurated at the Law Faculty of Delhi University on 9th February, 1980 by Dr. Nagendra Singh, Vice President of the International Court of Justice and presided over by the Vice Chancellor of Delhi University, Professor U. N. Singh. The Valedictory session was presided over by Professor K. B. Rohatgi, Professor of Law and Director of South Campus of Delhi University. The Seminar Director was Dr. P. S. Sanyal of the Faculty of Law of Delhi University who is also the Director of the U. N. Project. All the important aspects of control of population through law were discussed in great detail at the Seminar. Briefly speaking, the subjects discussed were: Fertility Regulation, Family Law, Children and Child Welfare, Criminal Offences and Penology, Public Welfare, Public Health, Education, Property and Economic Factors.

Twenty papers were presented at the Seminar by the eminent Participants.

There was consensus of near-consensus on the following points:—

(1) Law should be used in increasing measure for the purpose of population control. This is necessary, *inter alia*, for avoiding arbitrariness in the implementation of the population schemes by various Government agencies. Law should be used more and more as a stimulant for voluntary action in matters of population control.

(2) There should be a more prominent mention of Population Control in the Constitution of India. Different suggestion in this regard which were mooted were:

- (a) To put population Control as a Directive Principle in Part IV of the Constitution:
- (b) To put Family Planning in the chapter on Fundamental Duties in the Constitution of India.

(c) To put it down as a fundamental right of the women in the Constitution. The essence of this recommendation was that an obligation should be imposed on the Government machinery to provide the necessary means for family planning at the door step of each family.

(3) Marriage should be compulsorily registered.

(4) The law in regard to compulsory registration of births and deaths should be properly implemented, particularly in the villages.

(5) The State should institute, as far as possible, measures in regard to social security so that the parents do not seek social security through larger number of children.

(6) The Adoption Bill formerly sought to be enacted, should be liberalised and enacted on priority basis.

(7) It was felt that there is a very important linkage between the status of women and fertility. Therefore, the status of women should be raised, not only in the eyes of the law but in actual practice also.

(8) That great emphasis should be laid on the introduction of population education at all levels of education.

(9) The facilities for medical termination of pregnancy should be made available in the rural area also.

(10) The land laws in regard to ceiling should be amended so that larger number of children do not increase the ceiling, thus setting a premium on having a large family.

(11) Proper use should be made of taxation laws in order to propagate a small family norms.

(12) The legislators and the administrators should be educated about the urgent need for Family planning, and the role which law can play in this regard.

**Benefit of Additional increment to Central Government employees after sterilization of his/her spouse**

388. SHRI UTTAMRAO PATIL: Will the Minister of HEALTH be pleased to state:

(a) whether it is a fact that Central Government employees or his/her spouse who had undergone sterilization before 4th December, 1979 or during 'Janata Regime' are not entitled to enjoy the benefit of additional increment and if so, the reasons thereof;

(b) whether Government propose to provide facilities for additional increment to the Government servants who had undergone sterilization before 4th December, 1979 during Janata Regime; and

(c) if not, the reasons therefor?

THE MINISTER OF EDUCATION AND HEALTH AND FAMILY WELFARE (SHRI B. SHANKARANAND):

(a) Yes; because these orders about special increment were issued on 4th December 1979, and are applicable prospectively.

(b) & (c). It is in keeping with Government of India's general policy of giving only prospective effect to the orders containing financial implications that the aforesaid orders have been given effect from the date of issue. Since an exception cannot be made in this case and since it would be very difficult to fix a back date which would be universally acceptable, it is not possible to extend the concession to employees who underwent the operation before the issue of orders. This would also create problems in regard to other concessions/incentives.

**Late running of Jhelum Express**

389. SHRI UTTAMRAO PATIL: Will the Minister of RAILWAYS be pleased to state:

(a) whether it is a fact that Jhelum Express from Pune to Jammu Tawi is always running late;