

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:1766  
ANSWERED ON:12.12.2003  
ELIGIBILITY FOR CONTESTING ELECTIONS  
PRABODH PANDA

**Will the Minister of LAW AND JUSTICE be pleased to state:**

(a) whether the Government propose to formulate a law for prohibiting a person from contesting in General Election and Assembly Election if he/she had more than two children; and

(b) if so, the details in this regard?

**Answer**

MINISTER OF STATE FOR LAW AND JUSTICE (SHRI P.C. THOMAS)

(a) and (b): The Ministry of Health and Family Welfare has informed that a Bill, namely, the Constitution (Seventy-Ninth Amendment) Bill, 1992 was introduced in Rajya Sabha on 22nd December, 1992, which seeks to amend the Directive Principles of State Policy to provide that the State shall endeavor to promote population control and the small family norm. Under the provisions of the Bill, a person shall be disqualified for being chosen as, and for being a member of either House of Parliament or the Legislative Assembly or, as the case may be, either of the Legislature of the State, if he/she has more than two children. However, it will not apply to those who already have more than two children or those who beget an additional child within one year of the commencement of the Act. Thus the Bill is not applicable to persons who beget an additional child within one year of the commencement of the Act. The Bill is pending for consideration and passing before the Rajya Sabha.