



सत्यमेव जयते

small family norm committee

REPORT
1968



Ministry of Health,
Family Planning and
Urban Development,
Department of Family Planning,
Government of India

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**small
family
norm
committee**

REPORT
1968



GOVIND NARAIN, I. C. S.,
Chairman, Small Family
Norm Committee

D. O. No. 1-7/68-Sterl. (FP)

SECRETARY
Ministry of Health, Family Planning
and Urban Development
Nirman Bhavan

New Delhi, the 24th September, 1968.

Dear Shri Sinha,

The report of the Small Family Norm Committee set up vide Resolution No.5-1/67-C&C(FP), dated the 28th January, 1967, and 5th July, 1967, by the Government of India, Ministry of Health and Family Planning, on the recommendation of the Central Family Planning Council, to study and make recommendations on proposals about incentives as well as disincentives needed to push up the Family Planning Programme, is submitted herewith.

The Committee issued a questionnaire to various individuals and organizations as also interviewed people from various walks of life at some places in the country. The Committee also studied the present conditions in this country as also in some foreign countries. The various relevant laws and rules were also studied. After taking into consideration all these factors, the Committee has come to certain conclusions which are presented in the form of recommendations enunciated in the body of the report. .

With kind regards,

Yours sincerely,


(GOVIND NARAIN)

Shri Satya Narayan Sinha,
Union Minister,
Ministry of Health, Family Planning
and Urban Development,
Nirman Bhavan,
NEW DELHI.

SMALL FAMILY NORM COMMITTEE

LIST OF MEMBERS

Chairman

Shri Govind Narain,
Secretary,
Ministry of Health, Family Planning and Urban Development,
New Delhi.

Members

Dr. (Shrimati) Maitreyee Bose, M.P.,
Vice-President,
Indian National Trade Union Congress,
New Delhi.

Shrimati Avabai B. Wadia,
President,
Family Planning Association of India,
Bombay.

Shri Homi J.H. Taleyarkhan,
Currimbhoy Manor,
Bhulabhai Desai Road,
Bombay-26.

Shri B.V. Pai,
Manager,
Tata Oil Mills Company Limited,
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Shri Ram Nath A. Podar,
Federation of Indian Chambers of Commerce and Industry,
New Delhi.

Shri A.K. Jain,
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Hind Mazdoor Sabha,
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Shrimati Usha Gupta,
General Secretary,
All India Medical and Health Employees Federation,
Calcutta.

Shrimati Lakshmi Raghuramiah,
General Secretary,
All India Women's Conference,
6, Bhagwan Dass Road,
New Delhi.

Shri D. Paul Chowdhry,
Central Social Welfare Board,
Jeevan Deep Building,
Parliament Street,
New Delhi.

Shri N.F. Kaikobad,
Honorary General Secretary,
Indian Council of Social Welfare,
Bombay.

Shri Jatin Chakraverty,
Secretary,
United Trades Union Congress,
249, Bepin Behari Ganguly Street,
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Dr. P.R. Trivedi,
President,
Indian Medical Association,
Ellis Bridge,
Ahmedabad.

Shri J.N. Tewari,
Director,
Socio-Economic Research,
Planning Commission,
New Delhi.

Shri D.J. Madan,
Joint Secretary,
Ministry of Finance (W & H Division),
Nirman Bhawan,
New Delhi.

Dr. M.J. Bhatt,
Medical Commissioner,
Employees' State Insurance Corporation,
New Delhi.

Shri S.P. Jain,
Officer-on-Special Duty (Evaluation),
Ministry of Health, Family Planning and Urban Development
(Department of Family Planning),
New Delhi.

Member-Secretary

Dr. Dipak Bhatia,
Commissioner (Family Planning).

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CHAPTER I

INTRODUCTION

1.1 Ever since independence, India has been striving hard to bring about all-round economic development in the country and improvement in the standards of living of the people. Considerable strides have been made, but the continuously rising population has given a new dimension to the economic problems of the country. Currently, the population is increasing at the alarming rate of about 13 millions per year. The problem of providing the wherewithal to support these additional numbers, over and above the existing population of nearly 520 millions, has been a matter of grave concern and has stimulated thoughts about measures which may be adopted to check such unrestricted population growth.

1.2 Taking note of the situation and of the suggestions made to solve it, the Central Family Planning Council at its meeting held on January 3, 1967, passed a resolution (Appendix I) recommending the constitution of a Committee to consider proposals like no-birth bonus, modification of maternity benefits, children's allowance and such other incentives and disincentives as may be desirable to help people accept and practise the small family norm.

Appointment of the Committee

1.3 Pursuant to the Resolution of the Central Family Planning Council, the Ministry of Health and Family Planning (Department of Family Planning) vide its Resolution No.5-1/67-C&C(FP) dated January 28, 1967 (Appendix I-A) constituted a Committee to study and make recommendations on proposals concerning incentives to be given and disincentives to be applied for popularising and encouraging the small family norm.

1.4^a The Committee was asked to present its report by June 30, 1967. This date was subsequently extended to March 31, 1968 and then to July 31, 1968, vide Ministry of Health and Family Planning (Department of Family Planning) Resolution No. 5-1/67-C&C(FP) of July 5, 1967 and Ministry of Health, Family Planning and Urban Development (Department of Family Planning) Resolution of even Number of June 5, 1968 respectively. The date was further extended to 31st October, 1968 vide another resolution of even number dated 2nd August, 1968.

Nomenclature of the Committee

1.5 The Committee was named as "Small Family Norm Committee" vide Ministry of Health and Family Planning (Department of Family Planning) Resolution No. 5-1/67-C&C(FP) of July 5, 1967 (Appendix I-B).

Members of the Committee

1.6 The following were the members of the Committee vide Resolution of July 5, 1967 (Appendix I-B):-

1. Shri Govind Narain, Chairman
Secretary,
Ministry of Health, Family Planning
and Urban Development,
New Delhi.
2. Shrimati Avabai B. Wadia, Member
President,
Family Planning Association of India,
Bombay.

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| 3. | Dr. (Shrimati) Maitreyee Bose, M.P.,
Vice-President,
I.N.T.U.C., New Delhi. | Member |
| 4. | Shri Ram Nath A. Podar,
Federation of Indian Chambers of
Commerce and Industry,
New Delhi. | Member |
| 5. | Shri C.H.S. London,
Employers' Federation of India,
Bombay. | Member |
| 6. | Shri A.K. Jain,
All India Organization of Industrial
Employers,
11, Clive Row,
Calcutta. | Member |
| 7. | Kumari Maniben Kara,
Hind Mazdoor Sabha,
7, Hughes Road,
Bombay-26. | Member |
| 8. | Shrimati Usha Gupta,
General Secretary,
All India Medical & Health Employees
Federation,
Calcutta. | Member |
| 9. | Shrimati Lakshmi Raghuramiah,
General Secretary,
All India Women's Conference,
6, Bhagwan Dass Road,
New Delhi. | Member |
| 10. | Shri D. Paul Chowdhry,
Central Social Welfare Board,
Jeevan Deep Building,
Parliament Street,
New Delhi. | Member |
| 11. | Shri N.F. Kaikobad,
Hony. General Secretary,
Indian Conference of Social Work,
Bombay. | Member |
| 12. | Shri J.N. Tewari,
Director, Socio-Economic Research,
Planning Commission,
New Delhi. | Member |
| 13. | Shri Jatin Chakravarty,
Secretary,
United Trades Union Congress,
249, Bepin Behari Ganguly Street,
Calcutta-12. | Member |
| 14. | Dr. Bholu Nath,
President,
Indian Medical Association,
Varanasi (U.P) | Member |
| 15. | Dr. M.J. Bhatt,
Medical Commissioner,
Employees' State Insurance Corporation,
New Delhi. | Member |

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| 16. | Shri D.J. Madan,
Joint Secretary,
Ministry of Finance (W. & H. Division),
Nirman Bhavan,
New Delhi. | Member |
| 17. | Shri S.P. Jain,
O.S.D. (E),
Ministry of Health, F.P. & U.D.,
Department of Family Planning,
New Delhi. | Member |
| 18. | Dr. Dipak Bhatia,
Commissioner,
Family Planning. | Member-Secretary |

1.7 The following name was subsequently added to the Committee vide this Ministry's Resolution No. 5-1/67-C&C(F P), dated the 27th December, 1967 (Appendix I-C):-

1. Shri Homi J.H. Taleyarkhan,
Currimbhoy Manor,
Bhulabhai Desai Road,
Bombay-26.

Subsequently the following changes in representation were made:-

1. Shri B.V. Pai, Manager,
M/s Tata Oil Mills Co. Ltd.
Tata Puram, Ernakulam-4, for
Shri C.H.S. London to represent the
Employers' Federation of India,
Bombay.
2. Dr. P.R. Trivedi, President,
Indian Medical Association,
for Dr. Bhola Nath, representing the
same association.

Programme of work

1.8 In order to consider incentives and disincentives to popularise the acceptance and practice of the small family norm, the Committee adopted the following procedure:

- (i) studying factors contributing to small family size in various countries and societies and their application to Indian conditions (Appendix IX);
- (ii) issuing a questionnaire (Appendix II) to various representative groups and organizations;
- (iii) interviewing selected leaders of public opinion at Bombay, Jaipur, Bangalore, Madras and Calcutta to benefit from their suggestions and opinions; and
- (iv) analysing the data received through (ii) and (iii) mentioned above (Appendix II-A).

1.9 Having collected relevant information, the Committee considered the bases on which the suggestions made could be further examined.

1.10 The following chapters deal in detail with the work thus done and the resulting recommendations.

Acknowledgements

1.11 The Committee is grateful to all those who replied to its questionnaire or gave evidence before it. The Committee is also obliged to all those who responded to its request for the information needed in the preparation of this report.

FACTORS INFLUENCING ADOPTION OF A SMALL FAMILY NORM

Commissioner,
Family Planning

Process of adoption in advanced countries

2.1 Under the impact of the economic and social development, couples in the industrially advanced countries took individual decisions to control fertility. This helped to bring about a gradual reduction in their population growth rates. Initially, these countries had experienced high birth rates and high death rates. Economic development which involved "evolution from a predominantly agrarian peasant economy to an economy with a greater division of labour, using more elaborate tools and equipment, more urbanised, more oriented to market sale of its products, and characterised by rapid and pervasive change in technique" (1) along with, "improvements in transportation, communications and productivity", (2) enabled these countries to reduce mortality. "The reduction in death rates may be ascribed partly to greater regularity in food supplies to the establishment of greater law and order, and to other fairly direct consequences of economic change. Other factors contributing to the decline - improvements in sanitation, the development of vaccines and other means of preventive medicine, and great and rapid strides in the treatment of diseases - can themselves be considered as somewhat indirect consequences of economic change. (3) "It is often hard to determine in a given historical period whether general economic conditions or specific medical advances had the greater effect" (4) Anyway, the consequence was that there was an era of high birth rate and lowered death rate leading to an accelerated population growth. The population pressure thus created was mostly relieved by emigration to lands having scope for exploitation. Side by side, industrial advancement in the West unleashed a set of socio-economic forces which motivated individual couples to accept the small family norm. Birth rate declined and eventually both birth and death rates stabilised at lower levels.

There are different theories about factors leading to this course of events. One view is that the onset of fertility decline is linked with economic change which made restriction of family size necessary for the maintenance and advancement of living standards in the rising middle classes. The other view is that industrial urbanisation led to a more complex division of labour in all spheres of life and the associated high rate of social and physical mobility. These developments affected the social structure and children ceased to be productive assets to the parents and, in fact, became impediments in the realization of the rewards of urban society. It is, however, generally agreed that mass adoption of contraception was the most important change that led to the decline in fertility in the Western countries.

Demographic situation in India

2.2 Compared to the developed countries the present situation in developing countries like India is in sharp contrast. The powerful motive force of industrialised urbanisation is in our situation comparatively weak. Whatever gains accrue from economic and social developments are, more or less, swallowed by the demands of a rapidly growing population. The table in Appendix VII shows the population of Indian Union from 1901 to 1961, the decadal growth rate, and

The following chapters deal in detail with the work done and the resulting recommendations.

- (1) Ansley J. Coale and Edgar M. Hoover, "Population Growth & Economic Development"
- (2) Ibid.
- (3) Ibid.
- (4) Ibid.

The Committee is obliged to all those who responded to its request for the information in the preparation of this report.

the estimated birth and death rates. It would be seen that upto 1921 the growth rate was small, even negative. The death rate, more or less, equalled the high birth rate. Famines and large scale epidemics like cholera, small-pox, plague and malaria accounted for high mortality. Since 1921, death rate has declined primarily due to better distribution of food and control of epidemics and pestilences. For long, the level of mortality has been associated with the standard of living. Now, advances in public health, preventive and curative medicines have weakened this link. Economic improvement is no longer a prerequisite for a decline in mortality and relatively much smaller outlays than what are involved in raising the standards of living to the requisite level, have enabled health services to reduce morbidity and mortality. Consequently the death rate has fallen markedly and continues to decline.

**Population pressure
in India**

2.3 Experience in other developing countries indicates that further considerable declines in mortality may be expected in future years. In Ceylon, expectation of life, which is a truer index of mortality level, went up by 14 years in the course of 8 years from 1946 to 1954. There is good reason to believe that the expectation of life in India which was 41.2 years during 1951-60 will also go up substantially. Unless birth rate is reduced very considerably India's population will grow out of all proportion. The Expert Committee on Population Projection has estimated that under plausible assumptions regarding decline in mortality the population of India will increase from 1961 Census figure of 439 million to 563 million by 1971, if there is no fertility decline and to 723 million by 1981, if moderate declines in fertility are achieved.

The expanding population has created a disquieting situation. The Planning Commission's publication 'Basic Statistics relating to the Indian Economy, 1950-51 to 1965-66' provides revealing information. With fairly large inputs of irrigation extension, fertilisers, improved seeds and expansion in area sown, food production increased from 51 million tonnes in 1950-51 to 72 million tonnes in 1965-66, and around 100 million tonnes in 1967-68. Between 1952-53 and 1960-61, agricultural production in India increased by 24.6 per cent as compared to the world average of 24.4 per cent. Barring drought years, the progress in agricultural production has been quite impressive, but the gain in per capita terms has been only marginal, mainly due to the large population growth. The gross per capita availability of foodgrains, not taking imports into account, has improved only from 13.5 ozs. per day in 1950-51 to 14.3 ozs. per day in 1965-66. In spite of the creation of 31 million additional jobs, the backlog of unemployment of 3.5 millions in 1951-52 has increased to about 9-10 millions by 1966. Apart from sizable increases in agriculture, industrial production has significantly gone up. The index of industrial production in 1965-66 was 251 on 1951-52 base (=100). Net national output at factor cost (national income) in 1950-1951 at 1948-49 prices was Rs.885 hundred million. It increased to Rs.1397 hundred million in 1963-64 and according to a quick estimate to Rs.1449 hundred million in 1965-66. The percentage increase from 1950-51 to 1965-66 was 64. The per capita income increased from Rs.247.5 in 1950-51 to Rs.298.3 in 1965-66, showing a percentage increase of 21 only. A major portion of the increase was neutralised by population growth. With the expected population increase by 1981, the future seems to be gloomy unless the nation effectively controls fertility by family planning methods.

**Socio-economic
factors**

2.4 The conditions of life in India do not provide much stimulus to raise individual living standards. The socio-economic conditions do not create any significant urge to improve knowledge and skills to climb the social ladder. Both the small family motives and the circumstances which impelled individual couples in the West to decide to limit their families do not exist in a sufficient measure in the developing countries. In India, for instance, our economy is predominantly agricultural, means of communication are inadequate and illiteracy is a considerable barrier to the dissemination of new ideas. Nearly 82 per cent of the population lives in rural areas and the process of urbanisation is rather slow (urban population increased from 11 per cent of the total in 1901 to only 18 per cent in 1961). Even in the urban population the typical features of 'urbanism' of the West, which favour small family norm, are only dimly reflected.

Agrarian economy

Burden of dependency

Due to high fertility, the population is young. More than 40 per cent of the population is below the age of 15 years and hence the burden of dependency is quite heavy.

Employment pattern

According to the 1961 census, 42 per cent of the total population is working. Among males, 57 per cent and among females only 28 per cent work. Of the workers, 69.5 per cent are engaged in agriculture, 10.6 per cent in manufacturing enterprises and the rest in other industries and services. Employment in organised industries and commerce is quite low and seriously restricts the opportunities for quick rise in income. The fact that there is a large sector where children also work makes it appear that they are also taken as productive assets in familial activities.

Old age security

Because of the lack of resources, there is no old age security system for the vast majority of the people. Children, particularly sons, are accordingly looked on for support in old age. Infant mortality used to be high in the country and this also led to the strong desire to have more children as a safeguard to ensure a minimum number of living children. Though in recent years there has been a sharp decline in infant mortality, this has not yet been adequately perceived and has, therefore, not added to the acceptance of a small family norm.

Desire for children

Infant mortality

Literacy

The low level of literacy creates communication barriers and slows down the adoption of new practices. Children, who should be at school, are engaged in household chores. A better standard of education would by itself create an aspiration for better things in life and stimulate the desire to take active steps to achieve them.

Status of women

Women have a cardinal role in the matter of family planning. Employment of married women in activities outside home encourages adoption of methods to avoid frequent pregnancies. They have a strong interest in family limitation but lack the power to enforce their wishes. Improvement in their education leads to better understanding and communication between couples. If their status is raised, they will be able to play a more effective role in decision making to limit the size of their family. The present position of women in India in this respect is not satisfactory but improvements are taking place, though rather gradually.

Other social and cultural traits

The social and cultural milieu in which people live affects their fertility patterns. For instance, the system of early marriage is conducive to high fertility. A particular kinship structure may enhance the functional value of children and the motivation for having them. Family structure itself may affect the reproductive pattern. But the subject is a complex one. For instance, it is not known how joint family system affects family size norm, when compared with the nuclear system, due allowance being made for extraneous factors like modernization, industrialization, etc.

Need for incentives and disincentives

2.5 It is abundantly clear that social, cultural and economic factors greatly influence the acceptance of the small family norm. Reorientation of cultural values and the introduction of economic stimuli may lead the people to recognize that the small family is the desirable norm to adopt. Such changes are necessarily slow and require time to take root. The industrialized urbanization of the West which gave a sharp impulse to small family idea, is not yet in sight in India. It may be that we may have to wait long, if we depend upon the emergence of similar trends for the acceptance of small family norm by the people. Though group acceptance of small family norm can be achieved through mass communication and extension education techniques, incentives and disincentives are essential to trigger off action. Studies have shown a fairly wide gulf between acceptance and practice of family planning. Incentives and disincentives bridge this gulf and lead to positive action. It is, therefore, imperative to consider the introduction of incentives and disincentives to create the atmosphere for the appreciation of the advantages and adoption of the small family norm.

CHAPTER III

CERTAIN BASIC CONSIDERATIONS IN THE PROPAGATION OF A SMALL FAMILY NORM

3.1 In our democratic society, individuals are free to take decisions regarding their family size. There is no place for the use of force, coercion or compulsion of any kind. The structure of the society, the social mores and cherished values have to be respected. The idea of small family does not have to come in conflict with the religious and sentimental susceptibilities of the individual or the society and no new problems need be created in the process of its adoption as a practising ideal by the people. The accent has to be on persuasion and education to secure the willing involvement of the people. The responsibility of the couples to their children and society at large has to be invoked. In a large measure, appeals about the happiness and welfare of the family and children have to be made so that individuals may perceive a small family to be primarily in their personal and family interests.

3.2 The incentives and disincentives that may be adopted should avoid creating controversy or opposition to the idea of the small family.

Existing benefits and privileges enjoyed by certain groups should be withdrawn only after it is ensured that reasonable facilities for the practice of the family planning methods are adequately available to them.

3.3 Several types of incentives and disincentives for popularising small family norm have been proposed and many others can be thought of. A judicious selection from amongst them must be made bearing in mind such practical aspects as whether they are feasible; within the reach of available resources; or, capable of having a perceptible impact of the kind desired in promoting the adoption of family planning.

3.4 The objective of incentive is to make the decision for limitation of reproduction and small family attractive to couples who have not yet completed their family size. On the other hand, in deciding the nature and the quantum of disincentives it is essential to bear in mind that the basic social welfare and health services are not denied to any one.

3.5 The proposed measures should not be merely academic. A scheme of incentives and disincentives should be practical, have a substantial impact on the minds of the people, and create a positive climate for acceptance and practice of family planning. It is also necessary that incentives should be adequately attractive to those concerned and not be merely a promise of deferred benefits.

CHAPTER IV

STEPS PROPOSED FOR PROMOTING SMALL FAMILY NORM

4.1 It has been observed that the status of women in society has a significant effect on family structure and size. In countries where women comprise a substantial working force, economic and social needs and conveniences lead to the adoption of the practice of small and economically viable family units. There is no doubt that in our country gradually more and more women are entering the working force and this may, in due course, bring about a similar change. In order to accelerate this process, an element of incentives and disincentives which may act as a catalytic agent should be considered.

Maternity benefits

4.2 The concession of maternity leave was originally granted by the Secretary of State in 1911 for school teachers in the then Bombay State. The concession was subsequently extended to other female government servants in 1921. It provided, *inter alia*, that the competent authority may grant a female government servant maternity leave on full pay upto a maximum of three months from the day of its commencement.

4.3 Subsequently, with the enactment of the Maternity Benefit Act, 1961 (Appendix III) the benefits were further liberalised and enhanced. This Act extends to the whole of India except the State of Jammu and Kashmir, and it entitles a woman worker who has put in not less than 160 days' work in the establishment of an employer to claim the following benefits from the employer:-

- (i) Maternity benefit at the rate of average daily wage subject to minimum of one rupee a day for a period of six weeks preceding and including the day of her delivery, and for six weeks immediately following that date;
- (ii) Medical bonus of Rs.25/- if no pre-natal confinement and post-natal care is provided for by the employer free of charge;
- (iii) In case of miscarriage, leave with wages at the rate of maternity benefit for a period of six weeks immediately following the day of her miscarriage; and
- (iv) In case of illness arising out of pregnancy, delivery, premature birth of child or miscarriage, in addition to the period of absence specified in (i) and (iii) above, as the case may be, leave with wages at the rate of maternity benefit for a maximum period of one month.

The benefits enumerated above are given to the women workers irrespective of the number of births.

The provisions of the said Act apply, in the first instance, to every establishment being a factory, mine or plantation, including any such establishment belonging to the Government. It is also provided that the State Government may, with the approval of the Central Government, declare that all or any of the provisions of this Act shall apply to any other establishment or class of establishments, industrial, commercial, agricultural or otherwise.

4.4 The non-industrial women employees of the Central and the State Governments are also entitled to certain maternity benefits. Under Supplementary

Rule 267, a provision exists for the grant of maternity leave on full pay to a Central Government woman employee upto a period of three months on each occasion (Appendix III-A).

4.5 The introduction of the Employees' State Insurance Scheme has further extended the scope of maternity benefits (Appendix III-B).

4.6 There are other legislations also which make it obligatory on the part of the respective authorities to grant maternity benefits to women employees in their concerns. The Plantations Labour Act, 1951 (Appendix III-C) and the Indian Mines Act, 1952, may be mentioned in this connection.

4.7 In recent years, it has been realised that the grant of maternity benefits unrelated to the number of births is inconsistent with our drive for family planning. Accordingly, this question has been under examination at various public forums, at the Central Family Planning Council and also at the Central and the State Government levels. As a result, the Government of Kerala, Mysore, Maharashtra, Orissa, Uttar Pradesh and Madhya Pradesh have taken steps to restrict such benefits in respect of non-industrial government employees. The action of these Governments has evoked favourable response. It is, however, considered that it would not be desirable to deny medical and hospital facilities to prospective mothers but there is adequate justification for restricting the maternity leave only upto three children, particularly when other forms of leave will still be available to such women employees. The analysis of the data gathered by the Committee shows wide support for this view.

4.8 When we consider the same problem in the context of the industrial workers, the position is much more complicated. On the one hand, the view is held that when the rapid growth of our population is exposing the whole country to the danger of a serious population pressure, there is no reason why a change should not be fostered in the existing attitude towards the question of maternity benefits, facilities and amenities extended to the industrial employees. It would seem illogical to continue to pursue a policy of giving benefits and amenities without any consideration of their effect on the population problem. For example, under the various Acts covering these employees, such as, the Maternity Benefit Act, the Plantation Act, etc., certain maternity benefits, like leave with pay, free hospital facilities, cash, payments for delivery expenses and also nursing breaks within working hours, are available to the women employees regardless of the number of children. A view has been expressed by several respondents that some of these concessions act indirectly as incentives for having larger number of children while the country is striving its best to spread the idea of health and happiness through a small family. On the other hand, the benefits enjoyed by industrial women workers have to be considered from the points of view of attracting labour to industrial areas, and provision of facilities for the workers. Some instances have been brought to the notice of the Committee where employers are discouraging women employees on account of the burden of concessions that have to be given on account of repeated pregnancies.

The Committee have also considered the matter from the practical angle. It has to be realised that with the best of intentions, the motivational effort and supplies and services would take time to be extended to all the industrial areas. The view expressed by the representatives of the labour unions that till the supplies and services do come adequately within the reach of the industrial workers, it may be premature to restrict the existing benefits, does therefore become important. Further, while in the case of the Government employees alternative forms of leave are available, the same do not obtain in the case of the industrial workers. Taking all factors into account, the Committee, therefore, feel that in respect of the industrial women employees, the status-quo may be maintained for the time being and the matter may be reviewed when the motivational efforts and the supplies and services have sufficiently been extended further.

4.9 As sterilization is the safest and the most dependable method of limiting births, it would be desirable to encourage the acceptance of this method by the Government employees and the industrial workers after they have had their small

family of two or three children. The Committee have, therefore, thought of a system of bonus for the women employees equivalent to one month's salary where sterilization is accepted by them or their husbands after two children, and half month's salary where sterilization has been accepted by them or their husbands after three children. In the case of the Government women employees, this would be a form of compensation for the restrictions that are being imposed on their existing maternity benefits, and in the case of the industrial women workers this will provide an attractive alternative to the system of current concessions which are available for any number of children. The Committee also feel that these concessions need not be extended to women employees above a certain income and age level. The Committee have in mind the granting of these concessions to only the lower socio-economic groups, and to women who are well within the active reproductive age span, say, below the age of 35 years; but as the conditions differ from State to State, no specific figures are being mentioned in the recommendations.

4.10 Having said all this about the industrial women employees, the Committee feel that, all the same, the Employees' State Insurance Scheme, which, in addition to other benefits and facilities, grants a payment of Rs.30/- under certain conditions to the insured worker for the birth of each child, should definitely be restricted to three children only.

4.11 The Committee also considered the suggestion of 'No Birth Bonus' favoured by many respondents. After giving considerable thought to this matter, the Committee felt that the implications of this suggestion are much too complicated, and the financial and administrative burden will be colossal if the idea is extended to the whole population.

4.12 On the question of children's allowance, 48 per cent of the respondents expressed the view that restriction of such an allowance upto two or three children will help in the adoption of the small family norm by the people. They were also of the opinion that any allowance paid should be in kind only, e.g., provision of free education, provision of free milk to the children upto a certain age, provision of uniforms, books and necessary educational materials.

4.13 In this connection it may be recalled that the Central Government pays Children's Educational Allowance to all its permanent and quasi-permanent non-gazetted Government servants who have put in not less than three years service and whose pay does not exceed Rs.349/- p.m. (Appendix IV). The allowance is admissible at the rate of Rs.10/- per child studying in primary classes and Rs.15/- for those studying in secondary and higher secondary classes, subject to the provision that the total amount paid to a beneficiary does not exceed Rs.50/-, that the children are within the age group 5-18 years and that the children for whom the allowance is paid are studying in a place other than that of the parents' residence. There is also a provision whereby Central Government employees drawing less than Rs.600/- p.m. get reimbursement of tuition fees paid by them for their children (Appendix IV-A). Such reimbursement is limited to education in the Middle, High and Higher Secondary Schools and corresponding classes in the Technical and other Vocational Schools. This concession is not admissible in respect of children for whom children's educational allowance is claimed.

4.14 Some of the States have made education free upto certain standards, particularly for girls, students belonging to Scheduled Castes or Scheduled Tribes, children of primary school teachers, and Class IV Government employees. However, at present, these concessions are available without any restriction on the number of children.

4.15 Some organizations, other than the Government, also provide similar facilities in respect of the children of their employees. For instance, the Reserve Bank of India is at present giving a family allowance to all its Class II and Class III staff after completion of 5 years of service, at the rate of Rs.10/- per month per child upto a maximum of Rs.30/- and Rs.7.50 per month per child upto a maximum of Rs.22.50 in respect of the children of class IV staff subject to the provision that such allowance ceases when the son or daughter,

in respect of whom such allowance is being given, reaches the age of 25 years, or earlier if such son or daughter secures employment, or in the case of a daughter, when she gets married. There is a further provision that an employee's pay (excluding the element of local pay) plus family allowance should not exceed Rs.550/- per month. Similarly, some leading firms in various parts of the country give allowances to their employees in respect of their children's school fee.

4.16 An analysis of the replies of the respondents clearly shows that the people hold different opinions as to the desirability of grant of children's allowance to the employees, both in Government and non-Government organizations, as a measure for propagating the small family norm. They also differ in their views about the scale on which the benefits should be given.

The Committee feel that the payment of children's allowance as an aid to the adoption of small family norm may not be a practicable proposition as it is a long term commitment and it would be difficult to administer it. Obviously, such allowance can be admissible upto two or three children, only when there is a finality about stoppage of further births.

The Committee was, however, of the opinion that while children's allowance might not be given, it would be extremely desirable that proper care be taken of the living two or three children of those parents who adopt the small family norm, preferably by a permanent method such as sterilization. The methods of family planning would have a stronger appeal to the parents if they have the confidence that these two or three children will successfully survive the health hazards and will be adequately looked after by the social and welfare services. The welfare of such children should, therefore, be ensured by showing them special consideration for health, welfare and social services.

In regard to tuition fees, considering all factors, the Committee felt that to encourage acceptance of small family norm, existing concessions in the form of their reimbursement be restricted to three children only. But this should not prejudice the enjoyment of such concessions by existing number of children and the restriction should apply after due notice to any additional child born over and above three children. The Committee recognised that merit scholarships were on a different footing and should not come within the purview of these restrictions.

Compensation for IUCD/Sterilization

4.17 The Government of India at present reimburses to the States/Union Territories at the rate of Rs.11/-, Rs.30/- and Rs.40/- respectively for each case of I.U.C.D. insertion, vasectomy and tubectomy operations (Appendix V). In respect of tubectomy operations done in the camps, the Government of India reimburses at the rate of Rs.90/- per operation (Appendix V-A). These amounts, inter alia, are intended to compensate the acceptors for the loss of wages and out-of-pocket expenses, thus bringing the services free, right at their door steps.

Besides, the Government of India have made some provisions for leave for their employees in case of I.U.C.D. and sterilization (Appendices V-B to V-D). All employers' organizations in the country have been requested to extend similar concessions to their employees (Appendix V-E).

4.18 On the question of giving monetary incentives, the opinion of the respondents is divided. The Committee feel that while some payment for out-of-pocket expenses and loss of wages is absolutely necessary, any additional amount by way of incentives need not be given because in the long run the real incentive should be the realization by the people that the adoption of family planning is for their own good.

Age of Marriage

4.19 After taking into account the views expressed by various respondents on the subject of age of marriage, the Committee felt that early steps should be taken for raising the minimum age. Apart from its demographic impact, it will also be desirable from the social point of view. It is well known that women

marrying late generally have small families and are able to look after their children much better.

Recently, public opinion has become quite vocal about the raising of the minimum age of marriage. Though the Sarda Act was decidedly a progressive step at that time to modify the prevailing customs, it does not adequately meet the present requirements. The machinery for enforcement of the Sarda Act is weak and needs to be made more effective. The Committee welcome the legislation for raising the minimum age of marriage which is currently under consideration of the Government.

It was brought to the notice of the Committee that under the existing rules, certain restrictions are placed on candidates selected for armed forces whereby they are not allowed to marry before completion of their final training (Appendix VI). While application of similar restrictions about marriage to candidates for the civil services may not be so easy, it is desirable to explore further possibilities in this direction.

**Termination of
Pregnancy**

4.20 The liberalization of abortion has been advocated by several respondents as an effective measure for the limitation of family size. The example of Japan was cited in successfully lowering the birth rate by one-half in the course of a few years. Yet it is significant that in Japan itself there is a move to emphasize contraceptive practices rather than abortion, because of the health hazards to women resulting from repeated operations, even though they may be performed by qualified medical personnel. The Committee also noted that in several other countries, abortion has been legalised and in some countries women can claim abortion without submitting themselves to any questioning.

4.21 In India, available evidence shows that a large number of abortions take place every year. Most of them are done by persons with little medical competence and, although no definite figures are available, the Committee has reason to believe that they result in serious harm to the health of the women, and in a large number of deaths.

4.22 In view of the fact that the report of Shantilal Shah Committee on the subject is already under the active consideration of the Government, the Committee do not propose to go into further details and feel satisfied to add that the terms under which termination of pregnancy is permitted at present need to be liberalised.

Income-tax

4.23 Suggestions have been received that existing income-tax structure may also be modified so that large families may be discouraged. The majority of the respondents are of the opinion that the present income-tax structure is not in conformity with the concept of the small family norm.

4.24 Under Central Income-Tax Act, distinction is made amongst the various categories of income-tax payers depending upon whether they are unmarried, married without dependent children, and married with dependent children. The different rebates allowed in the tax payable by persons in these different categories put a married individual at a certain advantage over the unmarried one. The Finance Act, 1968, lays down the rates of income-tax rebate:

Rs.125/-	In the case of an unmarried individual
Rs.200/-	in the case of a married individual with no child mainly dependent on him;
Rs.220/-	in the case of a married individual with one child mainly dependent on him;
Rs.240/-	in the case of a married individual with more than one child mainly dependent on him.

While the Committee recognize that the concessions given to married persons with children are justified, it is for consideration whether from the point of view of population problem, bachelors and spinsters with the same income should be made to pay higher income-tax rates. We consider that for income-tax rebate purposes it may not be unreasonable to give them the same quantum of benefit of rebate as is given to married persons with no children.

4.25 The quantum of rebate of income-tax allowed in the case of a married person is the same as in case of three children or more than three children. There is no provision for withholding or reducing the rebate in the case of married persons having more than three children. The system of rebate would be in conformity with the idea of the small family norm only if the rebate is higher in the case of married persons with three children or less, than in the case of married persons with more than three children. We feel that married persons with more than three children should be entitled only to the smaller quantum of rebate which is at present available to a married person with no child. Although, the quantum of change in tax structure may not be material, the Committee believe that these changes will have a large psychological effect which is most desirable.

Birth tax

4.26 The Committee considered the question of birth tax as a possible measure for inculcating the idea of a small family amongst the people. Some of the respondents, however, expressed doubt if any measure for imposing birth tax would at all be practicable. They also felt that the imposition of birth tax requires an elaborate and efficient registration machinery to record births and deaths accurately and continuously. A separate machinery for collecting the tax will also be necessary and the expenditure involved would be enormous. The Committee, therefore, do not consider the imposition of birth tax feasible, in view of the vastness of the country.

Insurance for Planned Parenthood

4.27 It has been suggested by some of the respondents that life insurance schemes should also help in the propagation of the idea of small family norm. It would, therefore, be desirable that they allow a rebate in premia to those persons who get sterilized after two or three children. It would also be helpful if the Life Insurance Corporation of India and the postal authorities initiate new policy schemes under which special benefits accrue if the completed family size is restricted by the insured to two or three children within the reproductive age span.

Recruitment in services

4.28 During the deliberations of the Central Family Planning Council in April, 1968, it was suggested that the personnel working in the Family Planning Programme should be such as have full faith in it and actually practise family planning. The Committee further feel that the recruitment policy in the Government and private sectors should be so oriented that the new entrants are encouraged to practise family planning and restrict the size of their families.

Programme intensification in special areas

4.29 The Family Planning Programme in India is a purely voluntary one and depends for its success on the wilful decisions of individual couples. Creating awareness of the programme, backed by adequate educational methods and propaganda, therefore, become essential. The Committee note with satisfaction that the efforts in creating this awareness have achieved significant success during the last few years, but still much remains to be done in the rural areas and amongst the lower socio-economic groups in the urban areas. It is necessary that this work is intensified to fill the gap. In this respect, the fullest use should be made of the commendable work that is being done by some voluntary organizations. The success of the programme also depends on reaching, as fast as possible, the newly weds and the low parity couples.

Post-Partum motivation

4.30 Out of nearly 21 million births every year, it was estimated that about 4 million babies are delivered in the various hospitals, maternity homes and other centres. The women who come for delivery to these centres are, therefore, within easy access of social workers and educators for motivating them for the adoption of family planning methods. Soon after the delivery the women are psychologically in a receptive mood for such advice. The efforts made in these hospitals and maternity homes will reap rich dividends.

Studies of Large
Small families

4.31 Another valuable method of education would be to undertake comparative studies of large families versus small families within similar income groups, and to disseminate extensively the results of such studies. This will bring home the advantages in having small families, e.g., better living conditions, better food, better clothing, better education, more amenities, fuller scope for growth and development of children and greater enjoyment of life by the family as a whole.

Family Life
Education

4.32 The ultimate objective is to see that the idea of a small family becomes a way of life of the people. This may develop in due course if the concept of small family norm is introduced in a suitable form as a subject in high/higher secondary schools and colleges. Boys and girls of today who are taught the concept of a small family in an appropriate manner in the context of their personal well-being and social responsibility, both to their immediate surroundings as also to the nation, would naturally become more responsible parents of tomorrow.

Curtailment of certain
specified facilities

4.33 Some other measures regarding disincentives to having large families were also brought to the notice of the Committee. A majority of the respondents recommended that the existing facilities, such as, free or subsidised medical treatment to certain classes of people, allotment of accommodation, free-ships scholarships, loans and subsidies, etc., may be curtailed after a notified date if the families do not restrict their size to two or three children if they have less than three, or to their present size if they have more than three children. Several State Governments have already taken steps on these lines. It is realised that it may not be possible to introduce all these changes straightaway, but the aim should be that people become familiar with this approach so that the measures are introduced progressively in the next few years.

Awards

4.34 The Committee also considered the question of awards as a measure for dissemination of the message of the small family norm. It was felt that the Government, business organizations, labour unions, local bodies and panchayats can play an important role in the cause of family planning by encouraging people in their spheres to limit the size of their families. The Government and other employers can certainly further the cause by instituting a system of granting advance increments to such of their employees as accept a permanent method of fertility control like sterilization.

The Committee noted that an award of Rs.25,000 existed at present for the best film produced on the subject of family planning by private producers. This has not proved adequate for attracting a sufficient number of entrepreneurs. The Committee was of the opinion that since the film is an important medium of publicity and education, an additional award which would be sufficiently attractive be instituted.

Similarly, the Committee appreciated the importance and value of enlisting the support of the language press in the country and utilising its potentialities as a medium of information and education. The Committee considered that it would be helpful if awards could also be instituted for recognizing the contribution made by dailies, weeklies/fortnightlies in the cause of family planning.

The furtherance of the programme depends, in no small measure, on the active support of the intellectuals. It would, therefore, be desirable to attract and encourage the writers, poets and litterateurs, in each regional language to devote their time and energy for supporting the cause. The Committee recommend that suitable regional and national awards for outstanding contributions from them be instituted.

CHAPTER V

RECOMMENDATIONS

1(i) The Committee feels that the question of modifying the regulations regarding maternity benefits to industrial workers is linked with many complicated problems. An extensive motivational programme matched with the provision of adequate and effective contraceptive services for these groups is essential. The Committee, therefore, recommends that any change in the existing benefits for industrial groups may not be considered now. So far as the non-industrial Government employees are concerned the Committee, after considering the response to the questionnaire and the interviews, recommends that these concessions may be reviewed in respect of more than three living children and after ensuring that adequate provisions for providing contraceptive services have been made and due notice given.

(ii) The Committee further recommends for consideration by the employers and the Government that if a woman employee below a certain pay group and age level gets sterilized, after the second child, it will entitle her to one month's pay as bonus; or, if she gets sterilized after the third child, it will entitle her to half month's pay as bonus. The Committee feels that for non-industrial Government employees this proposal will provide adequate compensation for the limitation of existing facilities as recommended in sub-para 1(i) above, and in the case of industrial workers this proposal will be an attractive alternative to the current concessions about maternity benefits.

(iii) Under the Employees' State Insurance Scheme, in addition to other benefits and facilities, a payment of Rs.30/- is made under certain conditions to the insured worker on the birth of each child. The Committee, therefore, recommends that the E.S.I. Corporation should devise a scheme whereby no encouragement is given for families having more than three children.

(iv) The Committee recommends that in case where both husband and wife are beneficiaries the machinery should be tightened to ensure that the benefits denied to one are not availed of by the other.

2(i) The Committee recommends that the children of those persons who undergo sterilization after two or three children may be given special considerations for health, welfare and other social services.

(ii) The Committee recommends that the facilities in the form of reimbursement of tuition fees except merit scholarship, etc., currently allowed to certain categories may be limited to three living children and further adds that the existing number of children may continue to get the facilities available to them at present subject to the condition that any additional child born after a particular date, viz., a year from the date of the announcement of these recommendations, if that happens to be in excess of three, may not get the benefits*.

(iii) The Committee also considered extension of extra facilities in terms of children's allowance for supporting their education and concluded that the cost will be prohibitive and hence the proposal would not be practicable.

*This recommendation is not agreed to by Shrimati Maitreyee Bose, Shrimati Usha Gupta and Shri Jatin Chakraverty.

3. The compensation for sterilization/IUCD as prescribed may be adhered to. The compensation is for meeting out of pocket expenses and is not an incentive as such. The Committee also considers that in the long run the real incentive should be the benefit accruing by practice of small family norm.

4(i) The Committee is of the view that the present minimum age of marriage be suitably raised and noted with satisfaction that a legislation in this regard was under consideration.

(ii) Noting that restrictions on candidates selected for commissioned ranks in the armed forces exist, the Committee recommends that further study of marriage age requirements in respect of candidates joining civil services of all categories be undertaken.

5. Noting that the Shantilal Shah Committee Report on abortion was already under consideration, the Committee agreed in principle that the terms under which abortion is permitted may be suitably liberalized.

6(i) The Committee feels that the present income-tax structure is not in conformity with the declared policy of small family norm, and, therefore, recommends that the income-tax chargeable from a bachelor may be the same as chargeable from a married person with no children; and while a person having upto three children may continue to get rebates as at present, a person having more than three children may be charged at the same rate as is chargeable from a married person with no child.

(ii) The Committee considered the question of imposition of birth-tax and found it impracticable from the point of view of the vastness of the country and the existing deficiencies in the system of recording vital statistics.

7(i) The Committee recommends that some rebate in LIC premia should be allowed to those who have undergone sterilization after two or three children. This will help in making the couples small family norm oriented.

(ii) The Committee further recommends that the Life Insurance Corporation of India and the Postal Life Insurance initiate policies redeemable after 18 years of marriage with special benefits if family size is restricted to one, two or three children.

8. The Committee recommends that the recruitment rules may also be suitably amended so that the new entrants may be encouraged to limit their family size to two or three children.

9(i) The Committee further recommends that health education and propoganda for the practice and adoption of a small family norm be particularly intensified in villages and amongst the lower socio-economic groups in the urban areas. Amongst others, voluntary organizations be encouraged and assisted to carry out these activities. Newly weds and low parity couples should receive special attention. The Committee recommends that the Trade Union Organizations should extend maximum assistance and support to the propogation of the idea of a small family norm amongst their members.

Considering that about four million births take place in hospitals and nursing homes every year, the Committee recommends that intensive education of mothers in family planning be taken up in these hospitals and nursing homes. Further comparative studies of large families versus small families should be undertaken within similar income groups and the advantages accruing from small families be highlighted and projected extensively.

(ii) The Committee also recommends that the subject of family life education in the context of small family should, in some suitable form, be included in the curricula of high/higher secondary classes as well as university education.

10(i) The Committee considered the question of awards and recommends that the Government, business organizations, labour unions, local bodies and panchayats should encourage their employees and people under their sphere of activities to have small families and efforts made in this direction be recognised suitably.

(ii) The Committee also considered the question of awards for education films for popularising the small family norm and recommends that in addition to the existing award of Rs.25,000 another one of Rs.75,000 be introduced.

(iii) To encourage authors to write books to promote the small family norm, the Committee recommends that a prize of Rs.1,500 for the best book on population and family planning every year in each regional language be instituted and that out of these books three may further be selected additionally for national awards of Rs.2,500 each. The Committee further recommends that the selection of the books for these awards be made by a Committee consisting of representatives of the Sahitya Akademi, the National Book Trust and the Department of Family Planning with powers to co-opt two reputed litterateurs in each regional language to consider books in the respective languages.

(iv) The Committee considers that the press, and particularly the language press in India, has to play an increasingly important role in informing, educating and motivating the masses for the acceptance and practice of the small family norm, and recommends that awards of Rs.5,000 and Rs.3,000 for outstanding dailies, weeklies/fortnightlies respectively in each regional language be instituted so as to encourage the language press to devote more attention to family planning. The Committee further recommends that a committee consisting of representatives of the All India Newspapers Editors Conference, the Audit Bureau of Circulation, the Press Information Bureau and the Department of Family Planning lay down criteria in terms of circulation, readership, family planning content, etc., for such prizes and make recommendations for the awards.

APPENDIX I

RESOLUTION NO. 3

The Central Family Planning Council noted the progress made by the Family Planning Programme since its Second meeting.

2. It was recommended that a Committee may be appointed with the membership given below to study and make necessary recommendations on proposals like "No Birth Bonus, Maternity Benefits and Children's Allowances", as possible incentives to popularise a small family norm.

Secretary, Ministry of Health and Family Planning	-	Chairman
Shrimati Avabai Wadia	-	Member
Dr. S. Chandrasekhar, M. P.	-	Member
Joint Secretary, Ministry of Finance (associated with Ministry of Health and Family Planning)	-	Member
A representative of ESIC	-	Member
One representative from each of the four Labour Unions	-	Member
A representative of Employers' Organization	-	Member
Commissioner, Family Planning	-	Member-Secretary

The Committee may co-opt such experts or advisers as may be considered necessary to help with any specific matter. The Committee should present their report by the 30th June, 1967. It should be circulated in time for discussion at the next meeting of the Council.

No. 5-1/67-C & C (FP)
Government of India
Ministry of Health and Family Planning
(Department of Family Planning)

New Delhi, dated the 28th January, 1967.

R E S O L U T I O N

In pursuance of the recommendations of the third meeting of the Central Family Planning Council held at New Delhi on the 3rd January, 1967, it has been decided to constitute a Committee to study and make recommendations on proposals like "No Birth Bonus", "Maternity Benefits" and "Children's Allowance" as possible incentives to popularise a small family norm.

2. The composition of the Committee will be as under:-

- | | |
|---|------------------|
| 1. Secretary
Ministry of Health and Family Planning | Chairman |
| 2. Shrimati Avabai Wadia
President
Family Planning Association of India | Member |
| 3. Dr. S. Chandrasekhar, M. P.
Indian Institute of Population Studies
Gandhi Nagar
Madras | Member |
| 4. Joint Secretary
Ministry of Finance
(associated with Ministry of Health and Family Planning) | Member |
| 5. A representative of Employees' State Insurance Corporation | Member |
| 6. A representative from each of the four labour unions
<i>viz.</i> Indian National Trade Union Congress, All India Trade Union Congress Hind Mazdoor Sabha and United Trades Union Congress | Member |
| 7. A representative of the Employers' Organization | Member |
| 8. Commissioner, Family Planning | Member-Secretary |

3. The terms of reference of the Committee will be to study and make recommendations on proposals like "No Birth Bonus", "Maternity Benefits" and "Children's Allowances" etc. as possible incentives to popularise a small family norm.

4. The Committee shall have power to co-opt such experts and advisers as may be considered necessary to help in any specific matter related to the terms of reference.

5. The Committee should present their report by the 30th June, 1967, so that it can be circulated for discussion at the next meeting of the Central Family Planning Council.

6. Non-official Members of the Committee shall be entitled to grant of travelling and daily allowances for attending the meetings of the Committee as admissible to an Officer of the highest grade in Class I of the Central Services. Members of the Committee who are Government servants will draw travelling and daily allowances as admissible to them from the same source from which their salary is drawn.

7. The expenditure involved is to be met from within the sanctioned budget grant under Major Head 30-B Public Health B. 5-Miscellaneous-B. 5(4)-Expenditure on Family Planning B. 5(4)(2)-Other Expenditure under Demand No. 42-Medical and Public Health for the years 1966-1967 and 1967-1968.

Sd/-
(K. N. Srivastava)
Joint Secretary(Family Planning)

To

The General Manager,
Government of India Press,
Faridabad.

No. 5-1/67-C&C (FP), dated the 28th January, 1967.

O r d e r

1. Ordered that a copy of the Resolution be communicated to all the State Governments/ Union Territories.
2. Ordered that the Resolution be published in the Gazette of India for general information.

Sd/-
(K. N. Srivastava)
Joint Secretary(Family Planning)

No. 5-1/67-C&C(FP)
Government of India
Ministry of Health and Family Planning
(Department of Family Planning)

New Delhi, the 5th July, 1967.

RESOLUTION

In partial modification of this Ministry's Resolution No. 5-1/67-C&C(FP) dated the 28th January, 1967, constituting the Committee to study and make recommendations on proposals about incentives as well as disincentives needed to push up the Family Planning Programme, the Government of India have decided that the Committee will be called the 'Small Family Norm Committee' and that this Committee will present their report by the 31st March, 1968, as far as possible.

2. The composition of the Committee will be as follows:-

- | | |
|---|----------|
| 1. Secretary
Ministry of Health and Family Planning | Chairman |
| 2. Shrimati Avabai B. Wadia
President
Family Planning Association of India | Member |
| 3. Dr. (Shrimati) Maitreyee Bose, M. P.
Vice-President
Indian National Trade Union Congress,
New Delhi | Member |
| 4. Shri Ram Nath A. Podar
Federation of Indian Chambers of Commerce and
Industry
New Delhi | Member |
| 5. Shri C. H. S. London
Employers' Federation of India
Bombay | Member |
| 6. Shri A. K. Jain
All India Organization of Industrial Employers
New Delhi | Member |
| 7. Kumari Maniben Kara
Hind Mazdoor Sabha
249, Bara Bazar Street
Calcutta | Member |
| 8. Shrimati Usha Gupta
General Secretary
All India Medical and Health Employees Federation
Calcutta | Member |

- | | | |
|-----|---|------------------|
| 9. | Shrimati Lakshmi Raghuramiah
General Secretary
All India Women's Conference
New Delhi | Member |
| 10. | Shri D. Paul Chowdry
Central Social Welfare Board
New Delhi | Member |
| 11. | Shri N. F. Kaikobad
Honorary General Secretary.
Indian Conference of Social Work.
Bombay | Member |
| 12. | Shri J. N. Tiwari
Director
Socio-economic Research Planning Commission
New Delhi | Member |
| 13. | Secretary
United Trades Union Congress,
Nagindas Chamber, 2nd Floor, 167 Frere Road
Bombay | Member |
| 14. | Dr. Bhola Nath
President
Indian Medical Association
Varanasi (UP) | Member |
| 15. | Shri D. J. Madan
Joint Secretary
Ministry of Finance (W & H Division)
Nirman Bhawan
New Delhi | Member |
| 16. | Medical Commissioner
Employees' State Insurance Corporation
New Delhi | Member |
| 17. | Shri S. P. Jain.
Officer-on-Special Duty(E).
Ministry of Health and Family Planning
(Department of Family Planning)
New Delhi | Member |
| 18. | Commissioner, Family Planning | Member-Secretary |

3. The terms of reference of the Committee will be to study and make recommendations on proposals concerning incentives to be given or disincentives to be applied for popularising and encouraging a small family norm.

4. Other terms and conditions as given in this Ministry's Resolution No. 5-1/67-C&C(FP) dated 28th January, 1967, remain unaltered.

Sd/-
(K. N. Srivastava)
Joint Secretary to the Government of India

To

The General Manager,
Government of India Press,
Faridabad.

No. 5-1/67-C&C(FP), dated the 5th July, 1967

Order

1. Ordered that the Resolution be published in the Gazette of India for general information.
2. Ordered that a copy of the Resolution be communicated to all the State Government/ Union Territories.

Sd/-
(K. N. Srivastava)
Joint Secretary to the Government of India

No. 5-1/67-C&C(FP)
Government of India
Ministry of Health, Family Planning and Urban Development
(Department of Family Planning)

New Delhi, dated the 27th December, 1967.

RESOLUTION

In continuation of the Government of India, Ministry of Health and Family Planning Resolution No. 5-1/67-C&C(FP) dated the 5th July, 1967, regarding the constitution of the 'Small Family Norm Committee', it is resolved that the following will also be members of the 'Small Family Norm Committee':-

1. Shri Homi J. H. Taleyarkhan
Currimbhoy Manor
Bhulabhai Desai Road
Bombay-26
 2. Shri B. V. Pai
Manager
M/s. Tata Oil Mills Company Limited
Tatapuram
P. O. Ernakulam-4
- Vice Shri C. H. S. London
Representative of Employers?
Federation of India
Bombay

Sd/-
(D.N. Chaudhri)
Deputy Secretary to the Government of India

To

The General Manager,
Government of India Press,
Faridabad.

No. 5-1/67-C&C(FP)

dated the 27th December, 1967.

ORDER

1. Ordered that the Resolution be published in the Gazette of India for general information.
2. Ordered that a copy of the Resolution be communicated to all the State Government/
Union Territories.

Sd/-
(D.N. Chaudhri)
Deputy Secretary to the Government of India

No. 1-13/67-Serin(FP)
Government of India
Small Family Norm Committee
C/o Ministry of Health and Family Planning
Patiala House
New Delhi-1

August 25, 1967.

From

Dr. Dipak Bhatia,
Member-Secretary.

To

Subject: Questionnaire

Dear Sir/Madam,

The rapid growth of our population is posing a serious threat to the economic and social progress of the country. India's population has crossed the 500 million mark and if the present rate of population growth namely, 12.5 million annually continues unchecked, the country's population may increase to 1000 million before the turn of the century. This rapidly increasing population has considerably neutralised the economic and social progress made in the country through five year plans and has been creating grave problems of providing additional facilities for food, housing, education, sanitation, health measures, employment etc. much beyond the means of the country. To counteract, and contain the problem of population explosion, family planning has been adopted as a national programme by this country. Government are providing various facilities and services for planning and restricting the size of the families. In this context, the urgent need for popularising the adoption of the norm of a small family with not more than 3 children has been recognised by all. Suggestions have been received, from time to time, from various sources that direct and indirect incentives may be given to the married couples as inducement to their adopting the small family norm. Suggestions have also been received that withdrawal of certain benefits and facilities after certain number of living children may also help indirectly the adoption of small family norm.

2. In pursuance of the recommendations made by the Central Family Planning Council at its third meeting held on the 3rd January, 1967, the Ministry of Health and Family Planning (Department of Family Planning) has constituted a committee with Secretary, Ministry of Health and Family Planning as Chairman to study and make recommendations on this matter. A copy of the Government Resolution is at Annexure I. (i. e. Appendix I-B.)

3. The Committee has designed a questionnaire (copy enclosed Annexure II) to elicit views, supplement the available information and invite proposals on the nature and extent of incentives and disincentives. The questionnaire has been divided into four parts:

Part I deals with maternity benefits.

Part II is regarding children allowances vis-a-vis adoption of small family norm.

In part III, you are requested to give your views on certain disincentives to having large families e. g. birth tax, withdrawal of amenities, income tax rebates etc.

Part IV has been left free for enabling you to suggest any other scheme that you may consider appropriate. If there is any aspect of the problem that you consider has not been covered specifically in the questionnaire, please add a note giving your views.

You may, if you so desire, send a self-contained memorandum on the subject of grant of small family incentives and curtailment of various benefits and facilities which will be conducive to adoption of small family norm.

4. The Committee is to send its report within a time limit. It is, therefore, requested that your replies to the questionnaire may please be sent to the office of the Committee latest by the 30th September, 1967.
5. The Committee values your kind cooperation in furthering its deliberations and would be looking forward with interest for your valuable and useful contribution in this regard.
6. Kindly acknowledge the receipt of this letter and the questionnaire.

Yours faithfully,

Sd/-

(Dipak Bhatia)
Member-Secretary

SMALL FAMILY NORM COMMITTEE

QUESTIONNAIRE

PART I - MATERNITY BENEFITS

The Maternity Benefit Act 1961, the Employees' State Insurance Act and the various State Maternity Benefit Acts/Schemes entitle women employed in every establishment including a factory, mine or plantation certain maternity benefits like leave with pay for delivery and free hospital facilities or some amount in the form of cash to meet expenses of delivery and also certain nursing breaks, regardless of the number of children.

The women employees of the Central and State Governments are also similarly entitled to certain maternity benefits. Recently, the Central Government have decided to withdraw maternity leave benefits from their female non-industrial employees, having three or more living children. Free or subsidised medical care and facilities for deliveries are being given, according to the existing rules, to families of the employees of the Government and private establishments, irrespective of the number of deliveries.

It has been suggested that these benefits may be modified to discourage having large families and to popularise restriction of the number of children born.

- 1.1 (a) Should the benefits be stopped altogether, or the cash benefit or the leave benefit stopped only when the number of living children exceeds a prescribed number. Altogether/Only cash benefit/Only leave benefit.
- (b) If yes, what should this limit of number of children be ?
- 1.2 (a) Do you think that the benefits should be on a sliding scale on the basis of number of living children so as to discourage large families ?
- (b) If yes, in what manner ?
- 1.3 In what other manner can the maternity benefits be modified so as to discourage large families and encourage restriction of families by adopting family planning methods.

PART II - CHILDREN ALLOWANCES

It has been suggested that some subsidy to the parents for meeting the cost of properly bringing up the new born, provided the couple adopts an effective method of family planning, would help in spreading of a small family norm and in improving the standard of upbringing of children. This suggestion involves a vast and widely spread out machinery for its implementation and very large outlay. It is stated that these allowances may be used in properly spacing out of the births. On the other hand, it has been stated that these allowances, whether given in cash or kind, may not be able to achieve the objective of restricting the size of the family because of the lack of any legal or other sanctions and thereby may bring about additional liabilities for the State.

- 2.1 What do you think of the suggestion of children allowances as in aid to adoption of a small family norm ?
- 2.2 If you are against it, what are your reasons ?
- 2.3 If you are in favour of it, please state:
 - i. whether the allowances should be in cash or kind ?
 - ii. what should the rate of allowances be ?
 - iii. if kind, what should the type and form be ?
- 2.4 Are there any categories of people who should not get children allowances at all, e. g.,
 - i. couples with more than a specified number of living children ? If so, please specify the limit.
 - ii. couples with income above certain limit ? If so, please specify the limit.
 - iii. couples suffering from certain mental or physical disabilities ?
 - iv. any others ? Please specify.
- 2.5 Would you like the rate of allowances to be uniform for the first, second or third child ? Or sliding ? If sliding, please indicate the basis according to which it should be varied.
- 2.6 Would you like spacing of births to be taken into account in determining the rate of allowances ? If yes, please indicate the manner in which it should be done.
- 2.7 How would you like the eventuality of death to be taken into account in this suggestion ?
- 2.8 What machinery would you suggest for an economical and efficient implementation of this suggestion ?
- 2.9 Taking into account the problems of implementation and the demands on implementation machinery, would you like exclusion of persons in the following areas from the scope of this suggestion for the first five years:
 - i. rural areas ?
 - ii. areas not reached by family planning centres or similar institutions ?
- 2.10 What safeguards would you suggest for ensuring that the couple really adopts an effective family planning method, in case of children allowances being granted ?
- 2.11 Would the grant of children allowances encourage births in the earlier part of the married life and thus defeat the purpose of expediting reduction in birth rate ?
- 2.12 Are you, in principle, in favour of or against giving any direct incentive (or lumpsum payment different from children allowances) to avoid or postpone next birth so as to achieve a small family norm ?

If in favour, please specify (i) what should the nature and coverage of the scheme be ?
(ii) what categories of persons on income, number of children, mental and physical, and other bases should be definitely excluded from its coverage ?

PART III - DISINCENTIVES TO HAVING LARGE FAMILIES

It has been suggested that for making couples conscious of the undesirability of and as positive discouragement to their having large families, a tax should be levied on births.

- 3.1 Do you think the idea of birth tax is desirable, practicable and effective?
- 3.2 (a) If not, please give your reasons
- (b) In case you are in favour of this idea, after how many living children should the tax be imposed?
- (c) How do you reconcile it with the argument of reduced ability to pay?
- (d) Should couples having income below certain level be exempted from tax? If yes, what should be the limit?
- (e) Should the tax be a lumpsum or a periodical payment?
- i. If lumpsum payment, how do you take into account the eventuality of death?
- ii. If periodical payment, how long should it be charged?
- (f) What should the rate of tax be?
- (g) Should the rate of tax be increased with the number of living children? If so, in what manner?
- (h) What machinery would you suggest as most efficient and economical for levy and collection of the tax?
- 3.3 Suggestions have been made that the following facilities should not be available to those families which after a particular date, do not restrict their size to 3 living children, if they have less than 3 children, or to their size on that date, if they have then more than 3 children.
- i. Free or subsidised medical treatment to Central and State Ministers, Presiding Officers and Members of the Parliament/State Legislatures, Government servants and their families, employees (including families) of the autonomous/semi-autonomous/local bodies, public sector undertakings, private industrial and other establishment etc.
- ii. Allotment of quarters to employees of Government/local bodies, public sector undertakings.
- iii. Allotment of tenements/plots in the State housing board colonies/cooperative housing societies.
- iv. All freeships, provision of free books, book grants etc. available to all categories.
- v. All scholarships, excepting merit scholarships, by Central/State Government, local bodies, public sector undertakings etc.
- vi. Loans, subsidy, grant to individuals for various purposes and grant of land to different sections of society and citizens.
- vii. Stoppage of T. A. and D. A. on transfer or otherwise in respect of the children.
- 3.4 (a) What are your views on these suggestions?
- (b) If you are against them, please give reasons.

(c) If you favour them, please state:-

- i. Whether you agree with them in toto?
- ii. Whether you suggest modifications to the withdrawal of any of the suggestions? If so, please give details.
- iii. Whether you suggest any additional existing facilities for inclusion in these suggestions? If so, please give details.

3.5 According to the existing income tax rate structure, higher tax has to be paid by a bachelor as compared to a married person. Further, a married tax payer with one dependent child is entitled to a greater rebate than one without a child and similarly a married tax payer with two or more dependent children gets some further tax rebate.

Do you consider that this tax structure is in conformity with the small family norm?

- ii. If not, what modification do you suggest therein to act as disincentives to larger families?

PART IV

Kindly give here any other information or observation, which you consider will be helpful in popularising small family norm and discouraging large families.

**ANALYSIS OF THE REPLIES RECEIVED FROM RESPONDENTS
IN THE CONTEXT OF ADOPTION OF THE NORM OF A SMALL
FAMILY**

Out of over 4000 questionnaires issued, only 131 filled in replies to the questionnaire were received. In order to supplement this information and to have more representative view of the cross section of the society 121* persons belonging to various walks of life were interviewed at Jaipur (Rajasthan), Bombay (Maharashtra), Madras (Madras), and Bangalore (Mysore) with a view to eliciting their opinions on the various aspects as included in the questionnaire. The following table shows the number of persons interviewed and the number of filled in questionnaires received from various categories of organizations individuals:-

Serial Number	Categories	Number of Questionnaires received	Number of persons interviewed
1.	M. Ps. /M. L. As. /M. L. Cs.	6	7
2.	Voluntary Organizations	7	13
3.	Trade Union Organizations/Other Unions	5	30
4.	Rotary Clubs	11	2
5.	Doctors/I. M. A. /M. Colleges/Hospitals	4	13
6.	Social Welfare Boards/Organizations	6	5
7.	FICCI	36	5
8.	Individuals/Miscellaneous	8	29
9.	Indian Red Cross Society	5	3
10.	Women's Colleges/Home Science Colleges	7	6
11.	A. M. Os. /S. F. P. Os.	10	
11.	Health Secretaries/State Health Departments	7	-
12.	A. M. Os. /S. F. P. Os.	10	4
13.	Officers of the Ministry of Health and Family Planning	2	-
14.	Registrars of High Courts/Bar Associations	-	1
15.	Registrars of Universities	4	2
16.	National Institutions	4	1
17.	Railway Board	9	
	Total	131	121*

Besides, twelve persons, representing Employees, Employers, Trade Unions and Social Welfare Organizations were also interviewed at Calcutta. Resume of the discussions may be referred to at the end of this Appendix.

PART I - MATERNITY BENEFITS

Out of 252 persons who have responded on this point, 36 persons have suggested that 'cash benefit' be stopped whereas 11 and 152 have expressed their views in favour of stopping 'leave' and 'all other benefits' respectively; five persons have offered no comments at all and 48 persons are not at all in favour of stopping benefits.

Cash Benefits

31 have suggested the stoppage of cash benefits after the third child and 4 have opined that this be stopped after the second child. Only one person says that cash benefits may be stopped after the fourth child.

Leave Benefits

10 have suggested that this benefit be stopped after the third child whereas 1 person opined that the benefits be stopped after the second child.

All Benefits

Out of 152 persons who suggested that all benefits be stopped, 132 are of the opinion that the stoppage of all benefits may be exercised after the third child. 16 and 3 have favoured that all benefits be stopped after the second and fourth child respectively. However only one person suggested that all benefits may be stopped from the very beginning.

Benefits to be on sliding scale

Out of 252 respondents, 66 have suggested that the benefits be given on sliding scale to the couples on the basis of number of living children and 128 have not favoured this idea whereas 58 have offered no comments at all in this regard.

Out of 66 persons who have suggested that these benefits be given on sliding scale, 24 have favoured the implementation of this idea from the second child; while 14, 9 and 19 are of the opinion that this scheme be put into operation from the first, third and fourth child respectively.

Modifications of maternity benefits

76 persons have suggested for the modification of the existing maternity benefits rules. 65 persons have not favoured this idea whereas 111 persons have not expressed their views at all.

Suggestions offered regarding the modifications of maternity benefits rules

- a. All benefits may be stopped after the third child.
- b. No earned leave should be sanctioned after 4 living children. Any leave required for confinement from the fifth child onward, should be extraordinary leave without pay.
- c. Following benefits should be given to those who bear second or third child after three years or more.
 - i. If second delivery after 3 years or more of first birth - @ Rs. 15/- p. m. for 6 months.
 - ii. If third delivery after 3 years or more of second birth - @ Rs. 10/- p. m. for 6 months.
- d. Leave for maternity may be granted without pay after the second child.
- e. Women foregoing maternity benefits after three living children by a permanent birth control method may be made eligible for three extra holidays a month to cover up her monthly menses period.
- f. Leave once in four years be given if the number of living children is less than three.

- g. Maternity leave may be reduced to 1-1/2 months.
- h. Leave for two months only - one month with full pay, and second month with half pay.
- i. Leave incentives be given upto the age of 35 years only.
- j. Leave incentives may be given to those who do not conceive after two children.
- k. If a worker does not take maternity leave, she may be given salary in lieu of leave.
- l. It is pointed out that necessary modification would be required of Section 311 of the Constitution to give effect to the following suggestion as far as government women employees are concerned.
 - i. Fourth child - Increment be stopped for one year.
 - ii. Fifth child - Increment be stopped for two years and so on.
- m. Reimbursement of medical expenses on account of confinement after third child should not be allowed, also, such type of reimbursement should not be allowed for couples having less than three children unless a period of three years has elapsed since availing of the last concession.
- n. No benefits except free hospital confinement, should be allowed.
- o. For women who do not conceive after three children, annual grant of 15 days leave with wages or a month's wage, without/leave, whichever they think proper. For woman who conceive after three children the existing leave benefits should be withdrawn.

PART II - CHILDREN ALLOWANCE

Out of 252 respondents to the questionnaire, 129 are of the opinion that children allowance would go a long way in the adoption of a small family norm. One hundred and eighteen have not favoured this suggestion and five offered no comments at all.

Over all position:- Out of 129 of the respondents, who favour the idea of giving children allowance to maintain a small family, 24 are of the opinion that the payment should be in cash only whereas 90 suggest that this be given in kind only. Nine have favoured this payment to be both in cash and kind and five persons offered no comments at all.

Following are the suggestions offered regarding the payment of Children Allowance:-

Payment in kind

1. It should be in the form of free medical treatment, nursing and provision of baby food (should be uniform upto three children).
2. Free education upto three children.
3. It should be in the form of free transport for schooling.
4. It should be in the form of health insurance and free recreational facilities.
5. Free books, school dress/uniform for children whose parents have controlled their family through vasectomy or sterilization.
6. Benefits should not be given to illegitimate issues.
7. Free scholarship upto matric, free books and examination. It should be given upto the age of 18.
8. Free post-natal care, free milk food and free clothing for the first six months.
9. In the form of coupons for clothes or books, this may be given upto 12 years of age.

Reasons against granting children allowance

The respondents who are not in favour of this scheme, have offered the following common reasons against it:

1. Due to heavy cost of implementation, it is not workable as applied to the whole country.
2. The idea is impracticable and undesirable and is not going to help in spreading a small family norm nor improve the standard of upbringing of children.
3. It is difficult to implement. State may incur huge expenditure and still people may have large families. What is the guarantee that the children will be stopped after a certain number of living children.
4. This scheme of children allowance will encourage more births.
5. In the prevailing atmosphere of illiteracy and poverty, the State exchequer would unnecessarily be burdened by extra expenditure.
6. Lack of legal or other sanctions.
7. Chance of mis-appropriations of funds by the staff appointed for implementing the scheme.
8. The allowance payable to parents for limiting the size of the family, may not be properly utilized but wasted on other items, thus defeating the purpose of granting of allowances which is mainly for the proper maintenance of children.
9. Such payment of allowances either in cash or kind will involve huge expenditure on the part of the Government. They in turn will have to raise this amount by way of taxation and ultimately it will have to be borne by the people themselves. One should guard against this vicious circle.
10. It certainly will not serve the purpose of family planning. In fact this probably will encourage the people to have children early to enable them to draw the allowance and thus defeat the purpose of achieving

any reduction in the birth rate in the immediate future.

11. Children allowance should not be given at all until we reach our targets of family planning, otherwise the malady will continue. If, after the birth of two children the couple get themselves sterilized, thus as an incentive and for proper maintenance of the small family in low income groups, both rural and urban wherever family planning centre exists, an allowance may be given after sterilization.
12. People will not frankly give information about the number of children and it will be difficult rather impossible for any agency to elicit and keep an upto date data about any increase in the number of children in a family.
13. If the children allowance is paid for a certain number of children, it might create two classes of children in the same family economically better off than the other which may deteriorate parent children relationship when the children grow up. Moreover if a child is born it is none of his fault for which he should be deprived of the care which the predecessor has enjoyed.
14. It requires a widely spread machinery for the implementation which will pose greater monetary and supervision liability.
15. It involves immense organizational work. It will lead to enormous paper work and tonnes of red tape.
16. It will be an additional liability without any limiting influence on the number of children. When it is proposed to penalise by stopping maternity benefits, it is anomalous to give children allowances.

Couples who should not be eligible for children allowance

Number of living children:- Out of one hundred and twenty nine persons, sixty one have favoured that children allowance may not be given to those who have more than three children. Twenty three persons have expressed the views that limit of children be upto two only, whereas thirty eight persons suggest the limit should be upto four children. Seven persons offered no comments at all.

Monthly income:- Forty eight out of one hundred twenty nine persons who favoured the idea of children allowance have opined that the couples whose income is Rs. 500/- and above should not get it. Two and five have suggested the monthly income restriction upto Rs. 200/- and Rs. 200-500/- respectively. Seventy four have offered no comments on this issue.

Couples suffering from mental or physical disorders:- Out of one hundred and twenty nine persons, twenty persons have favoured that the couples who are suffering from mental or physical disorders should not be eligible for children allowance, thirty two have disfavoured this suggestion and seventy seven have offered no comments at all.

Rate of children allowance

Out of one hundred and twenty nine persons, thirty two have suggested the payment of children allowance to be on uniform scale and forty four persons have suggested that such a payment should be on sliding scale. Fifty three persons have offered no comments on this issue.

Spacing of births to be taken into account for giving children allowance

Out of one hundred and twenty nine persons who are in favour of granting children allowance as an aid for adoption of a small family norm, forty nine suggest that spacing of births should be taken into account while thirty seven have disfavoured suggestion and forty three persons have not offered any comment at all.

Period of spacing between two successive births

The spacing period suggested between two successive births varies between two to five years. The maximum number of respondents have suggested that there should be a spacing of three years between two successive births for granting of children allowance.

Eventuality of death to be taken into account for granting children allowance

Following are the various suggestions offered in this regard:-

Eventuality of death must be taken into account and it will only apply if the couple does not have more than three children at any time.

2. In case of the death of the child, no allowance should be paid. If the parents die, this should be continued undisturbed.
3. Three living children should be taken as the criterion.
4. Supposing a couple has three children and has availed of all the privileges, but accidentally two of them die, the allowance should be given if the couple produces two more children.
5. If a couple having one male child adopts any irreversible methods and if the male child dies the couple should be compensated.
6. The number of children in chronological sequence should be considered only for living children.
7. If couples having less than three children, lose any child, allowance should be continued for three children. If all the three children die, not only the children allowance for three children should continue but special pensionary benefits may be considered.
8. Benefits should be given for two children only.

Safe guards suggested for effective implementation

1. Family planning organization should ensure that the children allowance is properly and effectively utilized. It must keep a record of children born and the manner in which the allowance is used by each family.
2. Certificate of proper spacing of children and sterilization operation be maintained.
3. The heads of departments and district revenue authorities should be held responsible for checking children allowance.
4. Free certification by the D. M. O. or his authorised representatives at all levels upto the village level to the effect of number of children.
5. Authorities may arrange for periodical visits to such families to ensure that they have adopted effective family planning methods.
6. The couples should sign a bond for children allowance.
7. The couple should give an undertaking that they will make good the loss if child is born after the specified numbers.
8. Visit to the families by a person in charge, such as gram sevikas, health visitors, etc.
9. Only after sterilization with three or less children and suspension of allowance after the birth of the fourth child.
10. The couples who get the fourth child will be required to refund all the allowances paid to them in respect of the first, second and third child.
11. Stringent control is to be kept to see that all allowances are discontinued after third child.
12. The couple may be required to file periodical verification reports through a duly authorised family planning unit.
13. Certificate form recognized family planning centre at various stages.
14. A periodical cross examination of the parents by the family doctor or the child welfare clinic doctor, followed by a threat of disciplinary action of some type or the other by the employers.
15. Field workers must be instructed to make periodical visit to keep a strict vigilance on the families receiving the allowance to see that they are following effective Family Planning devices.
16. Certificate should be obtained from local family planning centre or from a registered medical practitioner in this respect.

17. The registration card of the clinic or record of the home visit with the dates of issue of family planning material and follow-up should be with the worker and the client.
18. Before sanctioning children allowance to any couple, either couple must register herself/himself at the nearest Family Planning Centre and Family Planning Centre should certify at the beginning of each academic year that the couple is practising Family Planning methods.

Restrictions on implementation of children allowance scheme to certain areas

The implementation of scheme of granting children allowance to the couples for adoption of small family norm would entail the employment of a large machinery. As such, views have been elicited to the effect whether the rural areas/areas not reached by family planning centres or similar institution may be excluded for first five years during the experimental stage.

Out of 129 respondents, 18 are of the view that this may not be extended to rural areas for the first 5 years, 41 persons have disfavoured this idea. 70 have offered no comments at all; 28 of these respondents also favour that this scheme may not be extended to those urban areas which are not covered by family planning centres or similar institutions. 27 persons do not agree with this restriction whereas 74 offered no comments on this issue.

Would the grant of children allowance encourage births in the earlier part of the married life and thus defeat the purpose of reduction in birth rate?

42 persons have opined that this scheme of granting children allowance would in no way encourage births in the earlier part of the married life, while 14 persons have stated that this scheme would encourage births in the earlier part of the married life and thus defeat the purpose of expediting the reduction in birth rate. 73 persons remained silent on this issue.

59.1 per cent have opined that this scheme of granting children allowance is, in no way going to hamper the programme of the reducing the birth rate whereas 19.8 per cent have stated that this scheme will encourage births in the earlier part of the married life and thus defeat the purpose of expediting the reduction of birth rate. 21.1 per cent remained silent on this issue.

Should direct incentives be given to avoid or postpone next birth so as to achieve a small family norm?

Out of 252 persons, 67 persons have not favoured the idea of giving direct incentive or lumpsum payment different from children allowance whereas 27 have favoured it and 158 offered no comments on this point.

PART III - DISINCENTIVES TO HAVING LARGE FAMILIES

In this section the detailed analysis of the suggestions received in the context of imposition of birth-tax on couples for making them conscious of the undesirability of and as positive discouragement to their having large families have been discussed.

Imposition of birth-tax

Out of 252 respondents 54 have favoured the imposition of birth-tax for adoption of small family norm, 172 did not favour this idea, while the remaining 26 offered no comments at all.

REASONS AGAINST BIRTH-TAX

The following common reasons have been advanced against the levying of the birth-tax on couples:-

- i. The public in general are already over burdened with direct as well as indirect taxation and levy of such taxation may result in a mass agitation and create an unnecessary problem for law and order.
- ii. People will conceal the births of their children and collection of tax will involve huge expenses.
- iii. Impracticable.
- iv. The family planning programme cannot be implemented on compulsory basis for moral or other reasons; so also imposing of birth-tax cannot be thought of.
- v. Birth-tax is against the inalienable right of every free citizen.
- vi. It will be coercive and therefore resented.
- vii. The imposition of birth-tax is not likely to help much in the reduction of the birth rate.
- viii. Majority of people being illiterate, they would hardly understand the importance of this tax. They would consider this as one of the usual taxes and would pay it.
- ix. Birth-tax will add to the financial difficulty and particularly to those belonging to the lower strata of the society.

Limitation for imposing birth-tax

i. LIMIT OF CHILDREN FOR IMPOSING BIRTH-TAX

Out of 54 persons who have favoured the idea of imposing birth-tax as a measure for adoption of small family norm, 9 favoured for its levying after the second child, 37 after the third child and 7 after the fourth child. However, one suggested that this may be imposed right from the first child.

ii. INCOME LIMIT FOR LEVYING BIRTH-TAX

Out of 54, 28 persons have favoured the suggestion of levying birth-tax, irrespective of monthly income of the couples. Three, five and two persons have opined that couples having monthly income upto Rs. 200/-, Rs. 200-500 and Rs. 500/- and above respectively may be exempted from birth-tax. Seven persons have not offered any comments on this issue.

The following common suggestions have been offered in respect of the rate of the birth-tax to be imposed:-

In case of periodical payment of birth-tax

- i At the rate of Rs. 100/- p. a. for five years for the third child and on getting the fourth child the birth-tax may be charged at the rate of Rs. 150/- for seven years and it may be raised to Rs. 200/- p. a. for ten years on getting the fifth child.

- ii. After the third child at the rate of Rs. 5/- for 10 years.
- iii. After the third child at the rate of Rs. 100/- per child.
- iv. After the third child at the rate of 5 per cent of the basic salary.
- v. After the third child at the rate of 1 per cent of earning from 3 years.
- vi. After the third child at the rate of Rs. 10/- p. m. upto the age of 25 years of the child.
- vii. After the third child at the rate of Rs. 50/- p. a. per child.
- viii. After the fourth child at the rate of 2 per cent of income.
- ix. After the fourth child at the rate of Rs. 5/- quarterly for each child.
- x. After the fourth child at the rate of Rs. 3/- per year for 5 years.

In case of lumpsum payment of birth-tax

- i. After the second child at the rate of Rs. 10/-, Rs. 20/- and Rs. 30/- may be charged from the couples residing in villages, towns and cities respectively.
- ii. After the second child, at the rate of Rs. 500/- for the third child and Rs. 1,000/- for the fourth child.
- iii. After the third child at the rate of 5 per cent of the annual income.
- iv. After the third child, birth-tax may be charged at the rate of Rs. 50/- per child per annum.
- v. From the third child at the rate of Rs. 100/- p. a.
- vi. At the rate of Rs. 50/- p. a. of the annual income after the third child.
- vii. At the rate of Rs. 100/- p. a. for the fifth child and with an addition of Rs. 50/- p. a. for each additional child.

19. 6 per cent have suggested that the birth-tax may be collected by the Income Tax Department and Local Self Governments/Municipalities/Corporations and 13.0 per cent have suggested that this should be the responsibility of the Registrar of Births and Deaths while 8.7 per cent have suggested this collection may be done by the employers or by Revenue Department. 2.2 per cent have suggested that it should be undertaken by the Family Planning Department or hospitals. 26.0 per cent did not offer any comments on this aspects.

REGARDING STOPPING OF FACILITIES TO THOSE COUPLES WHICH AFTER A PARTICULAR DATE DO NOT RESTRICT THEIR SIZE TO THREE LIVING CHILDREN, WHEN THEY HAVE LESS THAN THREE, OR TO THEIR SIZE IF THEY HAVE MORE THAN THREE

In the context of the above suggestion, views have been elicited about the stopping of medical facilities, allotment of accommodation, provision of freeships and books, scholarships, loan and subsidy etc. and T. A. and D. A. on transfer or otherwise in respect of the children. The following is item-wise analysis of the views expressed by the respondents:-

Out of 252 persons, 69 have favoured for the stoppage of the medical facilities etc. whereas 39 disfavoured this suggestion and the remaining 144 persons did not offer any comment on this issue.

Out of a total of 252 persons, 58 recommended the stopping of this facilities to serve as disincentives to having large families. 50 disfavoured this suggestion and the remaining 144 offered no comment in this context.

65 out of 252 are in favour of stopping of this facilities, 44 are in favour while 143 did not express any view in this regard.

Out of 252, 67 are of this opinion that such a disincentives may be applied while 41 disfavoured the suggestion and the remaining 144 gave no comments.

65 out of 252 persons, who offered their views on this issue are of the opinion that this benefit may be denied as a disincentive to having large families, while 42 are not of this opinion and the remaining 145 remained silent on this issue.

61 out of 252 are in favour of stopping T. A. and D. A. on transfer or otherwise in respect of the children of the couples who exceed the specified limits. Only 47 are not in favour of such a suggestion while 144 did not offer any comment.

REGARDING PRESENT INCOME-TAX STRUCTURE

82 out of 352 are of the opinion that the present tax-structure is not in conformity with small family norm, whereas 81 have felt that there is no need to introduce any alteration in this existing structure. The remaining 89 offered no comments on this issue.

The following suggestions have been offered for introduction of modification in the existing tax-structure so that it conforms to the adoption of small family norm:

1.
 - i. Bachelor beyond 25 years, maximum concessions till he got married - 30 per cent concession.
 - ii. Married upto three children, concession 20 per cent as three children are allowed for small family norm.
 - iii. Married - more than three children - usual tax, no special increase.
2. This rebate should be allowed upto three children and no more. Rather with more children rebate be proportionately reduced. This will affect only those who pay income-tax as it is practicable.
3. Income-tax rebate available with family having two or more children should be withdrawn if more than three children.
4. The income-tax rebate admissible should be cancelled if there are more than three children. Bachelors or people with less than three children should be treated at par.
5.
 - i. Bachelors should get the same concession in income-tax rebate as are given to married persons with more than one dependent child after the tax payer attains the age of 25 in case of women and 30 in case of men.
 - ii. The tax rebate should be withdrawn if a tax payer produces the fourth or more child after a date to be notified after this purpose.
6. Tax relief should be given upto two living children. Couples without children may be given special rebate.
7. Bachelor should get rebate upto age of 35, thereafter previous structure should apply.
8. If the number of children exceeds three the rebate of income tax should be reduced so as to act as disincentives to large families.
9. Higher tax relief must be given to married persons with small family upto three children.
10. Bachelors must be treated at par with married persons as far as tax relief is concerned.
11.
 - i. Bachelors tax should be at par with the married persons without children.
 - ii. No further tax rebate should be allowed after two living children.
12. Bachelors must be given some tax incentives. A married person should not get tax rebate if he has more than three children.
13. This structure should be reversed so that lesser the family greater the benefit.
14. Additional taxes should be levied for each child birth.

PART IV

GENERAL SUGGESTIONS CONSIDERED TO BE HELPFUL IN POPULARISING SMALL FAMILY NORM AND DISCOURAGING LARGE FAMILIES

Following are the general suggestions offered by some of the respondents in the context of the adoption of a small family norm:

Sterilization

1. Sterilization may be performed after two or three children.
2. All women in villages who have got three or four children and want to get sterilized may be allowed to do so even without the permission of the husband.
3. Employment should be given either to a man or a woman of the family if he or she got sterilized after the third child.
4. Tubectomy of women giving birth to the third child or above, or in the alternative, vasectomy operation of her husband, by persuasion and propaganda.
5. District-wise and State-wise competition should be instituted on all India level on the results of sterilization cases and loop insertions.
6. The most effective method for controlling population would be the legal provision for sterilization for all persons having more than two children and those who cannot afford to pay the birth-tax.
7. Sterilization should be popularised widely and after three children, if she undergoes sterilization an amount of Rs. 200/- in cash be paid.
8. Couple should compulsorily get sterilized after having three children otherwise that should disqualify the employed man or woman.
9. If sterilization is done after three children, maximum of the pay scale should be given.
10. After the second child, couple should be educated to have loop fitted. After the third child sterilization should be suggested and be followed up with cash incentives.
11. People suffering from mental disabilities should be sterilized to prevent the birth of mentally defective children.
12. The criterion for eligibility for elections should be compulsory sterilization after three children and a suitable amendment of the constitution needs to be done.
13. Advance increments/bonds of those who undergo sterilization after the second child.
14. Additional cash incentives be given if person undergoes sterilization operation after the third child. Leave incentives be given upto the age of 35.
15. Additional cash incentives in lumpsum be given after third child if the person undergoes sterilization operation.
16. Panchayat Raj should take up compulsory sterilization after two children on a top priority basis.
17. Compulsory sterilization after the third child and leave for two months after tubectomy.
18. Compulsory sterilization in cases of hereditary diseases.
19. Landless labourers and those having 5 acres of land may be given allowance if they undergo sterilization operation after two children.

Abortion

1. Abortion should be liberalised.
2. Abortion should be liberalised for all (i) mentally ill, (ii) unmarried mother, if she so desires, (iii) those who undergo sterilization after an abortion in order to prevent repeated abortions and

(iv) physical ailments which are likely to be transmitted to the offspring.

All sources should be allowed for publicity purposes.

3. Legalize abortion and encourage private and government doctors to induce more population to undergo scientific abortion. More education be given on family planning and abortion.
4. Abortion should be legalised for this category. When physical disability are likely to be transferred to the child through the contact or heredity, the parents concerned should be sterilized.
5. After the third child if a woman gets pregnant she may be permitted abortion, provided she accepts simultaneous sterilization.

Insurance/bonus/increments

1. LIC may be requested to accept lower premium rate for women who get themselves sterilized soon after the birth of the third living child.
2. Women getting sterilized after the third child or earlier should be allowed rebate on insurance premium.
3. Employees getting sterilized after the third child or earlier should be given increments in their pay.
4. Child health insurance scheme may be introduced.
5. In each plan period in each department, the employees having one child only for the plan period may be given prize, provided the maximum number of children should not exceed three.
6. All male employees who have been sterilized after having three children may be given 5 advance increments, and a lumpsum amount of Rs. 250/-
7. In respect of Government servants, employees of autonomous/semi-autonomous bodies, local bodies, public sector undertakings, private industrial and other establishments:-
 - a. Procedure for selection of employees for promotion to higher grades may be suitably amended to provide a certain number of marks to be given to those who have a family of not more than three children.
 - b. Grant of one advance increment adjustable at the time of due increment in lieu of compensation money or the compensation money whichever is more beneficial to the candidate undergoing vasectomy/tubectomy operation.
8. Bonus for non-conception after every five years and/or 15 days leave with pay.
9. Additional cash benefit be given for spacing upto third child and thereafter sterilization.
10. In case of having no child for 10 years heavy bonus may be given.
11. No birth bonus after the third child may be given.

Raising of age of marriage

1. There must be a vigorous propaganda to avoid early marriage and raise the age of marriage both for boys and girls.
2. The age of marriage be raised to 18 years in the case of girls and 20 in the case of boys.
3. The age of marriage may be raised to 18 years in case of girls and to 25 for boys by legislation.
4. The minimum marriage age for girls should be 21 years and for boys 27 years; severe penalty for infringement of these rules should be given, which may extend to 2 years simple imprisonment plus a minimum fine of Rs. 2,000/-.

Education and motivation

1. Employment of post-sterilization men and women from amongst the masses for disseminating information regarding family planning. A fortnight training for the workers will be necessary.
2. Stress should be laid on motivational aspect.
3. Every couple at marriage and every woman at delivery must be approached to educate and motivate them.
4. Intensive educational efforts may be made for limiting families and pace of recreation is broad based specially in rural areas.
5. The teachers must be oriented towards furthering the objective at family planning education on a long range basis.
6. Utilization of local dais and midwives for motivation.
7. The advantages of small family over a large family may be highlighted in the industrial journals to make the people small family conscious.
8. Publicity efforts should be strengthened in the rural areas. All our energies should be directed to educate the low-income illiterate rural population on the small family norm and to induce them to adopt the same.
9. The religious belief is a great deterrent to implementation of the programme, which should be overcome by educating the masses on a very vast scale.
10. In consultation with the film producers there should be an award for such film producers whose production will encourage family planning.
11. It should be obligatory under the Cinematograph Act for all the cinemas to show slides and documentary films on family planning during every show.
12. More emphasis should be laid upon publicity. Audio-visual aids must be utilized to the maximum for this purpose in remote villages in order to create a proper psychological atmosphere for the small family norm in the country.
13. Propaganda regarding benefits of small family and how to achieve it, should be carried out in the villages, slum areas, backward areas and in general. Help in this regard should be sought from social work bodies in every town and village, newspapers, business communities, advertising agencies, etc.
14. Basic sex knowledge may be imparted in the colleges.
15. Religious leaders in the country who have a strong hold on the majority of masses may be approached to advise and educate the people in favour of small family norm.

Miscellaneous

1. Staff at the district level organization be converted as Insurance Agents. Offices for Registrar of Births and Deaths be taken to district level and the organization stream lined.
2. The Government should ensure that the policy of restricting number in family applied equally to all communities in this country.
3. Strength of lady doctors be increased at district and sub-divisional headquarters.
4. It should be made a condition that for employment in public and private sector, parents who have only two children, will be accepted.
5. There should be intensive preaching to encourage celibacy. In this connection, the help of religious preachers should be obtained.
6. Family planning stocks must be made more easily available.

7. The words 'Prevention of conception in women' be deleted from the Drugs and Magic Remedies Act 1954 under section 3(a).
8. Applicants having planned families be given preference in employment .
9. Issue of free passes/warrants, P. T. Os. etc. by the various organizations, for example, Railways, Defence and States. Issue of the above concession in respect of dependent children should be restricted to three children.
10. At baby shows, award of prizes etc. should be restricted to families having a maximum of three children.
11. An additional 10 per cent marks should be given in all UPSC examinations for bachelor candidates and 5 per cent for candidates married with one child.
12. In Government of India or State Government jobs, 50 per cent of the posts should be reserved for the bachelors and the rest by open competition. Private sectors should also be urged to follow this procedure. No Government jobs will be given both in Government of India or State Governments if a widower or a widow re-marries, having at least three children from the previous marriage for overseas scholarships, officials and employees with three children and below should be given preference over others. No person female or male should be employed in Family Planning Organization of the Government if he or she has more than three children and if such official has more than four children while in service should be transferred away from the family planning organization, which may even mean reversion to a lower post.

As an incentive, bachelors proceeding overseas on their own for technical studies or other studies should be given additional foreign exchange to maintain themselves overseas as it is felt that travel abroad will broaden their outlooks and they may become better exponents of family planning when they come back. In fact applications for foreign exchange from bachelor students should be viewed with sympathy. Any doctor planning on his own to go abroad and wanting to spend his own money for family planning training abroad or making a tour of foreign countries with a view to learn family planning work should be freely given passport and Visas.

13. The employee should be removed from service after the third child birth.

PART - I MATERNITY BENEFIT

Sr. No.	Category (No. of respondents in brackets)	Number of persons in favour of stopping existing								Not at all in favour of stopping benefits	No comments	Benefits to be on sliding scale from				Not in favour of sliding scale benefits	No comments	Should maternity benefits be	
		Cash benefit after		Leave benefit after		All benefits after			1st child			2nd child	3rd child	4th child	In favour			Not in favour	
		2nd child	3rd child	2nd child	3rd child	2nd child	3rd child	4th child											
1.	M.Ps./M.L.As. (13)	2	-	-	1	1	5	-	2	2	-	1	1	-	7	4	5	2	
2.	Vol. Orgns. (29)	1	1	-	-	1	9	-	8	-	-	2	-	3	13	2	3	1	
3.	Trade Union Orgns. (35)	-	5	-	-	1	14	1	14	-	-	1	-	3	27	4	6	6	
4.	Rotary Clubs (13)	-	4	-	-	1	8	-	-	-	1	1	-	2	8	1	7	3	
5.	I.M.A./Med.Colleges/Hospitals (17)	-	5	-	1	2	7	-	2	-	2	1	-	-	7	7	3	4	
6.	Social Welfare Board/Orgns. (11)	-	2	-	-	1	4	-	4	-	-	-	-	3	4	4	3	4	
7.	F I C C I (41)	-	2	-	-	3	34	1	1	-	1	5	4	-	23	8	10	19	
8.	Miscellaneous/Individuals (37)	-	5	-	3	1	16	-	9	3	4	1	1	7	6	18	12	8	
9.	Indian Red Cross (8)	-	2	-	-	1	2	1	2	-	-	-	-	-	7	1	4	3	
10.	Women's Colleges Home Science Colleges (13)	-	4	-	-	1	7	-	1	-	1	4	1	1	4	2	5	5	
11.	Health Secretaries/State Health Deptts.(7)	-	-	-	1	1	3	-	2	-	-	-	-	-	7	-	2	3	
12.	A.M.Os./F.P.Os.(14)	-	1	-	1	-	11	-	1	-	3	5	-	-	3	3	7	2	
13.	Officers of the Ministry of Health & F.P. (2)	-	-	-	-	-	2	-	-	-	-	1	1	-	-	-	2	-	
14.	Registrars of High Courts/Bar Assns.(1)	-	-	-	-	-	1	-	-	-	-	-	-	-	1	-	-	1	
15.	Registrars of Universities (6)	1	-	1	-	-	3	-	1	-	1	1	-	-	3	1	1	3	
16.	National Institutions (5)	-	1	-	-	1	2	-	-	-	1	1	-	-	1	2	2	-	
17.	Railway Board (9)	-	-	-	2	1	5*	-	1	-	-	-	1	-	7	1	4	2	
TOTAL (252)		4	32	1	10	16	133	3	48	5	14	24	9	19	128	58	76	65	

Note:- *One says, all benefits be stopped from the very beginning.
 **One says, cash benefits may be stopped after the 4th child.

PART II - CHILDREN ALLOWANCE (C.A.)

Sr. No. (No. of respondents in brackets)	Category	'Children allowance should work as an aid to adoption of a small family norm'						'Couples who should not be eligible for children allowance'											
		'In favour'			'Not in favour'			'Having children more than'				'Having monthly income'			'Suffering from mental or physical disorder'				
		'Cash'	'Kind'	'No comments'	'Total'	'favour'	'No comments'	'Two'	'Three'	'Four'	'No comments'	'Upto 200'	'200 to 500'	'No comments'	'In favour'	'Not in favour'	'No comments'		
																		'500 above'	'In favour'
1.	M.Ps./M.L.As.	(13)	1	4	1	6	6	1	-	3	2	1	-	-	2	4	-	2	4
2.	Vol. Orgns.	(20)	4*	7	-	10	8	2	3#	3	3	1	-	-	5	7	-	4	6
3.	Trade Union Organizations	(35)	2*	13	3	17	18	-	1	5	8	3	-	1	3	13	1	-	16
4.	Rotary Clubs	(13)	4#	6	-	7	6	-	1	5	1	-	-	2	4	1	5	2	2
5.	I.M.A./Med. Colleges/Hospitals	(17)	4	8	-	12	5	-	-	3	9	-	-	-	2	10	1	1	10
6.	Social Welfare Boards/Orgns.	(11)	3*	1	1	4	7	-	-	3	1	-	-	-	3	1	1	1	1
7.	F I C C I	(41)	5#	20	1	23	17	1	6	16	-	1	-	-	12	11	2	9	12
8.	Miscellaneous/Individuals	(37)	1	15	-	16	21	-	8	2	5	1	-	1	1	14	2	-	14
9.	Indian Red Cross	(8)	1	2	1	4	4	-	1	3	-	-	-	1	3	-	2	1	1
10.	Women's Colleges/Home Science Colleges	(13)	1	4	2	8	5	-	-	5	3	-	-	-	5	3	2	1	5
11.	Health Secretaries/State Health Deptts.	(7)	1	-	-	1	6	-	1	-	-	-	-	-	-	1	1	-	-
12.	A.M.Os./F.P.Os.	(14)	2	7	-	9	5	-	1	3	5	-	-	-	4	5	1	4	4
13.	Officers of the Ministry of Health and F.P.	(2)	2	-	-	2	-	-	-	2	-	-	1	-	1	-	1	1	-
14.	Registrars of High Courts/Bar Assons.	(1)	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-
15.	Registrars of Universities	(6)	1	1	-	2	3	1	1	1	-	-	-	-	2	-	-	2	-
16.	National Institutions	(5)	1	4	-	5	-	-	-	4	1	-	1	-	2	2	2	1	2
17.	Railway Board	(9)	-	3	-	3	6	-	-	3	-	-	-	-	1	2	1	2	-
TOTAL		(252)	33	96	9	129	118	5	23	61	38	7	2	5	48	74	20	32	77

* = one is in favour of both cash and kind.
 # = one says that couples should not get children allowance having children more than one.
 # = three are in favour of both cash and kind.

PART II - CHILDREN ALLOWANCE (C.A.) - continued

Sr. No.	Category (No. of respondents in brackets)	Rate of allowance			Spacing of births to be taken into account for giving children allowance			Exclusion of persons for children allowance for the first 5 years from the area			Would the grant of children allowance encourage births in earlier part of the married life and thus defeat the purpose of small family norm			Should direct incentives be given for small family norm						
		Uni-form	Slit	No	In favour	Not in favour	No comments	In our favour	Not in our favour	No comments	In favour	Not in favour	No comments	In favour	Not in favour	No comments				
1.	M.Ps./M.L.As. (13)	-	6	-	1	1	4	-	2	4	1	1	4	-	2	4	2	2	9	
2.	Vol. Orgns. (20)	3	3	4	4	2	4	3	1	6	3	1	6	2	2	6	1	5	14	
3.	Trade Union Orgns. (35)	-	5	12	5	4	8	2	1	14	1	1	15	1	-	16	2	1	32	
4.	Rotary Clubs (13)	4	2	1	4	2	1	1	5	1	1	5	1	-	6	1	1	8	4	
5.	I.M.A./Med.Colleges Hospitals (17)	1	1	10	1	1	10	-	1	11	-	1	11	-	1	11	1	2	14	
6.	Social Welfare Board/Orgns. (11)	1	2	-	2	2	-	1	2	1	3	-	1	1	1	2	-	6	5	
7.	F I C C I (41)	8	10	5	9	9	5	8	10	5	9	7	7	7	9	7	5	16	20	
8.	Miscellaneous/Individuals (37)	1	1	14	9	-	7	1	1	14	1	1	14	-	2	14	4	2	31	
9.	Indian Red Cross (8)	2	-	2	3	1	-	-	1	3	-	1	3	2	1	1	3	1	4	
10.	Women's Colleges/ Home Science Colleges (13)	4	1	3	1	5	2	-	5	3	3	1	4	1	3	4	1	5	7	
11.	Health Secretaries/ State Health Dep'ts. (7)	-	1	-	-	1	-	-	-	1	-	-	1	-	1	-	1	2	4	
12.	A.M.Os./F.P.Os (14)	2	7	-	7	2	-	1	4	4	2	5	4	-	5	4	-	9	5	
13.	Officers of the Ministry of Health and F.P. (2)	-	2	-	1	1	-	1	1	-	2	-	1	-	2	-	1	1	-	
14.	Registrars of High Courts/Bar Assns. (1)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	
15.	Registrars of Universities (6)	-	1	-	1	1	-	-	2	-	1	1	-	-	2	-	1	1	4	
16.	National Institutions (5)	2	2	1	-	3	2	-	2	3	1	1	3	-	3	2	-	2	3	
17.	Railway Board (9)	3	-	-	1	2	-	-	3	-	1	2	-	-	2	1	4	4	1	
TOTAL		(752)	32	44	53	49	37	43	18	41	70	28	27	74	14	42	73	27	67	158

PART - III - DISINCENTIVES TO HAVING LARGE FAMILIES

Sr. No.	Category (No. of respondents in brackets)	Imposition of birth tax for small family norm			Children limit for imposing birth tax for small family norm (No. in favour)			Couples to be exempted from birth tax having monthly income				Couples not to be exempted from birth tax irrespective of income	No comments	Tax to be increased with the number of living children			
		In favour	Not in favour	No comments	2+	3+	4+	Upto 200	200 to 500	No above	No comments			In favour	Not in favour	No comments	
1.	M.Ps./M.L.As./M.L.Cs. (13)	1	9	3	1	-	-	-	1	-	-	-	-	-	1	-	-
2.	Vol. Orgns. (20)	4	13	1	-	5	1	1	1	-	2	-	2	1	1	4	
3.	Trade Union Orgns. (35)	4	28	3	1	3	-	-	-	1	1	2	-	2	-	2	
4.	Rotary Clubs (13)	4	9	-	1	2	1	-	-	-	-	2	2	2	1	1	
5.	I.M.A./Med.Colleges/Hospitals (17)	-	16	1	-	-	-	-	-	-	-	-	-	-	-	-	
6.	Social Welfare Board/Orgns. (11)	3	7	2	1	2	-	-	-	-	-	2	1	2	1	-	
7.	F I C C I (41)	17	21	3	5	11	1	1	2	1	-	10	3	10	3	4	
8.	Miscellaneous/Individuals (37)	6	21	10	-	4	2	-	1	-	4	-	1	-	-	6	
9.	Indian Red Cross (8)	1	6	1	-	1	-	-	-	-	-	1	-	1	-	-	
10.	Women's Colleges/Home Science Colleges (13)	4	7	2	-	3	1	-	-	-	-	4	-	4	-	-	
11.	Health Secretaries/State Health Depts. (7)	-	7	-	-	-	-	-	-	-	-	-	-	-	-	-	
12.	A.M.Os./F.P.Os. (14)	2	12	-	-	2	-	-	-	-	-	2	-	1	-	1	
13.	Officers of the Ministry of Health and F.P. (2)	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	
14.	Registrars of High Courts/Bar Assons. (1)	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	
15.	Registrars of Universities (6)	2	4	-	1*	1	-	-	-	-	-	2	-	1	-	1	
16.	National Institutions (5)	2	2	1	-	2	-	1	-	-	-	1	-	1	-	1	
17.	Railway Board (9)	2	7	-	-	1	1	-	-	-	-	2	-	2	-	-	
TOTAL		(252)	54	172	26	10	37	7	3	5	2	7	28	9	28	6	20

* = from first child.

PART - III - DISINCENTIVES TO HAVING LARGE FAMILIES (continued)

Sr. No.	Category (No. of respondents in brackets)	Stopping of facilities who do not restrict their size to three living children															Present tax structure in conformity with small family norm					
		Medical facilities			Accommodation etc.			Free studentship etc.			Scholarship Loan, etc.			Subsidy T.A. and D.A.			In	Not in	No			
		In	Not in	No	In	Not in	No	In	Not in	No	In	Not in	No	In	Not in	No						
		'fav-our'	'favour'	'com-ments'	'fav-our'	'favour'	'com-ments'	'fav-our'	'favour'	'com-ments'	'fav-our'	'favour'	'com-ments'	'fav-our'	'favour'	'com-ments'	'favour'	'favour'	'comments'			
1.	M.Ps./M.L.As. (13)	4	1	8	4	1	8	4	1	8	4	1	8	4	1	8	4	1	8	3	5	5
2.	Vol. Orgns. (20)	2	3	15	3	2	5	3	2	5	3	2	5	3	2	5	3	2	5	13	4	3
3.	Trade Union Orgns. (35)	2	2	31	2	2	31	2	2	31	2	2	31	2	2	31	2	2	31	3	2	30
4.	Rotary Clubs (13)	4	6	3	3	7	3	4	6	3	4	6	3	5	6	3	4	6	3	7	4	2
5.	I.M.A./Med.Colleges/Hospitals (17)	2	1	14	2	1	14	2	1	14	2	1	14	2	1	14	2	1	14	11	4	2
6.	Social Welfare Board/Orgns. (11)	5	1	5	4	2	5	5	1	5	5	1	5	4	2	5	3	3	5	4	3	4
7.	F I C C I (41)	22	6	13	17	11	13	20	9	12	20	8	13	20	8	12	19	9	12	13	21	7
8.	Miscellaneous/Individuals (37)	3	3	31	2	4	31	2	4	31	2	4	31	2	4	31	1	5	31	9	7	21
9.	Indian Red Cross (8)	1	3	4	2	2	4	1	3	4	1	3	4	2	2	4	2	2	4	2	3	3
10.	Women's colleges/Home Science Colleges (13)	5	1	7	5	1	7	5	1	7	5	1	7	4	2	7	4	2	7	1	8	4
11.	Health Secretaries/State Health Deptts. (7)	3	3	1	3	3	1	3	3	1	3	3	1	3	2	2	4	2	1		6	1
12.	A.M.Os/F.P.Os. (14)	7	2	5	4	5	5	7	2	5	8	1	5	8	1	5	6	3	5	5	6	3
13.	Officers of the Ministry of Health and F.P. (2)	-	1	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	-	2	1
14.	Registrars of High Courts/Bar Assns. (1)	-	-	1	-	-	1	-	-	1	-	-	1	-	-	1	-	-	1	1	-	-
15.	Registrars of Universities (6)	3	1	2	1	3	2	-	4	2	-	4	2	1	3	2	1	3	2	4	1	1
16.	National Institutions (5)	2	1	2	2	1	2	2	1	2	2	1	2	2	1	2	2	1	2	1	1	3
17.	Railway Board (9)	4	4	1	3	5	1	4	4	1	5	3	1	3	5	1	3	5	1	4	5	-
TOTAL (252)		69	39	144	58	50	144	65	44	143	67	41	144	65	42	145	61	47	144	81	82	39

MAIN FINDINGS OF THE ANALYSIS OF DATA RECEIVED THROUGH THE
QUESTIONNAIRE/INTERVIEWS REGARDING SMALL FAMILY NORM COMMITTEE

I. MATERNITY BENEFITS

1. Out of 252 respondents, 152* are in favour of stopping all maternity benefits. Out of these 152, 132(86.8%) are in favour of stopping all benefits after third child and have pleaded for modification of existing Maternity Benefit rules so as to discourage large families.

*Out of these 152, 16(out of 35) belong to Employees' Organizations, 38(out of 41) to Employers' Organizations, 6 (out of 13) to categories of M.Ps./M.L.As. and the remaining 92 belong to "other" categories.

II. CHILDREN ALLOWANCE

1. Out of 252 respondents, 129** are in favour of granting children allowance so as to work as an aid to adoption or small family norm. Out of these 129 persons, 96 (74.4%) have suggested that such an allowance should be in kind only like books, stationery, clothing, food etc. and majority are of the opinion that the couples having more than three children and monthly income of Rs.500/- and above should not be eligible for this incentive. It has also been suggested by majority of respondents that the eligible children of the couples suffering from certain mental or physical disabilities, covered under the scheme, should not be debarred.

**Out of these 129, 17 (out of 35) belong to Employees' Organizations, 23 (out of 41) to Employers' Organizations, 6 (out of 13) to categories of M.Ps./M.L.As. and the remaining 83 belong to "other" categories.

Besides, the pertinent opinion of the respondents is that such scheme, if implemented, should not be confined only to any particular area, i.e., either rural or urban.

2. Majority of the respondents are against giving any direct incentive to avoid or postpone next birth so as to achieve a small family norm.

III. DISINCENTIVE TO HAVING LARGE FAMILIES

1. Out of 252 respondents, 172 (68.3%) are against the imposition of birth-tax as a disincentive to having large families.
2. Stoppage of facilities: Majority of the respondents have recommended that all existing facilities, viz., medical treatment, allotment of accommodation, free studentships, scholarships, loans and subsidy and T.A. and D.A. on transfer or otherwise in respect of the children may be stopped in order that the families after a particular date, may restrict their size to three living children if they have less than three children or to their size if they have then more than three children.
3. Revision of present Income-tax structure: The majority of the respondents are of the opinion that the present tax structure is not in conformity with the adoption of the small family norm and therefore accordingly needs revision.

IV. GENERAL SUGGESTIONS CONSIDERED TO BE HELPFUL IN
POPULARISING SMALL FAMILY NORM AND DISCOURAGING
LARGE FAMILIES

Some of the respondents have emphasized that the following suggestions, if implemented, may be helpful in popularising small family norm and discouraging large families:

(i) Sterilization after second/third child.(ii) Legalization/Liberalization of abortion. (iii) Raising of age of marriage of boys and girls.(iv) Wide-range propaganda, publicity, education and motivation of the masses, particularly in the rural areas of the country. (v) Lower premium rate for sterilized persons; bonus/increment incentives for those who restrict their family size by undergoing vasectomy/tubectomy operations.

(For details, reference may be made to Part IV of Appendix II-A)

RESUME OF THE DISCUSSION HELD AT CALCUTTA ON JULY 12, 1968

As per decision of the Small Family Norm Committee meeting held on 27th June, 1968, a programme of interviews was arranged with representatives from West Bengal and Assam on 12th July, 1968. In all, twelve representatives of Employers, Employees, Trade Union Organizations and Social Welfare Organizations attended these interviews while from Assam nobody could make it convenient to come. The views of the interviewees are given below:-

Majority of them favoured the stoppage of maternity benefits after three living children with a proviso of making necessary facilities for contraceptive services. They also favoured the liberalization of abortion, raising the age of marriage and modifications in the existing income tax structure so that the bachelors and the spinsters are put at an advantage regarding the earning of income tax rebate. Stress was laid on motivating and educating the people in sex life, socio-economic and medical reasons for family planning and adoption of various methods for limiting the size of family. Suggestions were also received that children of such couples who get sterilized after two or three children should be given special consideration in respect of health and welfare services.

THE GAZETTE OF INDIA
EXTRAORDINARY
PART II Section I
PUBLISHED BY AUTHORITY

NO. 57 NEW DELHI, WEDNESDAY, DECEMBER 13, 1961/AGRAHAYAN 22, 1883

MINISTRY OF LAW
(Legislative Department)

New Delhi, the 13th December, 1961/Agrahayana 22, 1883 (Saka)

The following act of Parliament received the assent of the President on the 12th December, 1961, and is hereby published for general information:-

THE MATERNITY BENEFIT ACT, 1961
No. 53 of 1961

(12th December, 1961)

An Act to regulate the employment of women in certain establishments for certain periods before and after child-birth and to provide for maternity benefit and certain other benefits.

BE it enacted by Parliament in the Twelfth year of the Republic of India as follows:-

1. (1) This Act may be called the Maternity Benefit Act, 1961.

Short title, extent
and commencement

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as may be notified in this behalf in the Official Gazette-

a. in relation to mines in the territories to which this Act extends, by the Central Government; and

b. in relation to other establishments in a State, by the State Government.

2. (1) It applies, in the first instance, to every establishment being a factory, mine or plantation including any such establishment belonging to Government. **Application of Act**

Provided that the State Government may, with the approval of the Central Government, after giving not less than two months' notice of its intention of so doing, by notification in the Official Gazette, declare that all or any of the provisions of this Act shall apply also to any other establishment or class of establishments, industrial, commercial, agricultural or otherwise.

(2) Nothing contained in this Act shall apply to any factory or other establishment to which the provisions of the Employees' State Insurance Act, 1948, apply for the time being. **34 of 1948**

3. In this Act, unless the context otherwise requires, -

Definition.

- a. "appropriate Government" means, in relation to an establishment being a mine, the Central Government and in relation to any other establishment, the State Government;
- b. "child" includes a still-born child;
- c. "delivery" means the birth of a child;
- d. "employer" means-
 - i. in relation to an establishment which is under the control of the Government, a person or authority appointed by the Government for the supervision and control of employees or where no person or authority is so appointed, the head of the department;
 - ii. in relation to an establishment under any local authority the person appointed by such authority for the supervision and control of employees or where no person is so appointed, the chief executive officer of the local authority;
 - iii. in any other case, the person who, or the authority which, has the ultimate control over the affairs of the establishment and where the said affairs are entrusted to any other person whether called a manager, managing director, managing agent, or by any other name, such person;
- e. "establishment" means a factory, mine, or plantation, or an establishment to which the provisions of this Act have been declared under sub-section (I) of section 2 to be applicable;
- 63 of 1948 f. "factory" means a factory as defined in clause (m) of section 2 of the Factories Act, 1948.
- g. "Inspector" means an Inspector appointed under Section 14;
- h. "maternity benefit" means the payment referred to in sub-section (I) of section 5;
- 35 of 1952 i. "mine" means a mine as defined in clause (j) of section 2 of the Mines Act, 1952;
- j. "miscarriage" means expulsion of the contents of a pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy but does not include any miscarriage, the causing of which is punishable under the India Penal Code;
- 45 of 1960 k. "Plantation" means a plantation as defined in clause (f) of section 2 of the
- 69 of 1951 l. "Prescribed" means prescribed by rules made under this Act;
- m. "State Government", in relation to a Union territory, means the Administrator thereof;
- n. "wages" means all remuneration paid or payable in cash to a woman, if the terms of the contract of employment express or implied, were fulfilled and includes-
 - (1) such cash allowances (including dearness allowance and house rent allowance) as a woman is for the time being entitled to;
 - (2) incentive bonus; and
 - (3) the money value of the concessional supply of foodgrains and other articles,
 - i. any bonus other than incentive bonus;
 - ii. overtime earnings and any deduction or payment made on account to fines;
 - iii. any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the woman under any law for the time being in force; and
 - iv. any gratuity payable on the termination of service;

o. "woman" means a woman employed, whether directly or through any agency, for wages in any establishment.

4. (1) No employer shall knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.

Employment of, or work by, women prohibited during certain period

(2) No woman shall work in any establishment during the six weeks immediately following the day of her delivery or her miscarriage.

(3) Without prejudice to the provisions of section 6, no pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period specified in sub-section (4) any work which is of an arduous nature or which involves long hours of standing, or which in any way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.

(4) The period referred to in sub-section (3) shall be - (a) the period of one month immediately preceding the period of six weeks, before the date of her expected delivery; (b) any period during the said period of six weeks for which the pregnant woman does not avail of leave of absence under section 6.

5. (1) Subject to the provisions of this Act, every woman shall be entitled to, and her employer shall be liable for, the payment of maternity benefit at the rate of the average daily wage for the period of her actual absence immediately preceding and including the day of her delivery and for the six weeks immediately following that day.

Right to payment of maternity benefit

Explanation - For the purpose of this sub-section, the average daily wage means the average of woman's wages payable to her for the days on which she has worked during the period of three calendar months immediately preceding the date from which she absents herself on account of maternity, or one rupee a day, whichever is higher.

(2) No woman shall be entitled to maternity benefit unless she has actually worked in an establishment of the employer from whom she claims maternity benefit, for a period of not less than one hundred and sixty days in the twelve months immediately preceding the date of her expected delivery.

Provided that the qualifying period of one hundred and sixty days aforesaid shall not apply to a woman who has immigrated into the State of Assam and was pregnant at the time of the immigration.

Explanation - For the purpose of calculating under this sub-section the days on which a woman has actually worked in the establishment, the days for which she has been laid off during the period of twelve months immediately preceding the date of her expected delivery shall be taken into account.

(3) The maximum period for which any woman shall be entitled to maternity benefit shall be twelve weeks, that is to say, six weeks upto and including the day of her delivery and six weeks immediately following that day:

Provided that where a woman dies during this period, the maternity benefit shall be payable only for the days upto and including the day of her death:

Provided further that where a woman, having been delivered of a child, dies during her delivery or during the period of six weeks immediately following the date of her delivery, leaving behind in either case the child, the employer shall be liable for the maternity benefit for the entire period of six weeks immediately following the day of her delivery but if the child also dies during the said period, then for the days upto and including the day of the death of the child.

6. (1) Any woman employed in an establishment and entitled to maternity benefit under the provisions of this Act may give notice in writing in such form as may be prescribed, to her employer, stating that her maternity benefit and any other amount to which she may be entitled under this Act may be paid to her or to such person as she may nominate in the notice and that she will not work in any establishment during the period for which she receives maternity benefit.

Notice of claim for maternity benefit and payment thereof

(2) In the case of a woman who is pregnant, such notice shall state the date from which she will be absent from work, not being a date earlier than six weeks from the date of her expected delivery.

(3) Any woman who has not given the notice when she was pregnant may give such notice as soon as possible after the delivery.

(4) On receipt of the notice, the employer shall permit such woman to absent herself from the establishment until the expiry of six weeks after the day of her delivery.

(5) The amount of maternity benefit for the period preceding the date of her expected delivery shall be paid in advance by the employer to the woman on production of such proof as may be prescribed that the woman is pregnant, and the amount due for the subsequent period shall be paid by the employer to the woman within forty-eight hours of production of such proof as may be prescribed that the woman has been delivered of a child.

(6) The failure to give notice under this section shall not disentitle a woman to maternity benefit or any other amount under this Act if she is otherwise entitled to such benefit of amount and in any such case an Inspector may either of his own motion or on an application made to him by the woman, order the payment of such benefit or amount within such period as may be specified in the order.

Payment of maternity benefit in case of death of a woman

7. If a woman entitled to maternity benefit or any other amount under this Act, dies before receiving such maternity benefit or amount, or where the employer is liable for maternity benefit under the second proviso to sub-section (3) of section 5, the employer shall pay such benefit or amount to the person nominated by the woman in the notice given under section 6 and in case there is no such nominee, to her legal representative.

Payment of medical bonus

8. Every woman entitled to maternity benefit under this Act shall also be entitled to receive from her employer a medical bonus of twenty-five rupees, if no pre-natal confinement and post-natal care is provided for by the employer free of charge.

Leave for miscarriage

9. In case of miscarriage, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage.

Leave for illness arising out of pregnancy, delivery, premature birth of child, or miscarriage

10. A woman suffering from illness arising out of pregnancy, delivery, premature birth of child or miscarriage shall, on production of such proof as may be prescribed, be entitled, in addition to the period of absence allowed to her under section 6, or, as the case may be, under section 9, to leave with wages at the rate of maternity benefit for a maximum period of one month.

Nursing breaks

11. Every woman delivered of a child who returns to duty after such delivery shall, in addition to the interval for rest allowed to her, be allowed in the course of her daily work two breaks of the prescribed duration for nursing the child until the child attains the age of fifteen months.

Dismissal during absence or pregnancy

12. (1) When a woman absents herself from work in accordance with the provisions of this Act, it shall be unlawful for her employer to discharge or dismiss her during or on account of such absence or to give notice of discharge or dismissal on such a day that the notice will expire during such absence, or to vary to her disadvantage any of the conditions of her service.

(2) a. The discharge or dismissal of a woman at any time during her pregnancy, if the woman but for such discharge or dismissal would have been entitled to maternity benefit or medical bonus referred to in section 8, shall not have the effect of depriving her of the maternity benefit or medical bonus:

Provided that where the dismissal is for any prescribed gross misconduct, the employer may, by order in writing communicated to the woman, deprive her of the maternity benefit or medical bonus or both.

b. Any woman deprived of maternity benefit or medical bonus or both, may, within sixty days from the date on which the order of such deprivation is communicated to her, appeal to such authority as may be prescribed, and the decision of that authority on such maternity benefit or medical bonus or both, shall be final.

c. Nothing contained in this sub-section shall affect the provisions contained in sub-section (1).

13. No deduction from the normal and usual daily wages of a woman entitled to maternity benefit under the provisions of this Act shall be made by reason only of.

No deduction of wages in certain cases.

a. the nature of work assigned to her by virtue of the provisions contained in sub-section (3) of section 4; or

b. breaks for nursing the child allowed to her under the provisions of section 11.

14. The appropriate Government may, by notification in the Official Gazette, appoint such officers as it thinks fit to be Inspectors for the purposes of this Act and may define the local limits of the jurisdiction within which they shall exercise their functions under this Act.

Appointment of Inspectors

15. An Inspector may, subject to such restrictions or conditions as may be prescribed, exercise all or any of the following powers, namely:-

a. enter at all reasonable times with such assistants, if any, being persons in the service of the Government or any local or other public authority, as he thinks fit, any premises or place where women are employed or work is given to them in an establishment, for the purposes of examining any registers, records and notices required to be kept or exhibited by or under this Act and require their production for inspection;

b. examine any person whom he finds in any premises or place and who, he has reasonable cause to believe, is employed in the establishment;

Provided that no person shall be compelled under this section to answer any question or give any evidence tending to incriminate himself;

c. require the employer to give information regarding the names and addresses of women employed, payments made to them, and applications or notices received from them under this Act; and

d. take copies of any registers and records or notices or any portions thereof.

16. Every Inspector appointed under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

Inspectors to be public servants
45 of 1860

17. (1) Any woman claiming that maternity benefit or any other amount to which she is entitled under this Act and any person claiming that payment due under section 7 has been improperly withheld may make a complaint to the Inspector.

Power of Inspector to direct payments to be made

(2) The Inspector may, of his own motion or on receipt of a complaint referred to in sub-section (1), make an inquiry or cause an inquiry to be made and if satisfied that payment has been wrongfully withheld, may direct the payment to be made in accordance with his orders.

(3) Any person aggrieved by the decision of the Inspector under sub-section (2) may, within thirty days from the date on which such decision is communicated to such person, appeal to the prescribed authority.

(4) The decision of the prescribed authority where an appeal has been preferred to it under sub-section (3) or of the Inspector where no such appeal has been preferred, shall be final.

(5) Any amount payable under this section shall be recoverable as an arrear of land revenue.

18. If a woman works in any establishment after she has been permitted by her employer to absent herself under the provisions of section 6 for any period during such authorised absence, she shall forfeit her claim to the maternity benefit for such period.

Forfeiture of maternity benefit

19. An abstract of the provisions of this Act and the rules made thereunder in the language or languages of the locality shall be exhibited in a conspicuous place by the employer in every

Abstract of Act and rules thereunder to be exhibited

part of the establishment in which women are employed.

Registers, etc.

20. Every employer shall prepare and maintain such registers, records and muster-rolls and in such manner as may be prescribed.

Penalty for contravention of Act by employer

21. If any employer contravenes the provisions of this Act or the rules made thereunder, he shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both; and where the contravention is of any provision regarding maternity benefit or regarding payment of any other amount and such maternity benefit or amount has not already been recovered, the court shall, in addition recover such maternity benefit or amount as if it were a fine and pay the same to the person entitled thereto.

Penalty for obstructing Inspectors

22. Whoever fails to produce on demand by the Inspector any register or document in his custody kept in pursuance of this Act or the rules made thereunder or conceals or prevents any person from appearing before or being examined by an Inspector shall be punishable with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both.

23. (1) No prosecution for an offence punishable under this Act or any rule made thereunder shall be instituted after the expiry of one year from the date on which the offence is alleged to have been committed and no such prosecution shall be instituted except by, or with the previous sanction of, the Inspector:

Provided that in computing the period of one year aforesaid, the time, if any, taken for the purpose of obtaining such previous sanction shall be excluded.

(2) No court inferior to that of a Presidency Magistrate or a Magistrate of the First Class shall try any such offence.

Protection of action taken in good faith

24. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

Power of Central Government to give directions

25. The Central Government may give such directions as it may deem necessary to a State Government regarding the carrying into execution of the provisions of this Act and the State Government shall comply with such direction.

Power to exempt establishment

26. If the appropriate Government is satisfied that having regard to an establishment or a class of establishments providing for the grant of benefits which are not less favourable than those provided in this Act, it is necessary so to do, it may, by notification in the Official Gazette, exempt, subject to such conditions and restrictions, if any, as may be specified in the notification, the establishment or class or establishments from the operation of all or any of the provisions of this Act or of any rule made thereunder.

Effect of laws and agreements inconsistent with this Act

27. (1) The provision of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any award, agreement or contract of service, whether made before or after the coming into force of this Act:

Provided that where under any such award, agreement contract of service or otherwise, a woman is entitled to benefits in respect of any matter which are more favourable to her than those to which she would be entitled under this Act, the woman shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that she is entitled to receive benefits in respect of any other matters under this Act.

(2) Nothing contained in this Act shall be construed to preclude a woman from entering into an agreement with her employer for granting her rights or privileges in respect of any matter which are more favourable to her than those to which she would be entitled under this Act.

Power to make rules

28. (1) The appropriate Government may, subject to the condition of previous publication and by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for -

a. the preparation and maintenance of registers, records and muster-rolls;

- b. the exercise of powers (including the inspection of establishments) and the performance of duties by Inspectors for the purposes of this Act;
- c. the method of payment of maternity benefit and other benefits under this Act in so far as provision has not been made therefor in this Act;
- d. the form of notices under section 6;
- e. the nature of proof required under the provisions of this Act;
- f. the duration of nursing breaks referred to in section 11;
- g. acts which may constitute gross misconduct for purposes of section 12;
- h. the authority to which an appeal under clause (b) of sub-section (2) of section 12 shall lie; the form and manner in which such appeal may be made and the procedure to be followed in disposal thereof;
- i. the authority to which an appeal shall lie against the decision of the Inspector under section 17; the form and manner in which such appeal may be made and the procedure to be followed in disposal thereof;
- j. the form and manner in which complaints may be made to Inspectors under sub-section (1) of section 17 and the procedure to be followed by them when making inquiries or causing inquiries to be made under sub-section (2) of that section;
- k. any other matter which is to be, or may be, prescribed.

(3) Every rule made by the Central Government under this section 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 successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, 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.

- | | |
|---|------------------------|
| 29. In section 32 of the Plantations Labour Act, 1951 - Amendment of | Act 68 of 1951 |
| a. in sub-section (1), the letter and brackets "(a)" before the words "in the case of sickness", the word "and" after the words "sickness allowance" and clause (b) shall be omitted; | |
| b. in sub-section (2), the words "or maternity" shall be omitted. | |
| 30. On the application of this Act - | Repeal
19 of 1941 |
| i. to mines, the Mines Maternity Benefit Act, 1941; and | |
| ii. to factories situated in the Union Territory of Delhi, the Bombay Maternity Benefit Act, 1929, as in force in that territory, shall stand repealed. | Bom. Act
VII - 1929 |

R. C. S. SARKAR
Secretary to the Government of India

MATERNITY LEAVE UNDER S. R. 267

S.R. 267. - A competent authority may grant to a female Government servant maternity leave on full pay for a period which may extend upto the end of three months from the date of its commencement or to the end of six weeks from date of confinement, whichever be earlier.

NOTE - Maternity leave under this rule may also be granted in cases of miscarriage, including abortion, subject to the conditions that -

- i. The leave does not exceed six weeks; and
- ii. The application for the leave is supported by a certificate from a Registered Medical Practitioner.

Government of India's decisions - (1) Maternity leave is also admissible to temporary female Government servants under this rule.

(Auditor General's letter No. 558-NCE/432-47, dated the 10th February, 1948.)

2. A question having been raised whether maternity leave is admissible to Lady Apprentices and part-time Government servants, it has been decided by the Government of India in consultation with the Comptroller and Auditor General that as there is no rule regarding the grant of leave to part-time Government servants other than part-time Law Officers whose leave is governed by S. R. 287 and 288, the question of granting maternity leave to part-time female Government servants other than part-time female Law Officers does not arise. The maternity leave under S. Rs 267 and 268 is, however, admissible to female apprentices.

(Ministry of Finance u. o. No. 4049-E. IV/54, dated the 15th June, 1954)

3. With reference to the condition (ii) in the "Note" below S. R. 267, the Government of India have decided that in cases of doubt, the certificate of Civil Surgeon or a Gazetted Medical Officer may however be called for.

(Sub-para of para 1 of the Government of India, Ministry of Finance (Department of Expenditure) O. M. No. F. 7(124)-E. IV/A/60, dated the 27th December, 1960 to the A. G. P. & T.)

THE EMPLOYEES' STATE INSURANCE

ACT, 1948

(34 of 1948)

(Maternity Benefit)

50. (1) An insured woman shall be qualified to claim maternity benefit for a confinement (occurring or expected to occur) in a benefit period if during the corresponding contribution period, weekly contributions in respect of her were payable for not less than two-thirds of the number of weeks during which she shall be deemed to have been available for employment within the meaning of section 48, subject to a minimum of twelve contributions:

Provided that at least one contribution has been paid between thirty-five and forty weeks before the week in which the confinement takes place or in which notice of pregnancy is given before confinement, whichever is more advantageous to the insured person.

(2) Subject to the provisions of this Act, and the regulations, if any, an insured woman who is qualified to claim maternity benefit in accordance with sub-section (1) shall be entitled to receive it at the daily rate specified in sub-section (3) for all days on which she does not work for remuneration during a period of twelve weeks of which not more than six shall precede the expected date of confinement.

(3) The daily rate referred to in sub-section (2) shall be -

i. the rate at which the insured woman could have claimed sickness benefit for any period of sickness during the benefit period in which the confinement occurs or is expected to occur if she had been qualified to claim sickness benefit during that period, or

ii. twelve annas,

whichever is greater.

THE EMPLOYEES' STATE INSURANCE (AMENDMENT)

ACT, 1966

(44 of 1966)

(Amendment of Section 50)

22. In section 50 of the principal Act,

a. in sub-section (1), -

i. for the words and figures "two-thirds of the number of weeks during which she shall be deemed to have been available for employment within the meaning of section 48, subject to a minimum of twelve contributions" the words "thirteen weeks" shall be substituted:

ii. for the proviso, the following proviso shall be substituted, namely:-

"Provided that an insured woman shall be qualified to claim maternity benefit for a confinement occurring or expected to occur during the first benefit period, if during the corresponding contribution period weekly contributions in respect of her were payable for not less than half the number of weeks of that contribution period ending in that period."

b. in sub-section (2),

i. for the word, brackets and figure "sub-section (3)", the words "the First Schedule" shall be substituted;

ii. the following proviso shall be inserted at the end, namely:-

"Provided that where the insured woman dies during her confinement or during the period of six weeks immediately following her confinement for which she is entitled to maternity benefit, leaving behind in either case the child, maternity benefit shall be paid for the whole of that period but if the child also dies during the said period, then, for the days up to and including the day of the death of child, to the person nominated by the insured woman in such manner as may be specified in the regulations and if there is no such nominee to her legal representative";

c. for sub-section (3), the following sub-sections shall be substituted, namely:-

"(3) An insured woman who is qualified to claim maternity benefit in accordance with sub-section (1) shall, in case of mis-carriage, be entitled, on production of such proof as may be required under the regulations, to maternity benefit at the rates specified in the First Schedule for all days on which she does not work for remuneration during a period of six weeks immediately following the date of her miscarriage.

(4) An insured woman who is qualified to claim maternity benefit in accordance with sub-section (1), in case of sickness arising out of pregnancy, confinement, premature birth of child or mis-carriage shall, on production of such proof as may be required under the regulations, be entitled, in addition to the maternity benefit payable to her under any other provisions of this Act for all days on which she does not work for remuneration, to maternity benefit at the rates specified in the First Schedule for all days on which she does not work for remuneration during an addition period not exceeding one month."

THE PLANTATIONS LABOUR ACT, 1951

(69 of 1951)

Sickness and Maternity Benefits

32. (1) Subject to any rules that may be made in this behalf, every worker shall be entitled to obtain from his employer -

- a. in the case of sickness certified by a qualified medical practitioner, sickness allowance, and
- b. if a woman, in the case of confinement or expected confinement, maternity allowance,

at such rate, for such period and at such intervals as may be prescribed.

(2) The State Government may make rules regulating the payment of sickness or maternity allowance and any such rules may specify the circumstances in which such allowance shall not be payable or shall cease to be payable, and in framing any rules under this section the State Government shall have due regard to the medical facilities that may be provided by the employer in any plantation.

**MEASURES BY THE STATE GOVERNMENTS TOWARDS
RESTRICTING THE GRANT OF MATERNITY BENEFITS**

<u>Serial No.</u>	<u>States</u>	<u>Measures</u>
1.	Andhra Pradesh	The Family Planning Implementation Committee in their meeting held on 2nd April, 1968 have, after considering various suggestions made which are likely to help adoption of family planning through indirect pressures on the population, decided to recommend only the first measure, viz., limiting the benefit of maternity leave to Government female employees, if they have three or more living children as on 1st April, 1969. It was also proposed to give effect to it with effect from 1st April, 1969. Action on other measures have been deferred.
2.	Assam	The State Government have postponed indefinitely the question of restricting maternity leave to the Government (non-industrial) employees.
3.	Gujarat	<p>The State Governments have enquired about the present position of the Union Finance Ministry's orders dated the 30th June, 1967, as from the press reports they have come to know that these orders are under review by that Ministry. They have been informed that these orders are presently under review.</p>
4.	Rajasthan	
5.	Jammu & Kashmir	
6.	Punjab	
7.	Haryana	<p>a. The Government have asked its Secretariat to prepare a list of employees who have more than three children for withdrawing various facilities like free medical treatment and education available for their families.</p> <p>b. The Government of Haryana have recommended to the Central Government that preference in award of scholarships be given to students whose parents have adopted a permanent method of birth control</p> <p>The Haryana Government is introducing a clause to this effect in the applications for National Loan Scholarships, Teachers Sons' Scholarships, Scholarships for scheduled castes and economically backward classes, and scholarships for study of Sanskrit.</p>
8.	Kerala	The Government have ordered that maternity leave under the Kerala service Rules will not be granted to a female officer who has three or more living children. These order will come into force from 1st January, 1967.
9.	Maharashtra	The State Government have decided that maternity leave will not be available to female (non-industrial) Government employees with effect from 15th August, 1968 having three or more living children.
10.	Madras	The State Government do not propose for the present to amend the rules regarding limitia, the maternity benefits to three births.
11.	Orissa	As an aid to the furtherence of the family planning programme, the State Government have decided that maternity leave will not in future be available to female Government servants having three or more living children. These orders will take effect from 1st April, 1968.

<u>Serial No.</u>	<u>State</u>	<u>Measures</u>
12.	Uttar Pradesh	<p>The Government of Uttar Pradesh in their Order No. F P1606/XVI-III-FP-221/1967 dated the 31st August, 1967 have ordered the withdrawal or curtailment of certain difficulties and concessions granted to Government servants.</p> <p>The State rules provide that a Government servant's wife is entitled to prenatal treatment during pregnancies. She is also entitled to free attendance and treatment during deliveries. The fee paid by the Government servant in this regard is reimbursible. It has now been decided that these facilities should be withdrawn in the case of these which would mean that prenatal, natal and post-natal treatment would be entirely at the expense of the Government servant in such cases.</p> <p>A female Government servant is entitled to a maternity leave of three months at a time, subject to the condition that maternity leave shall not be granted to more than three times during the entire service.</p> <p>The Uttar Pradesh Cabinet decided on the 15th February, 1968 to withdraw all Government facilities to persons with three or more children having any further addition after January 1, 1969.</p> <p>The Cabinet took the decision after discussing the alarming rate of growth of population and need for greater and better family planning in the State.</p> <p>According to official figures the State's population was almost doubled in the last 67 years. From 4.86 crores in 1901, the population rose to 7.37 crores in 1961 and shot up to 8.5 crores by the end of 1967. If there is any addition after January 1, next to the family of more than three, the family would lose all free medical treatment facilities in the Government Hospitals, no Government Scholarships would be given to the children of the freedom fighters, teachers, soldiers and scheduled caste; Government loans, grants and subsidy would not be given; goan sabha land under the Zamindari Abolition Act would not be distributed; Housing and Local Self Government departments would be denied and loans for land and housing to low and middle income group would not be given.</p>
13.	Madhya Pradesh.	It is understood that the Government of Madhya Pradesh have also decided to restrict the maternity benefits to their employees on central pattern.
14.	Mysore	<p>Notification No. GSR 1181, dated the 1st October, 1966 reads as "<u>Amendment to Rule 135</u> - To rule 135 of the Mysore Civil Service Rules, the following proviso shall be added at the end, namely -</p> <p>'provided that no maternity leave shall be granted to married women employees having three or more living children'.</p>
15.	Delhi Administration	The Delhi Administration have circulated the orders to the Delhi Municipal Corporation, New Delhi Municipal Committee and Delhi Cantonment Board for necessary action.
16.	Himachal Pradesh	Orders issued by the Union Ministry of Finance vide their O. M. No. 14(2)-E(IV)A/67 dated the 30th June, 1967 stopping maternity leave to the female (non-industrial) employees having three or more living children with effect from 1st April, 1968 will automatically apply to their employees.
17.	Pondicherry	The Government of Pondicherry have adopted the correction to SR 267 relating to the grant of maternity leave with effect from 1st April, 1968.

**CHILDREN'S EDUCATIONAL ALLOWANCE TO
CENTRAL GOVERNMENT EMPLOYEES***

The President, after considering the recommendation of the Pay Commission regarding the introduction of a Scheme of Educational Assistance for Central Government Employees, has been pleased to decide that "Children's Educational Allowance" will be allowed to Central Government employees[@] whose pay is debitable to Civil Estimates, in accordance with the terms and conditions mentioned in paragraph 2 below.

2. (a) Eligibility.

- i. All permanent and quasi-permanent non-gazetted Government servants and temporary non-gazetted Government servants who have put in not less than three years service and whose pay does not exceed Rs. 349 p. m. will be eligible for the grant of allowance subject to the fulfilment of the conditions laid down hereunder.

Note :- Non-gazetted employees drawing pay between Rs. 350 and Rs. 399 shall be entitled to marginal adjustments as indicated in the illustration below :-

If 'A' gets a pay of Rs. 360 and has got liabilities which would entitle him to an allowance of Rs. 30 (had his pay been Rs. 349) he shall be given the difference between Rs. 349+30 and Rs. 360 viz. Rs. 19 p. m.

- ii. Where both the Government and his wife or her husband are in Government service, the allowance will be admissible in respect of one of them only provided that it will not be admissible only if the pay of either of them exceeds Rs. 349 p. m.

Note :- Pay for the above purpose means pay as defined in F.R. 9(21) (a) and in the case of a Government servant who has elected to retain the existing scale under the Central Civil Services (Revised Pay) Rules, 1960, also includes dearness pay as defined under Finance Ministry's O. M. No. 6(5)-E. II/53 dated the 9th May, 1953.

- iii. The allowance will be admissible to a Government servant who is on duty, under suspension or on leave including leave preparatory to retirement. It will not be admissible to deceased, retired or discharged Government servants. If any Government servant dies, retires or is discharged in the middle of an academic year, the allowance will be admissible till the end of that academic year.

Note :- The pay with reference to which the allowance will be given while the Government servant is under suspension or on leave will be the pay admissible to him at the time he was placed under suspension or proceeded on leave.

(b) Rate of Allowance:

The allowance will be admissible at the following rates :-

Primary Classes	Rs. 10 p. m. per child
Secondary and Higher Secondary Classes	Rs. 15 p. m. per child

* (G. I. M. F. Memo. No. F. 10(1) Est(Spl)/60, January 1962 as amended by G. I. M. F. Memo. No. 8(1)-E. II(B)/63, dated the 19th June, 1962.)

@ The benefits admissible under the scheme is also extended to industrial employees directly working under Government vide G. I. M. F. Memo. No. II(52)E. III '62 dated the 28th May, 1962.

- ii. The total allowance admissible to a Government servant at any one time shall not exceed Rs. 50 p. m.

(c) Conditions for the grant of Educational Allowance :-

- i. The allowance will be admissible only in respect of children between the age limits of 5 and 18 years.

Note :- The allowance shall commence from the month following that in which the child attains the age of 5 and shall cease at the end of academic year in which the child attains the age of 18.

- ii. The concession will be limited to education upto Higher Secondary Classes.
- iii. The allowance will be admissible only when the child or children of a Government servant study in a school away from the station at which he/she is posted and/or is residing.

Illustration : "A has his headquarters at Delhi and residing at Ghaziabad. The allowance will not be admissible if his children study in a school either in Delhi or in Ghaziabad."
- iv. The allowance will be admissible only if the child is enrolled in a school which is recognized by the Department of Education or Educational authorities of the jurisdiction in which the school is situated.
- v. The allowance will be admissible only in respect of Government servant's legitimate children including step children and adopted children (where adoption is recognized under the personal law of the Government servant) who are wholly dependent on the Government servant.
- vi. The allowance will not be admissible to India-based staff serving in Missions abroad who receive educational assistance under the Indian Foreign Service Rules.
- vii. Where a child is in receipt of any Government scholarship, the allowance will be reduced by the amount of the government scholarship. If he is in receipt of a scholarship higher than Rs. 10 in the Primary stage and Rs. 15 in the secondary stage the allowance will not be admissible in respect of such a child.
- viii. *(i) When a Government servant's pay is raised beyond Rs. 349 on account of the grant of increment or promotion to another non-gazetted post, his allowance, will be regulated in the same manner as provided in the Note below para 2(a) (i) above provided that the other conditions remain satisfied.

*(ii) But, when a Government servant is promoted to a gazetted post, the allowance will be continued if other conditions remain unaltered until his pay exceeds the total of his pay plus educational allowance prior to such rise in pay. The amount of the allowance will, however, be limited to a difference between the sum total of pay plus educational allowance prior to his promotion to the gazetted post and the pay drawn after such promotion.
- ix. In respect of a temporary Government servant, the allowance will be admissible from the month following that in which he completes three years' service.

(d) Certificate required in support of the claim

- i. Where the educational allowance is claimed a certificate should be furnished by the Government servant in the form annexed to these orders twice a year to the officers who draw their pay and allowances from the Treasury.
- ii. A certificate should be furnished on the bills by the drawing and disbursing officers every month that the necessary certificates have been obtained.
- iii. The correctness of the certificate should be got verified by the drawing officers periodically.

Government of India's decisions (1) A doubt has been raised as to whether the Children's Educational Allowance may be sanctioned pending verification of the correctness of certificates by the drawing officers.

As amended by Memo. No. 8(1)-E. II(b)/63, dated the 19th June, 1963, which has effect from the date of its issue.

The President is pleased to clarify that there will be no objection to the grant of Children's Educational Allowance pending verification of correctness of the certificates by the drawing officers concerned in case delay in the first verification is anticipated. The drawing officers should, however, verify the correctness of the certificates furnished by the Government servants claiming Educational Allowance, by adopting a procedure which in their discretion they consider appropriate within six months commencing from the month in which the first payment is made and once every year thereafter.

In case the verification at the commencement is not completed within six months, the drawing officer will have the discretion to stop payment if he feels such a stop necessary.

(G. I. M. F. Memo. No. 12(3)-E. III/62, dated the 21st July, 1961.)

3. The expenditure on account of Children's Educational Allowance will be debitable to the same head of account to which a Government servant's pay and allowance are debited and shall be booked under a detailed head "Children's Educational Allowance" to be opened for purpose.

4. These orders take effect from the 1st March, 1962.

A copy of Office Memo. No. 17(1)-E. II(B)/64, dated the 3rd June, 1964, from the Ministry of Finance

OFFICE MEMORANDUM

Subject:- Reimbursement of tuition fees in respect of children of Central Government employees.

The undersigned is directed to say that the Government of India have had under consideration the question of affording further relief to their employees in regard to education of their children, in the context of rising prices and increased cost of living. The President has been pleased to decide that tuition fees payable and actually paid on behalf of their children for education in India in recognised Middle and High Schools or Higher Secondary Schools should, subject to the terms and conditions mentioned in paragraph 2 below, be reimbursed to Government employees at rates not exceeding those approved by the Government of the area for Government and aided schools.

2. (A) Eligibility:

- i. All Government servants, whether permanent, quasi-permanent or temporary whose pay is debitable to Civil Estimates and whose pay as defined in F.R. 9(21) (a) does not exceed Rs. 600/- p. m. will be eligible for claiming reimbursement of tuition fees paid. In the case of an officer who draws pay at a rate exceeding Rs. 600/- p. m. for part of a month, reimbursement will be allowed for that month only if he draws pay at a rate not exceeding Rs. 600/- p. m. for at least 15 days in that month.
- ii. Industrial employees directly working under Government will also be eligible for the concession, State Government servants on deputation to the Central Government will also be eligible for the concession for the duration of their deputation. For the month in which they join Central Government service and that in which they leave it, the concession will be admissible only if the service under the Central Government is not less than 15 days.
- iii. Central Government servants deputed to State Governments or to foreign service in India will be eligible to claim reimbursement from the State Governments/foreign employer and necessary provision to this effect should be made in the terms of deputation.

In the case of persons already so deputed also, it is intended that the benefit of the concession should be given. In such cases the existing terms of deputation should be suitably revised by mutual agreement between the borrowing and lending authorities.

- iv. Where both husband and wife are in Central Government service, the allowance will be admissible in respect of one of them only, provided that it will not be admissible if the pay of either of them exceeds Rs. 600/- p. m.

If a Government servant's wife or husband is employed outside the Central Government and is entitled to the facility of reimbursement of fees in respect of her/his children from the employer, the concession to the Government servant will be correspondingly reduced.

- v. The concession will be admissible to a Government servant who is on duty, under suspension or on leave including leave preparatory to retirement. It will not be admissible in respect of children of deceased, retired or discharged Government servants. If any Government servant dies, or ceases to be in Government employment in the middle of an academic year, the allowance will be admissible only till the end of the month in which the event takes place.

Note :- The pay with reference to which the concession will be given while the Government servant is under suspension or on leave will be the pay admissible to him at the time he was placed under suspension or proceeded on leave.

- vi. The concession will be limited to education in the Middle, High and Higher Secondary Schools and corresponding classes in Technical and other Vocational schools.

(B) Conditions of Reimbursement:

- i. The concession will be admissible only if the child is enrolled in a school which is recognised by the educational authorities of the Government of the area in which the school is situated.
- ii. The concession will be admissible only in respect of a Government servant's legitimate children including step-children and adopted children (where adoption is recognized under the personal law of the Government servant) who are wholly dependent on the Government servant.
- iii. Reimbursement in terms of these orders will not be admissible to India-based staff serving in missions abroad who receive educational assistance under the Indian Foreign Service Rules.
- iv. No reimbursement will be admissible in respect of a child for more than two academic years in the same class.
- v. Where a child is in receipt of any Government or non-Government scholarship and is required to pay tuition fees to the school, no reimbursement will be made in cases where the scholarship amount is in excess of the tuition fees paid. In case where the scholarship amount is less than the tuition fees the difference, to the extent admissible, may be allowed to the employees. For this purpose, a purely merit scholarship or a scholarship earmarked for a specific purpose other than tuition fee, will not be taken into account. In cases where partial free-ship is awarded to the student, only the tuition fee actually paid will be the basis for reimbursement.
- vi. Reimbursement will be restricted to tuition fees only and will not cover special fees like library fee, games fee, extra-curricular activity fee etc. which will have to be borne by the Government servant himself.
- vii. The reimbursement under these orders will not be admissible in respect of children for whom Children's Educational Allowance is claimed under Ministry of Finance O. M. No. F. 10(1)-Est(Spl)/60, dated the 30th January, 1962, as amended from time to time.

3. The expenditure on account of reimbursement of tuition fees in terms of these orders will be debitable to the same head of account to which the Government servant's pay and allowances are debited and will be booked under the detailed head "Children's Educational Allowance" already opened. The procedure to be followed for claiming reimbursement under these orders is contained in the Appendix to this Memorandum. Arrangements will be made by the Ministry of Education to collect from the State Government and Union Territories and supply to Ministries/Departments of the Government of India the rates of approved tuition fees in force in each area for Government aided schools. They will also communicate from time to time modifications to those rates. The Ministries/Departments will have to keep their Attached and Subordinate offices informed. Pending the circulation of the approved rates initially, the Administrative Ministries/authorities may deal with the claims after such verification, locally or otherwise, as may be feasible.

4. These orders take effect from the 1st May, 1964. Fees payable and paid for the month of May, 1964, onwards may be reimbursed.

5. Sanction of the President is also accorded in relation of Rule 20 of the Central Treasury Rules, to reimbursement of tuition fees being claimed by Gazetted officers without an authority from the audit officer.

6. In so far as the persons working in the Indian Audit and Accounts Department are concerned, these orders are issued after consultation with the Comptroller and Auditor General of India.

Sd/-

(G. C. Katoch)

Joint Secretary to the Government of India

Copy of O. M. No. 17(6)-E. II(B)/65, dated the 19th April, 1965
from the Ministry of Finance

Subject:- Reimbursement of tuition fees in respect of children of Central Government employees.

The undersigned is directed to invite a reference to this Ministry's Office Memorandum No. 17(1)-E. II(B)/64, dated the 3rd June, 1964, on the subject noted above, and to state that the President has been pleased to decide that for paragraph 2(b) (i) of the aforesaid Office Memorandum, the following may be substituted, namely:-

"2(B) (i) - The concession will be admissible if the child is enrolled in; (a) a school which is recognised by the educational authorities of the Government of the area in which the school is situated; or (b) a school which prepares students for the Matriculation examination conducted by a University and which is affiliated to and is recognised by such a University. In such a case, the tuition fees to be reimbursed should not exceed those prescribed by the Government of the State in which the school is situated for corresponding classes in Government Schools".

2. The amendment takes effect from 1st April, 1965.
3. In so far as the persons working in the Indian Audit and Accounts Department are concerned these orders issue after consultation with the Comptroller and Auditor General of India.

**Copy of O. M. No. F. 17(3)-E. II(B)/65 dated the 14th May, 1965
from the Ministry of Finance (Department of Expenditure).**

Subject:- Reimbursement of tuition fees in respect of children of Central Government employees.

The undersigned is directed to refer to para I of the O. M. No. 17(1)-E. II(B)/64, dated the 3rd June, 1964, and to say that the President has been pleased to decide that tuition fees payable and actually paid for education in India in pre-university classes, or the first year of an intermediate college or a Technical College should also be reimbursed provided that the children in respect of whom the reimbursement of fees is claimed have passed the Secondary or equivalent examination held after Class X but not the Higher Secondary or equivalent examination held after Class XI.

2. These orders take effect from the date of issue.
3. In so far as the persons working in the Indian Audit and Accounts Department are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.

APPENDIX V

STATEMENT SHOWING THE BREAK UP OF COMPENSATION MONEY AS ADVISED
BY THE GOVERNMENT OF INDIA AND AS SANCTIONED BY VARIOUS STATES FOR IUCD

	Payment to individuals	Payment to motivator	Medicines and dressings etc.	Compensation to Doctor	Compensation to para-medical staff	Expenditure on transport	Diet or refreshment	Provision for special allowance DFPO and SFPO	Total	Remarks
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
Tentative break-up advised by the Government of India	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
Andhra Pradesh	3.00	1.00	4.25 (including Transport)	2.00	0.50	-	-	0.25	11.00	
Assam	5.00	1.00	*3.00	*2.00	-	-	-	-	11.00	
Bihar	6.00	1.00	1.00	2.00	1.00	-	-	-	11.00	
Gujarat	5.00	1.00	2.00	2.00	1.00	-	-	-	11.00	
Haryana	5.00	2.00	1.00	2.00	1.00	-	-	-	11.00	
Jammu & Kashmir	1.00	2.00	1.00	2.00	2.00	-	-	-	11.00	
Kerala	5.00	1.00	2.00	2.00	1.00 (ANM)	-	-	-	11.00	
Madhya Pradesh	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
Madras	6.00	1.00	3.00	1.00	-	-	-	-	11.00	
Maharashtra	5.00	2.00	0.50	2.00	1.00 (Nurse Asst. 0.75 Driver 0.25)	-	0.50	-	11.00	
Mysore	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
Orissa	5.00	1.00	1.75	3.00	0.25 (helper)	-	-	-	11.00	
Punjab	4.00	4.00	-	1.80	1.20	-	-	-	11.00	
Rajasthan	7.00	2.00	-	1.50	0.50	-	-	-	11.00	
Uttar Pradesh (H. V./M. W./ Dai/Compounder)	-	1.00	3.50	2.00	0.50 (Attdt) 1.00 (Nurse ANM)	3.00	-	-	11.00	
West Bengal	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
Andaman and Nicobar Islands	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
Chandigarh	4.00	4.00	-	2.00	1.00	-	-	-	11.00	
Delhi	6.00	2.00	-	-	-	-	-	-	8.00	
Goa, Daman and Diu	5.00	1.00	3.00	2.00	-	-	-	-	11.00	
L. M. A. Islands	5.00	1.00	-	2.00	-	-	-	-	8.00	
Manipur	5.00	1.00	3.00	-	-	2.00	-	-	11.00	
Pondicherry	5.00	1.00	-	2.00	-	-	-	-	8.00	

* Rs. 500 to be retained by Government.

% Government of India letter No. 5-40/66-P&E dated 25.10.1966.

STATEMENT SHOWING THE BREAK-UP OF COMPENSATION MONEY AS ADVISED BY THE GOVERNMENT OF INDIA AND AS SANCTIONED BY VARIOUS STATES FOR TUBECTOMY CASES

	Payment to individual	Payment to Convassor	Drugs and dressing	Payment to doctor	Payment to other para-medical staff	Expenditure on transport	Diet	Total	Remarks
% Tentative break-up by the Government of India	Rs. 15.00	Rs. 3.00	Rs. 5.00	Rs. 15.00	Rs. -	Rs. 2.00	Rs. -	Rs. 40.00	
Andhra Pradesh	15.00	3.00 (including diet)	10.00	10.00	2.00	-	-	40.00	
Assam	25.00	-	5.00	10.00	-	-	-	40.00	
Bihar	18.00	5.00	5.00	8.00*	4.00	-	-	40.00	* Includes Rs. for anaesthe
Gujarat	25.00	3.00	-	15.00 (including Asst. and para-medical staff)	-	14.00 (contingencies)	-	57.00	
Haryana	15.00	2.00	10.00	10.00	3.00	-	-	40.00	
Jammu & Kashmir	20.00	2.00	6.00	10.00	2.00	-	-	40.00	
Kerala	29.00	2.00	2.00	3.00	4.00	-	-	40.00	
Madhya Pradesh	22.00	3.00	2.00 (including food)	5.00	2.00 Nurse 1.00 (0.50 Midwife 0.50 Wardboy)	5.00	-	40.00	
Madras	30.00	10.00	-	-	-	-	-	40.00	
Maharashtra	25.00	7.00	-	13.00** (Nurse or Asst.) 1.00 (attendant)	2.00	-	-	48.00	** Includes Rs. 3/- for anaesthesia.
Mysore	@25.00	2.00	5.00	5.00 1.50 (NPA to doctor)	1.00 Nurse 0.50 attendant	-	-	40.00	
Orissa	15.00	5.00	6.00	8.00	2.00	2.00	2.00	40.00	
Punjab	20.00	-	-	20.00	-	-	-	40.00	
Rajasthan	20.00	7.00	-	8.00	5.00*	-	-	40.00	* Incentive to para-medical staff and for anaesthesia.
Uttar Pradesh	16.00	2.00	12.00	8.00	1.00 Asst. 0.50 attendant	-	-	39.50	
West Bengal	15.00	3.00	12.00	10.00‡	-	-	-	40.00	‡ Doctor Rs. 6/- and anaesthesia Rs. 4/-
Chandigarh	20.00	-	-	16.00#	1.00 p. m. staff 2.00 W. class IV	1.00	-	40.00	# Including Rs. 4/- for anaesthesia.
Delhi	30.00	5.00	5.00	-	-	-	-	40.00	
Goa, Daman and Diu	15.00	3.00	5.00	15.00	-	2.00	-	40.00	
Manipur	25.00	5.00	5.00	-	-	5.00	-	40.00	
L. M. A. Islands	15.00	3.00	-	15.00	-	-	-	33.00	
Andaman & Nicobar Islands	15.00	3.00	5.00	15.00	-	2.00	-	40.00	
Pondicherry	30.00	-	-	-	-	-	-	30.00	

% Government of India letter No. 5-29-66-P&E dated 21.1.1967

STATEMENT SHOWING THE BREAK-UP OF COMPENSATION MONEY AS
ADVISED BY THE GOVERNMENT OF INDIA AND AS SANCTIONED BY
VARIOUS STATES FOR VASECTOMY CASES

	Payment to individual	Payment to Convassor	Drugs and dressing	Payment to doctor	Payment to para-medical staff	Expenditure on transport	Payment to wage earner	Diet or refreshment	Total	Remarks
Tentative break-up advised by the Government of India	Rs. 10.00	Rs. 3.00	Rs. 5.00	Rs. 10.00	Rs. -	Rs. 2.00	Rs. -	Rs. -	Rs. 30.00	
Andhra Pradesh	12.00	2.00	10.00 (including transport)	5.00	1.00	-	-	-	30.00	
Assam	12.00 2.00 (food)	-	5.00	10.00	-	-	-	-	29.00	
Bihar	15.00	5.00	2.50	5.00	2.50	-	-	-	30.00	
Gujarat	15.00	(A) 10.00) (B) 5.00) §	-	10.00 (including Asst. and para medical staff)	-	-	-	9.00	44.00 or 39.00	
Haryana	10.00	6.00	5.00	5.00	3.00	-	-	1.00	30.00	
Jammu & Kashmir	10.00	2.00	4.00	5.00	2.00	-	7.00	-	30.00	
Kerala	21.00	2.00	2.00	3.00	2.00	-	-	-	30.00	
Madhya Pradesh	15.00	3.00	2.00 (including food)	3.00	1.00 (Nurse) (0.50 Midwife 0.50 Wardboy)	5.00	-	-	30.00	
Madras	30.00	10.00 (including expenditure on transport)	3.00	2.00	-	-	-	-	45.00	
Maharashtra	20.00	10.00	6.50	5.00	4.50 (Staff) (Nurse or Asst. 1.50 Attendant 0.50 Driver 2.50)	-	-	-	46.00	
Mysore	12.00	2.00	4.00	4.50 [¶]	(1.00 ANM 0.50 attendant)	3.00	-	3.00	30.00	
Orissa	10.00	3.00	6.00	5.00	2.00	2.00	-	2.00	30.00	
Punjab	10.00	10.00	-	6.00	4.00	-	-	-	30.00	
Rajasthan	16.00	7.00	-	5.00	2.00*	-	-	-	30.00	* Incentive to para-medical staff and for anaesthesia.
Uttar Pradesh	15.00	3.00	4.00	4.00	0.75 Asst. 0.25 Attendant	3.00	-	-	30.00	
West Bengal	18.00	3.00	4.00	5.00	-	-	-	-	30.00	
Chandigarh	10.00	10.00	-	6.00	1.00 Nurse 1.00 Dispenser	-	-	2.00	30.00	
Delhi	20.00	2.00	3.00	-	-	-	-	-	25.00	
Goa, Daman and Diu	10.00	3.00	5.00	10.00	-	2.00	-	-	30.00	
Manipur	15.00	5.00	5.00	-	-	5.00	-	-	30.00	
L. M. A. Islands	10.00	3.00	-	10.00	-	-	-	-	23.00	
Andaman and Nicobar Islands	10.00	3.00	5.00	10.00	-	2.00	-	-	30.00	
Pondicherry	30.00	-	-	-	-	-	-	-	30.00	

§ If a motivator brings a case where the family has three or less living children or a woman is less than 30 years even the number of living children is above three.

¶ Except in the cases at (A).

‡ Rs. 4.00 to the doctor and Rs. 2.00 to Medical Officer of Health Family Planning as contribution towards non-practising allowance.

Copy of letter No. 10-25/67-Plg. dated the 11th April, 1968 from Government of India, Ministry of Health, Family Planning and Urban Development (Department of Family Planning) addressed to all State Governments/Union Territories.

Subject:- Family planning programme - Tubectomy Operations - pattern of central assistance etc.

I am directed to refer to this Ministry's letter No. 10-25/67-Plg. dated the 30th November, 1967, on the subject noted above, according to which an additional sum of Rs. 20/- per tubectomy case, over and above the consolidated amount of Rs. 40/- per tubectomy case admissible in accordance with this Ministry's letter No. 5-29/66-P&E, dated the 27th October, 1966, is allowed as central assistance to the State Governments to cover diet charges etc. when such operations are done in camps.

2. On the basis of the practical experience of large tubectomy camps held in one of the States, the question of the revision of the pattern of Central assistance etc. for conducting such camps has been considered and it has been decided that for each tubectomy case done in camps a consolidated sum of Rs. 90/- will be admissible as central assistance. The tentative break-up of this amount is given below, but the State Governments will have the flexibility to draw up their own break-up in keeping with the local conditions and the best interests of the programme within the above ceilings:-

i. Remuneration to party	Rs. 15/-
ii. Remuneration to doctor	Rs. 10/-
iii. Payment to Anaesthetist	Rs. 5/-
iv. Remuneration to Assistant to doctor	Rs. 2/-
v. Remuneration to promoter	Rs. 3/-
vi. Diet charges at Rs. 3/- per day for 8 days.	Rs. 24/-
vii. Transport charges under all categories	Rs. 7/-
viii. Cots and accommodation	Rs. 8/-
ix. Medicines including anaesthesia for the woman and triple antigen inoculation for existing children	Rs. 12/-
x. Miscellaneous including items like sanitary arrangements etc.	Rs. 4/-
	<u>Rs. 90/-</u>

3. The payment at the above rates will be subject to the following conditions:-

- a. Such large tubectomy camps are organized and improvised beds are put up for a minimum period of two weeks but not exceeding four weeks and at least 200 tubectomy operations are performed.
- b. Such camps are held only in such places where pucca buildings are available for the patients to be kept in them for at least 48 hours after the operation.
- c. The operation is performed under general anaesthesia with adequate antibiotic coverage on account of full regular hospital facilities not being available.

- d. Triple antigen inoculation for the existing children of the lady undergoing operation should be provided.
 - e. The expenditure on accommodation, bamboo cots and similar items should not be debited to one camp but should be spread over to at least to at least three camps.
4. For tubectomy cases performed in hospitals, a sum of Rs. 40/- per case as hitherto will continue to be admissible as central assistance. The pattern of assistance sanctioned in this Ministry's letter No. 10-25/67-Plg. dated the 30th November, 1967 will be replaced by the one sanctioned in this letter if the conditions stipulated are satisfied.
 5. The additional expenditure involved as a result of the above orders may be met out of lumpsum of the ways and means advances released to the State Government.
 6. This issues with the concurrence of the Ministry of Finance.

APPENDIX V-B

Copy of Ministry of Home Affairs Office Memorandum No. 46/3/59-Ests(A), dated the 6th October, 1959, regarding grant of special casual leave to Government servants who undergo sterilization operation under the "Family Planning Scheme".

The Ministry of Home Affairs have had under consideration the question of grant of special casual leave to the employees of the Government of India who undergo sterilization operation (Vasectomy or Salpingectomy) under the "Family Planning Scheme". To enable Government servants to undergo such operations and to give some rest which is considered necessary immediately after the operation it has been decided to grant special casual leave not exceeding six working days to such Government servants.

2. These orders will apply to all regular non-industrial Central Government servants.
3. Past cases which have been decided prior to the issue of these orders will not be reopened.
4. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General of India.

APPENDIX V-C

Copy of Office Memorandum No. 46/3/59-Ests(A) dated the 25th August, 1960, from the Government of India, Ministry of Home Affairs, New Delhi, to all Ministries of the Government of India etc. (including attached and subordinate offices of M. H. A.).

Subject:- Grant of special casual leave to Government servants who undergo sterilization operation under the "Family Planning Scheme".

Reference is invited to the orders contained in the Ministry of Home Affairs Office Memorandum No. 46/3/59--Ests(A) dated the 6th October, 1959, in which the concession of special casual leave not exceeding six working days was granted to all regular non-industrial Central Government servants who underwent sterilization operation (Vasectomy or salpingectomy) under the "Family Planning Scheme". It has now been decided to extend this concession to industrial employees of the Government of India.

2. Past cases which have been decided prior to the issue of these orders will not be reopened.

Copy of Office Memorandum No. 46/2/66-Ests(A) dated the 16th June, 1966 from Government of India, Ministry of Home Affairs, New Delhi, addressed to all Ministries/Departments.

Subject:- Grant of special casual leave to Government servants who undergo sterilization operation under Family Planning Scheme.

The undersigned is directed to refer to the Ministry of Home Affairs Office Memorandum No. 46/3/59-Ests(A) dated the 6th October, 1959, F. 46/3/59-Ests(A) dated the 25th August, 1960 and 46/5/65-Ests(A) dated the 24th June, 1965 and to state that the question regarding the entitlement to special casual leave of female Government servants who undergo puerperal or non-puerperal operations for salpingectomy has been reconsidered in the light of medical opinion.

2. The position is that the operation of salpingectomy for sterilizing women can be done at any time, when it is done two to five days after the delivery, it is called puerperal sterilization. When it is done at any other time, it is called, non-puerperal or gynaecological (gynae) sterilization. In the case of puerperal sterilization, since the female Government servants are already entitled to maternity leave to the extent of 42 days from the date of confinement, or upto three months from the date of commencement of the maternity leave, it has been decided that no special casual leave need be granted to female Government servant who undergoes puerperal sterilization. In regard to the other type of sterilization, namely, non-puerperal sterilization, it is considered that a period of 14 days is essential for the operation and for rest after the operation. It has, therefore, been decided that special casual leave not exceeding 14 days may be granted to female Government servants who undergo non-puerperal sterilization.

3. These orders will apply to all industrial and non-industrial Central Government servants.

4. Past cases which have been decided prior to the issue of these orders will not be reopened.

5. In so far as the personnel serving in the Indian Audit and Accounts Department are concerned, these orders have been issued in consultation with the Comptroller and Auditor General of India.

Copy of letter No. 4-18/67-Plg. (Vol. II) dated the 23rd December, 1967, from the Government of India, Ministry of Health, Family Planning and Urban Development (Department of Family Planning), addressed to all Employers' Organizations

Subject:- Family planning programme - Sterilization operations and IUCD insertions -
Grant of special casual leave and other benefits to workers.

I am directed to refer to this Ministry's letter No. 4-18/67-Plg. Vol. II, dated the 31st May, 1967, in which your cooperation was sought for the implementation of the family planning programme among the workers. It was suggested therein that the workers may be granted similar concessions as enjoyed by the Central Government servants, as per details given below to encourage them to adopt small families:-

- i. One day's special casual leave to a female employee having an IUCD inserted.
 - ii. Six day's special casual leave to an employee undergoing vasectomy/tubectomy operations.
 - iii. Fourteen day's special casual leave to female employee undergoing non-puerperal sterilization operation.
2. Some cases have been reported in which some employees of private organizations have represented that they have not been paid their wages for the duration of leave recommended by the Surgeon after their vasectomy. Such a step is bound to have repercussion on the other employees inasmuch as they would not come forward for availing of the family planning services. On the other hand, if the employers allow their employees the concessions referred to above, they will be induced to avail of the family planning services resulting in the adoption of a small family, thus having less worries leading to the growth of happier families and consequently more output of work which will be an added advantage for the organization.

Copy of letter No. 5-12/67-P&E dated the 6th March, 1967 from the Government of India, Ministry of Health and Family Planning (Department of Family Planning) addressed to all State Governments and Union Territories.

Subject:- Marriage rule for candidates entering Government service - Restriction - Regarding.

The following restrictions on the marriage of the candidates for grant of commission in the Army and Navy have been enforced by the Ministry of Defence:-

1. Restrictions on marriage in the Army

- a. Candidates from the open market, who are selected for training at the National Defence Academy and the Indian Military Academy for ultimate grant of permanent Commission, must be unmarried.
- b. Candidates selected for training for the grant of Short Service Commission and Emergency Commission may already be married but those who are unmarried, are not permitted to marry, during the training period.
- c. After grant of a Commission in the Army, there is no ban on marrying except that if a Commissioned Officer marries before the age of 25 years, he is not entitled to married accommodation.

2. Restrictions on marriage in the Indian Navy

- a. Only unmarried males (which excludes widowers and divorcees) are eligible for recruitment;
- b. Direct entry officers are not permitted to marry during the period of probation;
- c. No officers are permitted to marry before completion of initial training;
- d. Officers who marry during the periods specified in (b) and (c) above are liable to be discharged from service and required to refund the cost of training; and
- e. Officers who marry after the period specified in (b) and (c) above but before attaining the age of 26 years are not eligible for married accommodation until they attain that age and are required to live in a mess.

The above restrictions existing in the Army and Navy are being brought to your notice for such action as you may deem fit from the point of view of the family planning programme.

APPENDIX VII

POPULATION OF INDIAN UNION, DECADAL GROWTH RATE, BIRTH RATE AND DEATH RATE

Year	Population (in million)	In the ensuing decade		
		Growth Rate	Birth Rate	Death Rate
1	2	3	4	5
1901	238.3	5.7	49.2	42.6
1911	252.0	-0.4	48.1	47.2
1921	251.2	11.0	46.4	36.3
1931	278.8	13.5	45.2	31.2
1941	318.5	14.1	39.9	27.4
1951	360.9	21.5	41.7	22.8
1961	439.0			

Extract from the Finance Bill, 1968

FIRST SCHEDULE, PART III

Paragraph A

In the case of every individual or Hindu undivided family or unregistered firm or other association of persons or body of individuals, whether incorporated or not, or every artificial judicial person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies :-

Rates of Income-Tax

- | | |
|---|--|
| (1) where the total income does not exceed Rs. 5,000/- | 5 per cent of the total income; |
| (2) where the total income exceeds Rs. 5,000/- but does not exceed Rs. 10,000/- | Rs. 250/- plus 10 per cent of the amount by which the total income exceeds Rs. 5,000/- |
| (3) where the total income exceeds Rs. 10,000/- but does not exceed Rs. 15,000/- | Rs. 750/- plus 15 per cent of the amount by which the total income exceeds Rs. 10,000/- |
| (4) where the total income exceeds Rs. 15,000/- but does not exceed Rs. 20,000/- | Rs. 1,500/- plus 20 per cent of the amount by which the total income exceeds Rs. 15,000/- |
| (5) where the total income exceeds Rs. 20,000/- but does not exceed Rs. 25,000/- | Rs. 2,500/- plus 30 per cent of the amount by which the total income exceeds Rs. 20,000/- |
| (6) where the total income exceeds Rs. 25,000/- but does not exceed Rs. 30,000/- | Rs. 4,000/- plus 40 per cent of the amount by which the total income exceeds Rs. 25,000/- |
| (7) where the total income exceeds Rs. 30,000/- but does not exceed Rs. 50,000/- | Rs. 6,000/- plus 50 per cent of the amount by which the total income exceeds Rs. 30,000/- |
| (8) where the total income exceeds Rs. 50,000/- but does not exceed Rs. 70,000/- | Rs. 16,000/- plus 60 per cent of the amount by which the total income exceeds Rs. 50,000/- |
| (9) where the total income exceeds Rs. 70,000/- but does not exceed Rs. 100,000/- | Rs. 28,000/- plus 65 per cent of the amount by which the total income exceeds Rs. 70,000/- |
| (10) where the total income exceeds Rs. 100,000/- but does not exceed Rs. 250,000/- | Rs. 27,500/- plus 70 per cent of the amount by which the total income exceeds Rs. 100,000/- |
| (11) where the total income exceeds Rs. 250,000/- | Rs. 152,500/- plus 75 per cent of the amount by which the total income exceeds Rs. 250,000/- |

Provided that for the purposes of this Paragraph, in case of a person, not being a non-resident --

i. no income-tax shall be payable on a total income not exceeding the following limit, namely :-

a. Rs. 70,000 in the case of every Hindu undivided family which at any time during the previous year relevant to the assessment year commencing on the 1st day of April, 1960 satisfies either of the following two conditions, namely -

(1) that it has at least two members entitled to claim partition who are not less than eighteen years of age; or

(2) that it has at least two members entitled to claim partition who are not lineally descended one from the other and who are not lineally descended from any other living member of the family;

b. Rs. 4,000 in every other case;

ii. where such person is an individual whose total income does not exceed Rs. 10,000 and who has, during the previous year relevant to the assessment year commencing on the 1st day of April, 1969, incurred any expenditure for the maintenance of anyone or more of his parents or grand-parents mainly dependent on him the income-tax computed at the rate herein-before specified shall be reduced by so much of the amount specified hereunder, as does not exceed the amount of income-tax as computed :-

- a. Rs. 145 in the case of an unmarried individual;
- b. Rs. 220 in the case of a married individual who has no child mainly dependent on him;
- c. Rs. 240 in the case of a married individual who has one child mainly dependent on him;
- d. Rs. 260 in the case of a married individual who has more than one child mainly dependent on him;

so, however, that in the case of a married individual whose spouse has a total income exceeding Rs. 4,000 in respect of the previous year relevant to the assessment year commencing on the 1st day of April, 1969, this clause shall have effect as if for the amounts of Rs. 220, Rs. 240 and Rs. 260, the amounts of Rs. 145, Rs. 165 and Rs. 185 had, respectively been substituted;

iii. where such person is an individual not falling under clause (ii) or a Hindu undivided family, the income-tax computed at the rate hereinbefore specified shall be reduced by so much of the amount specified hereunder, as does not exceed the amount of income-tax so computed:

- a. Rs. 125 in the case of an unmarried individual;
- b. Rs. 200 in the case of a married individual who has no child mainly dependent on him or a Hindu undivided family which has no minor coparcener;
- c. Rs. 220 in the case of a married individual who has one child mainly dependent on him or a Hindu undivided family which has one minor coparcener mainly supported from the income of such family;
- d. Rs. 240 in the case of a married individual who has more than one child mainly dependent on him or a Hindu undivided family which has more than one minor coparcener mainly supported from the income of such family,

so, however, that in the case of a married individual whose spouse has a total income exceeding Rs. 4,000 in respect of the previous year relevant to the assessment year commencing on the 1st day of April, 1969, this clause shall have effect as if for the amounts of Rs. 200, Rs. 220 and Rs. 240, the amounts of Rs. 125, Rs. 145 and Rs. 165 had, respectively, been substituted;

iv. (A) where such person is an individual whose total income exceeds Rs. 10,000 but does not exceed Rs. 20,000 and who has, during the previous year relevant to the assessment year commencing on the 1st day of April, 1969, incurred any expenditure for the maintenance of any one or more of his parents or grand-parents mainly dependent on him the income-tax payable by him in respect of such total income shall not exceed the aggregate of -

(1) the income-tax which would have been payable by the individual if his total income had been Rs. 10,000; and

(2) 40 per cent of the amount by which the total income of the individual exceeds Rs. 10,000;

(B) where such person is not an individual whose case falls under sub-clause (A) and the total income of such person does not exceed Rs. 20,000, the income-tax payable thereon shall not exceed 40 per cent of the amount by which the total income exceeds the limit specified in sub-clause (a) or, as the case may be, sub-clause (b) of clause (i) of this proviso.

so, however, that in the case of a married individual whose spouse has a total income exceeding Rs. 4,000 in respect of the previous year relevant to the assessment year commencing on the 1st day of April, 1969, this clause shall have effect as if for the amounts of Rs. 220, Rs. 240 and Rs. 260, the amounts of Rs. 145, Rs. 165 and Rs. 185 had, respectively been substituted;

EXPLANATION - For the purposes of clause (ii) and sub-clause (A) of clause (iv) of this proviso, a parent or grand-parent of an individual shall not be treated as being mainly dependent on such individual if the income of the parent or, as the case may be, the grand-parent from all sources in respect of the previous year relevant to the assessment year commencing on the 1st day of April, 1969 exceeds one thousand rupees.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph shall be increased by a surcharge for purposes of the Union calculated at the rate of ten per cent of such income-tax.

**PROVISIONS REGARDING MATERNITY BENEFITS, CHILDREN
ALLOWANCES/FAMILY ALLOWANCES IN FOREIGN COUNTRIES**

AUSTRALIA

The family allowances provided by the federal Government of Australia under the Social Services Act are maternity allowances and child endowment.

Broadly speaking, maternity allowance is a payment made to each mother on the birth of a child to assist with the cost associated with the birth. Child endowment is a continuing payment made to a person, usually the mother, with the care of one or more children.

A Maternity Allowance is paid to all resident mothers who claim it, irrespective of whether they are in the labour force. Maternity allowance is paid in addition to any hospital or medical benefits which may also be payable. The amount of the Allowance varies from \$ 30 to \$ 34 (Australian) according to the number of children in a family, and there is an extra payment for each additional child in the case of multiple births. The amount is \$ 30 where there are no other children under 16 years of age in the family, \$ 32 where the mother has one or two other such children, and \$ 35 where there are three or more children under 16. An additional \$ 10 is payable for each additional child in a multiple birth. If necessary, part of the Allowance may be claimed during the month before childbirth. Also, the Commonwealth Government reimburses a proportion of individual's hospital and medical expenses. In general these reimbursements are made through one of the approved medical insurance groups to which 75 per cent of the Australian population belong. Women who have contributed for ten months to one of these organizations receive a refund of upto 90 per cent of the hospital and medical expenses incurred during the maternity period.

In October, 1966, when for the first time the Commonwealth Parliament adopted legislation enabling permanent employment status for married women in its Public Service, provision was included for a 12-week period of maternity leave, with further allowance for absence upto six months at the option of the employee. At her own discretion, the woman may use any accumulated sick leave, recreation leave or furlough entitlement to cover her absence or some part of it.

Child endowment is paid at the rate of 50 ¢ a week for the eldest, elder or only child under 16 years, \$ 1 a week for the second eldest child, \$ 1.50 a week for the third eldest child. The weekly rate for each additional child under 16 after the third is 25 ¢ higher than for the child immediately next eldest to him, so that it is \$ 1.75 a week for the fourth, \$ 2 a week for the fifth and so on. Endowment at the rate of \$ 1.50 a week is also paid for each student child over 16 but under 21 years of age who is receiving full-time education at a school, college or university and is not in employment or engaged in work on his own account.

Other provisions exist in Australia for the benefit of the family, such as taxation concessional deductions for children, and assistance under the Commonwealth Scholarship Scheme with educational expenses.

FRANCE

France has ratified an I. L. O. instrument concerning maternity protection. The Maternity Protection Convention, 1919 (No. 3) has legal force in France.

A 14-week maternity leave period is established by law, the post-natal part of the leave being compulsory. This rule is equally binding on employer and employee. Employment is prohibited during only two weeks of the prenatal period. Provision is made for additional leave if it is required, but benefits may not be paid for longer than fourteen weeks. The extension relates to post-natal leave only.

Every pregnant woman in France is entitled to a prenatal allowance provided that she declares her pregnancy within the first three months and undergoes the prescribed medical examinations. The allowance is usually equal to nine times the monthly family allowance payable in respect of each dependent child and is paid in three equal instalments. An allowance is also granted for the birth in France of any child of French nationality under the following conditions:

for the first child if the mother is under 25, or if the birth takes place within two years of the marriage; for subsequent children, provided that they are born within three years of the preceding child.

Since 1946 France has had a system of compulsory insurance for employed persons to which both employers and employees contribute. To draw maternity benefits, a woman must have been enrolled in the insurance plan for ten months before the date of delivery, and have worked for pay at least 60 hours during the three months preceding the beginning of pregnancy. The cash benefit from this system is a daily allowance paid during the six weeks before delivery and the eight weeks after delivery. Those eligible for benefits are the insured working mother herself, the wife of an insured man and the dependent daughters of an insured person.

The compulsory insurance scheme also covers the medical expenses of pregnancy, delivery and post-natal care, provided that the insured woman undergoes the required medical examinations. Free pharmaceutical and other relevant supplies are issued. The women concerned are free to choose their doctor and to choose between a public and a private hospital.

France makes provision for additional payments beyond those already mentioned. If a child is breast fed, its mother receives a bonus; if it is fed artificially its mother receives milk coupons. A special allowance is paid to households with only one breadwinner. The amount is based on a percentage of the average wage paid in the region and varies with the number of dependent children. An allowance is paid to heads of families in certain categories where the wife is devoting herself to home and children. Finally, pregnant women, married or unmarried, may take advantage of the services provided for the needy.

There is a compulsory provision against dismissal during a 14-week maternity leave period, and failure to observe the provision can result in penal sanctions. In the event of a breach of contract women are entitled to damages. As an additional measure of protection, women have the right to terminate their contract of employment during maternity and absence on maternity leave without notice and without having to pay for breach of contract.

The I. L. O. convention of 1919 stipulates that two half-hour periods be provided during the working day in which a mother may nurse her baby. Accordingly, the Labour Code of France makes provision for two such nursing periods which must be continued daily until the child is one year old. Employers are required to provide nursing premises or nurseries inside or near their establishments.

NEW ZEALAND

A post-natal leave period of six weeks is required by law, and female workers are prohibited from resuming their employment until after the end of this period. Under the Teachers' Leave of Absence Regulations, the period of maternity leave for teachers may be extended to twelve weeks.

Since 1939 New Zealand has been providing medical benefits for maternity. These benefits, available to all resident women, include prenatal and post-natal care by medical practitioners, and the care of doctors and nurses at confinements in maternity hospitals and elsewhere. Hospitalization for fourteen days after the birth, and one post-natal consultation are provided. Patients who consult obstetrical specialists or who are confined in private maternity hospitals must pay the additional cost themselves. New Zealand conforms to the I. L. O. Convention of 1952 in allowing free choice of medical practitioner and the freedom to choose between a public and a private hospital.

The national health system of New Zealand covers the entire population, the costs being shared among insured persons, employers and government. A married woman whose husband cannot support her is eligible for a sickness benefit of upto £ 4. 16 sh. a week, payable during maternity leave. There are no disincentives to large families in New Zealand; on the contrary, large families are encouraged in every way.

SWEDEN

The Workers' Protection Act, 1949 provides for a 12-week maternity leave period. A formal clause in the legislation, binding on employer and employee alike, makes the post-natal part of the leave compulsory, unless the mother presents a medical certificate stating that she may return to work without harm to herself or her child. In cases of sickness resulting from pregnancy or confinement, extension of leave is provided through the sickness insurance scheme.

Sweden has a compulsory social insurance system which has been in effect since 1963, and as a result nearly all Swedish citizens and resident aliens are covered by health and maternity insurance. A lumpsum payment of 900 kronor (about \$ 180.00) is made to all insured mothers, plus 450 kronor for each additional child born at the same time. In addition to this payment, the employed or self-employed woman is given a supplemental daily allowance for 180 days, provided that she does not earn money during this time, and provided also that she has been insured and earning a specified rate of pay for nine months before confinement. The lumpsum payment and the supplemental daily allowance together compensate the woman worker for two-third of her normal wages.

The medical benefit consists of free hospitalization or coverage for costs of home confinement, partial costs of medical care and three-fourths of costs for dental care. No qualifying period is required. It is the practice for a woman to choose her own doctor and to choose between a public and a private hospital. Public maternity clinics offer free prenatal and post-natal care.

The cost of the comprehensive insurance system are shared among the insured persons (50%), government (25%) and employers (25%).

If a woman has been in the service of one employer for at least a year, she is protected against dismissal throughout pregnancy and for six months after confinement. This prohibition, however, is not absolute. A woman may not be dismissed because she is pregnant or nursing her child, but she may be dismissed for other causes. The burden of proof rests with the employer.

The Workers' Protection Act, 1949, states that employers may not refuse to allow a mother time to nurse her child. Nurseries and child care facilities are operated on a co-operative basis.

**UNITED
KINGDOM**

In certain non-metropolitan areas of the United Kingdom, maternity leave is granted under collective agreements. Some agreements stipulate that, in order to be eligible for maternity leave, a woman must have worked for the same employer for a certain minimum period. Collective agreements governing employees of local authorities and employees of the electricity supply industry provide for a leave period of eighteen weeks.

Since 1946 the United Kingdom has had dual social insurance and national health service system. Any married woman may claim the Maternity Grant of Pounds 22, either on her own insurance or on her husband's insurance. If more than one child is born, a further grant may be claimed. In addition, women who have paid or had credited to them 50 full-rate employed or self-employed contributions in the prenatal period receive an allowance of Pounds four a week for eleven weeks before confinement and seven weeks after confinement. They must not do any paid work during this period. The allowance may be increased because of a dependent adult or dependent children, but not if the claimant's husband is living with her and is capable of self-support.

The National Health Service provides for all resident women, maternity care, including the services of doctors, care in public hospitals and free dental care for expectant and new mothers. If confinement is in the home or at the patient's own expense, an additional Pounds six is paid.

The dual social insurance and national health service system is financed by flat contributions of employers, employees and government. The government pays about 80 per cent of the costs of the national health services.

In general, British women remain at home after maternity leave, but the woman who wishes to return to work is customarily re-instated.

GAMBIA

There is no family planning scheme in this country.

Every pregnant woman in France is entitled to a prenatal allowance provided that she declares her pregnancy within the first three months and undergoes the prescribed medical examinations. The allowance is usually equal to nine times the monthly family allowance payable in respect of each dependent child and is paid in three equal instalments. An allowance is also granted for the birth in France of any child of French nationality under the following conditions:

for the first child if the mother is under 25, or if the birth takes place within two years of the marriage; for subsequent children, provided that they are born within three years of the preceding child.

Since 1946 France has had a system of compulsory insurance for employed persons to which both employers and employees contribute. To draw maternity benefits, a woman must have been enrolled in the insurance plan for ten months before the date of delivery, and have worked for pay at least 60 hours during the three months preceding the beginning of pregnancy. The cash benefit from this system is a daily allowance paid during the six weeks before delivery and the eight weeks after delivery. Those eligible for benefits are the insured working mother herself, the wife of an insured man and the dependent daughters of an insured person.

The compulsory insurance scheme also covers the medical expenses of pregnancy, delivery and post-natal care, provided that the insured woman undergoes the required medical examinations. Free pharmaceutical and other relevant supplies are issued. The women concerned are free to choose their doctor and to choose between a public and a private hospital.

France makes provision for additional payments beyond those already mentioned. If a child is breast fed, its mother receives a bonus; if it is fed artificially its mother receives milk coupons. A special allowance is paid to households with only one breadwinner. The amount is based on a percentage of the average wage paid in the region and varies with the number of dependent children. An allowance is paid to heads of families in certain categories where the wife is devoting herself to home and children. Finally, pregnant women, married or unmarried, may take advantage of the services provided for the needy.

There is a compulsory provision against dismissal during a 14-week maternity leave period, and failure to observe the provision can result in penal sanctions. In the event of a breach of contract women are entitled to damages. As an additional measure of protection, women have the right to terminate their contract of employment during maternity and absence on maternity leave without notice and without having to pay for breach of contract.

The I. L. O. convention of 1919 stipulates that two half-hour periods be provided during the working day in which a mother may nurse her baby. Accordingly, the Labour Code of France makes provision for two such nursing periods which must be continued daily until the child is one year old. Employers are required to provide nursing premises or nurseries inside or near their establishments.

NEW ZEALAND

A post-natal leave period of six weeks is required by law, and female workers are prohibited from resuming their employment until after the end of this period. Under the Teachers' Leave of Absence Regulations, the period of maternity leave for teachers may be extended to twelve weeks.

Since 1939 New Zealand has been providing medical benefits for maternity. These benefits, available to all resident women, include prenatal and post-natal care by medical practitioners, and the care of doctors and nurses at confinements in maternity hospitals and elsewhere. Hospitalization for fourteen days after the birth, and one post-natal consultation are provided. Patients who consult obstetrical specialists or who are confined in private maternity hospitals must pay the additional cost themselves. New Zealand conforms to the I. L. O. Convention of 1952 in allowing free choice of medical practitioner and the freedom to choose between a public and a private hospital.

The national health system of New Zealand covers the entire population, the costs being shared among insured persons, employers and government. A married woman whose husband cannot support her is eligible for a sickness benefit of upto £ 4.16 sh. a week, payable during maternity leave. There are no disincentives to large families in New Zealand; on the contrary, large families are encouraged in every way.

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PAKISTANMaternity Benefits

Maternity benefits include leave on average pay for three and a half months to a pregnant employee at the time of her delivery. No delivery fee is charged if Government employees' wives have their children delivered in Government dispensaries/hospitals.

Children's Allowances

Special allowances like income-tax relief for school going children upto a maximum of three are admissible in Government and in many private agencies.

BELGIUMFamily Allowance - How much per Child - Disbursed by whom - Employer or State

The amount of family allowance (allocation familiale) is based on two principles - according to the order in which the children come (first child, second child, third child) and on the age of the children. The third child and the others following, receive the same amount.

The position in force at the present moment, according to the law of 17th June, 1967, is as follows:

Family allocation per month (in BF)

	0-6 years	6-10 years	10-14 years	14 years and above
First child	570. 50	570. 50	790. 50	897. 50
Second child	919. 00	1040. 00	1138. 75	1246. 00
Third child and the children following	1276. 50	1401. 50	1496. 25	1603. 50

There are special rates (i. e., different from the above mentioned rates) for orphans, handicapped and physically disabled children and children of invalids.

CZECHOSLOVAKIA

This is an under populated country. There are no schemes for the present to restrict production of children.

TANZANIA

The Tanzania Government have not so far established an official family planning department in the country.

PHILIPPINES

There is no family planning scheme operative here.

ADEN

Facilities like children allowances, maternity benefits, social assistance schemes etc., are not available in the People's Republic of Southern Yemen.

BURMA

No family planning programme is in force in Burma.

NEPAL

No children allowances, maternity benefits and any other social assistances are given to the people in Nepal.

DUBAI (TRUCIAL STATES)

There are no special allowances or benefits in force in Dubai.

FIJI

No inducements of any type for family planning or otherwise are given by the Government of Fiji.

MADAGASCAR

The Government of Madagascar are not having any family planning programme.

GENEVA

All salaried workers in the Canton of Geneva, irrespective of nationality (excepting Government servants and international civil servants, who have their own scales of

allowances established by the State or the respective organizations), are entitled to receive S. Frs. 365.00 at the time of birth of a child in the family.

2. In addition, the working mother gets maternity leave with pay. (The period of this leave varies, depending on the mother's health condition.)
3. Thereafter, each family receives Frs. 35.00 per child per month, until the child is 10 years old.
4. The allowances per child per month is Frs. 40.00 between the ages of 10 and 15 primary education and scholastic material are provided free of charge until the age of 15 years.
5. In the case of families who are domiciled in Geneva, the allowance per month per child is Frs. 80.00 until the age of 25 years, if the child is working as an apprentice and Frs. 100.00 if the child is continuing with higher studies.
6. On the other hand, it must be pointed out that insurance of all minor children against sickness and accidents is compulsory in Geneva, and the parents must bear the cost of the premium thereof.

LEBANON

Article 7 of the Social Welfare Law (Lebanon), (promulgated as per decree No. 13935 of the 26th September, 1965) covers, *inter alia*, security against illness and maternity (motherhood) and the Regulations governing family indemnities (Allowances).

SOUTH VIET-NAM (SAIGON)

Monthly allowance for Government employees:

- i. Wife = VN \$ 1.100 approximately.
- ii. Each child = VN \$ 1.3000 approximately (upto age 18, or upto age 21 if still going to school).
- iii. Maternity benefits - free of charges. Besides this, if she is a Government employee, she would have two months' off with full salary after her delivery.
- iv. Social assistance scheme = No.

YUGOSLAVIA

Maternity benefits:

All women in service (government office, enterprises private service) are entitled to 105 days maternity leave out of which 28 days obligatory before the birth of the child. During the maternity leave they receive 100 per cent salary if they have 6 months of paid social security contribution. This means: if a woman begins the service six months before the birth of the child she is entitled to 100 per cent salary. If it is less than six months then 80 per cent of the salary is received.

After the expiration of 105 days' maternity leave each mother is entitled to part-time work on full pay (4 hours daily) until the child is 8 months old.

Children's Allowance:

All children from the day of birth till they complete their education are entitled to children allowance (e. g. if a child completes secondary education and does not proceed with high education then it will not be entitled any more to children allowance) under the following conditions:

When each member of a family earns upto 300 New Dinars then children allowance is:

52 N. D.	for 1 child
103 N. D.	for 2 children
149 N. D.	for 3 children
191 N. D.	for 4 children
228 N. D.	for 5 children

If there are more than five children then each child is entitled to 37 N. D. children allowance

When each member of a family earns from 300 N. D. to 350 N. D. then children allowance is:

27 N. D.	for 1 child
51 N. D.	for 2 children
72 N. D.	for 3 children
89 N. D.	for 4 children
101 N. D.	for 5 children

If there are more than five children then each child is entitled to 13 N. D. children allowance.

When each member of a family earns from 350 N. D. to 400 N. D. then children allowance is:

21 N. D.	for 1 child
39 N. D.	for 2 children
55 N. D.	for 3 children
68 N. D.	for 4 children
77 N. D.	for 5 children

If there are more than five children then each child is entitled to 10 N. D. children allowance.

When each member of a family earns over 400 N. D. then no child is entitled to children allowance.

The amounts given above are applicable in Republic of Serbia. There is slight difference in other republics, but children allowance is granted on the basis of the same principle.

CANADA

Mothers' Allowances

All provinces make provision for allowances to needy mothers with dependent children. A number of provinces have combined such allowances into a broadened programme of provincial allowances to persons in several categories of long-term need and others have incorporated this type of aid along with general assistance into a single Act, while continuing separate administration. The cost of allowances to needy mothers has been shareable with the Federal Government under the Canada Assistance Plan since April, 1966.

Subject to conditions of eligibility which vary from province to province, mother's allowances or their equivalents are payable to applicants who are widowed, or whose husbands are mentally incapacitated or are physically disabled and unable to support their families. They are also payable to deserted wives who meet specified conditions; in several provinces to mothers whose husbands are in penal institutions, or who are divorced or legally separated; in some provinces to unmarried mothers; and in Ontario, Quebec, and Nova Scotia, to Indian mothers. Foster mothers may be eligible under particular circumstances in most provinces.

The age limit for children is 16 years in most provinces, with provision made to extend payment for a specified period if the child is attending school or if he is physically or mentally handicapped. In all provinces applicants must satisfy conditions of need and residence but the amount of outside income and resources allowed and the length of residence required prior to application vary, the most common period being one year. One province has a citizenship requirement.

CHILDREN

There are a variety of programmes designed to provide income support and welfare services to children. Income support is given under Family Allowances, Family Assistance and Youth Allowances programmes for all eligible children regardless of the economic status of the recipients.

Finally, welfare services are provided to children by a number of public and private programmes.

Family Allowances

The Family Allowances Act, 1944 as amended, provides payments with respect to all Canadian children upto age 16. The allowances are not subject to a means test and are paid from the federal Consolidated Revenue Fund. They do not constitute taxable income but there is a smaller income tax exemption for children eligible for allowances.

Allowances are payable in respect of every resident child under the age of 16 years who was born in Canada, or who has been a resident of the country for one year, or whose father or mother was domiciled in Canada for three years immediately prior to the birth of the child. Payment is made by cheque each month, normally to the mother, although any person who substantially maintains the child may be paid the allowance. Allowances are paid at the monthly rate of \$ 6 for each child under 10 years of age and \$ 8 for each child age of 10 or over but under 16 years. If the allowances are not spent for the purposes outlined in the Act, payment may be discontinued or made to some other person or agency on behalf of the child. Allowances are not payable for any child who fails to comply with provincial school regulations or on behalf of a girl who is married and under 16 years of age.

The programme is administered by the Department of National Health and Welfare through regional offices located in each provincial capital. The Regional Director located at Edmonton is also responsible for administering the accounts of residents in the Yukon and Northwest Territories.

Family Assistance

The Federal Government pays Family Assistance, at the rates applicable for Family Allowances, for each child under 16 years of age resident in Canada and supported by an immigrant who has landed for permanent residence in Canada, or by a Canadian returned to Canada to reside permanently. The assistance, which is payable monthly for the first year of the child's residence in Canada, is intended to bridge the gap until the child becomes eligible for Family Allowances.

Youth Allowances

Legislation providing for a programme of Youth Allowances was assented to on July 16, 1964 and became effective September 1964. The Federal Government does not provide Youth Allowances in Quebec, which already had its own programme. That province is compensated by a tax abatement adjusted to equal the amount that the Federal Government would otherwise have paid in allowances to Quebec residents. The Federal Youth Allowances and the Quebec Schooling Allowances programmes cover all eligible youths in Canada.

Under the federal programme, monthly allowances of \$ 10 are payable in respect of all dependent youths age 16 and 17 who are receiving full-time educational training or are precluded from doing so by reason of physical or mental infirmity. Both the parent or guardian and the youth must normally be physically present and living in a province other than Quebec. The allowance is not payable to a parent who resides in Quebec or outside Canada regardless of where his child may be attending school. However, a dependent youth may attend school in Quebec or outside Canada and still be considered eligible, on the basis that he is a resident of a province other than Quebec but is temporarily absent.

Allowances normally commence with the month following that in which Family Allowances cease and continue until the school year terminates. They are paid retroactively for the summer months on the youth's return to school at the commencement of the new school year. Allowances for a disabled child not attending school, however, are payable continuously throughout the year. Should the youth leave school, leave the country permanently, cease to be maintained, take up residence in Quebec or die, the allowance will cease. Otherwise, the youth allowance continues until the end of the month in which the youth reaches age 18. Youth Allowances are not considered to be income for any purpose of the Income Tax Act.

The programme is administered by the Department of National Health and Welfare. The national director of the Family Allowances, assisted by regional directors located in each of the Youth Allowances are met from the Consolidated Revenue Fund.

Orphans Benefit (Canada Pension Plan)

If a qualified male contributor dies, a monthly benefit is payable on behalf of any dependent child whether or not the mother is alive. This benefit is also payable on the death of a female contributor if she was maintaining the child at the time of her death. To be eligible for the benefit the child must be a dependent child as defined by the Canada Pension Plan Act.

Child of a Disabled Contributor (Canada Pension Plan)

The benefit payable to the child of a disabled contributor is identical to the orphan's benefit. It is payable to each child of a contributor receiving a disability pension. There are two additional conditions for this benefit: (i) the benefit will be terminated if the disabled contributor ceases to receive his disability pension; and (ii) children conceived or adopted after the contributor's disability began will not be eligible for the benefit.

Children under other programmes

All provinces of Canada make payments of benefits to surviving children with respect to a deceased injured worker under the Workmen's Compensation Acts. The benefits are payable unconditionally.

Also, programmes for war veterans and civilians with war service provide benefits to surviving children either unconditionally or on a means tested basis depending on the nature of the veterans programme.

Child Welfare Services

All provinces have some central authority, usually a division of child welfare within the department of welfare, responsible for direction of the child protection programme which provides for the care of neglected and dependent children.

Maternity Benefits*

Maternity leave: - Maternity leave, with prohibition against dismissal, is required by the legislation of two provinces, British Columbia and New Brunswick. Under the Alberta Labour Act employment may be prohibited during a three and a half month period, but no regulations having been issued, the legislation is inoperative. Provision is made for maternity leave in the Regulations under the Civil Service Act of the Government of Canada, and under the Civil Service Act or the Public Service Acts of five provinces, and by collective agreement in one province. In the Civil Service of three provinces, policy on maternity leave, while not incorporated in legislation, is formulated in personnel policies. In the private sector, 62 per cent of the reporting units in the survey made in connection with this study granted maternity leave, 15 per cent of them by collective agreement, and 47 per cent by management decision. Most of these reporting units granted leave to their female employees for six weeks or more before the probable date of the birth of the child and for six weeks or more after the birth of the child. Maternity leave is guaranteed by collective agreement to a small proportion of the female labour force in Canada.

Maternity benefits: - No provision for cash maternity benefits was found in the public sector. Female employees in four reporting units of the survey received the same income as their normal wages during leave, while female employees in twenty reporting units received less than their normal wages. A few collective agreements stipulated payment of benefits for six weeks. Only occasionally were these benefits equal to normal wages.

Because of various forms of groups medical insurance and because of provincial medical and hospital insurance, medical coverage for maternity is more common in Canada than are cash maternity benefits. Despite the advantages of group insurance, women who take maternity leave must often pay the employer's share of the premiums as well as their own during the period of leave.

* Extracts from Maternity Protection for Women Workers in Canada, by Sheila Woodsworth, issued by Women's Bureau, Canada, Department of Labour.

Protection of employment (Seniority and reinstatement) -

Seniority of civil servants, where it was mentioned in the Regulations, did not accumulate during leave, but previously earned seniority was retained by employees who returned to work within a stated period. In about 60 per cent of the reporting units in the survey which granted maternity leave, seniority accumulated for the full period of leave. Collective agreements, when they had a maternity leave clause, were often specific about both seniority and reinstatement at the rate of pay as before. On the other hand, reinstatement at the same level of employment was not always guaranteed to women taking maternity leave. One employer simply protected service and seniority, without giving assurance of re-employment.

Facilities for nursing mothers and infants -

Since provisions for nursing mothers and infants were not made in any of the reporting units in the survey, it seems probable that Canadian employers as a whole do not make such provisions.

Protection of the health of women workers during maternity -

The legislation of two provinces contains clauses designed to protect the health of pregnant women workers, but no regulations had been issued. The replies to the questionnaire showed that special arrangements for the welfare of pregnant women and nursing mothers, with reference to evening work, night work and overtime work were not made in most cases, although doubtless informal arrangements were made. Collective agreements did not usually set forth provisions for the welfare of pregnant women and nursing mothers, apart from the requirement that a doctor's certificate state that a woman was able to work beyond a certain date or return to work before a certain date.

FINLAND

Maternity Welfare

The object is to cut down the health hazards that beset pregnant women, so as to promote the birth of strong, healthy babies. In Finland, as in so many other countries, guidance and consultation for future mothers began as voluntary work long before it became legislated.

The Act of 1944 obliges every commune to set up one or more maternity health centres, depending on its size and the state of its communications. The State gives financial assistance for their maintenance. The communes also run sub-centres. The centres provide consultation and guidance, teach future mothers to make proper use of their maternity and family allowances, look after their health and prepare them for childbirth. Repeated examinations are made of the mothers' health and the development of the foetus.

Social assistance and allowances

Social legislation prescribes maternity leave for women at work. The absolute minimum compulsory leave for female employees is four weeks after childbirth, and it is also forbidden to keep a woman on at work during pregnancy if her health is liable to suffer. For women employees in the retail trade the compulsory maternity leave is six weeks. Under no circumstances does the law oblige private employers to pay wages or salaries during maternity leave. State employees are luckier; they receive two months' maternity leave with full pay. The Health Insurance Act of 1963 provides for maternity insurance, though this does not yet amount to full pay:

A maternity allowance is granted to all women resident in Finland after 180 days' pregnancy. This makes it easier for them to stay away from work for a fixed period before and after childbirth. It is paid for 18 days before childbirth and 36 days after. Within minimum and maximum limits of Fmk 4-22.50 a day, its amount depends on the income of the beneficiary, as declared for taxation purposes. If the woman is the main provider for the family, she gets an extra 15 per cent for her husband and 10 per cent for every child under 16 years of age - upto a total extra maximum of 50 per cent of her maternity allowance. The allowance is paid in three instalments, but she only receives the last instalment after attending a medical examination 5-12 weeks after childbirth. This cuts down the number of women who fail to attend their post-pregnancy examination.

If a woman is paid a salary amounting to at least as much as her maternity allowance, and for the same period or longer, her allowance is paid not to her but to her employer.

Under the Act, mothers are compensated the costs occasioned by pregnancy and childbirth according to the same bases as those involved in sickness.

Before the Health Insurance Act came into force, the only statutory assistance for expectant mothers was provided by an Act of 1941 granting a maternity benefit - sometimes in cash but more often in kind (Maternity pack). The present value of the benefit is Fmk 50.

School feeding

The Act of 1943 made Finland the first country in the world to provide a free school meal for every primary school child. The voluntary school kitchen service was expanded gradually until five years later it covered every primary school in the country. Now a days all these children receive one free meal at school every day, regardless of whether they live in town, borough or country.

ITALY

Illness and Maternity

For the generality of employed persons there is a single insurance plan: health insurance and assistance to working mothers, which is financed, almost entirely, by the contributions of the employers in proportion to the employee's salary.

Cash benefits

The benefits to pregnant workers include the obstetric assistance either at home or in maternity homes as well as a daily allowance in proportion to the salary (for female farm workers, home workers and domestic help a lumpsum according to the figures on special tables) for a period which varies from 14 to 27 weeks. The maternity allowance is not granted to those workers who are not eligible for the sickness allowance.

The obstetric assistance is extended to the dependents of the insured who are eligible for medical benefits of health insurance.

Family Charges

For the generality of employed persons (3) there is a single plan: the family allowances system, which is financed by contributions of the employers determined in percentage of the salaries paid to employees within determined maximums.

This system provides the employees who qualify for them family allowances at rates established for each sector with special collective bargaining and then approved by law.

Family allowances are granted for:

wife who has no income above a certain sum; dependent husband, if he is permanently disabled; children or equivalents (illegitimate children, brothers, sisters, nephews, nieces, wards or sponsored children) who are under the age of 18 (21 if they are students) or of any age if they are invalid;

depend legitimate or illegitimate parents, adopters or wards, step-fathers, step-mothers, who are more than 60 years of age (male) or 55 (female) or permanent invalids, who have no personal income above a certain established sum and for whom there is not already a family allowance because of the spouse occupation;

grand-parents and great-grandparents under the conditions established for parents.

NORWAY

Financial Assistance during Pregnancy

The Health Insurance and other central government Acts, and certain local authority measures, provide for the payment of financial assistance during pregnancy. All wage earners are compulsorily insured under the health scheme, almost the entire population is so insured. Free midwifery service is given if either the father or the mother has been insured for 10 months prior to the birth of the child. Where the father is the insured person, a fixed cash payment is made, and where the mother herself is insured, free hospital care

is given, plus a cash payment for 6 weeks before and 4 weeks after the birth (a deduction being made for the period of free hospital care) she is in the group entitled to compensation during sickness. In many districts the cost of the pre-natal medical control is also paid.

In all the parts of the country the services of publicity appointed midwives are available. An increasing number of women are, however, having their babies in the ordinary hospitals, in public or private maternity hospitals or in maternity homes.

By law it is provided that mothers in a difficult financial position are entitled to assistance from the local authorities for 6 weeks before and upto 6 months after the birth. These provisions mainly apply to unmarried mothers, but there are special cases where married mothers may benefit from them as well. The primary reason for the 6 months' post-natal payment is to enable the mother to nurse her baby herself. The scales of payment are fixed by the country governor within limits set by the Ministry of Social Affairs. If a mother stays in a maternity home during the post-natal period, the payment is used for covering the expenses of the stay in the home. This assistance is not poor relief, and recipients cannot be required to pay it back. But it is regarded as an advance on the maintenance contribution payable by father of the child, and he may be required to refund it. The law providing for this special assistance has, however, not altogether fulfilled its purpose. Only a few mothers seek its help each year and further, it is administered differently by the various local authorities.

Another form of assistance, known as maternity benefit, has been introduced by about 110 out of 744 local authorities. It is designed to give financial help where there is no husband or father to support the family. In Oslo the grant is paid to unmarried mothers, to widows and to wives living apart from their husbands. The payment of assistance is subject to a means' test.

Benefits to unmarried mothers

The National Insurance scheme gives an unmarried mother a right to certain benefits as did the previous Widows' and Mothers' Insurance.

When her child is born the unmarried mother receives a sum equal to one-third of the basic amount (i. e. 1,800 kriner as from 1967). This grant may be paid before the birth if that is more helpful to the individual concerned. In addition, the unmarried mother is entitled to an assistance grant, educational grant, and transitional benefit, on the same conditions and under the same regulations as a surviving spouse. The transitional benefit may also be paid for a period of upto two months before her confinement. This benefit is equal in size to the basic amount and will be 5,400 kroner a year as from 1967.

Unmarried mothers are not entitled to pensions. The entitlement to benefits as described is discontinued if the unmarried mother marries.

Mothers in paid employment

An employed woman has, according to the Workers' Protection Act, the right to be released from her job 6 weeks before and upto 6 weeks after the birth of her child. The act protects her from dismissal in such circumstances. If she nurses her child, she is also entitled to the necessary time off to do this. Women civil servants are granted 3 months' maternity leave with pay, and a further 9 months' leave without pay is generally granted if applied for. The Workers' Protection Act has a general provision to the effect that a worker who, after he has attained his majority has been employed uninterruptedly for at least 3 years by the same employer, may claim compensation if he is dismissed without good reason. The fact that woman worker marries is not regarded as a reason for dismissal.

Children's allowances

The State also pays children's allowance, 1/8 of the allowance being contributed by the local authorities. These allowances are paid to all families regardless of the family income, and at present they amount to 360 kroner per year for the second and each subsequent child. An allowance is also paid for the first child in certain cases, if, for example, the mother or father is alone, or if the normal wage earner is unable to work. Children's allowances are paid to the mother.

Other social measures of various kinds also tend to even out of the standard of living between families and single persons. These are, for example, sickness and accident benefits and unemployment insurance. These schemes cover husband, wife and children, and the premium is the same for large families and single persons. Education is for the most part free.

At many schools, one meal per day is given free of charge (the Oslo Breakfast) and in most districts free dental care is provided for school children. Yet, despite these and other social measures, the rearing of children still involves a considerable financial burden for the parents.

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