

# The Third Child Norms

October 8, 2019

**Source:** *The Times of India, WHO, Economic Times & Rajya-Sabha TV Discussion*

**Manifest Pedagogy:** Issues associated with Indian Demography and the associated topics are very relevant for the Society and Economy section of Mains paper. It is anticipated that India will be the world's most populous country by 2027. In this context the two child norm and the National Population policy are areas of critical importance. The recent Uttarakhand judgement on extension of Maternity benefit is critical in this context.

**In news:** Uttarakhand High Court order on maternity leave to women in government jobs

**Placing it in the syllabus:** Population and associated issues, Role of women

**Static dimensions:** India's two-child policy & National population policy

## Current dimensions

- **Recent Uttarakhand High court Judgement on maternity leave**
- Arguments for third child maternity benefit
- Arguments against third child

## Content

### India's two-child policy

- Multiple Indian states have adopted a limited two-child policy. The policies are implemented by prohibiting persons with more than two children from serving in government.

- The most recent policy to be implemented was by Assam in 2017
- As of 2014, there were 11 Indian states that implemented the two-child policy, in hopes to reduce the number of children per family.
- **The policy was geared mainly towards politicians, the future and aspiring, to limit their number of children to two or less.** Those who held politicians have stricter policies in hopes that they will set an example for the community, if one were to exceed the limit of two children while employed, they would be terminated from the job.

### **National population policy**

It was adopted in the year 2000. It was launched to improve the quality of lives of people of India and to provide them with equal opportunities to be productive individual of the society. In pursuance of this policy, the Government has taken a number of measures under the Family Planning Programme.

### **Objectives of the policy**

- **Immediate objectives:**
  - To address the unmet needs for contraception, health care infrastructure, and health personnel.
  - To provide integrated service delivery for basic reproductive and child health care
- **The medium-term objective:** To bring the Total Fertility Rate to replacement levels by 2010, through the vigorous implementation of Interpersonal operational strategies.
- **The long term objectives:** To achieve a **stable population by 2045**, at a level consistent with the requirements of sustainable socio-economic growth and developments and environmental protection

### **Recent Uttarakhand High Court Judgement on maternity leave**

- Recently the Uttarakhand High Court has passed an order denying maternity leave to women in government jobs in case of the third child.
- The double bench of the high court overruled the single bench order accepting the contention of the state government, which had challenged the single bench order issued by Justice Rajeev Sharma in July 2018.
- The single bench of Justice Rajeev Sharma in its order dated July 30, 2018 had struck down a state government rule that denied maternity leave for women after their third pregnancy claiming that it went against Article 42 of the Constitution which provides for “just and humane conditions of work and maternity relief” and also Section 27 of the Maternity Benefit Act, 1961.

### **Arguments for third child maternity benefit**

- As mentioned by the single bench of the Uttarakhand High Court and Article 42 of the constitution it is the duty of the state(though 3rd child) to provide just and humane conditions of work and maternity relief.
- Every woman has the right to live a life with dignity, the state cannot deny the facilities by stating that maternity benefit is limited to 2 children
- It is the fundamental right of the child(right to live a life with dignity) to grow in the company of his/ her mother.
- Exclusive breastfeeding is recommended(WHO) up to 6 months of age, with continued breastfeeding along with appropriate complementary foods up to two years of age or beyond hence basic amenities cannot be denied on the basis of the number of children

### **Arguments against third child**

- **Endorsing the third child maternity benefits policy may counter the Government's own family planning measure.**
- Enforcing on the employers to provide maternity benefits

to women employees may discourage them in employing more number of women employees.

- As mentioned in the **National population policy India is planning to stabilize the population by 2045**, endorsing the maternity benefits policy for more than two children would be contradictory to its own policy.