



सत्यमेव जयते

The Gujarat Government Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. LXIV]

FRIDAY, MARCH 3, 2023 / PHALGUNA 12, 1944

Separate paging is given to this part in order that it may be filed as a Separate Compilation.

PART V

Bills introduced in the Gujarat Legislative Assembly

The Following Bill Which Was introduced on the 3rd March, 2023 by Smt. Ritaben Ketankumar Patel, M.L.A. is published under rule 127-A of the Gujarat Legislative Assembly Rules for general information.

GUJARAT BILL NO. 7 OF 2023.

THE GUJARAT PROMOTION OF SMALL FAMILY (INCENTIVE) BILL, 2023

A BILL

To provide for incentive to persons who get sterilized under the Small Family Scheme.

Whereas, the human population is increasing in spite of effective measures taken by Government to check the growth of population;

And whereas, it is expedient to introduce some incentive to the persons who have restricted the size of family with two children living;

It is hereby enacted in the Seventy fourth year of the Republic of India, as follows, namely:-

1. (1) This Act may be called the Gujarat Promotion of Small Family (Incentive) Act, 2023.
- (2) It shall extend to the whole of the State of Gujarat.
- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title,
extent and
commencement.

- Incentives for Voluntary sterilization.** 2. On and from the date of coming into force of the provisions of this Act, every adult person who undergoes sterilization voluntarily and have not more than two children living shall be entitled to receive incentives specified in section 4 from the State Government.
- Facility for sterilization at Hospitals.** 3. (1) The Central or State Government owned Hospital in the Gujarat State or any Health Centre owned by local Authority or, Private Hospital in the State of Gujarat as may be notified by the State Government may perform sterilization operation without taking any charge of any adult person who is ordinary resident of this State and shall give certificate under the signature and seal of the Medical Officer performing such operation to the concerned person.
- (2) It shall be the duty of concerned Government Hospital, Health Centre or Private Hospital to maintain the record of persons sterilized, their free consent for it, in the manner as may be prescribed by the State Government.
- (3) Private Hospitals shall be paid charge per sterilization at the rate as may be determined by the State Government and expense for the same shall be met with the Annual Grant provided to Health Department for the purpose of Family Welfare Programme.
- List of Incentives.** 4. Every adult who voluntarily agrees to abide to two children (living) norms and undergoes sterilization shall be entitled to all or any of the following incentives:-
- (a) Employment to one child in the Government service Class III or IV post provided he fulfill the requisite qualification and criteria.
- (b) Relaxation of upper age limit by five years for entering in Government service.
- (c) Special Health Card which entitles to free medical treatment in State Government Hospitals and Hospitals manned by the Local Authorities including reimbursement of expenses on medicine.
- (d) Fifty percent financial aid by way of payment of tuition fees in private schools for two children.
- (e) In case of girl child, entire expense of education in private school and colleges including expenses for medical and technical education in private colleges and Hostel fees including Food Bill.
- (f) Lump-sum financial assistance of rupees one lac for marriage of each girl child if the individual has both girl child.
- (g) If the individual is in the service of State Government or semi Government three advance increments and in case of both the husband and wife are in Government or semi-Government job, both shall be entitled for such increment.
- (h) Special food grain card and entitling food grain the stipulated rate to be determined by the State Government.
- Revoking Incentives.** 5. If any adult eligible for incentive under this Act, restores to reproductive capacity except on medical ground the incentives granted shall stand revoked.
- Power to make rules.** 6. The State Government may make rules for carrying into effect of the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

It is experienced that the population growth of the State of Gujarat is required to be controlled so that fruits of development can reach to a larger population. It is also experienced that people can be motivated for voluntary sterilization, if certain incentives are granted by the State Government. Hence, it is considered necessary to make provision for incentives in the form of employment under Government, Free health care, Free education including higher education and college education, subsidized food articles, advance increments to Government employees, financial assistance for a marriage of a girl child.

If the provision of the Act is brought into force, it may lead to rapid progress of the nation. Adoption of incentives in rural and urban areas shall also lead to family welfare in the country in true sense.

Hence, this Bill.

Gandhinagar,
Dated 06th February, 2023.

RITABEN KETANKUMAR PATEL,
M.L.A.

FINANCIAL MEMORANDUM

If the provision of this Bill is brought into force, there shall be expenditure from the Consolidated Fund of the State on incentives to be granted to individual and also on payment to private hospital for sterilization. The exact amount of expenditure cannot be worked out at this stage.

Gandhinagar,
Dated 06th February, 2023.

RITABEN KETANKUMAR PATEL,
M.L.A.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves delegation of legislative powers in the following respects:-

Clause 3 of the Bill provides to prescribe the manner in which the record of persons sterilized shall be maintained.

Clause 6 of the Bill empowers the State Government to frame rules for the purpose of carrying out the objects of the Act.

The delegation of aforesaid legislative powers are necessary and of a normal character.

Gandhinagar,
Dated 06th February, 2023.

RITABEN KETANKUMAR PATEL,
M.L.A.

Dated 03rd March, 2023.
Gandhinagar.

D. M. PATEL,
Secretary,
Gujarat Legislative Assembly.

