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Beyond the Two-Child Rule — Rethinking India's Population Policy for a Post-Transition Era

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MAINS RELEVANCE:

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INTERVIEW ANGLE

"India's TFR is now below replacement level nationally. What should India's population policy look like in the next decade — should we shift from fertility control to pro-natalist incentives? How do we address regional divergence?"

When Telangana abolished its two-child norm for Panchayat Raj elections in January 2026, it was not merely repealing an outdated rule — it was acknowledging a demographic transformation so profound that the policy problem has been reversed. The state that once worried about too many children now has a rural fertility rate of 1.7 — well below the replacement level of 2.1. The era of coercive or quasi-coercive population control in India is not just over; the pendulum has swung to the opposite concern.

THE POLICY PROBLEM THAT HAS REVERSED

For decades, Indian population policy was haunted by the spectre of the “population bomb” — the Malthusian anxiety that India’s growing population would outpace its resources, condemning it to perpetual poverty. This fear produced a policy culture that ranged from the horrifying (forced sterilisations during Emergency, 1975-77) to the merely counterproductive (the two-child norm for elections, government jobs, and local body representation).

The facts have changed. India’s **national Total Fertility Rate (TFR) is now 2.0** — below replacement for the first time in the country’s modern history (NFHS-5, 2019-21). Southern and western states are well below 2.0. Northern states are catching up, though at different speeds. The demographic anxiety of the 1960s–1990s has been replaced by a new concern: **will India’s working-age population peak and then age too rapidly before the country achieves the prosperity needed to support its elderly?**

THE LEGACY OF COERCION — WHAT WE MUST NOT REPEAT

India's population policy history has a dark chapter that must inform current discourse. During the Emergency period (1975-77), under PM Indira Gandhi's government, a mass sterilisation campaign led by Sanjay Gandhi resulted in an estimated **6-8 million sterilisations in one year** — many coerced or forced, targeting poor and marginalised communities disproportionately. The backlash was severe enough to contribute to the Congress party's defeat in 1977 elections.

The National Population Policy 2000 explicitly rejected coercive targets. It shifted to a “target-free approach” — family planning through choice, not coercion — and set a goal of reaching replacement-level TFR through education, women's empowerment, and improved healthcare access. That goal was achieved nationally by 2019-21.

The two-child norm in elections and government jobs is a remnant of the coercive mindset. It imposes a reproductive penalty on political participation — punishing people for family decisions made before the norm existed, disproportionately affecting women, tribal communities, and religious minorities in various states. The Supreme Court upheld it in *Javed v. Haryana* (2003), but the demographic justification for it has completely evaporated.

THE NEW DEMOGRAPHIC CHALLENGE — AGEING, NOT GROWTH

India's demographic dividend (large working-age population relative to dependents) is estimated to peak around **2020-2040**. Beyond that, India faces the same challenge that has already hit Japan, South Korea, and parts of Europe: a shrinking working-age population supporting a growing elderly population.

The numbers:

India's **old-age dependency ratio** (persons 65+ per 100 working-age persons 15-64) was 10.9 in 2021

It is projected to rise to **22.7 by 2051** (United Nations Population Division projections)

Tamil Nadu, Kerala, and parts of Maharashtra and Karnataka are already “ageing” states by global standards

This is not a distant threat — it is already visible in the social security pressures of states that industrialised early

What happens when a country ages before it gets rich? Japan has been managing this challenge through robotics, immigration, and extraordinary public debt. South Korea has the world's lowest TFR (below 0.8) and is now running explicit pro-natalist campaigns. India has the advantage of its demographic dividend still being in mid-cycle — but the window to capitalise is narrowing.

THE REGIONAL DIVERGENCE PROBLEM

India’s demographic challenge is not uniform — it is a story of multiple Indias:

State	TFR (NFHS-5)	Status
Kerala	1.8	Ageing, below replacement
Tamil Nadu	1.8	Ageing, below replacement
Telangana	1.8	Below replacement
Maharashtra	1.7	Well below replacement
Bihar	3.0	Above replacement, young
Uttar Pradesh	2.4	Declining but above replacement
Meghalaya	2.9	Above replacement

This divergence creates a political problem for national population policy. The same national policy cannot apply to Kerala (which needs older workers’ welfare and perhaps immigration) and Bihar (which needs youth employment above all else). India’s internal migration — Bihari workers in Tamil Nadu factories, UP migrants in Mumbai construction — is already a demographic balancing mechanism.

The NITI Aayog has argued that India should focus policy on the high-fertility states (UP, Bihar, MP) through education and women’s empowerment, not coercive measures. The fastest fertility decline happens when girls stay in school — secondary female education is the most reliable fertility reducer known.

WHAT SHOULD POPULATION POLICY LOOK LIKE NOW?

India needs a new population policy framework for the 2030s. Key elements:

- 1. Abolish all coercive disqualifications:** The two-child norm in government jobs, elections, and local body representation should be abolished nationally, following Telangana’s lead. They are demographically useless and socially unjust.
- 2. Invest in education and women’s empowerment in high-fertility states:** The fastest way to reduce fertility in UP and Bihar is universal secondary education for girls, including addressing the dropout rate after puberty (linked to sanitation, safety, and social norms). Schemes like Beti Bachao Beti Padhao and the PM Matru Vandana Yojana are steps in this direction.
- 3. Plan for elderly care:** India has no universal pension system. The PM Vaya Vandana Yojana and Pradhan Mantri Jan Arogya Yojana (Ayushman Bharat) help, but a national social protection floor for the elderly is essential before India’s old-age dependency ratio rises further.

4. Manage internal migration better: As southern and western India age and northern India remains young, inter-state labour mobility is India's demographic safety valve. State-level discrimination against migrant workers undermines this mechanism.

5. Consider skilled immigration in specific sectors: India currently has a near-zero immigration policy for skilled workers. Japan and Germany have been forced to open immigration to manage ageing demographics. India has time to plan for this — but the debate should begin now.

★ FACTS CORNER — KNOWLEDGEEDIA
INDIA'S DEMOGRAPHIC DATA:

- India national TFR: 2.0 (NFHS-5, 2019-21) — first at or below replacement level
- Replacement TFR: 2.1 (population stable in long run)
- India population (2024 estimate): ~1.44 billion
- India overtook China: April 2023 (UN estimate)
- Old-age dependency ratio: 10.9 (2021) → 22.7 projected (2051) — UN World Population Prospects

TWO-CHILD NORM LEGAL FRAMEWORK:

- Constitutional basis: Article 243F (Panchayati Raj disqualifications)
- Javed v. State of Haryana (2003): SC upheld the two-child norm as constitutional (3-judge bench)
- States that abolished: Rajasthan (2022), Andhra Pradesh (2024), Telangana (2026)
- States retaining: Haryana, Uttarakhand, Himachal Pradesh (as of early 2026)

NATIONAL POPULATION POLICY 2000:

- Goal: TFR 2.1 by 2010 (achieved nationally ~2020)
- Approach: Target-free, voluntary family planning; no coercion
- Key focus areas: Reducing MMR, IMR; universal immunisation; spacing of births; women's empowerment

EMERGENCY-ERA STERILISATION CAMPAIGN:

- Period: 1975-77 (Emergency)
- Estimated sterilisations: 6-8 million in a single year
- Led by: Sanjay Gandhi
- Political consequence: Contributed to Congress defeat in 1977 elections (Janata Party victory)

STATE TFR DATA (NFHS-5, 2019-21):

- Lowest: Goa (1.3), Andaman & Nicobar (1.5), Delhi (1.6)
- Near replacement: West Bengal (1.6), Tamil Nadu (1.8), Karnataka (1.7)
- Above replacement: Bihar (3.0), Meghalaya (2.9), UP (2.4), Jharkhand (2.3)

OTHER RELEVANT FACTS:

- India demographic dividend: ~2020-2040 (working-age ~65% of population)
- PM Matru Vandana Yojana: Rs 6,000 cash transfer for first live birth (maternity benefit)
- Beti Bachao Beti Padhao: addresses sex-selective abortion and girls' education; launched 2015
- PM Vaya Vandana Yojana: pension scheme for senior citizens 60+ (LIC)
- Global population: ~8.1 billion (2024); India ~17.8% of global population

Sources: The Hindu, NFHS-5, PIB, UN Population Division

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