



INTERNATIONAL LAW
JOURNAL

**WHITE BLACK
LEGAL LAW
JOURNAL**
**ISSN: 2581-
8503**

Peer - Reviewed & Refereed Journal

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

WWW.WHITEBLACKLEGAL.CO.IN

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal – The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK
LEGAL

EDITORIAL **TEAM**

Raju Narayana Swamy (IAS) Indian Administrative Service **officer**



a professional
Procurement from the World Bank.

Dr. Raju Narayana Swamy popularly known as Kerala's Anti-Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala. He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University. He also has an LLM (Pro) (with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru and diploma in Public

Dr. R. K. Upadhyay

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.



Senior Editor

Dr. Neha Mishra



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

Ms. Sumiti Ahuja

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,

Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



Dr. Navtika Singh Nautiyal

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.



Dr. Rinu Saraswat

Associate Professor at School of Law, Apex University, Jaipur, M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

Dr. Nitesh Saraswat

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



Subhrajit Chanda

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

POPULATION AND SUSTAINABLE INCLUSIVE GROWTH

AUTHORED BY - DIPTI BANSAL

INTRODUCTION

The world population took hundreds of thousands of years to reach 1 billion, but in just 200 years, it grew sevenfold. By 2011, the global population had reached 7 billion, rising to nearly 7.9 billion by 2021. Projections estimate it will grow to 8.5 billion in 2030, 9.7 billion in 2050, and 10.9 billion by 2100.

This rapid growth is largely due to more people surviving to reproductive age, alongside significant shifts in fertility rates, urbanization, and migration patterns—trends with profound implications for future generations.

Recent decades have witnessed dramatic changes in fertility rates and life expectancy. In the early 1970s, women had an average of 4.5 children; by 2015, this had dropped to below 2.5. Meanwhile, global life expectancy increased from 64.6 years in the early 1990s to 72.6 years in 2019.

Urbanization and migration are also shaping the world. In 2007, for the first time, more people lived in urban areas than in rural ones, and by 2050, around 66% of the global population is expected to reside in cities.

These megatrends have wide-ranging impacts, influencing economic development, employment, income distribution, poverty, and social protections. They also affect efforts to provide universal access to health care, education, housing, sanitation, water, food, and energy. To sustainably meet the needs of current and future populations, policymakers must understand population dynamics—how many people live on the planet, where they are, their age distribution, and future population trends.

India is a nation abundant in resources, endowed with a large workforce, innovative spirit, and

a rich cultural heritage. Its rapidly expanding economy highlights its immense untapped potential. However, paradoxically, India is often described as a wealthy country with a significant portion of its population living in poverty, grappling with issues such as hunger and unemployment. According to the latest UNDP report¹, India ranks among the top countries with high levels of income and wealth inequality.

Population control measures sheds light on the current global population trends, identify key factors driving population growth or decline, and explore the implications of these trends on social, economic, and environmental systems. This includes examining birth rates, mortality rates, migration patterns, urbanization, and aging populations, as well as the challenges and opportunities these trends present for policy makers and society as a whole.

In the past, the Indian government has implemented various policies to address the growing population. Efforts to control population growth were significantly influenced by social reformers who prioritized women's health and welfare. These reformers aimed to liberate women from the burden of constant childbearing, prevent unwanted pregnancies, and reduce the risks to maternal health.

The measures taken largely focused on awareness campaigns, utilizing different forms of media to promote family welfare programs, incorporating population education into formal schooling, encouraging sterilization procedures, and introducing policies such as barring individuals with more than two children from government jobs. These measures are taken to set an example in the State and explain them the benefit of having smaller family. These initiatives have notably influenced societal attitudes, particularly among the urban, educated population, where the cost of living and education is higher. The urbanisation has appreciated the benefit of smaller families and have succeeded in achieving the same.

Even before independence, attempts were made to come up with recommendations and solutions to India's burgeoning population problem. In 1940, the Indian National Congress appointed a Committee headed by a social scientist Radha Kamal Mukherjee to suggest solutions to arrest the population which has started increasing rapidly after 1921. The Health Survey and Development committee under Sir Joseph Bhore recommended 'deliberate

¹ India among top countries with high income, wealth inequality: UNDP report” *Mint*, Jun. 6, 2025

limitation of family' as a measure to control the population growth. A population policy committee was established in 1952. However, the policies framed in the early fifties were largely arbitrary and so no successful. In 1956, a Central Family Planning Board was set up and its focus was on sterilisation. In 1976, GOI announced the first National Population Policy and increased the minimum legal marriageable age for boys and girls to 21 and 18 respectively. During the Emergency period (1975-77), coercive measures were used to reduce the population growth. There were mass forced sterilizations. This, however, backfired as it discredited the entire family planning programme of the government.

In 1977, after the Emergency ended, the new government discarded the use of force in family planning and the family planning programme was renamed as the family welfare programme. The National Health Policy was adopted in 1983 which emphasised 'securing the small family norm through voluntary efforts and moving towards the goal of population stabilization'.

The NPP 2000² addressed unmet needs for contraception, strengthen healthcare infrastructure, and enhance the availability of health personnel while ensuring integrated service delivery for basic reproductive and child healthcare, reduce the Total Fertility Rate (TFR) to replacement levels (2.1 children per woman) by 2010. To achieve a stable population by 2045, consistent with the goals of sustainable economic growth, social development, and environmental protection. Lowering the Infant Mortality Rate (IMR) to below 30 per 1,000 live births. Reducing the Maternal Mortality Rate (MMR) to below 100 per 100,000 live births. Promoting delayed marriages for girls, preferably above the age of 20 and no earlier than 18. Containing the spread of AIDS and improving coordination between the management of reproductive tract infections (RTIs), sexually transmitted infections (STIs), and the National AIDS Control Organisation (NACO).

Present Scenario

With 1.43 billion people, India is the most populous country in the world, ranking first on the list of countries by population. The population density in India is 481 people per km² (1,244 per mi²). Undoubtedly, catering to the needs of such a vast population requires extensive planning. However, is being the most populous country truly a disadvantage for India. Or,

² National Population Policy, 2000, available at: <https://www.india.gov.in/national-population-policy-2000> (Visited on June 8, 2025).

unlike nations like Japan and Portugal, where populations are aging, does India hold a uniquely advantageous position.

With a population of 1.43 billion, India enjoys several benefits: economies of scale, greater scope for innovation, an expanding pool of human capital, higher potential for economic growth, strengthened international relations, an improved demographic structure, and vibrant cultural values—advantages that few other countries can claim in the present era.

As a result of these efforts, India's fertility rates have steadily declined over the years, as reflected in the following data³:

- **2024:** 2.122 births per woman (a 0.79% decline from 2023)
- **2023:** 2.139 births per woman (a 0.93% decline from 2022)
- **2022:** 2.159 births per woman (a 0.92% decline from 2021)
- **2021:** 2.179 births per woman (a 0.95% decline from 2020)
- **2010:** 2.636 births per woman

China and India, each with 1.4 billion people, are the world's two most populous countries, accounting for nearly 18% of the global population each. However, as of April 2023, India's population was projected to reach 1,425,775,850, surpassing that of mainland China.

India's population is expected to grow for several more decades, while China's has already peaked and begun to decline, with the first signs of reduction appearing in 2022. Projections indicate that China's population will continue shrinking and could drop below 1 billion by the end of the century.

India, currently home to approximately 1.34 billion people, is projected to see its population rise significantly in the coming decades. According to estimates from the UN Department of Economic and Social Affairs, India's population is expected to reach 1.5 billion by 2030 and 1.64 billion by 2050. This rapid growth will make India the most populous country in the world, surpassing China. Recognizing the challenges posed by such an increase, the Indian government has introduced several population control measures to address the issue.

In addition to initiatives by the Central government, various state governments have also

³ Government of India, Report: *Life Expectancy at Birth & Total Fertility Rate for Major States* (Ministry of Finance, 2023).

implemented their own population control strategies. For instance, the Uttar Pradesh (UP) Law Commission has prepared a draft bill proposing a two-child policy to manage population growth in the state. The proposed legislation aims to incentivize individuals and families to adhere to a two-child norm by linking compliance to benefits and opportunities, such as government jobs and subsidies.

Similarly, the judiciary has supported population control measures in specific contexts. In a notable judgment, the Supreme Court upheld a Haryana government law that disqualifies individuals with more than two children from contesting local body elections. This decision reflects the court's acknowledgment of the importance of legislative efforts to curb population growth, particularly at the grassroots level.

However, the implementation of such population control policies raises critical concerns in the society. While these measures may seem necessary to address the challenges posed by overpopulation, they can inadvertently create imbalances within society. For example, strict enforcement of a two-child policy could lead to unintended social consequences, such as gender imbalances and the marginalization of vulnerable groups. Historical evidence from other countries highlights the potential risks of coercive policies, including violations of personal rights and long-term demographic challenges.

Moreover, population control policies must consider the diversity and complexity of Indian society. Different regions within India experience varying levels of population growth and resource availability, which makes a one-size-fits-all approach impractical. Policies designed without addressing these regional disparities may fail to achieve their intended outcomes and could even exacerbate inequalities.

Since gaining Independence, India has undertaken a series of population control measures, integrating them into its Five-Year Plans to address the challenges of rapid population growth. In 1951, as part of the First Five-Year Plan, India became the first developing nation to launch a state-sponsored family planning program, focusing primarily on natural methods of birth control. However, these early efforts were limited in scope and impact.

The Fifth Five-Year Plan marked a turning point with the introduction of the National Population Policy in 1976. This policy introduced key measures such as raising the minimum

legal marriage age to 18 for girls and 21 for boys, improving female literacy rates, and promoting family welfare programs through mass media campaigns. However, one of its more controversial elements was the endorsement of forced sterilizations, a practice that was eventually discontinued due to significant public backlash and ethical concerns.

During the Sixth, Seventh, and Eighth Five-Year Plans, the focus shifted to long-term demographic objectives, emphasizing a balance between population control and sustainable economic growth. Efforts during this period were directed at improving healthcare access, education, and raising awareness about family planning.

The Ninth Five-Year Plan introduced a more refined and comprehensive approach to population management. In 1993, an expert group led by M.S. Swaminathan was tasked with formulating a new National Population Policy. This policy aimed to address India's demographic challenges in a more integrated and systematic manner. By 1997, the family planning program was rebranded as the 'family welfare program,' signalling a shift from restrictive measures to a broader, more inclusive strategy focused on overall health and well-being.

India's evolving population control strategies highlight the government's commitment to addressing the multifaceted challenges posed by rapid population growth. These measures increasingly prioritize education, healthcare, and voluntary family planning, emphasizing the importance of informed decision-making and equitable access to resources. By integrating these aspects, India continues to work towards achieving sustainable development and a stable demographic structure.

Declining populations will help reduce the immense pressure that eight billion people place on the planet. But, if you listen to economists, you might think that lower birthrates signal impending disaster, as fewer births translate to fewer workers and consumers fuelling economic growth.

There's more to this story than economics. Our current model of endless growth and short-term profits often comes at the expense of vulnerable people and the planet's future. Population decline presents an opportunity to build a future with greater equity and a healthier, more biodiverse world. We stand at a critical juncture where the path forward is ours to choose. We

can cling to the economic status quo, chasing infinite growth on a finite planet, or we can recognize the warning signs of an overburdened Earth, take action to avert environmental collapse, and redefine prosperity in a way that prioritizes equity and the well-being of the natural world.

Every person on Earth requires food, water, energy, and a place to live. As we strive to improve wealth equity and quality of life—both essential goals—per-person demands on resources will inevitably increase, even in the most optimistic scenarios for sustainable development.

Take China as an example: as its population and wealth have grown, so too have its demands on the planet. Although China's per capita environmental footprint is less than half that of the U.S., its total footprint is twice as large. The country accounts for one-quarter of imported deforestation and one-third of global greenhouse gas emissions. While reducing consumption in high-income nations is critical, it won't be enough if the global population continues to grow. The loss of biodiversity is a tragedy in itself. A world without elephants, hellbender salamanders, and countless other species at risk of extinction in the coming decades would be profoundly diminished. Wild plants and animals not only enrich our lives but also sustain vital ecosystems. The fresh water we drink, the crops we depend on for food and medicine, and the forests that clean our air and sequester carbon all result from intricate interactions among species, from microbes and pollinators to predators and scavengers. When even one thread is pulled from this complex web, the entire system is at risk of collapse.

For those focused on economic concerns, the stakes are equally high. The World Bank estimates that ecosystem collapse could cost \$2.7 trillion annually by 2030. Similarly, Deloitte projects that unchecked climate chaos could cost the U.S. \$14.5 trillion by 2070, with extreme weather, wildfires, droughts, and erratic conditions posing escalating threats to communities, agriculture, and businesses. While many fear that declining populations could harm the economy, research suggests otherwise: lower fertility rates could not only reduce emissions by 2055 but also lead to a 10% increase in per capita income.

The notion that population decline is a threat stems from an economic model fixated on perpetual growth. Transitioning to a framework focused on degrowth and equity, coupled with lower fertility rates, offers a more sustainable path forward. Such a shift would not only help mitigate climate change but also promote wealth redistribution and improve overall well-being.

The choice is ours: we can allow the growth-driven economy to dictate our fate, or we can recognize that demography and ecology are intrinsically connected and act accordingly.

In the first scenario, an economy reliant on endless population growth will exacerbate environmental crises. Communities are already grappling with worsening droughts, extreme weather, and other impacts of climate disruption. Population pressures will intensify these challenges, further straining ecosystems and reducing their resilience. This could lead to a cascade of threats, including pandemics, soil degradation, and biodiversity loss.

In the second scenario, a gradual population decline offers an opportunity to ease humanity's pressure on the environment, adapt to climate change, and protect critical habitats for endangered wildlife. Despite the clear benefits of this approach, world leaders have done little to prepare for a future beyond the paradigm of limitless growth. They must begin planning for an aging population while reshaping socioeconomic systems to support degrowth. Immigration can also help mitigate demographic challenges by introducing younger populations into aging societies.

Governments need to prioritize investments in health care, support for caregivers, and opportunities for older adults to remain active in the workforce. Communities should be redesigned to meet the needs of aging populations, including housing, transportation, and essential services. Shifting to an economy where people and nature can thrive requires managing consumption, prioritizing social and environmental welfare over profits, and fostering cooperation through community-driven solutions such as mutual-aid programs and worker-owned cooperatives.

Furthermore, it is essential to unite the movements for reproductive rights, gender equity, and environmental sustainability. Issues such as pollution, climate change, and ecosystem degradation are deeply interconnected with reproductive health and wildlife protection. Environmental toxins and climate instability jeopardize the health of pregnant individuals, fetuses, and children, making it increasingly difficult to raise safe and healthy families.

To address these intertwined crises, we need a rapid and equitable transition to renewable energy and sustainable food systems, as well as a global commitment to halting human-caused extinctions. This aligns with the urgent calls from the United Nations' climate and biodiversity

reports, as well as decades of demands from conservationists and climate scientists.

In conclusion, while India's growing population presents significant challenges, solutions must strike a balance between managing growth and safeguarding societal harmony. Over-reliance on restrictive population control policies could lead to lasting social and demographic issues. A comprehensive strategy that emphasizes education, healthcare, and equitable development offers a sustainable path to addressing India's population concerns.

Conclusion and Suggestions

Population outburst is a response to the predominantly patriarchal nature of traditional laws, aiming to challenge and transform them. It prompts us to contemplate the potential changes that could have transpired if a patriarchal had been considered during the formulation of laws. Understanding population control and its measures requires examining its connections with other disciplines, as it cannot be viewed in isolation. This paper seeks to commemorate the significant milestones achieved through the influence of changing dimensions in India, while also exploring the extent to which society has embraced these changes. It traces the evolution of population in India from 1915 to the present, analysing the changing ideas and roles of women within society. The paper also addresses the various obstacles encountered in implementing the control measures. Additionally, it highlights the impact of post-independence efforts and sheds light on the progress made thus far. The results of the efforts of Government and its gradual impact on the minds of the people. The paper makes an effort to understand the present scenario and need of the hour to take proper measures in order to balance the growth and Population.