

(SHRIMATI KAMLA SINHA): Shir Satish Pradhan. Sir, Shri H. Hanumanthappa. Absent.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 1997.

PROF. RAM KAPSE (Maharashtra): Madam, I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1951.

The question was put and the motion was adopted.

PROF. RAM KAPSE: Madam, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL, 1997.

DR. Y. LAKSHMI PRASAD (Andhra Pradesh): Madam, I beg to move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1973.

The question was put and the motion was adopted.

DR. Y. LAKSHMI PRASAD: Madam, I introduce the Bill.

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA) We will now take up the Constitution (Amendment) Bill, 1992 (to amend article 77) moved by Mr. M.A. Baby for further consideration. Shri Suresh A. Keswani.

THE CONSTITUTION (AMENDMENT) BILL, 1992 (to amend article 77) — Contd.

SHRI SURESH A. KESWANI (Maharashtra): Madam, I stand here to support the Constitution (Amendment) Bill moved as a Private Member's Bill by Mr. Baby. I support the very concept that any international treaty or agreement that the Government enters with any other Government must, in the ultimate eventuality, be ratified and supported by both the Houses of Parliament.

Madam, we now live in an age known as the 'information age'. The instruments of creation of wealth around the globe are significantly changing from the land, cattle, estates and manufacturing plants

to a totally new area of high science and technology, deep oceans and outer space. At these points of time, the content of international relationship between nations is largely guided by economic considerations. In these times, nations do not have to invade each other. The geographical boundaries do not have the same restraint which they had in the previous century. In the 21st century, the entire relationship between men and men is going to be guided principally by economic considerations. Under such circumstances, nations, when they come to an agreement ever, they safeguard their interests in the best possible manner. When Governments enter into a treaty or agreement which binds not only them but the people whom they represent, there would be nothing wrong if these agreements or treaties are ratified by their Parliaments. The fear expressed by those who have expressed their reservations against passing this Bill that it would put some kind of a restraint or it would put some kind of an obstacle before the Government in having free negotiations or having free bilateral relationships with any nation, and it would, in the ultimate analysis, put some kind of a disadvantage, is totally untenable. This is absolutely an imaginary fear. We live in the times when the means of communications are so quick and fast that this kind of problems are unlikely to materialise in the coming times. It also gives to the negotiating party an opportunity to place agreements before their Parliaments and gives them an escape route in the event they find that such agreements are ultimately militating against the national interest of the Government concerned. Therefore, I don't see how this is going to be a hindrance or restraint if we have to pass this Amendment. Empirically, if we see today, 68 or 70 countries of the world require any kind of international agreement or treaty of this nature, to be ratified by their Parliaments. I don't understand what could come in the way of the Government or the body or any kind of agency which is doing any kind of international negotiations, to have any

inhibitions. Today we find that our Parliamentary proceedings are being watched by the whole nation. When this Parliament revises a particular agreement, it virtually amounts to the ratification of the agreement by the whole nation because the representatives are in live contact with their own people and whatever we express here, is nothing but the expression of the people here that we represent, and I don't see how this could possibly hinder the beneficial use of the international agreements. I would conclude my short presentation by saying that this Amendment needs to be taken in the right perspective. It must not be misconstrued or misunderstood as being any kind of restrictions on the Government. There is no intention to put any restrictions on the Government. The Government must, on the contrary, see this as a welcome position, whereby they would be able to explain their position to any agency with whom they are negotiating that they have a restraint of Parliament, and as such, they would be able to use this to improve their negotiating position. With this, I suggest that the Government should kindly accept this Amendment. Thank you.

THE VICE-CHAIRMAN
(SHRIMATI KAMLA SINHA): Mr. Baby, the Prime Minister is to answer this Bill. But he has sent information that he is being held in the lower House. So, later on, when he comes, he will reply. In the meantime, we will take up the next Bill.

SHRI M.A. BABY (Kerala): Madam, it is all right.

THE VICE-CHAIRMAN
(SHRIMATI KAMLA SINHA): With the permission of the House, Miss Saroj Khaparde wants to introduce the Bills.

**THE COMPULSORY
MAINTENANCE AND CARE OF
SPOUSE, CHILDREN AND OLD
PARENTS BILL, 1997**

MISS SAROJ KHAPARDE
(Maharashtra): Madam, I beg to move

for leave to introduce a Bill to provide for compulsory maintenance of spouse, minor and physically handicapped children, old parents and for the payment of monthly maintenance allowance and debar from succession in case of refusal to take care of old parents and for matters connected therewith.

The question was put and the motion was adopted.

MISS SAROJ KHAPARDE: Madam, I introduce the Bill.

**THE OLD AGE ALLOWANCE BILL,
1997**

MISS SAROJ KHAPARDE
(Maharashtra): Madam, I beg to move for leave to introduce a Bill to provide for the payment of old age allowance by the Union and State Governments to the senior citizens who are unable to maintain themselves at the fag end of their lives and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

MISS SAROJ KHAPARDE: Madam, I introduce the Bill.

**THE PREVENTION OF FALSE
CLAIM OF MARRIAGE,
SUCCESSION AND PARENTHOOD
BILL, 1997.**

MISS SAROJ KHAPARDE
(Maharashtra): Madam, I beg to move for leave to introduce a Bill to provide for the deterrent punishment for and prevention of falsely claiming the solemnisation of marriage with a citizen with the intention of maligning him or her or to get cheap publicity out of that claim or by abusing the process of law or to be successor of a deceased citizen with intention to inherit his wealth or property or to blackmail the family of the deceased or to be the father or mother of a citizen to get publicity or blackmail through such claim and for matters connected therewith. *The question was put and the motion was adopted.*