REFERENCE TO THE RESEARCH MADE BY THE INDIAN SPACE SCIENTISTS TO HELP PLANES AND SHD?S IN DISTRESS

PROF. (MRS.) ASIMA CHATTER-JEE (Nominated): Mr. Vice-Chairman, Sir, I would like to mention before this august House the recent contributions of our space scientists. They have conducted very important research work with Insat I-C, which will contribute much to human welfare. This satellite developed by our space scientists and technologists will be launched in the near future and it will play a significant role in saving thousands of human lives from plane and ship accidents. Insat I-C will cover onethird of the globe in a coordinated international efforts of non Communist and Communist countries to help planes and ships in distress at sea.

The authentic report in this regard has been received from the Project Manager of Space system for research of vessels in distress (CONSPAS) and Search and rescue satelliteaided tracking system (SARSAT). The Indian satellite along with other satellites will pick up signals from the beacons identifying a plane or a ship and enable tracking stations to get ln touch with the owners quickly to mount a rescue effort within two or two and a half hours, which will be quite adequate in many cases. The new beacons will be three times more powerful than the existing ones. Our space scientists ought to be congratulated for this commendable work which they have done in developing this new technology. Thank vou.

THE INFANT MILK FOODS AND FEEDING BOTTLES (REGULATION OF PRODUCTION, SUPPLY AND **DISTRIBUTION) BILL, 1986**

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WOMEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI-

[12 NOV. 1986] .Women (Prohibition) Bill, 1986—Passed

MATI MARGARET ALVA): Sir. I beg to move for leave to introduce a Bill to provide for the regulation of production, supply and distribution of infant milk foods and feeding bottles with a view to the protection and promotion of breast-feeding and for matters connected therewith or incidental thereto.

The question was put and the motion was adopted.

SHRIMATI MARGARET ALVA: Sir, I introduce the Bill.

THE INDECENT REPRESENTATION OF WOMEN (PROHIBITION) BELL, 1986

THE MINISTER OF STATE IN THE DEPARTMENTS OF YOUTH AFFAIRS AND SPORTS AND WO-, MEN AND CHILD DEVELOPMENT IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI MARGARET ALVA): Mr. Vice-Chairman, Sir, I beg to move.

"That the Bill to prohibit, the indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto, be taken into conconsideration."

Sir, the Indecent Representation of Women (Prohibition) Bill, 1986, has been brought forward with the intention to prohibit indecent representation of women through advertisement, or in publications, writings, paintings figures or in any other manner. The term 'indecent representation of women' has been defined to mean the depiction in any manner of the figure of a women, her form or body or any part thereof in such a way as to have the effect of being indecent or derogatory to or denigrating woman or is likely to deprave, corrupt or injure the public morality or morals.

Clause 3 of the Bill prohibits publication of or exhibition of any advertisement which contains indecent representation of women. Clause 4 of

[Smt. Margaret Alva]

the Bill prohibits publication of or sending by post of .any books, pam phlets. etc. containing indecent re presentation of women. Clase 5 the officers of the thereof empowers Government to seize any advertise ment, book, etc. and any record, re gistered document etc. The Bill provides that the contravention of any of the provisions of clauses 3 or 4 punishable be shall on conviction with imprisonment of either descrip tion for a term which may extend to two years and with fine which may extend to two thousand rupees. In of second subsequent the event or convictions, provided penalty for is imprisonment for a term of not loss than six months extending to five years and a fine not less than ten thousand rupees but which mav ex tend to one lakh rupees.

The main intention behind this Bill is to prohibit the indecent representation of women through media, books, publications etc. The thrust given is hot purely on obscenity but on the perverse representation of the anatomy of a woman through advertisement, or through any other media. The provisions of the section will take effect if it is proved that the indecent representation contained in any advertisement/publication, etc. is likely deprave, corrupt or injure public morality or morals. The question whether a particular matter is obscene has necessarily to be left to the judicial wisdom of the courts. (*Interruptions*).

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): You will have a chance to speak. (*Interruptions*). Nothing to go on record. Let the Minister complete.

SHRIMATI MARGARET ALVA: As the House is aware, we do have provisions covering obscenity in sections 292, 293 and 294 of the Indian Penal Code. Although these provisions do exist, it was felt that there is need for a separate Act, as the representation of women in publications, particularly in advertisements, which are considered obscene, are on the increase. There have been strong and persistent protests against such depiction of women. The existing provisions of the IPC do cover obscenity but they do not have adequate safeguards against denigration of women and the adverse effect of such references on the status of women. There may be instances when there is no specific intention to denigrate women but the effect may be creatd. It is, therefore, considered necessary to have a separate Act to prohibit indecent representation of Women.

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I would like to clarify here that we have no intent of curbing the freedom of expression. We have, in fact, in the proposed Bill made certain specific exemptions like any written Or visual material, the publication of which is in the interest of sceince, art or literatures written or visual material which is for *bona fide* lellgiou^ pur. poses; and films requiring certification under the Indian Cinematograph Act; figures, etc. or any ancient monuments covered under the Ancient Monuments and Archaelogical Sites and Remains Act.

With these words I commend the Bill to the House.

The question was proposed.

SHRIMATI KANAK MUKHERJEE (West Bengal): Sir, this Bill, though a piecemeal and partial one, has certainly got some value and the Objects and Reasons sound well, but I am afraid, like many other Bills recently passed, this Bill will also remain useless and ineffective. We have recently passed many Bills against dowry, against atrocities on women, against immoral traffic, against child labour, against rape and so on. There is no effect on reality at all. All these things are gradually increasing. The Bill can serve only one purpose— the purpose of propaganda by the Government before the elections that they are doing certain things for raising the status of women. These Bills have no significance nowadays. When the bill on 'sati' or for remarriage of widows was passed in the 19th cen-

tury, they did something for social reform. But now we are passing dozens of bills without meaning anything. Why is it so? Government is introducing and passing such bills, but you see their economic policy, their industrial policy their policy on education, their policy of appeasement to the fundamentalists. Now look at this. The same Government has just passed a bill on Muslim women taking away the minimum rights they had. So the Government is not serious at all.

So, what is the effect of this Bill? With policies of the Government, these unemployment among women is increasing, illiteracy is increasing, the status of women is going lower and lower down. The Statement of Objects and Reasons sounds very nice. It says:

"In spite of these provisions, there is a growing body of indecent representation of women or references to women in publications, particularly advertisements, etc. which have the effect of denigrating women and are derogatorir to women

"It is proposed to prohibit all advertisements, publications etc. which contain indecent representa-

tion of women in any form".

It sounds very nice. But who are to do it? Who will' prevent it? Who is responsible for this denigradation of women? In TV serials, in print media, in fim advertisements, in all sorts advertisements there is of indecent representation of women. Who is responsible for this? Mainly it is in the Government media that such indecent representation of women takes place. Take the TV serials. Take Chitrahaar, Hum Log, Amor Vimal. Almost naked women we shown in TV serials. Last year I had to write

a letter to the Minister for Information and Broadcasting. While doing propaganda for family planning, they showed a naked woman lying down on the table and the young doctor doing the necessary operation and all those things. We cannot see such

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things with our children. These are the sort of things that they show on TV. So I had to write a "letter to them. How are films like "Her Nights" and "Sexy Nights" passed by censors? In TV serials, in films, in film advertisements, in all the print media there are innumerable pictures. When this Bill was introduced, women came to me and gave me so many pictures. I can lay these pictures on the Table. These are horribly obscene.

SHRIMATI MARGARET ALVA: That is why we have come with this Bill.

SHRIMATI KANAK MUKHERJEE: Now I want to say one thing. Not only this is indecent, obscene and derogatory, but what kind of morals are we preaching? What is the ideology behind this? Look at these things. There was a feature "Kahan Gaye woh Log. In that a woman commits 'sati' and the commentary was: "Ah, look at this. Nowadays we will not get such women". So they are eulogising 'sati'. One and a half century after Raja Ram Mohan Roy took so much pain to have it abolished. The other day, in Bombay, women had demonstrated before the Godrej Company. What was that company advertising? "I have never had to change my fridge or my wife". So fridge is equated with wife. Then there was the novel "Man of Property" written by the famous writer, Glasworthy. In the first part of that novel, he says: "Oh, I have pleasure from my picture gallery, from my bank- balance, from my house, from all my property. Why can't I get pleasure from my wife"-his beautiful wife, Irene, who could not love her husband. Many of you must have read that Man of Property. That was a novel. But in reality, nowadays you see that the Godrej company is doing like this.

Here it is obscenity, absolutely; don't mention it. Take the VIP underwear advertisement. The boss is in underwear and the secretary girl is

[Smt. Kanak Mukherjee]

holding the telephone. See that. Then see the Fair and Lovely cream, snow, powder, lipstick advertisements. Obscene! Only sex appeal! They are using women for these things. Not only that, Sir.

Come to the text-books. I am happy that the honourable Minister has mentioned about books. Here is an article from the Economic and Political Weekly of May 3, 1986. Here is the result of a computer survey of 41 Indian school text-books of the NCERT of the Central Government and the Central Board of Secondary Education. The article is "Women and Sexism" written By Narendra Nath Kalia. What is there in those books? He writes:

"Almost 20 years ago, India's official educators promised to deliver a curriculum that would recognise and nurture the fundamental equality between men and women (Education Commission, India, 1965:4). The Indian Government agreed to rewrite the textbooks of independent India to prepare its young for an era of equality ... "

Then he writes:

of 'masculine' and .stereotypes 'feminine' personalities do more harm than good."

He writes again:

"To determine the extent of sexism in Indian textbook, I conducted a computeraided content analysis of 21 English and 20 Hindi language-instruction textbooks.

And what is there in those textbooks? He writes:

"Men routinely abused and violently beat women in many lessons. Over 100 female characters were victimised as a result of their sex roles.

Will these 41 books of the NCERT and the. Central Board of Secondary

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Education be banned after this Bill is passed? I ask the honourable Minister to say. These are the morals we are teaching our children.

What are our children learning from the TV, from the advertiements, the print media and from their own textbooks? That women and men are never equal. In our Constitution we say that there shall be no discrimination on the basis of sex, but so much discrimination is there. What is the basic reason for this humiliating image of women?

In this society based on private property, they think that women are also property of men. Here these propertied men think that women are second class citizens. They do not consider that women are equal to men and as honourable citizens as mer are. Now, this society based on property and ruled by the propertied class looks down upon women. So, women are used in the media as sex symbols. If you insult mothers and sisters like this, what will be the image of women? The image of women is the image of the society itself. Therefore, it is not the concern of women only. When some obscene advertisements appear on the TV, it is the women only who protest. Why is it not the concern of men also? is it not tho concern of the society as a whole? If your mother and wife and sister are insulted is it not an insult to the whole society? So I say the image of women is the image o: the entire society. They constitute half the society and they, as mother; and sisters rear up the children and set the moral tone of our future ge nerations. Women are equal to mer and they are as good citizens as men are. So, there should be no dis crimination on tho basis of sex. There is no question of changing the out look only by propagenda withou changing the real social conditions The question of changing the objec tive realities is there. The questio] of emancipation of women is there Giving them education, employment

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cringing them to cultural level, cultural upliftment all things are connected with these things. The problem is too deap-rooted. It is not on the surface only. Only one Bill will not do any good. Look to the root of the problem. It is a big all-pervasive, vital social problem which con-, cerns everybody irrespective of man and woman.

This Bill is all right. There is no-. thing wrong in it, but it is inadequa-ted Sir, because the question of emancipation of women from the slavery, from the socio-economic conditions is , vitally connected with these things. Women in media are used for commercial purpose fop monetary purpose. That is why almost naked women are shown to attract the attention of men to sex appeal. This is most derogatory thing for the whole society.

I say that the Government is really deceitful in bringing such a Bill by not doing anything in reality. See the statistics, see the percentage of illiterate women, the percentage of unemployed womien, the backwardness of the entire society, the backwardness of man, woman and children. You just pass such Bills which remain usually ineffective. That is why I say that the Governsment is not sincere at all. The Government is actually deceiving. It is deceiving people by saying that such and such provisions are there that it is doing" such and such good things for women., On the TV, in the film serials the film advertisements, under the direct guidance of the Government the image of women is lowered down, they are used as a commodity for commercial purposes. It is most humiliating. They are depicted as sex symbols and they are depicted as private property of men, as secondclass citizens. They are always to be "pitied. When you see a picture of a good, happy and ideal family, you see, father is shown as reading, working and the mother is shown as doing the domestic labour and the child is shown as playing. This is the best thing you can show. No-

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where in your text-books and in your print media do we see that man and women are equal. There was one T.V. serial Hum Log. There is. a woman who is doing some social work, who is denigraded in the TV serial as being quarrelsome as bringing ruin to the family, like that. You are not presenting women who are coming out for social work, for equal responsibility, equal right with men. You are not doing so.

So, this Bill will serve the purpose of the Government propagenda all right. But, Sir, something is better than nothing. So, even if 1 per cent of the provisions of the Bill are im-p'emented, it will do some good, I say. But let the Government show some sincerity. The hon. Minister has introduced the Bill. That is good. But this is only lip-service. This will remain as usual ineffective, useless. This is for the purpose of the Government is why, let propaganda only. That the Government show something about real improvement of the social status of women, to change this decedent culture. Whv? Because men are taught, boys are taught the culture that the women are only for sex symbol. So, if wo men have to attract you, they hav< to be naked. Why? Can women as mothers and sisters co-workers not draw love and respect from you? No. If a women has to draw attention she has to be naked. Why? Why is this? This is the decadant culture. This is the essence of the very policy of the Central Government, the socio-economic policy, the economic industrial policy, the policy, the education policy, the policy on culture. In reality in objective reality this is the aspect of social degradation. It shows how far has there been the social degradation. The decadant culture basi gone down so much that women are insulted in this way, thereby they are insulting the entire society. I say this is of vital importance. It is a very big social problem not only to women, but also to men and wo-

[Shrimati Kanak Mukherjee] men and the entire society must be concerned about this. Otherwise there is no way out of it. It is extreme degradation and humiliation of womanhood in India that is going on today.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): We will continue with further discussion after lunch. The House is adjourned for lunch till 2.30.

The House adjourned for Lunch at thirtyone minutes past one of the Clock.

The House reassembled after lunch at, thirty-three minutes past two of the clock. The Vice-Chairman (Shri. mati Kanak Mukherjee) in the Chair.

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam Vice-Chairman I rise to support the Bill. For a long time the story of the connection between Indian women and the Indian media has been like the parable of six blind men examining an elephant. As you all know one man touhed the side of the elephant and thought that it was a well, the second man touched the ear of the elephant and thought that it was a fan and yet another touched man the trunk of the elephant and thought that it was a rope and so on. Lacking a complete perception of the entire elephant they entirely failed to notice the strength, the intelligence and the beauty of the elephant as a whole. So, this is the story of Indian women and the Indian media, because the Indian media has so far brought a totally distorted and unreal picture of Indian women. This has succeeded in perpetuating inequality, inequity and total degradation of women.

I would like to start with a basic premise that obscenity and indecency, to my way of thinking is not purely sexual. Sexual obscenity or sexual indecency is just one small part of it, but certainly it is not the whole

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picture. There was a time when women were fighting militantly againsl being potrayed as sex objects in the media on T.V., movies and books. But the story of a woman being used as a scantly-clad beauty is being used to peril anything right from typewriters to tables. It is now a little past and we have come to a stage beyond that when we have to consider far wider issue than merely a sexual exploitation of women. To my way of thinking a perpetration of a sexist stereotype is as bad as a sexual exploitation of a woman. Sometimes too excessive preoccupation with the sexual aspect or with the pornography as being the only obscene aspect leads to us being blinded, but important aspects in which far more women are denigrated and our status as perpetrated a second-class citizens are and we should not let tension be distracted by a mere reference to pornography or obscenity as relates to sex and this is the main reason why I welcome this Bill because in this Bill, a clear distinction has been drawn between what is merely sexual and also what is denigration or derogation of a woman and this can be left to the liberal interpretation of the judiciary.

Madam, we all know that the media is all pervasive. It is insidious. It is everywhere and it slowly comes into our minds and our attitudes without even appreciating what has happened. What has happened is that women have so far been totally preoccupied with economic and political equality and very few women have really looked into this aspect, the important role that media plays in perpetuating their status and this is the reason why we do not attach enough importance to this insidious influence of the media. The media is controlled by a small number of people usually men and these vested interests have even a greater vested interests in perpetuating the subservient status of a woman and this is

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why the media has been consistently portraying women in a subservient role and glorifying media of a woman as pasive, dependent, helpless and always subservient to the men whereas the man is always portraved as the actor, the achiever, the doer. Madam, in other words, what I am trying to say is that it is not merely a scantly clad woman who on a screen offends the right thinking persons but it is also a fact that the portrayal of the contribution of women, the enormous economic contribution, the productive contribution of women to society is totally absent from the media. Therefore, what I am taking objection to is not to the portrayal of a woman but the invisibility of a productive woman on our media and this is a situation that has to be remedied. Even today, take for example, certain statistics that have been put forth by the FAO ... two-thirds of the world's work is done by women. We have more than half the population and more than 50 per cent of the rld's food is produced by women. Women toil in the fields, women toil behind the plough women even market the produce n the field of agriculture but at the same time, when you see programmes on a television, nagretfully enough, on our Doordarshan, you find that the Krishi darshan or the programme that relates to agriculture always show a male farmer, a male expert, a male interviewer and when all the serious business of how to produce better is done with, then you get a few ornamental women dancers to provide relief from the actual serious business of farming. This totally depicts women in a negative fashion because what has happened is these are the women who are actually producing the world's food and they have very little encouragement to watch these programmes or to produce better or to do greater work and also the other kinds of programmes that are directed mainly at women are programmes that deal with flower arrangement, food and nuitri-tion, further reinforcing the stereotypes that we have been facing all along. The issue that we face here is that the media not merely reflects the social reality, the media is something that develops and creates its own reality. When people watch something on television, it reinforces their idealogy. For instance, there is a stark example. Within very few, months, after a T.V. serial 'Lucy' being telecast, hundreds of little girts in villages all over India were called Lucy. This is the power of the media. When on the media, you see the constant glorification of a subservient position, it gives man the idealogy and the strength to keep woman in a subservient position and this is reinforced by text-books for children and even in adult literacy programmes for women. This is where women are portrayed and perpetuated as subservient, passive, totally dependant upon men. (Interruption). I would like to say that I do not take exception to an introduction or occasional joke but I feel that men as a whole laugh at us and it is my trivialising the issue for you loose sight of the main point. I feel that even newspapers and books are trivialishing serious issues concerning women. A serious issue like rape is discussed in a trivial manner. I was going to refer to it later. For instance, when women Central Government employees took to the road protesting, with their babies in their arms, against lack of availability of creches, this serious news item was mentioned in the newspaper with the trivial title given by a sub-editor, "Women up in arms". This is not a laughing matter. This is how issues of women are trivialised. We are made to feel that it is a joke. It is not a joke. It is a very serious issue.

I was talking about reporting in the media. For instance, a Delhi-based English daily adopted a village and it arranged a system of reporting what happened in the village in regard to the development of the village. A journalist found that in 150 reports of what was happening in that village, there were only five re-

[Shrimati Jayanthi Natarajan] ferences to women, whereas womer were doing most of the work. They were carrying fodder; they were ten ding the cattle; they were attending to agriculture; they were carrying water. Women were doing most of the work. But in the reports' about the development of the village, there was absolutely no reference to wo. men at all. They might well have been invisible. When а ladv colleague approached the journalist and said, "Why have you not mentioned women in the reports?" He took the defnce that he could not talk to the women because they were rural women. But, at the same time, he wrote about cattle. One assumes that he did not talk to the cattle either. This is the attitude. Women are not seen as something productive, as contributing to the economy of the nation. Even in areas such as recollecting grain, forestation. carrying water, etc. which are the primary concerns of women, women are not given their due. A Nepalese woman found much to her sorrow that all development plans regarding re-forestation totally left them out, though they were carrying out most of them. The only place in the programmes given in the media where women find a prominent place is family planning. Even here they are seen as the objects of contraception, as the objects of such contraceptives. This is the only aspect where women have ever received importance. One Bangladeshi woman said in a conference: "Until now it was only the men who were controlling our bodies. Now both the Government and the men are trying to control our bodies". I do not know if the attention of this House has been drawn to a very interesting article that appeared last week-end about a series of advertisements. I would like to point out that even the Government is guilty of this sexist discrimination because in the advertisements isued by some public sector companies; women have been portrayed very differently from the actual roles that they have been playing in life. For instance, there is one adver-

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isued by tisement that was the Indian Telephone Industry where a woman is shown to be using a telephone inside a public booth and outside there is a queue of busy male executives looking at their watches. It is as if the women have the sole monopoly of misusing the telephone and the men never do it at all. And there was not a single women executive at all in the queue. It may appear trivial, but to my mind, it is worse than showing a scantily-cladi woman. This different advertisement gives a totally women. There is another picture of advertisements isued by Indian Oil with regard to *LPG* where a courteous helpful mechanic: is shown as going to a house with a cylinder of gas and the housewife is so absorbed with the task of preparing "jalebis" that she does not even realise that there is a leak in the gas tube. This is supposed to be in the interest of consumer safety. It is as if the woman is totally callous about safety and she has no perception of -safety and it is always the man who has a perception of safety.

One more film which is being put out by the Ministry of Women's Welfare, which is pleading to raise the woman's age of marriage, shows a very young woman trying to cope with the burden of two children and the house work. Nowhere has it been shown that work is an alternative to marriage sometimes. I am not pleading for work as against marriage. I am merely pleading for the right of the woman to make a choice. The Government media itself constantly perpetuates this aspect that the woman has always to be subservient. And this is reinforced in books and other places. If this continues, we will have no alternative but to continue to pursue the fight against this vicious cycle. To my way of thinking, placing a purely sexual connotiation over pornography and obscenity is just sidertracking the issue. I think the reason that you glorify a woman and keep on saying-very often I have heard people say-"Why should you worry? Why are you com-

plaining? Women are treated like goddesses." Women are treated as goddesses. I object to it. We want to be treated as human beings, not as goddesses. In this way you are rendering women even more invisible like in Egypt where the only way a beautiful women can walk about is by covering herself completely so that she does not distract the attention of men by her beauty. I don't think here is anything wrong in being beautiful. Why should she render herself invisible. By simply glorifying the concept of purity all you are doing is you are imposing a greater humiliation on woman as being the seduttresa or the detractress.. We have to come to realities. There is nothing to apologise for being beautiful. There is no need for being apologetic about it. We have to come to terms with what we are. This is the reason why I feel that mere preoccupation with sexual connotation alone is totally wrong it fidetracks on the far more important because issues of development that are facing us today. And in any case what is obscene or not in a sexual scene differs from one society to another, from one time to another. In my humble opinion, Madam, it always reinforces the culture of male domi-nation. The concept of obscenity always reinforces the culture of male domination and it is for this reason that we view this concept with a great deal of should suspicion. I welcome the present Bill because till 'today, until this measure is brought on to he Statute Book, although they dealt with the question of obscenity, as I said, as purely sexual, look at the whole thing; the Indian Penal Code in Sections 292 and 293, clearly sets out that a "prurient material displaying a lascivious attitude which tends to deprave or corrupt ... " is punishable under the Indian Penal Code. Except for one or two minor Acts there was no other legislation dealing with denigration of women. Even here it is not the women herself who was the object of legislation. The emphasis was on public morality rather than on woman. The judiciary hag also perpetuated this attitude in

three different cases. In one case, in the case 'Lady Chatterley's regardigg the book Supreme Court said if the Lover', the material corrupts public morality, then that particular material is obscene. Α verv strange Delhi High Court judgment says that if a particular material gives information to the husband on how to regulate his sexual activity in marriage then it is not obscene. And a Calcutta judgment clearly says that 'obscene' means purely sexual in terms of the Indian Penal Code. Even the Law Commission in its 107th Report expresses its difficulty in denning the word 'obscene' and leaves it in a very vague form by saying on some consideration it stems that while most matiers in an indecent character would 'be offensive because of their sexual implications, there could possibly be other matters which often disappear fo non-sexual .description, or depiction. I leave it at that and don't go further explaining how women are actually denigrated by the present media. What I am trying to say is, therefore, even in the law today as it stood the was not on women; there was a emphasis total absence of the gender issue in our legislation .Now the question is not merely that woman is treated as a sex object, she is also the target of rape, she is the target of violence and you see this happening every now and then in front of you, in books in films, in media and it spills over into real 'life. This is how these inequalities are perpetuated and man derives a certain ideology from it. What I am trying to say is the media have succeeded in perpetuating this inequality. When one watches the glorification of man, the superiority of man, man derives a certain ideology from it. Very often women are uncritical consumers of their What has happened own anti-women media. is the issue of their problems is treated as personal and family matters. as extremely trivial. What has happened is Since their problems are treated as this family matters, their needd and concerns are not being articulated, they are never discussed and they never come out in

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the open, and the planners, the persons who plan for development, never take women into consideration in their development activity, because of the role that media play in perpetuating the theory that the needs of women are purely family and personal mat-terd and their needs and identity are one with family. Then again, Madam, I would like to say that apart from this Act, there may be certain criticism that there has not been a precise definition of the terms "obscene" or "indecent" in this Act. As a matter of fact, at a personel level, I welcome the fact that there is actually no clear definition because what is indecent or obscene is something that is going to evolve and change with the time and, as a compelling necessity, we have to leave it to the judiciary to really interpret it as liberally as possible. Unfortunately, what has happened is that the judiciary usually, gives it a very specific definition under the "sex is dirty" theory and thinks that the women should be called upon to play a particular role because the judiciary, consisting of human beings, has its own particular approach to the matter and the way they look at a particular thing is reinforced by what the media does and that is the reason why there is a very vital necessity for the media to change completely, particularly the Government media, ac, I have pointed out, to make sure that women are shown as participants in development because invisibility is ag bad as denigvation. This is the only way in •which the judiciary itself can prtject a completely holistic view of the matter with any sense so that the inequalities against women are not further perpetuated.

There, was a suggestion by a women's, group called the "Mukti Manch" that in matters such as this it should be left to the discretion of the jury and the Jury system should be introduced But the Law Commission rejected it and suggested that it should still be left to the wishes of the judiciary to interpret what is obscene and what is indecent and what the criterion should be. In any event, Madam, just as the fable of the Blind Men And The Elephant still continues, I feel that there is no change.' But, today, there is a definite awakening about the gross injustice that is being perpetuated against women. The movement is still weak and the direction is uncertain. But at least more and more women are. aware of the fact that the way in which they are being projected by the media is partial and unreal and, Madam, in that lies the key to the future. Thank you.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Madam, with regard to the story that you mentioned, it reminds me of what an Afghan intellectual, Hakim Sanai has said about this incident. He said that alas if there was only one person amongst these who had a ray of light *even* in one eye, he could understand the elephant. Actually, there were seven blind men who had felt different parts of the elephant's body and made their comments about an elephant.

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): That is all right. Now, Mr. Aladi Aruna.

SHRI ALADI ARUNA aliag, V ARUJNACHALAM (Tamil Nadu): Madam, I- .welcome this Bill along with the other Members. The object of the Bill is laudable which is to protect the traditional values of our culture and legacy. It has made necessary provisions to prohibit indecent representation of women through advertisements, newspaper writings, paintings and other means. It also proposes to prohibit distribution or circulation of any books or pamphelts containing any indecent representation of women. Nowadays, in the name of modern culture, fashion, style of life and freedom of expression, obscenity, nudism, pornography and sex in iconography have become rampant. Encouragement to nudism and relaxation in our moral values have damaged our society further. Unless firm steps are taken to curb the indecent traditional values of our society, of

Representation of and derogatory; manifestation. the traditional values of our society of our civilized society, and the dignity of women would be impaired considerably. It is not merely protecting the dignity of women at large but safeguarding the precious values of a cultured society. But inherent diffi-eulties become the insurmountable in execution and interpretation of law and fact. The word "obscenity" itself has no precise legal It is generally held that definition. anything which offends modesty, delicacy chastity, etc. constitutes obscenity. Even though our Indian Penal Code hag defined what is obscenity under sections 292 and 293, still the controversy over what is abscenity is burning. The precise definition of 'obscenity' varied from country to country and from time to time and community to community. In the U.S.A., the Supreme Court explained 'obscenity' in a case that "the material that described or depicted sexual conduct was obscene if taken as a whole". In another famous case, the Supreme Court in U.S.A. defined 'obscenity' as dealing with ,sex in a manner appealing to prurient interest". This view is not always acceptable and amenable in all circumstances.

What was considered as obscene in literature in the past has been accepted as classic literature or useful work in the subsequent years. Henry Miller's "Tropic of Cancer" replete with iconography of sex once cursed and condemned by people became a classic literature in the later period. The James Jove's "Ulvis's" and D. H. Lawrence's "Lady Chatterley's Lover" were also condemned as obscene novels and they were banned hut in subsequent year the ban was lifted due to successful anti-censor campaign defending the frankness in the work of Art. The difference of opinion deeply perpetuated in the definition of obscenity allows obscene and other vulgarity to influence the civilised society.

What we consider obscene in one form is respected as an art of sculpture in another form. "Kamasutra" ! deals with various methods of love -Passed making but it is considered as a masterpiece of the literature. The des. cription of Kumarasambhava of Kali-dasa and Geet Govinda of Jaidev are mostly libidinous. They are considered as outstanding treasure of literature. I am to remind that Mr. Khosla in his report on censorship defended nudism by referring to the film 'Sidharatha' wherein the heroine on a particular occasion shows her beauty to attract Sidharatha without any dress. So. nudism is also recognised in the name of art The Interesting information contrary to nudism is that Victorian era a women's ankles were sufficient to stimulate sex feelings of the youth. Considering all these views, We understand that defining obscenity and taking action thereon is not an easy task.

Though the Bill is very precise in defining words like advertisement, distribution, label, package published and indecent representation of woman, it has inadequately failed to protect the very object of the Bill.

The exemptions extended in the Bill under sections (4) 'a) (1) and (b) (1) and (c)have undoubtedly defeated the purpose of this Bill. It has extended its exemption for religious purpose, too. I am not asking to prohibit the obscenity which We find in sculpture and paintingg we see in the temples. The works of the past may be treated as monument?. But there is no need of giving encouragement to such works in religion.

Madam, we speak much about morality, modesty chastity, dedicacy and celibacy when we enter into our temples. The paintings, the sculpture which we see are quite against our moral values and basic principles of theology.

We must be ashamed of it. In fact, we are worshipping obscenity itself. We are not ashamed of this when we worship obscenity itself but allow obscenity in the form of...

Expunged as ordered by the Chair.

ADI ARUNA alias V. ARUNACHALAM; You have every right to object to it.

SHRIMATI JAYANTHI NATARA-JAN: It is a point of order

SHRI ALADI ARUNA alias V ARUNACHALAM: Kindly explain to the House what is the philosophy of Linga.

SHRIMATI JAYANTHI NATARA-- JAN: The philosophy of 'Linga' is something else.

SHRI ALADI ARUNA alias V. ARUNACHALAM; You kindly explain to the House. I am here.

SHRIMATI JAYANTHI NATARA-JAN: Madam, it is not my duty to explain to the House.

SHRI ALADI ARUNA alias V ARUNACHALAM: Why are you ashamed of dealing with this fact?

SHRIMATI JAYANTHI NATARA-JAN Madam, I request that I be allowed to say what I want to say. I think it is wrong. But it is not my duty to explain to the House.

SHRI ALADI ARUNA alias V ARUNACHALAM: How am I wrong?

SHRIMATI JAYANTHI NATARA-JAN: Madam, I may be allowed to finish. Madam, the point is that the hon. Member says that the worship of Linga is obscene. I am saying that it hurts my religious sentiments. I am
not such a philosopher. But I object to it. The rules are very clear. They should not offend the religious feelings of a section of the people. It is not for me to explain the philosophy. He may call it obscene. But I object to it. Therefore, I move that the matter be struck off the record.

[RAJYA SHABHA] Women(Prohibition 216 12 Bill, 1986—Passed

> THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): You speak about the Bill only.

> SHRI ALADI ARUNA alias ARUNACHALAM; She may differ. It is my view. She has every right to explain to the House what philosophy behind it. Why is afraid of that? Is there any unparliamentary word that I have used? Only then the Chair has a right to expunge.

> THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): We are not discussing religion here. You talk about the Bill only.

ALADI ARUNA V SHRI alius ARUNACHALAM; I am discussing about obscenity. It is no more than that. When we allow obscenity in the form of statues of Gods, how can we avoid obscenity in other areas? It is sheer mockery. At least, a place of worship should be kept free from obscenity and vulgarity. The Bill attempts to prohibit indecent representation of women. Well and good. At present, the women are weak in our society, When; they become strong, equal and assertive, then, Madam, I assure this House that there will be an indecent representation of men. I dc not know how you are going to prevent that. With these words, I con. elude my speech.

SHRIMATI SUDHA VIJAY JOSHI (Maharashtra): Madam Vice-Chair-man. I rise to support the Indecent Representation of Women (Prohibition) Bill, 1986. I would like to congratulate our Government and particularly the hon. Minister of State for Women's Welfare for bringing in this measure.

It has always struck me as to how this malaise hag been spreading and advertisements have become more and mere louder and vulgar. Film ads are a class by themselves. I happened to be a Member of the Advisory Panel of the Board of Film Censors, During

my tenure, I happened to see a very large number of films and quite often had to use scissors. But during that period, I also found that many times film ads. depicted pictures which were not there in the films at all. These pictures were very provocative and depicted women in a very indecent manner. Had these been part of the film, I would have chopped them off without hesitation. But the funny thing was that they were not in the film. This kind of advertising is degrading and dementing. In not too recent a past, there were angry demonstrations both in Delhi and Bombay against such advertisement's. The entire emphasis is on an aggressive sale campaign for the commodity. In the process, decency is thrown to winds. Exploiting women for this purpose has become order of the day.

Madam, woman is treated as an object of provocation and an indecent visual impact is created to arouse curiosity which has resulted in denigrating women and corrupting public morality. In a wider context I think, • the attitude of the society towards women has to be changed. It has been hammered day in and day out that woman's job is to look after the house and also appear suitably ornamental at social functions. Even if one were to look at the advertisements of LIC it is shown that the policy money would be useful for your son's education and daughter's marriage. In no Ad. there is a mention of daughter's education or daughter's career. But at the sametime a woring wife is a must in matrimonial market. Our society wants to exploit women, both physically and mentally. It is also a curious thing that in advertisements for products which are no concern of women also, a female is shown in an ed. say, shaving blade, banians, etc

Madam, indecent representation of women is only a part of the major malice pervading in the society. Madam, at this juncture, I would also like to deal with the subject of

86] Women (Prohibition) 218 Bill, 1986—Passed *

cabaret. In a discussion held in Delhi some time in October, 1984 on the paper of Law Commission on 'Obscene and indecent displays and adverse-ments, organised by Neeti Manch', Shri A. K. Kant, Deputy Commission of Police, Delhi said and I quote:

"The Central District had the maximum number of cabarets, vice dens and pornography peddlers, but the legal system was the biggest impediment in putting an end to ■such activities. Society wants to witness cabaret and there is little the law and order machinery can do effectively to shut it out. The legal system was Biased in favour of cabaret operators and if any changes are needed, the judiciary must be made to realise the indigenous concept of obscenity. Society tended to judge social morals by the yardsticks of the West and this needed to be revolutionised."

In short this is the scenario in which we are operating and this is the chaos from which we have to chart our path.

Madam, I am well aware that all the malice will not be cured by passing the Bill. But this is a very welcome step in the right direction. The important feature of the Bill is that it has very clearly and crisply .defined what advertisements and distribution means, and has also attempted to define as objectively as possible what in.lecent represention of women mean. In Section 5(1) the Bill empowers the notified authority to take action of search, seizure, not only of any material which would directly contravene the provisions of the Act but also gives the powers to examine any record or document that would furnish evidence of the commission of any offence under the Act. Section 6 of the Act deals with punishment, and I am really happy that stringent punishment is envisaged for commission of any offence under the Act. I also welcome the provision of enhanced punishment for second or subse.

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[Shri Aladi Aruna alias V. Arunachalam].

quent conviction. In section 7 of the Act, personal liabilities of the officers and directors have been spelt out so that in case of offence committed by a company, individual responsibility of those in charge cannot be evaded.

Madam, these provisions, I am sure would provide effective teeth to the law as envisaged in the Objects of the Bill. I hope the lawbreakers would be brought to book very effectively. But still proper implementation and effective monitoring is the most important aspect and the Government must be very strict in implementing the provisions of the Bill. However, I am also aware of the fact that this process will have to be fought effectively and tirelessly with greater thrust. Here the voluntary organisations, social reformers and women's organisations have a great role to play. Social legislaiion by itself would not reform the society but it is necessary to bring to book the culprits. The law coupled with the development of a right attitude on sustained ba?is by all enlightened people would lead to create better atmosphere which in itself would act as a real deterrent to anybody indulging in such an activity.

Madam, with these words I commend the Bill and wholeheartedly supprot the measure brought before this august House. Thank you.

SHRI P. BABUL REEDY (Andhra Pradesh); Madam Vice-Chairman, I welcome this Bill. I am only sorry that in a country like ours with our tradition the necessity for a Bill like this has arisen, and the measures in the Indian Penal Code were not sufficient to meet the menace.

Madam, our tradition is,—of course one of our friends took objection to defying women and if they want to be downgarded, we do not have any objection—that we call a woman Sarswati, Goddess of Learning, or a Lakshmi, Goddess of wealth, or a-Parvati, Goddess of Shakti, and it is Passed not a matter about which any woman should feel hurt. They should take pride in it. We should not with run away with the impression that just because women are eulogsed they will be deprived of the real benefts. That fear is unjust. It is said by some of our friends, particularly of the left-thinking that poverty is the fertile ground for sin and crime. Maybe, to some extent it is true. But it is not the monopoly of poverty only to be the mother of sin. This part is played by plenty and prosperity also. I think it is Goydsmith who said that where there is plenty and prosperity sin also thrives there. You know in America they have got everything. There is plenty and prosperity. There is no dispute about it. This indescency if I may say so, is the latest technology imported from America by India be ause we are anxious to import technology. This sophisticated evry technology is also on the way to our country. It is a very sad thing. In America it is culture to show hundred women naked in a Casino. I had the misfortune to see that in a Casino in which about hundred women were shown naked.

SHRI G. SWAMINATHAN (Tamil Nadu): Madam, I want to know how the hon. Member went to Casino. He would have gone there to see naked woman. Will he say frankly why he went there?

SHRI P. BABUL REDDY: Madam, it is not that I derive secret pleasure to see naked women. My friends went three. I went to accompany them. (*Interruptions*)

Madam, my friend says, say frankly I cannot say. anything more than that. Madam, in America today a fight is going on for equality by women. It so happened that when I was travelling from miami in Florida to Houston, one lady sat by

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my side. She was an American lady. I asked her, what her avocation was. She said that she was an insurance agent but her pastime' was to tight for women's rights. I asked her: "Why are you fighting for the rights of women? We in India think you are very we'll off and that women in America are free and equal to men." She said: "No. For example, we will not be paid equal salary for equal work even in America. Supposing something is produced and if a man is paid of Rs. 5, the woman is paid Rs. 3." I Asked "Why?" She said "It is man's chauvinism". So, like that, in Am-rica this land of plenty has created this situation.' And that situation we find in India. While interpreting obscenity, "my friends said that the word obscenity is vague and it is pleaded what is not considered obscene in America why should it be considered GO in India? This point was raised in the Supreme Court and in the High Court, particularly in Lady Chatcr-ly'g Lover case and Justice Hidayatullah and other judges said, what is not considered obscene there can be obscene in India because we have to consider everything against our background. So, this Bill is very necessary.

But some of my friends, particularly the women Members think that this indecent exposure is an injury to the pride and feelings of a woman. It is true, it is an injury. But the real injury is to the man. By this indecent exposure, the real injury is to the man. So. it is in that spirit I am also fighting it out. For example, in America, in this land of plenty, what is happening. Yesterday, I was reading in a paper that in that country, previously because marriages take place quite late, they give birth to children also very late. But now 30 000 teen-aged girls in the High School have become pregnant in America and they will become unmarried mothers in 9 months, and the Society has to take care of them. It is because they allow obscenity and nakedness and other such things so' freely which is responsible for provoking the young boys and if a young boy is provoked, he, in turn, would provoke a young girl. The result is, young girls become pregnant, and this has become a menace to the American society.

I think they will reap for their sins, for not objecting to obscenity. Better, we stop import of this technology and then look at things in the background of our Indian traditions.

SHRIMATI AMARJIT KAUR (Punjab): Which technology?

SHRI P. BABUL REDDY: This obscene technology where what should not be seen is made seeable.

Having said that, this Bill wants -to punish even innocent persons. The difficulty is that sometimes what we do, we do in excess. For example, look at section 4 which says that a person who distributes a paper or a poster -supposing a cinema poster is being distributed by a boy or he is pasting if to the walls — will be made punishable with imprisonment because imprisonment is a must; it is not fine 'or' imprisonment it is imprisonment 'and' fine. Supposing a person is distributing a booklet where on the 13th or 14th page there is a naked woman's photo and that person is distributing it without knowing that it contains a naked woman's photograph. But under section 4, he- is made punishable with imprisonment. At least, there must be a provision to punish, the real culprit alone and for him I have no tears to shed. But the courts have no discretion and if a person is ' found doing any of these acts, he becomes punishable. As I said, he may not be knowing that on a particular page, there is an obscene photograph. But he will be punishable under this section. Then, Madam, very great care has been taken in defining 'indecent representation*. Here. it is said .notwithstanding that persons in any other class or age group may not be similarly affected'. Take, for example, children. They may not be affected. Indecent exposure of women. The Fiders in this house may not be affected. But in Lok Sabha. they may be provoked. Notwithstanding the fact that persons in am' other class or age group may not be affected, still, it becomes an indecent representation. It has been carefully worded. But the severity of this is diluted when we come to section 8, which says, "Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an offence

[Shri P. Babul Reddy] punishable under this Act shall be bailable". After making a stringent provision in section 6, having made imprisonment a must, you say in section 8, it is bailable. A policeman may arrest a person and he may immediately release him on the spot. Of course, you have said that an offence punishable under this Act shall be cognizable, but at the same time, you have made it bailable. The severity with which it begins disappears when you come to section 8, I hope you will have a second look at this section.

With these words, I welcome and support this Bill whose object is very laudable

डा॰ रुद्र प्रताप सिंह (उत्तर प्रदेश) : माननीया उपसमाव्यक महोदया, ग्रापका मैं हृदय से ग्राभारी हूं जो ग्रापने मुझको ग्रशिष्ट (प्रतिवेद्य) स्त्री रूरण विधेयक. 1986 पर ग्रपने विचार को प्रकट करने का अवसर दिना है। मैं इसका समर्थन करने के लिए खड़ा हुआ हं। आज प्रथम बार मैं माननीय सदन का कुछ ग्रधिक समय लेना प्रस्तावित करता हं। मेरा विचार है कि यह विधेयक एक महान और विवाद-रहित विधेयक है जिसको दोनों पक्षों का हार्दिक समर्थन प्राप्त होगा। जैसाकि विधेयक में कहा गया है कि विज्ञापन के माध्यम से या प्रकाशन, लेख, रंगीन चित्र, ग्राकृतियों में या किसी अन्य रोति से और स्तियों के अणिष्ट रूपण का प्रतिबद्ध करने ग्रौर उससे संबंधित या उसके झानवंगिक विषयों के लिए यह विधेयक प्रस्तूत किया गया है। महोदया, सर्वप्रथम में भारत के प्रधान मंत्री परम ग्रादरणीय श्री राजीव गांधी जी को इस इस बात के लिए बधाई देना चाहता हूं जो भारतीय संस्कृति के एक महान संरक्षक के रूप में ग्रपने पवित उत्तर-दायित्व का पालन कर रहे हैं । उनके मन में स्तियों के प्रति जो आदर का भाव है उसकी तुलना सम्पूर्ण विश्व के किसी भी प्रधान मंत्री से नहीं की जा सकती है। यह विधेयक उसी सम्मान की भावना का एक पूष्प है, एक उदाहरण है। मैं ग्रपनी शिक्षा राज्य मंत्री माननीया श्र/मती मार्गेट ग्रल्वा जी को भी हृदय से

Women (Prohibition) 224 Bill 1986 passed

बधाई देना चाहता हूं। जिन्होंने स्त्रियों के मान, सम्मान तथा प्रतिष्ठा की रक्षा की दृष्टि से यह एक अत्यन्त महत्वपूर्ण विधेयक प्रस्तूत किया है। इस बात का इतिहास साक्षी है कि हमारे दल को सदा ही स्तियों के मान सम्मान की चिंता रही है। साथ ही स्वियों को पूर्ण स्वतंवता एवं समानता के प्रति दढ संकल्प तथा कार्यरत रहा है। मुझ को प्रसन्नता है कि माननीय सदन में इस महत्वपूर्ण विधेक्क पर चर्चा हो रही है। महोदया, माननीय सदन इस वात से सहमत होगा कि भारत जिसकी महान एवं गौरवशाली संस्कृति में कहा गया था "थत्न नारीयस्तु पुज्यन्ते रमन्ते तत्र देवतः " तथा महाकवि जन्शंकर प्रसाद जी ने भी कहाथाः

''नारी तुम केवल श्रद्धा हो विश्वास रजत नग पगतन में पावन पियूष सी बहा करो जीवन के सुन्दर समतल में ।''

पुजा, अद्धा अयवा अमत का अर्थ यह नहीं है कि स्त्रियों को मानव के रूप में उनके ग्रविकार से वंचित कर दिया जाए, परन्तु यह शब्द ग्रादर के सूचक हैं जो सदभावना के द्योतक हैं। हार्दिक दूख का विषय है कि उसी देश में विज्ञापन, प्रकाशन, लेख, आकृति रंगचित्र क्रादि के माध्यम से स्त्री को नाना रूप तथा नाना प्रकार के ग्रांशिष्ट रूप से प्रदर्शित किए जाने की बाढ़ ग्रा गई है, जो देश के लिए गहरी चिता का विषध बन गया है। यह ग्रावश्यक था कि ग्रशिष्ट स्त्री रूपण को प्रभावी तौर पर प्रतिथिद्ध करने के लिए एक ग्रलग से विधान हो । यह विधेयक इसी महान उददेश्य से लाया गया है। यह अत्यन्त दुख का विषय है कि स्त्रियां जो हमारी बेटियां हैं, जो हमारी बहिने हैं, जो हमारी माताएं हैं उनकी ग्राइति, उनके रूप था शरीर था उनके किसी ग्रंग का चित्रण नाना प्रकार के माध्यम से ग्रसम्मानजनक, ग्रपमानजनक, ग्रशिष्ट तथा ग्रशोभनीय ढंग से किया जाता है।

इस प्रकार का कार्य करने वाले दशमदा साहित्य तथा कामूक वस्तुकला का उदाहरण देते हैं। मैं उन्हें बताना चाहता हं कि एक समय था, जब मनुष्य नगा रहता था। तो क्या आज हम नंगे रहना आरम्भ कर दें। हमें अतीत की उचित बीतों को स्वीकार करना है झौर झनचित बातों को ग्रस्वीकार करना होगा। क्या इस प्रकार का चित्रण करने वाले अपनी सगी मां, सगी बहन और सगी बेटी का चित्र ग्रंशिष्ट रूप में समाज के सामने प्रस्तुत करना चाहेंगे? अगर नहीं करना चाहेंगे, तो इस प्रकार का चिलण सवया ग्रनुचित है । इसलिए उचित है, राष्ट्र के प्रति, स्तियों के प्रति, मानवता के प्रति जो उनका कर्त्तव्य है. उसके प्रति ग्रात्म निरीक्षण कर प्रायश्चित करें तथा भविष्य में ग्रंपनी माताओं, बहिनों एवं बेटियों का लज्जाजनक चित्नण न करें। इस प्रकार का चित्रण करके राष्ट्र के नागरिकों को कामक भ्रष्ट तथा दराचारी न बनाएं। कोई भी राष्ट्र स्त्रियों को अपनी संपत्ति या भोग की वस्तु मान कर उन्नति, प्रगति एवम् विकास नहीं कर संकता है। कामूक तथा विलासी समाज समाजवादी समाज की संरचना के भी क्रतिकल है। जब इस प्रकार का चित्रण करने वाली निहित शक्तियां अपनी नीति गुवं रीति में परिवर्तन न लोकर उसमें बुद्धि कर रही हैं, तब इन परिस्थितियों में सरकार ने यह विधेयक प्रस्तुत करके अपने वैधानिक और राजनीतिक उत्तरदायित्व का पालन किया है. जिसके लिए सरकार विशेष रूप से शिक्षा मंत्रालय और मंत्री महोदया को मैं वधाई देना चाहंगा।

महोदया, ग्रशिष्ट स्त्री रूपण की परिभाषा करते हुए उद्देश्य के कथन में जो बातें कहें। गयी हैं, उनको स्रोर मैं माननीय मंत्री महोदया का ध्यान चाहंगां ग्रीर उन्हें आकथित करना मैं इसी मंत्रालय के ग्रंतर्गत जो केन्द्रीय फिल्म तेंसर बोर्ड का कार्य है और जो खोसला जांच समिति के प्रतिवेदन के अनुसार कार्य कर रहा है, की आरे की आंकपित करना चाहंगा । उसमें कहा गया है. प्रतिबेदन में एक बार नहीं, अप्रनेक बार कहा गया है कि क्या शिष्ट

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हे और क्या अशिष्ट है, इसका निर्णय लेना न्यायालय का कार्य है और अन्त में सर्वोच्च न्यायालय का कार्य है ग्रौर जबसे प्रतिबेदन के झाधार पर केन्द्रीय फिल्म सेंसर बोर्ड के लिए मार्गदर्शी सिद्धांत बनाए गए हैं, उससे नम्नता तथा अश्लीलता के प्रदर्शन पर प्रतिबंध लगने के स्थान पर प्रदर्शन सरल हो गया है। आपके विधेयक में प्रयक्त शब्द अशिष्ट, असम्मानजनक तथा अपमानकारी शब्दों के साथ ऐसा नहीं हो पायेगा, ऐसा मेरा विण्वास है मंत्री महोदया से ।

इसके अतिरिक्त किस प्रकार का चित्रण व्यक्तियों को दराचारी या प्रष्ट बनाएगा भा नहीं बनाएगा, यह भी विवाद का विषय बन सकता है। मैं माननीय भंती महोदया से इस बात का ग्रनरोध गहना कि यह खोसला जांच-समिति के प्रतिवेदन से जो बातें हमारे सामने आयी हैं, उन बातों को ध्यान में रखते हुए इस वात का प्रयास किया जाना चाहिए कि शब्दों के बारे में स्पष्ट परिभाषा की जाय, जिससे उनका केवल एक ग्रर्थ हो ग्रीर मैं विख्वास-पूर्वक कह सकता हं कि इसमें किसी न्यायालय का कोई दोष नहीं है क्योंकि जब हम किसी बात का स्पष्ट ग्रथं या स्पष्ट परिभाषा नहीं करेंगे तो फिर हमारी जो अदालत हैं, उनमें जाकर उनके सामने जिस प्रकार का तर्क प्रस्तुत किया जायेगा, उस आधार पर ही निर्णय ग्रदालतों को लेना होंगा।

महोदगा, मैं माननीय मंत्री महोदया का ध्यान विधेयक के हिन्दी अनुवाद की म्रोर भी ग्राकॉपत करना चाहंगा---"इण्डीसेंट रिप्रेजेण्टेशन श्राफ वमन (प्राहिबिभन) विल, 1986" का अनुवाद ''ग्रगिष्ट स्ती रूपण (प्रतिषेध) विश्वेयक, 1986'' किया गया है। इससे स्पष्ट है कि ग्रयं का अनय हैं। गया है, जबकि इसका अनुवाद "स्त्री का ग्रशिष्ट रूपण (प्रतिषेध) विधेयक, 1986'' होना चाहिए । मेरा ग्रजरोध है कि उसको शद्ध रूप में स्वीकार किया जाये। वर्तमान अन्याद स्त्री का तथा राजभाषा हिन्दी दोनों का अपमान है ।

डा॰ रुद्र प्रताप सिंह]

महोदया, अन्त में मैं जो दण्ड का विधान किया गया है. उसके संबंध में कुछ कहना चाहुंगा । इस विधेयक में उसके प्रथम दोष-सिद्ध होने पर अधिक से अधिक क्या दण्ड दिया जायेगा, का उल्लेख किया गया है, परन्त कम से कम क्या होगा, यह नहीं कहा गया है। इस प्रकार जो धनी दोषी व्यक्ति हैं, उन्हें न्यायालय के उठने तक का दण्ड देकर मक्त कर दिया जाएगा। इसलिए आवश्यक है कि इसमें इस बात का निश्चित रूप से प्रावधान किया जाय कि कम से कम कितना दण्ड उनको अवश्य दिया जाएगा यहां यह भी कहा गया है कि द्वितीय तथा पश्चात्वर्ती दोष सिद्ध होने पर भारी दण्ड दिया जाएगा । इसको हमारी सुयोग्य मंत्री महोदया ने अपने भाषण में स्पष्ट किया है, लेकिन कम से कम दण्ड क्या होगा यह उसमें भी नहीं बताया गया है । उपर्युक्त बातों का स्पष्ट प्रावधान ग्रावश्यक है । तभी विघेयक का लाभ मिल सकेगा। हमारा विश्वास है कि हमारी सूयोग्य मंत्री महोदया सम्पूर्ण बातों का घ्यान रखेंगी जिससे जिस 'पवित्र भावना के साथ विधेयक प्रस्तुत किया गया है उस लक्ष्य की पूर्ति हो सकेगी ।

मेरे पूर्व विरोधी पक्ष के वक्ताओं ने विधेयक की भावना का स्वागत करते हुए इसके कियान्वयन में संदेह व्यक्त किया है। मैं अर्रयन्त विनम्प्रतापूर्वक कहना चाहूंगा कि इस विधेयक का लाना एक ग्रत्यन्त साहसपूर्ण पग था। जहां तक कियान्वयन का प्रश्न है, हमारी सरकार, हमारी सुयोग्य मंत्री महोदया ग्रपने महान चरिन्न का परिचय देंगी, ऐसा मेरा विश्वास है। अन्त में एक शेर पढ़कर मैं ग्रपनी बात को समाप्त करूंगा।

> वक्त आने पर बता दूंगा तुझे ए आसमां मैं अभी से क्या बता दूं क्या हमारे दिल में

SHRIMATI RENUKA CHOWDHU-RY (Andhra Pradesh); Madam, I rise to welcome this Bill and while I agree with most of what my learned colleagues have said, I want Us to pausa

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and think and view the whole Bill lit its correct perspective. As I see it, this Bill is phase three of the other two Bills which we passed in the last session-one was the Bill to amend the SITA-Prevention of Immoral Traffic Act-and the other was the Dowry Amendment Bill-why has the need! come this day for us to introduce this Bill in Parliament? Basically it is to enhance the image of women, the status of women in society, it is in order to bring about equality, as-spoken about by my other colleagues, it is in order to bring the recognition which is vital and necessary for' us' to work side by side with men, not behind them. Of course, sometimes we are always forward and that is indisputable.

SHRI P. BABUL REDDY: Several steps forward;

SHRIMATI RENUKA CHOWDHU-RY. However, the fact remains that we have never remained behind. *T* beg to differ.

SHRI H. HANUMANTHAPPA (Karnataka): The seven steps are-behind, not ahead .

SHRIMATI RENUKA CHOWDHU-RY: I know that, but I say that religious concept also has to be amended' simultaneously. This is for the hetter-iment of the largest section of the popu-lation-which is the Hindus and the-Hindu women.

Now while wer are getting emotional and giving platitudes on the amendments in the judicial system etc. what are we doing in the Rajya Sabha? A trivial thing like the SITA Bill was named" as such because it meant Suppression of Immoral Traffic Act, but there were objections and the Minister had agreed on the floor of the House that there were several objections based on religious sentiments and' the name of the Bill had to be changed to PITA-Prevention of Immoral Traffic Act. Now tell me, did not Sita have to prove that she did not indulge in

SHRIMATI MARGARET ALVA: May I correct the lady Member? We avoided PITA also. .

SHRIMATI RENUKA CHOWDHU-RY: Whatever the amendment was, the name was changed because it represented Sita. Now Sita had to prove to her kingdom, to her husband who in order to prove that he was virtuous ruler had to show that even she did not indulge in immoral act. That is what it amounted to in those days. We have in the Rajya Sabha today unwittingly succumbed to exactly what is happening in society-reflection of unequal wages, science and technology-in the name of science and technology we are celebrating amniocentesis where women can clinically abort the foetus because it is a girl. Are we today, in this century, while we are introducing this Bill, going to be denied the right to be born, the very right to be born which even our ancestors in all their ignorance never indulged in, not because we were merely women Yes, women went through abortion, they did indulge in illegal abortion because they were unsuspecting mothers, because they were rape victims, because they had too many children, but never because it was a girl- And today in the name of progress, all of us are standing by end applauding this and bringing this Bill in while several things are happening like this in society. So the time .has come for, us to wake up and not bring in just individual Bills like this. We have to re-evaluate and gee how this Bill is going to cause ripples in the other legislations and other Ministries and how we are going to protect women. There is no point in saying that we do not want protection, that we do not want equality. Till it comes we have to protect, till it is a feasible thing we have to protect the speciec, of women. We have to protect them and bring them into an environment where they can walk equally along with men. So, Madam, I request you that when we are bringing in this Bill, let there be a little mors time to think over it. Let us ponder over it. Obviously, the

severity, the need for this Bill, has not really gone down even in the Rajya Sabha. Judging _by the attendance we have this afternoon, it an-pears the Members dv not think it important enough.

AN HONOURABLE MEMBER; How many women Members are there?

SHRIMATI RENUKA CHOWDHU-RY; They are in a minority here anyway, and that itself goes to show it. Hopefully, by the amendment of this 1 Bill we are going to have half the ; share in this House one day very soon. As they say at Hyderabad in Andhra, Insha Allah!

The depiction and interpretation of religion also has to be modified. The Bill does not cover all this.

Here, when you say "cognizable offence" it is going to create complications when it comes to catch the

offender. A clever lawyer can get anyone off the hook. So, a lot "more debate has to go on on how we can plug the loopholes, in this Bill how we are going to catch offenders against the provisions of this Bill and what else is required in order to strengthen this Bill because "indecent exposure is-as such really not only of the anatomy but it means a lot of things, it is a comprehensive whole.

Why is it that the media, the advertising media in particular, is always, showing a product as equal to a . woman's, body, be it her lips, nails, hair or whatever it is? That itself reduces the status of women because you are associating it with a monetary

purchase. Subconsciously the person who is doing it is associating a woman with a monetary purchase. We are giving monetary value to a woman's body and her life. So we will have to go back to the Bill when we come to the Suppression of Immoral Traffic Act because that Act came about because women are treated as a purchas-

able commodity.

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[Shrimati Renuka Chowdhury]

On the other hand, I do not think [am going to be very happy as a woman to see indecent exposure of men's bodies if, ag a backlash to this_____

when you are going to ban indecent exposure of women's bodies—the advertisers are going to start using men's anatomies which, I think, are far more painwul to tolerate. That will be an equal .obscenity... (Interruptions)... The men are pleading for a chance to be able to be exposed that way. But this to also going to be violating our sensibilities. So we will have to take a very comprehensive view of what we mean by "indecent exposure" and "obscene exposure". As it is they are in existence. There are some advertisements which Use the male anatomy which is quite uncomfortable to watch or to see a young child flip over in your presence.

Now there are some written articles also. What do we do about written articles which, in the name of education or under the ,guise of sex education, are becoming more and more explicit? That also comes under "indecent exposure". It can also come under So many other clauses of this Bill because we are not specifying, we are not able to give a framework within which to operate. So this, can lead to a backlash if we do not tighten on the severity of the Bill.

Madam, the rest of the words which I wanted to say have been stolen from my mouth by so many other colleagues and I do not want to repeat those points again. I thank you very much for giving me this opportunity to speak.

THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): Honourable Members, this is a very serious subject we are discussing and so I request you not to make it light by making light remarks or laughter or things like that. Please. .. (Interruptions) ...

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): We are as grim as you are Madam.

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THE VICE-CHAIRMAN (SHRIMATI KANAK MUKHERJEE): Please give proper importance to this subject.

श्रीमती वीणा वर्मा (मध्य प्रदेश) : ग्रादरणीय उपसभाध्यक्ष महोदया, में इस बिल का स्वागत करते हए इसके पक्ष में यह कहना चाहती हूं कि अगर यह कहा जाये कि म्राज म्राधनिक जीवन को सबसे वडा खतरा छद्म ग्राधनिक सभ्यता से है, तो कोई गलत बात नहीं होगी । खास तौर से यह खतरा म्राज उन देशों को ज्यादा है जहां पूर्ण ग्राधनिक जीवन विक-सित नहीं है । फिलहाल अपने देश का वर्तमान समाज इसी दौर से गुजर रहा है, जहां हमन तो पूर्ण ग्राधनिक हैं ग्रौर न ही समुल परम्परावादी । इस तरह ग्राधनिक सभ्यता दुनिया का कोई देश ग्राज हम झेल रहे हैं, उतना शायद दुनियां का कोई देश नहीं। चंकि भारत एक परम्परा का देश शरू से ही रहा है जहां की संस्कृति में यहां के जनमानस का बिम्ब ग्राज भी देखा जा सकता है। खासतौर से हमारी परम्परा में स्त्री की गरिमा का रूप उसके ढके गरीर में है, न कि दिखावे में । सच्चे अर्थों में यहे उसका सौंन्दर्य-बोध भी है ।

ग्राजादी के बाद भारतीय सभ्यता पर गौर करें तो हमारे देश के जन-जीवन पर पश्चिम की उपभोक्ता संस्कृति का बहत गहरा ग्रसर पडा । नेहरू जी जिस स्वप्न-शीलता के साथ भारत को स्रौद्योगिक आत्मनिर्भरता के मुलमंत्र को छोड दिया। उल्लेखनीय है कि नेहरू जी को यह बोध गांधी जी से मिला था । लेकिन पश्चिमी सभ्यता के उपभोक्ता संस्कृति का जिस तरह आक्रमण हन्ना उसका ग्रसर हमारे यहां एक त्रासद ग्रनुभव बन चु ा है। हमने ग्राधुनिक होने का मतलब--सिफं त्वचा की सुन्दरता और कपड़े की संस्कृति तक ही मान लिया है जिसके चलते फेंशन ग्रीर दिखावे से हम इतना ज्यादा ग्राकांत हो गये हैं कि हम ग्राधनिकता के विचार बोध से ही वंचित हो गए ।

गौर किया जाए तो इस ''फेक'' ग्राधु-निक सभ्यता ने **हमा**रे समाज में स्त्री की

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सत्ता को स्वतंत्र किया है और ग्रात्म-निर्भर बनाने के नाम पर उसका दुरुपयोग किया है । पूंजीवादी सभ्यता के गर्भ से निकली हुई ग्रौद्योगिक दुनियां ने नारी की ग्रस्मिता को नकार कर उसे एक उपभोग की बस्तु बनाकार विज्ञापित करने का एक सहज माध्यम बना लिया है । हैरत तब होती है जब इस तथाकथित सभ्यता की भूल भूल्लैया में फंसी ग्राज की नारी इससे बेखबर है ।

स्त्री की सत्ता का इस अभिशाय ग्रस्त सभ्यता में जिन दो सक्रिय माध्यमों से लगातार शोषण हो रहा है उसमें फिल्म और विज्ञापन ये दो ऐसे माध्यम हैं, जिनके परिणाम बहुत भयानक साबित हुए हैं। इस तरह आज की नारी इन दोनों माध्यमों के जरिये अधिक धन कमाने का एक सर्व सलभ माध्यम वन चुकी है। खास तौर से विज्ञापनों की दनियां में स्वी की सत्ता फो न केवल बाजारू बना दिया गया है, बल्कि कहना चाहिए कि एक ऐसी मशीन का पूर्जा बना दिया है जो एक बडी मधीन को चलाती तो है. लेकिन लोगों को यह पता नहीं चलजा कि बडी मणीन इससे चल रही है और बाद में जब वह पूर्जी घिस जाता है तो उसे निकाल कर फेंक दिया जाता है। घ्यान दिया जाये तो विज्ञापनों की दूनियां में जिनमें नारी को माडल कहा जाता है, उसका इस्तेमाल इस टेजडी के रूप में हो रहा है। ये माडल लडकियां यह नहीं जानतीं कि इस उपभोक्ता संस्कृति के जमाने में वे सभ्यता के उस महाने पर बैठी हई बेफिक हो कर अपना समय काट रही हैं, जहां से कभी भी लुड़क कर नीचे आ सकती हैं, आज की ये माडल लढकियां जो अपने हो "मॉड" कहती हैं, देखा जाये तो बढे सस्ते ढंग से पंजीवादी घरानों के ड्राइन्गरूप में सजने वाली पत्निकान्नों के जरिये लोगों की भुखी म्रांखों के सामने परोसी जा रही हैं। हालांकि इन माड लडकियों के लिए यह समझना কন্ত आसान हो सकता है कि कैमरे के सामने कुछ सेंकेड ही तो खड़ा होना होता है। लेकिन सच्चाई यह है कि ये अपनी असलियत पर पर्दा डालती हैं । इन्हें नहीं मालूम कि ये किस नरक के दलदल में फंसने के लिए झौर आगे

[12 NOV. 1986] (Amdt.) Bill, 1386— 234 Discussion not concld.

बढ़नी जा रही हैं। जहां से पीछ लौटना आसान नहीं।

उपसभाध्यक्ष महोदया, ग्राज ग्राये दिन समाचार, पत्नों, पत्निकाओं, दरदर्भन. सिनमा-पोस्टरों, साइनबोर्डों बादि के जरिये पुंजीवादी संस्था रोजमर्रा की उपयोग वाली वस्तुओं का प्रचार करने के लिए जिस तरह स्त्री मॉडलों की देह के ग्रधखले अंगों को दिखा कर दर्शकों, पाठकों का रुचि संस्कार आग्ट कर रहे हैं, इससे यह तिद हो चुका है कि स्त्री उनके लिए एक अदद सःवन या रुमाल से अधिक महत्व नहीं रखती । इससे न केवल समाज में विलासिता संबंधी चीजों का प्रचार वढता है बल्कि आम-जन-जीवन में उपभोक्त संस्कृति का विल्तार भी हो रहा है। कहना न होगा कि आजादी के बाद आई युवा पीढी में आत्मरति से बोझिल सिर्फ अपने तक दिलचस्पी बनाये रखने का जो मनोभाव पैदा हम्रा है, उसमें इन कुरुचिपूण, भौड़े, विहुत सेवस से सने विशापनों का ग्रच्छा खासा ग्रसर पडा है । अमेरिका जैसे भौतिक दृष्टि से ग्रत्यन्त विकसित देश का इस शताब्दी में जो सांस्कृतिक पतन हुआ है और एक ऐसी भूखी, पीढ़ी हिप्पी और पंक जनरेशन का जन्म हुआ है, जिनकी कोई विरासत शेष नहीं है । इस तरह पश्चिम की विज्ञापनों वाली संस्कृति का आज हमारे नागरीय जन-जीवन पर चौतरफा झात्रमण हुन्ना है जिससे न केवल हमारी सांस्कृतिक विरासत को गम्भीर खतरा पैदा हो गया है जिसको हम अभिषप्त होकर जीने के लिए बाध्य हैं । उल्लेखनीय है कि इन ग्रश्लील विज्ञावनों का बच्चों के मनी-विज्ञान पर गहरा ग्रसर पड़ा है जिससे वे बाद में विकृत मानसिकता का शिकार होते हैं । इससे वडा दूर्भाग्य यह है कि बीसवीं शताब्दी की ग्राधनिक नारी भी वेखबर होकर इस गम्भीर हमले को अपनी जोहरत और सम्मान का माध्यम मान रही है । जो वास्तविकता में माल एक छलावा है।

सवाल उठता है कि आज भारतीय नारी अपने को आधुनिक और स्वतंत्र बनाये रखने के लिए समाज से कई मोचों

पर जिस तरह विद्रोह कर चुकी है, ग्राखिर वयोंकर वह विज्ञापनों के इस खौफनाक छलावे से बेखबर है? ग्रगर भारतीय पढी-लिखी स्तियां सस्ते विज्ञापनों के खिलाफ विद्रोह नहीं कर सकतो तो स्वीकारना होगा कि वे विज्ञापनों के जरिए अपनी देह का खुद शोषण करा रही हैं। पर मैं मानती हूं कि सरकारी तौर पर ऐसा कोई कानून लागू नहीं है जो इन विज्ञापनों के जरिये नारी देह के उपभोग पर सल्ती से पाबंदी लगा सके । हालांकि भारतीय दण्ड संहिता की धारा 292, 293 के तहत इस तरह के भौडें प्रदर्शनों पर रोक लगाने का प्राववान किया गया है, लेकिन इसका ग्रमल नहीं के बराबर है। इसी तरह फिल्मों का सेंसरबोर्ड भी अपने को कानून के के ग्रमाव मैं ग्रसहाय पाता है। क्योंकि सेंसर बोर्ड के पास सभी तत ऐसा कोई कानुनी दंडनीय प्रावधान नहीं है कि इस ग्रश्लीलता पर पावंदी लगाई जा सके। फलतः विज्ञापनों का अपना कमाऊ घंघा मजे से फलकूल रहा है।

मेरी दृष्टिमें विज्ञापनों में नारीको इस अभिकाप से वचाने के लिए कुछ पुझाब इस तरह हो सलते हैं, जिस पर सदन विचार करे:

 सरकार को ऐसे विज्ञापनों पर रोक ही नहीं बल्कि दंडनीय अपराध बोषित करना चाहिए जिसमें स्वी के अंगों को अश्लील बनाकर प्रचार किया जाता है। नियम का उल्लघन करने वाली एजेंसियों को जुर्माना किया जाय तथा इसमें सजा का मो प्रावधान जोडा जाए।

2. सरकार को विज्ञापनों की श्रेणी नियत्नित करने के लिए एक ऐसा विभाग बनानां चांहिए जो विभिन्न वस्तुओं के विज्ञापन के लिए विज्ञापन संहिता और श्रेणी निर्धारित करे जिससे वस्तु और उसके विज्ञापन में सामंजस्य हो सके। उदाहरण के लिए वीड़ी के विज्ञापन के लिए यह विल-कुल भौडा विज्ञापन है जिसमें एक मांसल ग्रीरत अपने शरीर के अपड़ों को अस्त-व्यस्त करके कामुक ग्रदा के साथ बीड़ी पीती हुई दिखाई जाय। पिछले दिनों पूर्वी उत्तर प्रदेश में गंगा छाप बीड़ी के विज्ञापन में इसी तरह भौंडा ग्रौर ग्रश्लील रूप दिखाया गया है।

3. विज्ञापन एजेंसियों पर रोक लगाई जाय जो अभावग्रस्त लड़कियों को अपने गरीर को असहाय होकर कैंसरे के सामने खड़ा करेने के लिए मजबूर करती हैं । बम्बई, दिल्ली में ऐसी तमाम बिना लाइसेंस की एजेंनियां चल रहा हैं जहां यह घंघा जोरों पर है ।

4. ए से अश्लील विज्ञापनों के रोक पर न केवल सरकार का जिम्मेदारी प्रमुख हैं, वरन् जागरूक महिलाओं द्वारा गठित एसी तमाम संस्थाओं को सकिय होना चाहिये जो ऐसे विज्ञापनों का विरोध करें और स्वो के विरूद हो रहे इस शोषण पर ऊंगली रखें ताकि महिलाओं के मन में इसके खिलाफ जागरूकता पैदा हो ।

5. पूँजीवादी संस्थाओं से सचले वालो ऐसी सभी पत्र-पत्निकाओं में प्रैस एक्ट के तहत ऐसा प्रावधान होना चाहिए जिस से अश्लील विज्ञापन छापना गैर-कानुनी हो ।

फिलहाल मेरी दृष्टि में ये कुछ विचार जो प्रस्तुत जिल के समर्थन में अपना पक्ष रखते हैं। इस जिल के पास होने से हुन एक बार फिर से समाज में स्त्री की खोई हुई गरिमा को पुनःपरिभाषित कर सकते हैं जिसका हमारी संस्कृति में गंभीर महत्व सदियों से रहा है।

आज भारतीय नारी के प्रसंग में ये दो सवाल सदन के समाने उपस्थित हैं। एक और नारी की गरिमा और परम्परा का वैभवशाली रूप है तो दूसरी आर उसको उपभोग की वस्तु वनाने का विज्ञा-पनों जैसा उपक्रम ।

प्रश्न यह है कि हम और आप इसमें से क्या चुनना चाहते हैं , ---स्तो की गरिमा या स्त्री का उपहास ।

अशी शंकर सिंह वाघेला (गुजरात): मंडम वाइस चयरमैन, एक शिष्ट महिला मंत्री ढारा पेश किया गया अशिष्ट महिला

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विधेयः जब कि एक महिला चैयर पर बैठी हुई हैं और सब महिला सदस्यायें उसन अपना योगदान दे रही हैं तो में भी उसमें अपना ३७ योगदान देने के लिये उतका समर्थन करने के लिए खडा हुन्ना हू एज ए ही-मैन। महोदना, इस बिल कै उददेश्यों ਜੋ बताया गया है कि इस देश में अश्लीलता से संबंधित विधि भारतीय दंड संहिता की धारा 292. 293 और धारा 294 में संहिताबद्ध है। इन उपवधों के बाबजुद, प्रकाशनों में, विशिष्टतवा विजापनों ग्रादि में अजिष्ट स्त्री रूपण या स्त्रियों के प्रति छोंटाकशी को बढाबा मिला है। जितका प्रभाव स्त्रियों के लिए अनुम्मानजनक या अनुमानकारी हन्ना है। इन सब धाराओं के होने के बावजुद भी आंप स्वीकार करते हैं कि स्त्रियों के प्रति अतम्मानजनक या अपमानकारी यह जो प्रचारलीला चल रही है, स्वियों की फोटो दिखाने को जो बात चल रही है तो क्या इस विल को पास करने के एक साल बाद फिर से नय बिल के उददेश्यों में यह नहीं कहा जयेगा कि यह बिल होने के बावजूद भी यह सिलनिला आगे चल रहा है। मैं चाहता हूं कि इतका आप पूरा क्ष्याल करें।

मैडम, मैं कहता चाहता हं कि यह ग्राज का रोग नहीं है, बल्कि यह बहत पुरानः रोग है। भारतीय संस्कृति के साथ अगर इतको जोड़ना है तो उड़ीसा में जगन्नाथपुरी के पास कोर्णांक के सूर्य मंदिर और अपनी एलीफोन्टा और दुसरे खन्राहो जितने सुर्य पंदिर हैं अगर आप उनको देखना चाहते हैं तो श्रीप उन्हें अपने वत्त्वों के तथा नहीं देख सकने । इस तरह को भूति में आपको उधर हर मंदिर पर मिलेंगे, यह उब आपको वहां मिलेगा । इतने तालों पहले भी अल्लीलता इस देश में अस्तित्व में यी। यह इ.यूमन वीकनेस ग्राप नमझ लोजिये। स्त्री और पुरुष का भेद पुराना है। पता नहीं आदम ने ईव को कहां से निकाला लेपिन हर पुरूष स्वी का हो पूल होता है । लेकिन पता नहीं बहो पूल परिपक्व होने के बाद उसमें कहां से क्या गडवड़ी होती है जो मेच्योरिटी पुरब्बता के बाद जों नैचुरलो है यह हो जाता है। मैडम, मैं स्त्रियों पर, महिलाओं पर, अपनी बहनों पर

] (*Amdt.*) *Bill*, 1986— 238 Discussion not *concld*.

एलीगेशन लगाता हूं कि भूख से मरने वाली गांव की महिला अपना शरीर नहीं बेचतो है और ग्रगर वह अपना शरीर बेचती है तो वह गर्वनमेंट से मान्यताप्राप्त जो प्रास्टोटयूट हाउस होते हैं बहां जाकर बेचती है और खुलेआम यह करती हैं। लेकिन यं टी०वी०, पोस्टरों, पिक्चरों में अपने गरोर को पोज करने वाली जो बहिनें है वे पढ़ी लिखी होती हैं स्रौर माडल के रूप में अपने आपको ब्युटी कंपीटीशिन में भाग लेकर उसमें जीतने वाली होती हैं। ऐसी बात नहीं है कि इनकों खाना नहीं मिलता, उनको कोई बहुत अधिय मायिक प्राबलम होतो है । हाँ वह होतो होगो ले किन इतनी नहीं होती जिसके लिये यह जरूरी है। उनकी वह प्रोबलम नहीं होती जो गांव की थौरतों की होती है। इसलिए जो हमारे स्त्री संगठन काम करते हैं, भारतवर्ष में जो बहिनें इस कौम में एक्टिब हैं उनको इस बारे में कुछ करना चाहिए ताकि वे इस तरह के फोटो न दें। आपको उनको कहना चाहिए इससे उनको कितनी तकलीफ होती है। हीरो स इकिल पर बैठने वाले कौन होते हैं लेकिन विज्ञापन में वही बैठती हैं। ''मजुकों'' में जगह नहीं होती फिर भी वे चिपककर बैठती हैं। ये उन चोजों के वेचने वालों के हथियार होते हैं । वे अपनी चीजों को तरफ लोगों का ध्यान आकर्षित करने के लिए इस तरह के एडवरटाइजमेन्ट करते हैं । माडल फेमस होते हैं आपको उसका एड्स पता है। ज्याप जाइये, मेरी बहनें उसके पास जाएं श्रीर उससे पूछें कि क्या उसका कोई ग्रायिक प्रोव्लम है? उससे कहें कि यदि आधिक समस्या है तो हम आपके लिए व्यवस्था करेंगे लेकिन मेहरवानी करके अपने शरीर का फोटो वाला मामला वन्द कर दीजिये। बाज नेशनल करेक्टर का काइसेज है। अमरीका से वह आया है या कहीं से ग्राया है वह इस बिल के अने के बाद रुक जाएगा मुझे को इसमें डाऊट है। ग्रगर ग्राप मेरा थह डाऊट क्लीयर करेंगे तो अच्छा होगा। क्या यह सब इस बिल के पास होने के बाद चलने वाला नहीं है। ग्रापके टील्वील के नहाने वाले साब्न के एडवरटाइजमेंट से ऐसा आभास होता है कि वह महिला नेकेंड है। आपके रेडियो में निरोध के या दूसरे एडवर-

[श्री शकर सिंह वाघेला]

टाइजमेंट आते हैं या पिक्चर के एडवरटाइज-मट आपकी इनफारमेशन मिनिस्टी के हैं जो उन पिक्चरों को 'ए' सटिफिकेट देती हैं। 'ए' पढ़ कर देखने जाने वाले 16 साल के बच्चे कतारों में खड़े होते हैं वे बहां 20 स।स के बन कर जाते हैं। इन तीनों को रोकने में क्या हमारी सरकार सीरियस है ? यदि सीरियस है तो टीo वीo में, एक भी स्त्री को एडवरटाइजमेंट में नहीं दिखायेंगे, रेडियो में नहीं बोला जाएगा भौर पिक्चरों में ऐसा कुछ नहीं होगा। ग्रब पिक्चर राम तेरी गंग, मेली में पता नहीं राम तरी गंगा मैली में ग्रीर क्यां-क्यां था बोलिये क्या झाप इन को रोक पायेंगे ? 'ए' सॉटफिकेट देने में धगर कोई फिल्म सच्छी न भी हो तो भी बोगस फिल्म 'ए' सॉटफिकेट मिलन के बाद चल जाती है। अभिके फिल्मों के जितन पोस्टर हैं आप कोई भी सिनेमा एडवरटाइजमट का न्यूजपेपर का पेज निकालिये उस में नेकेड लडीज के फोटो होत हैं बिकनीज के साथ फोटो देखने को मिलेंगे। इसके लिए सब से ज्यादा हमारी सरकार जिम्मेदार है जिन्होंने इन पिक्ंचरों में यह बीज चलन दी ग्रौर प्रेस में विज्ञप्ति में जहां यह फोटो झती है, अल्छी तरह चल जाती है। आप प्ल ब्बाय का सर्कुलेशन से भीजिये। ब्लिटज का शीजिये। ब्लिटज को लीजिये, ब्लिटज के पीछे के पेज पर एक फीटो हर नवल में हीगा। चाहे हिन्दी का किलटज हो या ग्रंग्रेजी का हो उस फोरो को देखने के लिए लोग ब्लिटज परचेज करते हैं। ऐसी बहत सी बाते हैं। यह ग्राफर ग्राह हयमेन नेचर है। इसकी बीकनेस का लाभ चीज बेचने वाले लोग लेते हैं। ऐसा मेरा कहना है। इसलिए झाप सब से पहले अपने रेडियो और टी० बी० तथा पिक्चरों में ठीक दग से चलायें और वह देखें कि यह चीज प्रसारित करने लायक है या नहीं। में गांव के एक झादमी की बात करता हं। एक पिक्चर चल रही थी वह मादमी हर रोज पिक्चर देखने के लिए झाता था हमने पूछा कि तुम हर रोज पिक्चर देखने के लिए क्यों आते हो तो उसने कहा कि साहब एक सीन झाता है उस में झौरत जहाती है और कपड़े बदलती है ग्रीर बीच

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साहब एक सीन माता है उस में मौरत नहाती है और कपड़े बदलती है और बीच में ट्रेन झाती है। हम को साधवराब सिंधिया की ट्रेन का पूरा भरोसा है कि कभी न कभी लेट ट्रेन होगी, उस सीन को देखने के लिए उस पिक्चर में लेट होगी। चाहे कोई भी हो इस में हयुमेन वीकनेस को स्वीकार करना चाहिये और इस हिसाब से अगर देखा जाए तो जितनी चीजों में गवर्नमेंट इनवालव्ड है सब से पहले उनको रोकिये। उसके बाद जितने व रपोरे गन और बोर्ड हैं उनको प्राप रोटिये प्राइवेट सेक्टर में तो एडवारटाइजमेंट देने वाले झोपन हैं। झाप इनको कहिये कि इस विषय में भीरतों का उप-योग न करें। मैडम ने कहा कि पुरुषों का भी उपयोग हो लेकिन पुरुषों के उपयोग का सवाल ही नहीं है... (व्यवधान)

श्रीमती रेणुका चौधरो : क्यों नहीं (व्यवधान)

्भी शंकर सिंह वाधे हाः कई स्टल् हीं नहीं है।

श्रीमती रेणुका चौधरी ं मैं झापसे पूछ रही हूं, झाप फरमाइये कि क्यों नहीं? (ब्धवधान)

श्वी शंकर सिंह वाग्रेलाः देखिए जितने पार्ट ग्रौरतों के पास पब्लिक की बंजम्पशन के लिए होते हैं उतने पुरुषों में नहीं होते हैं। (ब्यवधान)

श्रीमती रेणुकः चौंधरी : आप सम-झते होंगे कि आपको देखने से हम को पुरुषों से नफरत नहीं होती है, मगर हम को होती है।

श्वी शंकर किष्ठ वाघेका : आपको होता है तो ग्रच्छा है मगर जितने भी पुरुष है जैसे वीत झाई० पी० बनियान का एडवर-'टाइजमेंट होता है वह बंद करवा देना चाहिए। 'लेकिन अगर सब को स्वी हो या पुरुष हो इस हिसाब से लिया जाए कि देखने वाला फैमली के साथ भी देख सके ग्रपने बुटुग्ब के साथ देख सके चाहे कोई विझपित जो, चाहे टी० वी० में हो चाहे रेडियो प्रसारण में हो। पिक्चरों में भी ऐसे डायसाग होते

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आप गांट कैसे करते हैं ? इनम दो अयं निकलते है, जो भी आप समझ लोजिये। तो फैसिलो के साथ आप पिक्चर या दिशप्ति या यह जो भी बाहर देख सके, इतना वःन्ट्रोन करेंने, तो पूरा देग आपका आभारी होगा और उन बहिनों की मजबूरी से जिनको यह करना पड़ता है, इसमें गवर्नमेंट और हनारे महिलाओं के जो संगठन काम करते हैं, वह जाय, उनको प्रार्थना कर तो मैं समझता हूं कि ऐसी बहिनें जो आधिक मजबूरी से यह घंघा करती हैं उसमें रोक आयेगी और आप इनको अच्छे रास्ते पर ला सकते है।

यह जो चीजें हैं, वह अमीरी सें है। गरीबी से फैशन नहीं ग्राला है, माडल गरीबी से कहां बनते हैं ? तो ब्रमीर लोग जो पैसो के पीछे भभका मार कर अपने उस आधुनिक और अमरीकन स्टाईल के घराने जो कहलाते हैं, उनके घर में यही फैशन चलता है, यही पोस्टर, पिक्चर होते हैं।

इनको भी आप कण्ट्रोल करके तथा ऐसे फंक्शांसन में हमारे भिनिस्टर जायें जिनमें अश्लीलता का भरपूर और खुलेआम प्रदर्शन होता है और उस नाईट क्लब में न जायें । कहां गये रेड्डो साहब वहां---कम से कम इस देश में तो न जायें ।

तो इतना कथ्ट्रोल अगर किया जाये सरकार द्वारा, खुद और वाकी अर्गिनाइजेशंस द्वारा, तो भी जो इसमें से निकलना है, वह निकलेगा, ऐसा मुझे भरोसा है और मैं मंत्री जी और जब महिला मंत्री जी और शिष्ट मंत्री जी ने जब यहां यह रखा है, तो मैं प्रार्थना करूंगा कि आप पर्सनल इट्रेस्ट लेकर जितनी अपेक्षा इस हाऊस से आपको है, मैं सब से अपील करूंगा कि इस बात में आपको पूरा सपोर्ट और अनकंडीशनल सपोर्ट करे ताकि इससे बहिनों का कल्याण हो ।

धन्यवाद।

SHRI PAWAN KUMAR BANSAL (Punjab); Madam Vice-Chairman, I rise to support this Bill. In my opinion this is yet another instance of the Gov.

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earnest desire ernments and strong, determination to firmly restore to women their due place in society, their place as equal parthers in every sphere of life. Madam attitudes make a nation. In the past, our attitude towards women was one of contempt and neglect. They were treated as, mere chattels and as objects of pleasure for men and not as human beings. They had no freedom to develop their talents, capabilities and capacities to the fullest in the interest of the country and the our founding fathers However, society. accorded full equality to women and the of every successive endeavour congress Government after independence has been to ensure that no section of the society, particularly women, sbould feel neglected or forgotten. Recently the Government has brought about quite a few pieces of legislation to improve the status of women and to put an end to the atrocities and crome against them.

The object with which the present Bill has been introduced is indeed very laudable. Of late, there has been an increasing tendency amongst the producers of consumer goods to give out advertisements which are lascivious, which arouse libido and appeal to the prurient interests. Madam today big hoardings stare at .us on important crossings and newspapers and journals devote a good part of their space to advertisements for various consumer goods with ideneent and derogatory blow-ups of women. In the products, they process of promoting their corrupt minds and injure public morality. Our advertisers seem to have misinterpreted Keats's saying "A thing of beauty is a joy for ever".

While, in my humble opinion, the present legislation will serve a very salutary purpose, I have a genuine feeling that the scheming and unbeatable brains may still devise means to go ahead with their nefarious designs of indecent representation or references to women for personal gains with impunity. For instance, I will refer

243 *The Indecent* [RAJYA Representation of

Pawan Kumar Bansal]

to the definition of the word "advertisement" itself as given in clause

2(a) of the Bill. It, *inter alia*, says 'advertisement' shall include any visible representation made by means of any light, sound, smoke or gas. Though the word 'sound' has been included therein, it is qualified by the word 'visible' which would in my humble opinion, frustrate the very object with which the representation by sound that is the audio representation, has also been included therein. In my, view, this needs to be remedied. In various advertisements where women's sound is played, we hear something like, if I have the liberty to say, "Give your husband the best thing to sleep on". Well, in my humble -opinion, this word 'visible' should be deleted from the definition of the word 'advertisement'. And then there are advertisements which without really using any part of a woman's body or form are suggestive in saying, again with your permission, "There are only two types of bottoms-apple shaped and pear shaped." Thereafter, I refer to Clause 4(a) wherein there is an exception to the (i) instances where the provisions of this Bill would not apply; and towards the end we have an omnibus clause where after saying "...photographs which are used in the interests of science, literature, art or learning", it has been added, "...all other objects of general concern". I think the exception as such was guite exhaustive and the inclusion of the words "other objects of general concern" would give a handle to the unscrupulous to resort to this clause and continue with impunity, as I said earlier, with the advertisements which this Bill seeks to put an end to.

Then, understandably, this Bill does, not seek *to* cover films in respect of which the provisions of part II of the Cinematrograph Act, 1952 will be applicable. It is a common experience for all of us that films are the medium which, in fact, contribute tremendously in depriving the minds, particularly the Impressionable minds of the young. There are various provisions in the Cinematograph Act which give a mandate to the Censor Board to follow particular guidelines in the process of certifying films under various categories. But unfortunately a provision as strong as the one which . is sought to be included in the present Bill, is found missing in the Cinematograph Act. It is only the guidelines issued by the Central Government under Section 5(B) of the Cinematograph Act which, inter alia, in elude that the Board of Film Censors shall ensure that visuals or words depicting women in ignoble servility to man or glorifying such servility as a praiseworthy quality in women are not presented. This wag a very salutary inclusion in the guidelines. But unfortunately this continues to retain the status of a mere guideline. Therefore, it is the need of the hour that this provision or the one similar to Clause 3 of the present Bill is included in the Cinematograph Act also because only then it would be mandatory for the producers, exhibitor^ and also the censors to realise their duty and see that nothing is represented on the silver screen which is derogatory or denigrating to women in any form. And, in the absence of. that, it is common knowledge that the film industry continues to dole out the trash that We are having in the market today.

Finally, Madam, I would like to conclude by referring to the prevision concerning the power of entry and search as provided for in clause 5 of the Bill. With regard to clause 5, as it stands now, I find no fault. But again I have a doubt that the officer who is authorised to enter and search any place where, in his opinion, any violation of the provisions of the Act is being done may be ineffective sometimes because there is one thing missing here and that, in my opinion, is regarding the conduct of fashion shows. Well, strictly speaking fashion shows which violate the provisions of the Bill are prohibited. But I find that no such power is being given to the authorised officer to suspend the holding of any such show. The hon- .

curable Minister may kindly see to this and, in the future, if need be, an amendment to this effect may be brought forward. Thank you.

THE VICE-CHAIRMAN (SHRI-MATI KANAK MUKHERJEE): Now, Mr. Satya Prakash Malavia.

आ) तत्प प्रकाश मालवीय (उत्तर अदेश) : माननीय उपसभाध्यक्ष महोदया, यह जो विधेयक लाया गया है इसके कारणों में हमको जाना चाहिये कि आखिर इस विश्वेयक को लाने की आवश्यकता क्यों पडी। हमारा ग्राज जो समाज है वह बहत दुषित हो चुका है और मेरी **ग्रप**नी समझ यह है कि ग्राधनिकतम होने की या माडन होने की जो ललक है उसका एक विशेष कारण है और दुसरे समाज के कुछ लोग, चाहे वे साधन सम्पन्न हीं या साधन विहोन हों वे नारी को केवल भोग विलास की वस्त समझते हैं, जो कि उनकी बहत बड़ी भल है। नारों को भी समानता का हक होना चाहिये ग्रीर प्रत्येक प्रकार के हमारे देश में जो अधिकार हैं वे नारी को प्राप्त होने चाहियें। लेकिन यह दर्भाग्य का विषय है कि हमारे समाज में जो परुष हैं वे समझते हैं कि वे प्रथम स्थान पर हैं और उनका प्राथमिकता का स्थान होना चाहिये इसीलिये उनके मन में ललक होती है ग्रीर भोग-विलास की दष्टि से नारी को देखते हैं। यह जो जितने भी विज्ञापन हैं या लेख हैं या ग्रन्य प्रकार से नारी को भोग-विलास की वस्त करके प्रकट किया जाता है। मैं सब से अधिक दोषी केन्द्र सरकार को मानता हं ग्रीर केन्द्र सरकार के विभागों को मानता है, जिसकी यहां पर चर्चा भी हो गई। हमारा एक सेंसर बोई है। नियम यह है कि किसी प्रकार के जो अश्लील चित्र हैं या अश्लील फिल्में हैं उनको प्रदर्शन करने की सेंसर बोर्ड अनुमति नहीं देगा। लेकिन आज भी कितने सिनेमावरों में प्रदर्शन होता है और नारी को अश्लील रूप से प्रदर्णित किया जाता है। इससे जो नौजवान लोग हैं उनके मन में बामकता की भावना पैदा होती है। उसकी उत्पत्ति होती है सैक्स काइम के रूप में। सरकार को इस स्रोर

Women (Prohibition) 246 Bill, 1986—Passed

ध्यान देना चाहिये। जो सेंसर 1 ोई है इस प्रकार के चित्नों के प्रदर्शन ৰৱ को ही ग्रनमति दे जिसमें कि नारी को भोग-विलास की वस्तु के रूप में प्रदर्शित न किया गता हो । दूसरे आजकल दूर-दर्शन का जमाना चला है। केन्द्र सरकार की जो योजना है उसके ग्रांतर्गत जगह-जगह पर दूरदर्शन केन्द्र खोले ज। रहे हैं। सरकार की ओर से इसके लिए प्रयास किया जा रहा हैं कि गांव-गांव तक टैलीविजन सैटों को पहुंचावा जाए ताकि हमारे देश में या ग्रन्त-र्राष्ट्रीय स्तर पर जो घटनाएं घटित हो रही हैं उनकी सूचनाएं हमारे देश के लोगों को मिलें। यह एक अच्छा काम है। वे प्रशिक्षित हों, यह अच्छा काम है। लेकिन में मंत्री जी से इस बात का अन्रोध करना चाहता है कि इस ग्रोर भी ध्यान देना चाहिए कि दूरदर्शन पर किस प्रकार के ग्रश्लील चित्र प्रदर्शित होते हैं और एक ही कमरे में बैठकर जवान लडकी का बाप, जवान लडकी की मां और उस लडकी का भाई अश्लील चित्नों को देखने को मजबुर होते हैं। इस प्रकार के चित्र बहत झाते हैं जिनको देखने के पहले किसी कमीशन के ग्रागे रखा जाये तो में समझता हं कि दरदर्शन को उसकी अनमति नहीं दी जाएगी कि इस प्रकार के भद्दे चित्र प्रदर्शित कर सकें।

नाइट क्लबों की, जहां कैवरे डांस होते हैं, उनकी भी बड़ी चर्चा होती के जरिए और हमारे हें समाचारपतों समाज के जो साधन-सम्पन्न लोग है, धनी लोग हैं वे बहां जाकर उसमें शरीक होते हैं। मेरी सरकार से प्रार्थना है कि इस प्रकार के कैंबरे डांस का जो ल.इसेंस दिया है उसको विलकुल निरस्त कर देना चाहिए। इसको बिलकूल गैर-काननी बना देना चाहिए। कैंबरे बांस आखिर किसकी अनुमति से होता है ? उसके लिए कानून बना हुआ है, लेकिन लाइसेंस देकर कैंबरे डांस सरकार को प्रदर्शित होने देती है।

दिल्ली में कहीं पर चले जाइए बाजार में, सडक पर, वहां ब्लू फिल्म का प्रदर्शन

Women (Prohibition) 248 Bill, 1986—Passed

[श्री सत्य प्रकाश मालवीय]

होता हैं। ये जो चार चीजें हैं इनका क्यों प्रदर्शन हो रहा है ? इसका मतलब होता है कि जो भी कानून बनता है उसको सरकार भली प्रकार से, प्रभावकारी ढंग से कार्यान्वित नहों कर पती। ग्रगर सरकार अपने पहले बनाए हुए कानूनों को कार्यान्वित नहीं कर पाती तो जो नया कानून किताबों में लाया जा रहा है इसका बहुत प्रभावकारी ढंग से ग्रसर नहीं होने वाला है क्योंकि कानन की नजरों में धूल झोंक कर, पुलिस की नजरों में धूल झोंककर, अपराधी छुट जाता है। ग्राधिक अपराधी छूट जाते हैं, कल्ल करने वाले छूट जाते हैं ग्रौर ऐसे ग्रपराधी भी छट जायेगे । इस सम्बन्ध में ध्यान ग्राकर्षित करना चाहता हूं कि इस देश के जो मजिस्ट्रेट हैं, इस देश की जो पुलिस है और इस देश के जो ऐसे लोग है जिनके हाथ में इस वात की जिम्मेदारी दी गई है कि कानून का पालन करवाएं उनके अपने बीच में किस प्रकार के लोग भरती हो गए हैं। इस सिलसिले में म बताना चाहुंगा कि गजरात में भडीच एक जिला हैं। वहां 22 वर्षीय गन्ता बहन के साथ चार पुलिस वालों ने बलात्कार किया । गुन्ता बहन ने रपट लिखाई, रपट लिखी गई लेकिन उस मामले को दबाने का, छिपाने का प्रयास डिस्ट्रिक्ट मजिस्टेट. एस॰पी॰, सब-डिवीजनल मजिस्ट्रेट, डी-वाई० एस० पी० और ग्रन्थ छोटे-बड़े पुलिस अधिक रियों ने किया। उसके बाद सिविल लिबर्टीज युनियन के लोगों ने सर्वोच्च न्यायालय में प्रार्थनापत्र दिया और सर्वोच्च न्यायालय ने एक कमीशन नियुक्त किया। ग्रौर ठीक 15 दिन पहले सर्वोच्च न्यायालय द्वारा नियक्त किए गए कमीशन ने अपनी जो फाइंडिंग दी उसको मैं पढना चाहुंगा इसलिए कि ग्राप सही अधिकारियों को नियक्त करें तभी जो कानून आप बना रहे हैं उसका लाभ हो पाएगा इस देश की जनता को । कमीशन ने अपनी रिपोर्ट में कहा है —

"The report of the Commission shows how several critical arms of

the District administration of Baruch colluded shamefully in a bid to prevent a raped tribal woman for obtaining justice. It shows how-even the doctors forgot the ethics of their profession. It shows that the administration and police exist not to protect the poor and the downtrodden but to harass and suppress them."

इसलिए, मान्यवर, मैं ग्रापके जरिए यह निवेदन करना चाहता हू कि कानून ग्राप लाए हैं, ग्रच्छा कदम ग्रापने उठाया है, लेकिन ग्रापको यह भी देखना होगा कि इस कानून के जरिए सही माने में लोगों को सजा मिले ।

चित्रों के सम्बन्ध में ग्रापने लेकिन इस क्या कहा, TT ग्राप हैं कि वास्तविक रोक लगाने जा रहे रूप में जो नारो या महिलाएं भहे ढंग से अपने शरीर का प्रदर्शन करती te उसके सम्बन्ध में क्या कार्यवाही की जा रही है। ग्रापने स्वयं ग्रपने उद्देश्य में कहा है कि इस बारे में 293, 294 ग्रौर 295 प्रभावकारी ढंग से काम नहीं कर पाते, इसलिए कानून लाना पड़ा। इसलिए में चाहंगा कि धारा 293, 294 ग्रौर 295 को ग्राप स्टडी करें, ग्रीर जिस ग्रोर मैंने ध्यान ग्राकर्षित किया है, उस ग्रोर भी सरकार को विशेष कदम उठाने चाहिएं। में दो बातें विशेष-कर इस विधेयक के संबंध में कहना चाहता है, एक की ग्रोर तो बाबल रेडडी साहब ने ध्यान ग्रार्काषत कर ही दिया है। इस विधेयक में जो धारा "1" "5" ì à, संब-क्लाज इसके ग्रापने कहा है -

"Subject to such rules ag may be prescribed, any Gazetted Officer authorised by the State Govemment may, within the local limits of the area for which he is so authorised, enter and search."

मेरा यह ग्रापसे निवेदन है कि जहां त्र्याप राज्य-सरकार के किसी भी गजटेड श्रधिकारी को इस सिलसिले में प्राधिकृत करते हैं, उसमें ग्रापको एक संशोधन

Women (Prohibition) 250 Bill, 1986—Passed

कारेपेगा और कम से कम जो कानून आपने आज प्रस्तुत किया हैं, इसको प्रभावकारी ढंग से लागू करिए, तो हम समझेगे जो आपकी मंशा है, वह सफल हई है।

धन्यवाद ।

PROF. (MRS.) ASIMA CHATTERJEE (Nominated): Madam Vice-Chairperson, I thank you for giving me the opportunity to speak on this Bill. Madam, I welcome this Bill Obscene display and indecent representation of women through advertisements, in pubications, in paintings in the streets even through posters or in any other manner as is being done through Cinema and T.V. etc. must be, prohibited. Such display would provoke our younger generation which is not mature enough to understand what is good and what is bad.

A pretty large number of writings, pictures and gestures which are indecent on the score of the sexually explicit character would be considered as obscene in the sense of the likelihood of depriving and corrupting the minds of the audience or the readers. Madam, the House is fully aware that in many countries indecent representation of women and obscene posters involving women have been banned. Prurient appeal is an element of the obscenity, but the normal definition of 'indecent' merely refers to non-conformance with "accepted standards of mora-lity".

The problem of indecency is mainly to be to public outrage of tackled in regard indecency constituted by public displays and avertisements. It is necessary to use the mass media for stressing the ill-effects of indecent advertisements. Moral values may have different interpretations in different countries. But in India we know what is meant by moral values. If these values are found to be eroded and our women are insulted, whom we regard in India as "Mother", by

लाना चाहिए कि कम से कम इस सिलसिले में कोई भी ग्रधिकार पुलिस अधिकारो को न दिये जाय, चाहे वह किसी भी रेंक का हो। मेरा कहने का ग्राशय यह है कि कोई भी पुलिस अधिकारी, चाहे गजटेड ब्राफीसर भी है तो इस सिलसिले में खर्च करने का अधिकार आप उसे मत दीजिए । दूसरे, जिस झोर व⊨वल रेडडी साहब ने ध्यान आकर्षित किया है. है इसका जो नियम "8" है एक ओर तो ग्रापने कहा है पलिस को इस बात कः पुरा झधिकार है कि इस प्रकार के जो अपराधी होंगे, इस प्रकार के जो कानून भंग करेंगे उनको पूलिस हस्तक्षेप करेगी ग्रीर दसरी ग्रोर ग्रापने इसमें सजा का प्रावधान किया हैं जहां तक सजा का प्रावधान किया है ग्रगर मजिस्ट्रट किसी को दोषी समझेगा, उस पर जुर्माना भी होगा और अधिकतम पहले जर्म में दो वर्षं तक की सजा हो संकेगी, लेकिन दूसरी ग्रोर ग्रापने इसको काबिलेजमानत बना दिया है, बेलएबल बनादिया है। बेलएबल का मतलब हुआ। कि जो पुलिस अधिकारी पकडेग, उस पुलिस अधिकारो या पुलिस दरोगा या थाने का जो पुलिस अधिकारी है, उसको यह अधिकार होगा, वह कागज पर दस्तख्त करा लेगा ग्रीर पकडे गंग ग्रादमी को छोड देगता इसलिए मेरा ग्रापसे अनरोध है कि इस कानून में जो ग्रापने प्रावधान किया है बेलएवलों का, उमके स्वान पर "नान-बेलएवल" करिए। इससे घारा "8" का जो प्रावधान किया है, उसकी कोई झ वश्यकता नहीं रहेगी। के हिसाब से जो सी०भ्रार०पी०सी० जिस प्रकार के जर्म (होंगे, वे नान-बैलएबन होंगे । इसलिए मेरा झापसे ग्रनरोध है, इस ग्रोर **६7 न दें।** ग्रापकी जो भावना है कि इस प्रकार के अपरांध रोके जायें, इस प्रकार का जो अश्लील प्रदर्शन है, उसको रोका जावे और इस मिल मिले में जो-जो जर्म करें, उन्हें संख्त सजा मिले, यह तब तक संभव नहीं होन, जन तक कि अप्राप इसको नोन बेलएबल नहीं वन एगे।

इन्हीं कब्दों के साथ मैं पुनः झापसे झनुरोध कहंगा कि जिन भावनाओं को हमने व्यक्त किया है, उपका झाप सादर

[Prof. (Smt.) Asima Chatterjee]

indecent representation we must take stringent measure against this. And in this perspective, this legislation must be implemented.

Madam, Section 293 of the Indian Penal Code states that stringent measures should always be taken against those who sell, let to hire, distribute, exhibit or circulate to any person under the age of 20 years any such obscene object regarding women and that they should be punished on first conviction with imprisonment and a fine and in the event of a second or subsequent conviction more stringent measures should be taken.

Madam, you said in the morning that the Bill is excellent and it should be adopted. But how to implement this? What is the mechanism, what is the methodology that we shall adopt to implement this legislation effectively? That is an important point which we should think about. In this connection, I think, the State and the Centre must co-operate and constitute an intelligent branch, a cell where both men and women should work in co-operation and in collaboration to take proper action against indecent advertisements and to see that the image of the Indian women is not tarnished and efforts should be made to maintain their status in the society. And if we adopt this procedure, I think, this legislation could be effectively implemented.

With these words, I whole-heartedly support the Bill. Thank you.

[THE VICE-CHAIRMAN (Shri Pawan Kumar Bansal) IN THE CHAIE1]

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष, महोदय, ग्रशिष्ट (प्रतिषेध) विधेयक, 1986 स्वी रूपण का में स्वागत करता हं। इस विधेयक में विज्ञ)पनों के माध्यम से या प्रकाशन

Women (Prohibition) 2.52 Bill, 1986-Passed

लेख, रंगचित्र, ग्राकृतियों में या किसी ग्रन्य रीति से स्वियों के ग्रशिष्ट 105 रंग का प्रतिषेध करने ग्रौर उस के संबंधित या उसके ग्रानषंगिक दिषयों के लिये यह विधेयक लाया गया है।

नारी मात् शक्ति है और अपने यहां कहा गया है

"मात रूपेण संस्थिता।"

ग्राज नारी का मात रूप समाप्त होता जा रहा है ग्रीर उसंका दुहिता, कन्या या बहिन का रूप भी तिरोहित हो रहा है। बल्कि वह प्रेयसी ग्रौर भोग्या के रूप में चित्रित की जा रही है ग्रौर ऐसी परिस्थितियों में जो विकेता है वह ग्रपने कंज्युमर को, ग्रपने उपभोक्ता को ग्रपनी गडस को कंज्यम करने के लिये' अपनी वस्तू की बिक्री के लिये नारी के विभिन्न श्रंगों उपांगों का जिस भद्दे ढंग से, बाजारू ढंग से विज्ञापनों के माध्यम से साहित्य के माध्यम से या ग्रन्थ माध्यमों से प्रदर्शन करता है श्रौर सारे समाज में जो दुषित वातावरण फैलाता है वह चिन्तनीय है और गौचनीय है। और सारे समाज का उससे पतन हो रहा है।

जयशंकर प्रसाद ने लिखा है कि :

"तुम भूल गये पुरुषत्व मोह में कुछ सत्ता है नारी की,

समरसता है संबंध बनी ग्रधिकार ग्रौर ग्रधिकारी की।"

नारी के अधिकार और अधिकारों की ग्राज जितनी जरूरत है रक्षा करने की उतनी कभी नहीं थी। भारतीय संस्कृति में नारी पुज्य थी और नारी का अपमान ग्रनल है, ग्रवला ग्रखिल विश्व का बल है। उस नारी की जो हम ने पाण्चात्य सभ्यता की नकल की उसमें हम ने उसे बाजारू बना दिया ग्रौर ग्राज विजापनों में, आज लाइट लिटरेचर में जिस तरह की चीजें झा रही हैं वह नकल को प्रवत्ति वा द्योतन करने वाली हैं और उस से सताज की पीढी की पीढ़ी कटैंव में फंस र हो

है ग्रौर बुरी आदतें उस को लग रही है। अपने यहां गालीनता और ग्रण्लीलता दृष्टि की मानी गयी है। हमारे ग्रनेक माननीय वक्ताओं ने खजुराहो से लेकर सूर्य मंदिर तक का उद्धरण दिया। ग्रपने यहां तुलसी दास ने भी थुंगार का वर्णन किया है श्रौर कहा है कि कितना सात्विक श्रुंगार है।

> ''कंकन किकिन नुपूर धुनि-सु⁽न, कहत लखन सन राम हृदय गु⁽न मानहु मदन दुंदुम्भी कीना, मनसा विण्य विजयी कहं कीना।''

ग्रपने यहां श्रृंगार ऐसा हैकि म्रनुसे ग्रग्रज खुल कर उसकी बात कह सकता है।

ग्राज विज्ञापनों में, चाहे टेलिविजन के विज्ञापन हों, पत्र-पत्निकाओं में प्रकाशित होने वाले विज्ञापन हों, चाहे सिनेमा के हों, चाहे कोई भी माध्यम हों जिस रूप में नारी के ग्रंगों उपांगों को नैकेड कर के विकृत करके दिखाया जाता है उससे भारतीय नारी का अपमान होता है। यह विधेयक लाकर के हमारे नेता राजीव गांधी की सरकार ने एक क्रांति-कारी कदम उठाया है। मानव संसाधन विकास राज्य मंत्री महोदया को, जिन्होंने इसको इन्टरोड्यूस किया है सदन में धन्यवाद देना चाहता हूं। इस बिल के माध्यम से जो हमने कानूनी प्रावधान किये हैं उन कानूनी प्रावधानों में किसी तरह की छट नहीं दी जानी चाहिए। जो भी नारी के ग्रंगों-उपांगों का, उसके विभिन्न रूपों का विकृत प्रदर्शन करता है उसके साथ इतनी कड़ाई बरती जाए कि हिम्मत उसकी न हो। नारी इस देश में पूज्य रही है। यहां धर्म, ग्रर्थ, क(म यानी ईट, ड्रिंक एंड बी मेरी सारी दुनिया में चलता है। लेकिन ग्रर्थ, धर्म काम के साथ मोक्ष की कामना अपनी भारतीय संस्कृति में की गई है। यहां सन्तान उत्पत्ति इसलिए की जाती है क वह जब अगिन दांह करे सन्तान तो उससे मोक्ष की प्राप्ति हो। इतलिए हमारी जो भारतीन संस्कृति की ग्रदम्य इच्छा है यह सुरक्षित रहनी चाहिए । जब तक

ग्राधनिक जीवन में नारी को प्रदर्शन की वस्तु या सिनेमा के माध्यम से हमारी कामुक जुगुप्सा का माध्यम बनाया जायगा, ग्रयवा जो ग्रनेक नृत्य स्थल हैं या गीत ग्रौर संगीत के ग्रनेक ऐसे छन्द हैं जिनमें नारी के विंभन्न ग्रंगों-उपांगों का, उसके दृष्ट का ऐसा ग्रश्लील वर्णन किया जाता है जो हमें क्षण भर के लिए ग्राकर्षित करता है लेकिन पूरे-समाज ग्रीर पीढी को बहे नीचातिनीच काम करने के लिए विवश करता है। मुझे विश्वास है कि इस बिल के माध्यम से जिस बड़े उद्देश्य के साथ हम सदन में ग्राये हैं उस उद्देश्य की पूर्ति होगी झौर कार्यान्वयन करते समय कडाई के साथ ऐसे कानन बनाये जायेंगे कि किसी तरह की छूट चाई ग्रह्लील साहित्य प्रकाशित करने वाले हों, चाहे नारी को विज्ञापन के रूप में व्यवसाय करने वाले हों अथवा संगीत, नृत्य के माध्यम से नारी के शरीर को उद्यीपन के रूप में प्रयोग करने वाले हों तो (कसी को कोई छुट नहीं दी जायेगी। इन्हीं शब्दों के साथ इस विधेयक का मैं स्वागत करता हूं और दिल से समर्थन करता हूं।

श्वी धर्मखरुद्व प्रशास्त (जम्मू ग्रौर काश्मीर) : उपसभाध्यक्ष महोदय, यह विधेयक जो ग्राज हमारे सामने है इस का मैं समर्थन करता हूं क्यों क सारा सदन ही समर्थन कर रहा है । इसकी प्रावश्यकता, ग्रनिवायंता इतनी है कि हम चाहते थे यह जल्दी ग्राये, बड़ी देर से इसकी हमें चाह थी कि ऐसा विधेयक ग्राये ताकि जो नारी के ग्रंगों का जो प्रदर्शन हो रहा है चाहे वह सिनेमा के माध्यम से हो चाहे टी वी के माध्यम से चाहे विज्ञापनों के माध्यम से, वह बन्द हो । जो इसके कसूरवार हैं उनको दंड

मान्यवर, मैंने कभी कुछ दिन पहले बम्बई के ।सनेमा प्रोड्यूसरों से पूछा कि अध्तील धिज्ञापन जो आप छाप रहे हैं वे क्यों छाप रहे हैं । उन्होंने कहा कि अर्ध्लीलता का कोई मापदण्ड नहीं है । कहां तक अर्थ्लीलता का कानून हमारे सामने है वह मैं बताना चाहता हूं कि [क्रो धर्मचन्द्र प्रशान्त]

 नारी के दो भागों को ढक दिया जाए और बाकी उसका नगन्य रूप ग्रश्लील नहीं है। कानून हमें कोई सजा नहीं देता है। ग्रब जो यह कानून लाया गया है, इसमें हमें देखना यह है कि यह कितना मापदण्ड रखता है ग्रार कितनी ग्रश्लीलता को रोकला है। यह कानन जब कोर्ट में जाएगा तभी इन बातों का पता चलेगा। मैंने ग्रभी वामा पतिका जो दिल्ली से निकलती है उसको देखा है। उसमें उसके सम्पादक ने लिखा है कि पुरुष ही ऐसा कार्य करते हैं और सारा उत्तरदायित्व पुरुषों पर डाल दिया है। पुरुष ही स्वी को नग्न रूप में देखते हैं। परन्तु मैं यह महसूस करता हं कि इसमें लड़ कियां भी जो अपने आप को आधानक करती हैं वे भी इसके लिए दोषी हैं। जो वंषभूषा पहले पहनी जाती थी वह ग्राज नहीं पहनी जाती है। 40-50 साल पहले जो वेषभूषा थी उसके बारे में भी महात्मा गांधी ने कहा था-An Indian girl is a Juliet than half a dozen Romeos.

उस समय ग्रश्लीलता नहीं थी ग्रौर नग्नता का भौंडा प्रदर्शन भी नहीं होता था। यह ठीक है कि ग्राज जिस प्रकार से नारी देह का प्रदर्शन होता है वह बंद होना चा हए। इस दिशा में कानून का कहाई से इम्प्लीमेन्टेशन किया जाना चाहिए। स्रभी कुछ देर पहले एक माननीय सदस्य ने कहा कि लिंग की पूजा अल्लील है। लेकिन हमारो बहिन सदस्या ने कह कि लिंग के पुजा अप्रकोल नहीं है। उनका समर्थन करता हूं। लिंग की पूला ग्रग्लील नहीं है क्योंकि इसका जिक ऋग्वेद में आया है। ऋग्वेद में कहा गया है-या शिश्नं देवाः ऋतं न । ऋग्वेद काल में मुतिपूजा नहीं थी, लेकिन फिर भी लिंग की पूजा की जाती थी। लिंग का निर्माण तब हुआ जब हमारे देश गें मुर्तिपूजा नहीं थीं। एक पत्थर शिव के रूप में हमारे सामने आया । पत्थर को उठाकर उसकी पूजा नहीं की जाती है। पत्थर की बकायदा प्रतिण्ठा की जाती है और तब ही उसकी पूजा होती है। हमारे देश में ऋग्वेद की सभ्यता छ: हजंर दर्षपुरानी है । इसमें मंत्रों

को कम्पायल किया गया था। उस समय मूतिपूजा नहीं थी। अगर कोई यह कहे -क लिग की पूजा अझलील है तो यह अपनी अन्भिज्ञता प्रकट करना है । हमारी सभ्यता में नारी को बहत ऊंचा स्थान दिया गया है। हमारे यहां कहा गया है कि यव नार्यास्तु पूजयन्ते रमन्ते तव देवता। क्या उस देवीन। री को इस प्रकार से नग्न रूप से प्रदर्शित किया जाएगा ? हमारे यहां दुर्गा सप्तशती में कहा गया है--या देवी सर्वभूतेषु नारी रूपेण संस्पता नमस्तस्य नमस्तस्य नमो नमाः । नारियों के लिए हमारे यहां अनेक मंत्र हैं। नारी को देवी के रूप में पूजा गया है। लेकिन ग्राज जो विज्ञापन छपते हैं उन विज्ञापनों में नारी को विकृत रूप में प्रस्तूत किया जाता है। ग्रब हमारा ध्यान इस ग्रोर गया है, यह ग्रच्छी बात है। ग्राज ग्रगर हमारे सिनेमा को देखेंगे तो ग्रापको सही ।स्थात का पता चल जाएगा। इसलिए मैं माननीय मंत्री जी से कहंगा क वे इस कानून को सख्ती से इम्प्लीमेन्ट करे ग्रौर पूरे रूप में इसका पालन करें ताकि जो कसूरवार लोग हैं उनको सजा दी जा सके ग्रौर नारी को नग्न रूप में प्रदर्शित न किया जा सके ।

कमारीं सईदा खातुन (मध्य प्रदेश) : माननीय उपसभाध्यक्ष महोदय, मैं इस बिल का समर्थन करने के लिये खड़ी हई हं। क्योंकि यह नारी से ताल्लुक रखने वाला बिल है, इसलिये इसका समर्थन जरूर करूंगी पर उसमें जो खामियां हैं उन पर भी प्रकाश डालना चाहंगी । दुनिया बनाने वाले ने जब दूनिया का निर्माण करना चाहा तो ग्रादम के साथ होवा को भी पैदा करके स्त्री को जन्म दिया। जब कि बराबर का दर्जा देते हुए उसने नारी को जन्म । दया है, लेकिन आज नारी खद ग्रपने को ग्रश्लील करने जा रही है यही सब के कहने में आता है। क्योंकि पश्चिम देशों का हमारे देश के साथ जो कल्चर मिक्स हुग्रा है, ग्राप पहले जमाने का कल्चर देखिये, हमारे यहां पर्दा प्रथा थी, इसका मतलब यही था। यहाँ जुर्का प्रथा न सिर्फ मुसलमानों में था बल्कि हिन्दू घरानों में भी नारी ग्रपने बजर्गों के सामने ग्रपने जिस्म को

ढक कर रखती थी, उनके सामने घूंघट काढ़कर आती थी। हमारी कोई ग्रच्छी चीज, जो हमारी कीमती चीज होती है वह हमेशा पर्दे में रखी जाती है। हमारे पास ग्रगर कोई चीज कीमती रहेगी तो उसको हम बड़ी हिफाजत के साथ रखते हैं। तो नारी ने एक कीमती रूप में जन्म लिया ग्रौर उस नारी की हिफाजत करना श्रादमियों का फर्ज हो गया। श्रब बही नारी ग्राज ग्रश्लील प्रदर्शन में हमारे सामने ग्रा रही है। इसकी जिम्मेदारी ज्यावातार ग्रादमियों पर है। मैं एक शेर कहना चाहंगी:

ेंन किसी जिस्म की उरियानी न किसी दिल की मेहरबानी

ग्रगर यह श्रादमी होता ग्रादम की तरह ।

मतलब कि जिस तरीके से एक आदम तथा होवा थे उसी तरह से ग्रगर ग्रादमी भी हो जाय तो हो सकता है कि हम लोगों को किसी बिल की भी जरूरत न. पडें। एक ग्रौरत जो है इसी रूप में, हर जन्म में उसने ग्रपना मकाम खद बनाया है, महारानी झांसी के रूप में, चांद बीबी के रूप में पैक्ष होकर, होवा के रूप में पैदा होकर। इसके बाद जिस तरीके से गांधी जी ने अपना बलिदान दिया था, अपनी कुर्बानी दी थी इसमें भी औरतों ने हिस्सा लिया और ग्रभी इंदिरा जी की कुर्बानी सब के सामने है जिसने श्रीरतों को ऊंचा उठा दिया है। स्राज ग्रौरत किसी भी फील्ड में, किसी भी क्षेत्र में पीछे नहीं है। उसको पीछे ढकेलने वाले हम लोग हैं।मैं इस बिल के समर्थन में जरूर खड़ी हुई हूं लेकिन ये जो ग्रौरतें भ्रपने जिस्म का प्रदर्शन करती हैं, भ्रपने को पापुलर बनाने के लिये, उनको भी उतनी ही सजा मिलनी चाहिए । इसके प्रदर्शन में ग्रादमी जितना दोषी है वह श्रौरत भी उतना ही दोषी है। तालियां दोनों हाथों से बजती हैं। इसलिये मैं कहना चाहती हूं कि इस बिल में कुछ अमेंडमेन्ट किये जाये क्योंकि जब कोई श्रौरत ग्रपने जिस्म का प्रदर्शन करने के लिये सब के सामने आती है तो उसकों भी उतनी ही सजा मिलनी चाहिए,

उसको भी सबक मिलना चाहिए ताकि श्रागे के लिये जो **झौरतें ध**पने जिस्म का प्रदेशन करना चाहती हैं उसको सबक मिल सके, यही मैं चाहती हूं और मैं इस बिल का स्वागत करती है श्रौर इसको पेश करने के लिये मैं मंत्री जी को बहुत मुबारकबाद देती हूं। वे बहुत ही ग्रच्छा बिल लायी हैं। किसी भी बिल को बनने से यह होता है कि एक दम तो बुराइथां दूर नहीं हो सकती है लेकिन उसमें कुछ न कुछ कमी जरूर हो जाती है। डावरी, सीता बिल पास हए। इसके पहले भी जो बिल पास हए, ग्रौरतों की हिंफाजत के लिये, तो बिल पास होने से ऐसा तो नहीं हो सकता कि उसमें एक दम रोक लग जाय लेकिन ग्रगर दोषी लोगों को पनिशमेंट मिलता जायेगा, तो ग्रागे चलकर जो उस का एम है, जो उद्देश्य है, जिसको ध्यान में रखकर उसे पास किया है, वह पूरा होगा ग्रौर उससे हमारा मकसद हल हो जायेगा। इतना ही कहकर मैं आपको धन्यवाद देती हूं।

श्री सूरज प्रसाद (बिहार) : महोदय, यह ग्राशिष्ट स्ती रुपण विधेयक जो है इसका मैं स्वागत करता हूं। लेकिन इस को सही रूप में इस देश के ग्रंदर ग्रनु-पालन होगा, इस पर हमें बहुत संदेह है । ग्रभी देश के ग्रंदर काफी वर्षों से म्राधनिकता की म्रांधी बहाई जा रही है जब से यह नयी सरकार बनी है राजीव गांधी के नेतृत्व में तो आधुनिकता की ग्रांधी को श्रौर बेल देने की कोशिश की गई है। जाहिर है कि ग्रब देश की ग्राधुनिकता की ग्रांधी जिसे कुछ लोगों ने यह कहा कि यह उपभोगता संस्कृति की ग्रांधी है, कुछ लोगों ने यह कहा है कि यह विलासिता को आंधी है लेकिन यह है क्या? यह देश के अन्दर पूंजीवादी विकास की स्रांधी है स्रौर जब देश में पंजीवादी विकास की ग्रांधी कांग्रेस की हकुमत के द्वारा खास कर के राजीव गांधी की नयी सरकार के द्वारा प्रोत्साहित करने की कोशिश की जा रही है तो जाहिर है कि देश के कुछ पूराने मुल्य हैं वे ब्वस्त होंगे श्रौर कुछ नये मुल्य देश के अन्दर आएंगे। अश्लीलता का जो क्षेत

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श्री सूरज प्रसाद

Representation of

The Industrial

है वह काफी व्यापक है। कई लोगों इस के बारे ने में यह चर्चा की कि पुराने जमाने में भी अश्लीलता थी। लेकिन किस क्षेत्र में, वह क्षेत्र था साहित्य के क्षेत्र में अण्लीलता थी लेकिन उसे अश्लीलता नहीं माना गया है । ग्रश्लीलता धार्मिक क्षेत्र में भी यी जैसे कुछ लोगों ने शिव के लिंग की चर्चा की लेकिन महावीर के लिंग की भी चर्चा है, देश में दिगम्बर हैं देखने को लगता है ग्रश्लीलता है। सेक्स के क्षेत्र में अण्लीलता थी जैसे खजुराहो में, पुरी में बनारस के मन्दिरों में यह अश्लीलता देखने को मिलती है। मैं एक किताब पढ़ रहा था उसमें यह चित्रण है कि अश्लीलता इसलिए यहां प्रदर्शित की गई है कि लोगों को सेक्स की शिक्षा ग्रच्छी तरह से मिल सके इसलिए इस तरह का चित्रण हमारे इन धार्मिक स्थलों पर देखने को मिलता है। प्रश्न उठता है कि पुराने जमाने में तो यह अश्लीलता थी आज कौन अश्लीलता ला रहा है कौन जिम्मे-दार है, कौन उत्तरदायी है जाहिर है कि आज देश के अन्दर अश्लीलता का अगर कोई जिम्मेदार हैतो देश के अन्दर जो बड़े बड़े व्यापारी हैं देश के पूंजी-पति जो इस देश में है वे इस अझ्लीलता ग्रौर ग्रौरतों के अपमानसूचक चित्रण के लिए जिम्मेदार हैं। क्योंकि वे इसका इस्तेमाल करते हैं। देश में वे कुछ चीजें पैदा करते हैं उनकी उन चीजों को बेचना है अधिक से अधिक मुनाफा कमाना है, यह उनका उद्देश्य है। भारत का जो ढांचा है उसके पीछे ग्रगर कोई जबरदस्त मनोवुद्धि काम कर रही है तो वह मनोवृत्ति है मुनाफा कमाने की, अधिक से अधिक मुनाफा कमाना हिन्दुस्तान उदयोगपतियों और व्यापारियों का के मुख्य उद्देश्य है। इस उद्देश्य से वे स्तियों के नग्न चिन्न प्रदर्शित करते हैं ताकि मधिक से प्रधिक मुनाफा मिल सकें। औरतों का अश्लील चित्र, अपमानसूचक चित्र प्रदर्शित करते हैं उनकी खूबसूरती भौर सुन्दरता का वे इस्तेमाल करते हैं ताकि उन्हें अधिक से अधिक मुनाफा मिल सके। मैं सरकार से यह पूछना

(Amdt.) 'jBtll, 1986— 260 Bill, 1986—Passed

चाहता हूं कि क्या सरकार के बाज में यह ताकत है क्या इस मनोबुत्ति को यह जो मुनाफा कमाने की जो जबरदस्त प्रवृत्ति है उस पर रोक लगाना सम्भव है, अगर यह सम्भव नहीं है तो कानुन के पारित होने के बाद भी यह चीज देश के अन्दर प्रत्यक्ष या अप्रत्यक्ष रूप से यह चीज जारी रहेगी । हो सकता है कुछ कमी हो जाए लेकिन अप्रत्यक्ष ढंग से यह बात जारी रहेगी। साथ ही में सरकार से कहना चाहता हूं कि देश के अन्दर कुछ अश्लील साहित्य तैयार हो रहे हैं। कुछ धार्मिक नेता हैं देश में भगवान रजनीश की चर्चा देश विदेश में आज होती है । उन्होंने एक किताब · लिखी है जिसका नाम है' सम्भोग से समाधि तक' ग्रगर पूरी किताब का अध्ययन किया जाए तो उसमें अश्लीलता छोड़ कर कुछ नहीं है। मैं मन्त्री महोदया से यह पूछना चाहता हूं कि इस कानून के ग्रन्दर जो उन्होंने प्रावधान किया है उसमें किताब के प्रकाशन पर भी जिसमें इस तरह की बातें उन्होंने की है कोई प्रतिबन्ध लगाया जाएगा, क्योंकि यह कोई धार्मिक किताब नहीं है वह तो सेक्स पर ग्राधारित किताब है । मैं मंत्री महोदया से पूछना चाहता हूं कि कानून पारित हो जाने के बाद क्या सरकार के बाबू में यह ताकत होगी कि इस तरह की किताब को ग्राप बन्द कर देंगे और हम उस दिन के लिए इन्तजार करेंगे जब मंत्री महोदया इस बात को घोषणा करेंगी कि हम ने उस किताब को बन्द कर दिया है। दूसरी बात मैं यह कहना चाहता हूं कि वह यह है कि देश के ग्रन्दर पूंजीवाद में संस्कृति का ह्यास हो रहा है और दुनियां के पैमाने पर पंजीवाद में संस्कृति का छास और इस संस्कृति के दरम्यान में कोई स्वस्थ्य चीज चाहे हम इस देश के क्रन्दर प्रकट कर दें तो सम्भव है लेकिन तमाम चीजों की संस्कृति का आधार भी अर्थ है और देश का ग्राथिक तन्त्र जब भ्रष्टाचार पर आधारित है, अश्लीलता पर आधारित है, अशिष्टता पर आधारित है तो जाहिर है कि इस देश के अन्दर इसी तरह की चीजें पैदा होंगी, इसमें किोई शक की गंजाइश नहीं है। मैं झखबार पढ़ रहा

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था 'रविवार' । उसमें कुछ श्रौरतों के नग्न चित्र को प्रदर्शित किया गया है । एक श्रखबार- वाले ने इंटरव्यू में उन श्रौरतों से पूछा कि तुम लोग इस तरह की तस्वीरें ग्रखबारों में क्यों छपवाती हो, क्यों यह गन्दा काम करती हो सिनेमा में या कुछ श्रौरतें रात को केबरा डांस करती हैं ... (ब्यबधान)

े श्री प शुपति नाथ सुकुल (उत्तर प्रदेश) : कैबरा नहीं कैबरे डांस ।

श्वी सरज प्रसाद : जो केवरे डांस होता है उसमें क्योंकि तम लोग जाते हो मैं नाम नहीं जानता । क्योंकि उसमें एक्सपर्ट ग्राप ही हैं, मैं नाम ठीक से नहीं जानता । उसने यह कहा कि मुझे कोई काम नहीं मिलता, मैं इस काम में ग्रगर जाती हूं तो मुझे एक रात में वो सौ रुपये मिलते हैं श्रीर मुझे दूसरा कोई काम नहीं है। श्रीरतों की बेकारी भी इस देश के अन्दर है। औरतें अपने खराब चित्र, अण्लील चित्र प्रदर्शित करने के लिए मजबूर हो जाती हैं। अगर सही मायने में ग्राप चाहते हैं कि देश के **ग्रन्दर** इस तरह के ग्रण्लील चित्रों पर रोक लगे इन भग्न चित्रों पर रोक लगे तो ग्रापका जो महिला समाज इस देश के अन्दर है उसके काम की कुछ व्यवस्था करनी चाहिये। इस कानन को लागू करने की जिम्मेदारी दो तरह के लोगों पर की जाएगी। कचटरी पर और सरकार पर। हमारा अन्दाज यह है कि कचहरी झाज कल कानून की व्याख्या बहुत ही उदारवादी ढंग से कर रही है । ऐसी ग्रवस्था में यह कानन लागू हो जाएगा इस पर मुझे सन्देह है। दूसरी बात सरकार पर हैं। यह कानून देश के अन्दर केवल व्यक्ति पर ही नहीं बल्कि कारखानों पर फर्म्स पर भी लाग हो, फर्म के मालिक बड़े-बड़े उदयोगपति हैं उन्होंने जो कारखाने खोल रखे है उनके प्रति सरकार की उदारवादिता है उसके चलते मुझे सन्देह है कि यह कान्न प्रीतरह से लाग् होगा । फिर भी इस कानून का लक्ष्य अच्छा है, कुछ गुड़ ख।ए गुलगले से परहेज की बात कही गई है, पंजीवादी व्यवस्था में संस्कृति को कुछ बैइतर बनाने का प्रयास किया गया है, मैं इसका स्वागत करता हुं झौर मंत्री महोदया

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से यह अपेक्षा करता हूं कि वे इसे लागू करने की दिशा में सख्ती से कदम उठायेंगी ।

श्री राम चन्द्र विकल (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष जी, जो विधेयक सदन के सामने प्रस्तुत है मैं उसका समर्थन करने के लिए खड़ा हूं । इसमें कोई दो राय नहीं हैं, यह विधेयक निर्विवाद है जिसके ऊपर पक्ष स्रौर विपक्ष सब तरफ से इसका समधन किया गया है। साथ ही मैं तो यह कहना चाहता हं कि यह विधेयक कुछ देर से लाया गया है। कुछ और पहले आ जाता तो और अच्छा होता । जैसा कि माननीय सभी सदस्यों ने कहा है इसमें कोई महिला सदस्यों ने और पुरुषों में भी भेद नहीं रहा है। बहत सी बातें जो शरू में लगता था कि शायद महिलाएं पुरुषों को ही दोषी बताती रहेंगी और कुछ महिला सदस्यों ने अपने को भी दोषी बता दिया तथा सच्चाई के तौर पर इस पर स्राज विचार हस्रा है। जहां तक भारत की पूरानी सभ्यता ग्रोर संस्कृति का संबंध है उसमें तो स्त्री को सब से ज्यादा सम्मान देवी का रूप दे रखा है । हमारे सभी धर्म ग्रन्थों ने स्त्री की सर्वप्रथम मान्यता रखी है । कुछ यह सच्चाई हैं कि पुरानी सभ्यता का प्रभाव भारत पर तेजी से रहा है और उस पुरानी सभ्यता के कारण ही कुछ हमारे यहां पर बड़प्पन है। मैं बहुत तो नहीं जानता में सिनेमा भी कम से कम देखता है, तीन-चार बार जिन्दगी में देखे होंगे वे भी पूराने टाइम में लेकिन जहां तक सरकार का संबंध है ग्रौर जैसा कि सभी लोगों ने कहा है कि विधेयक माल पास करने से ही काम पुरा नहीं हो जाएगा ग्रीर न्यायपालिका पर छोडने से भी काम पूरा नहीं होगा । सरकार की नीति पर भी बहुत सी ऐसी बातें आती हैं । जैसे जो सेंसर बोर्ड है उस पर तो हमारा पूरा अधिकार है । उसमें न्यायपालिका में जाने की जरूरत क्या है । साथ ही जो गंदा साहित्य रेलवे स्टेशनों पर विकता है और खले तौर से बिकता है उस पर पाबंदी बडी आसानी से लग सकती है । रेलवे स्टेशनों पर उनको लाइसेंस नहीं दें । बहत सी जगहों पर तो सरकार सीधे ग्राती है ग्रीर The Indecent

इस विधेयक के बाद सरकार की जिम्मेदारी बहुत बढ़ जायेगी । जहां सरकारी तौर से यह अश्लील साहित्य, अण्लील पिक्चर्ज और विज्ञापन आदि होते रहते हैं उनके ऊपर तो पाबंदी लंग सकती है। बहत ही कोई काननी बात हो तो उसके लिए न्यायपालिका में जाना पड सकता है। फिर न्यायपालिका में तो ग्राप जानते हैं कि गरीब ग्रादमी तो जा नहीं पायेगा. वहां तो धनवान ही जाता है। हमारे यहां कानून की दुर्गति यह हो गई है कि जो होशियार बकील है वह समाज में भी आदर पाता है और फीस भी ज्यादा लेता है जो कि कातिल को भी छडा दे और अपराधी को भी छडा दे। तो अपराधी को छडाने वाला वकील जहां समाज में पैसा ज्यादा पायेगा वहां वह नाम भी? ज्यादा पायेगा । इससे अपराधो की कमी अदालतों से कम हो जाए ऐसी मझे बहत कम उम्मीद है। इसलिए मैं मंत्री जी से कहंगा कि आप कानन लाये हैं इसका समर्थन सब तरफ से हआ है महिला और पुरुष सदस्यों ने भी किया है। साथ ही महिला सदस्यों ने शुरू में कहा था कि पूरुष ही ऐसा है। लेकिन पुरुष तो महिला का आदर हर स्थान पर करता रहा है। टेन में चलेंगे तो हम महिला को जगह पहले देंगे, बस में चलेंगे तो महिला को जगह पहले देंगे । महिला चाहे बैठी रह जाए लेकिन पुरुष जो होगा वह स्टेशन पर उतरकर बच्चों के लिए पकौड़े लेकर आयेगा । पुरुष बहत सेवा भी करता है । ऐसी बात नहीं है कि पुरुष पश्चिमी सभ्यता में आ गया है । पश्चिमी सभ्यता वाले न करें तो न करें। पश्चिमी सभ्यता वाली हमारी बहनें भी तो उसी प्रकार की होती चली जा रही हैं। वे पुरुष को कुछ नहीं समझती हैं। पुरुष भी उसको कुछ नहीं समझता । लेकिन भारतीय सभ्यता के लोग हर स्थान पर महिला को आदर देते रहे हैं। घर में भी कहावत है कि जहां स्त्री दुखी होगी वहां नरक का वास है और वह घर वर्बीद हो जायेगा। इस डर की वजह से महिलाएं कूछ अपराध भी करती रहें तो वे नतमस्तक हो कर सहन भी करते रहते कि स्त्री को दुख नहीं देना चाहिए । हमारे यहां तो स्त्री के बारे में बडी मान्यता है। ग्राधुनिक युग में कुछ शंकाएं हो रही हों तो और बात है, मगर हमारी पुरानी सभ्यता तो स्त्री को प्रादर देने की है। यह जो नग्न चित्रों का इस तरह से गलत प्रदर्शन होने चला है, चाहे सिनेमा हो या टेलीविजन हो उन सब में इस कानन से पाबंदी लग सकेगी, ऐसी मैं आशा करता हं । लेकिन यह तभी से होगा जब सरकार के आदेश सख्ती से हों झौर उनका सख्ती से पालन भी हो। साथ ही हमारे झादेशों का जो पालन कराने वाली मशीनरी है वह भी निष्पक्ष होनी चाहिए । लेकिन कभी-कभी उसको भी अपराधी लोग प्रभावित कर लेते हैं। तो सारे समाज की तरफ हमको देखना पडेगा । द्वमारी सरकारी मशीनरी क्या है जो इसको कार्यान्वित करेगी, उसका रूप कैसा है ग्रीर वह तो कहीं ग्रयराधों को बढाने में सहायक नहीं है, यह सब हमें देखना पडेगा । हमारी न्यायपालिकाएं कैसी हैं, हमारे समाज के लोग कैसे हैं ? पर सबसे अधिक अगर इसकी कोई जरूरत पडेगी तो समाज की जरूरत है ।

उपसभाघ्यक्ष महोदय, कुछ पश्चिमी सभ्यता का ग्रसर लडके लडकियों के जब संबंध होने लगते हैं, देखने में आया । मेरे एक दोस्त के लड़के की मादी का मानला आया । वह अमरीका में पढ़ता था, उन दिनों । जब लडकियों की बहत मांगे आयीं तो अमरीका से आये, शादी का निकाला गया झौर फिर एकः रजिस्टर लम्बा सा बनायां गया, जिसमें लिखा गया लडकियों का कद, रूप कैसा है, उसका फोटो कैसा है, डांस करने वाली है या नहीं। तो डांस करने वाली लडकी को शादी-व्याह में प्राथमिकता दी जाने लगे तो डांस, जैसी अभी यहां आलोचना भी हई, वह बात होगी । इस सवाल को भी हमें देखना पडेगा कि पश्चिमी सभ्यता के दास होकर के ज्यादा हम भ्रापने समाज में ऐसी बातों को पनपने न देनें, चाहे शादी का मौका हो या विवाह का मौका हो या जन्मोत्सव का मौका हो ।

इन बातों के साथ में इस विधेयक का समर्थन करता हं ग्रीर साथ ही

उन सभी सदस्यों, ने जिन्होंने इसका तेत समर्थन किया ग्राभार व्यक्त उनका करता हं । हमारी शुरू में जो कनक मखर्जी जी ने बडे भावपुण वेदनाओं से शंका भी इस विधेयक में व्यक्त र्की मैं जानता हू के चें महिलाम्रो बारे उनका कितना ग्रादर है उनकी भाव-नाम्रों पर हमारी भी सरकार ग्रीर मंत्री महोदया को ध्यान देना चाहिए और जो हमारे ग्रीर माननीय सदस्यो सदस्याम्रों ने जो विचार व्यक्त किए हैं. ग्रपने दिल खोल बातें कहीं ē, मार उन पर भी व्यान देना ৰাদ্বিচ यहाँ तो पुराने देवताओं को भी नहीं वक्शा है माननीय सदस्यों ने. (समय की घंटी)...तो मैं इन के साथ बातों इस विधेयक का समधेन

SHRIMATI ELA RAMESH BHATT (Nominated): Sir, I do not know why I have always been the last speaker.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): That is how it would always be. It is party-wise. It comes at the end unless all these people concede to you the right to speak earlier.

SHRIMATI' ELA RAMESH BHATT: Because I do not have a label, have I to be last?

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): To conclude something is very good. You have got that opportunity. (*Interruptions*)

SHRI GHULAM RASOOL MATTO: It has a« advantage. Because she happens to be the last speaker and the Minister has to reply after her, the Minister really reacts to her suggestions. (*.Interruptions*)

SHRI M. M. JACOB (Kerala): The first and the last speakers are ladies.

SHRIMATI ELA RAMESH BHATT; Sir., I welcome this Bill. It is indeed a unique Bill. It may perhaps be the first of its kind all over the countries of the world.

It is a bit embarassing also. How will the outside world view our so ciety? It is a law, and the title of which is 'Indecent' Representation, of Women. I feel a bit embarassing. But that is a reality. So, let us be honest.

First of all, I would like to mention that what I am going to say is not just my personal opinion but it also reflects the thinking of various women's organteations and concerned women who have very seriously studied this whole issue and who have also debated this propsed Bill.

I would like to begin very briefly by giving our general observations about the portrayal of women in our media. In the present-day world, ' media is really omnipresent. It affects the minds of young and old, men and women and even children all the time. It influences our thinking. It influences our decisions and forms public opinion and creates sometimes an ideology. The influence of the media is like that of environmental pollution in a city. It poisons you, yet you cannot see it. AU media Sir, including advertisements most of the time have been portraying women negatively. They use women's bodies to sell their products and thus reduce women to objects for sale. This blatant commercial use of women, this indecent display is indeed deplorable. They use women in public to alure the sexual interest of men to sell their products - a very easy way to sell their products. With the increase of commercial advertising in this materialistic society, these companywalas look for an easy way to sell their products with complete disregard for the subject they are using, as if women are mindless, as if women have no soul, as if women have no feeling and they Use them

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Bhatt]

only for the sadistic gratification of men.

My next point is that by emphasising only the physical aspect of women[^] they reduce women to just attractive bodies or faces and de-emphasise and actually negate women's intelligence, competence and skills. By showing women in stereotype roles of mother, houeewive and wife only, they show women as unequal to men. They treat women as lesser beings capable only of certain limited Jobs and If any other community had been roles. portrayed so negatively and insultingly, people would have been up in arms, but when it comes to women even progressive newspapers and magazines do not shy away fordemeaning women purely for the sake of profit. Unfortunately, the record of Government media is no better. Hoards of radio and TV advertisements and journals distort and abuse and insult women. Let us Pick up any issue of Indian Airlines official magazine, SWAGAT, to see advertisements which insult women on every page. I strongly believe that such negative portrayal re-emphasises the lower position of women in our society. It introduces negative attitude towards women. If you reduce a person to .a commodity, what else would happen? It is easy to insult or pinch or harass or even bush that commodity which is woman. Such women's development portrayal affects and it even influences women's own perception of themselves. It perhaps is reflection on our double standards of moralty that it is only now that We have thought of a Bill to prohibit indecent portrayal of women. I do appreciate the initiative taken by the Government to introduce the present BUI. It is a very good beginning.

Now, let me say a few words on the scope of the Bill. The scope of the Bill needs to be enlarged. In its present form it is quite limited. We

Women (Prohibition) 268 Bill, 1986–Passed should include the points that I will mention very briefly. The scope of the Bill, as mentioned by the hon Minister, is to cover not only advertisements. but also other publications and also, as the hon. Minister said, that the thrust is beyond obscenity. Therefore, I propose that the scope of the Bill should be further enlarged to specifically include shows, plays, slide shows, video filing or a combination of them. They are not covered in the present Bill, as I understand. Nor are they covered by the Cinematograph Act.

Let me say that most States do not have guidelines to cover the performances of public shows, stage plays and their scripts. Most plays also do not have licensing Boards. Our own experience in our State hag been that we had to file a civil application in the High Court of Gujarat to appeal that the terms of reference of the Licensing Board may be widened to include the dignity of women. So, a Central Act like this would, be more useful and would certainly be useful in assuring the dignity of women and her statug ag an equal' of man. In widening the scope suitably amendments in Section 3 and in the definition in Section 2 have been made. Also a fresh section may have to be included. In support of these amendments my submission is that the word 'indecent representation' should be understood in a broader way. Public display of the women's body is the m«st blatant kind of indecency. But it is also insulting to show women as decorated dolls and mindless creatures. It is indecent to reduce women to just an attractive body or an attractive face alone. it is also demeaning and, I think, indecent to show women only as a house-wife, mother, secretary, air hostess, etc. It is against the dignity and against the concept of equality between women and men to constantly show her as servant to me* or subordinate to men. Such portrayal is equally insidious and dan-

gerous also. In reality our women are in every profession. They are working as farmers, workers, engineers, doctors, pilots, politicians, etc. So this should be reflected in all the forume of our media.

The clause exempting women for religious purposes also needs to be cautiously framed, because just by calling something religious, perhaps, you can get away with murder. There are enough examples in calendars. Even children books where scantly dressed female figures are called *devis* are used. Sir, our Constitution also guarantees a status for women. It is equal to that of men. Our founding fathers gave her a position of dignity and respect and ag a free and equal citizen of India. But instead of upgrading this status and dignity of women they are being Steadily eroded and publicly eroded.

Sir, I strongly appeal to the hon. Minister and to the Government to enlarge the focus of this Bill so that this good opportunity is not lost. Sir, indecency is objectionable. However, indignity and inequality to women are all the more objectionable as they perpetuate lower status of women in our society.

Sir, it is high time we in the Par liament should show not just in writing, but in action, as to how much we respect our women and have our concern for their develop ment The Bill is a test of our sin know how cerity. Let me far our Government is ready to curb the rising power of the commercial com nanies in this materialistic society. and how far the Government is ready to curb the growing negative power because of the media in our country. The Bill is another test of our sin cerity.

I support the Bill and appeal to the Government to widen the scope of this Bill. Thank you!

Women (Prohibition) 370 Bill, 1986—Passed

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): Mr P. N. Sukul. Only two minutes.

SHRI P. N. SUKUL: Mr Vice-Chairman, Sir, I am really very thankful to you for giving me a few minute's to speak on this Bill.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): Only two minutes. Not a few minutes.

SHRI p. N. SUKUL; Sir, it is no doubt a very important piece of legislation and it is in the right direction as all our hon. Members have said. But you see, we must take a practical view of things. My predecessor was" referring to media. Today, there are two kinds of media, our own media and international media. Now, it is tending to be a small world. You see in Trivandrum wherein radio to available, if you don't give film songs, people will tune to radio Sri Lanka. In Amritsar they can see the T.V. from Pakistan. So the international media is equally important now. We are getting journals from foreign countries also. So in your own country, perhaps, you can put a ban on such things, that is, indecency. Well, to my mind, even vulgarity or indecency lies as much in the person who views the thing of the beauty. According to Zimmerman beauty lies in the eves of the beholder and not in the holder. Similarly, vulgarity also lies in the eyes of the beholder and not always in the holder. So it is a very delicate ground that we are, in fact, treading. We have to be very, very practical. For example, modelling has already become a profession. They are in modelling. They are earning money. It is a regular profession. Now, what alternative jobs you are going to provide to them? You must be in a position to provide alternative jobs. (Inter-ruptions)'

As (regards indecency, gome-body was quoting Rajneesh from

[Shri P. N. Sukul]

that side. According to Rajneesh any man, who, sees a woman in his wife, sees a woman in another woman, So long as you seen your wife as a woman, you will view any other woman as a woman. So, the whole psychology has to be changed and that cannot be changed in isolation, in your own country. You are not open to your own media but you are exposed to media of other countries, international media. So, there has to be an international understanding on this subject and well, we will have to proceed on these lines. Otherwise, simply making an enactment or a piece of legislation in your own country, that may not be sufficient, This is, what I wanted to assert. That much alone is not going to serve the purpose. It will be a half-hearted effort and then there will be a lot of controversy on what is decent and what is not decent; on what is vulgar and what is not vulgar. So, all of us have to exercise our minds. Let us take into consideration the practical aspect. You see, if you see a good face of a girl what is wrong with it? In BLITZ Weekly, on the last page. there is a photograph of a pin-up girl. For the last so many decades, it has been there and I remember, 15 or 20 years back, they published it and since they started publishing that pin-up picture on the last page, of course, their circulation has escalated. So, I want to say that hon'ble Minister should also take into consideration the fact that the inernational media is also available to us, to our children and our men and women and alternative jobs will have to be provided to all those who are having modelling as their profession. Only then, we will be able to do proper justice to the subject and to all concerned. With these words, I support the Bill.

SHRIMATI JAYANTHI NATARAJAN: Mr. Vice-Chairman, Sir, through you, I would appeal to the

Rajya Sabha Secretariat to add at least Shri or Shrimati because they totally leave women out of the form for questions. There is only Shri. We • are invisible there.

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THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): But Shrimati is added there in questions.

SHRIMATI JAYANTHI NATARAJAN; No, it is not there. In forms for questions, it is only Shri.

SHRIMATI MARGARET ALVA: Mr. Vice-Chairman, Sir, 19 hon. Members participated in the discussion and I am grateful to all of thera for their interest through some of them have left already and I do not think there is very much for me to reply to because everybody has sup-ported the Bill and has said that it is timely, it was needed and been welcomed. has Sir. one question. I think, which has been common with everybody is the question of implementation. Some people said that the BUI has been brought in as a kind of gimmick on the eve of election. Somebody said, it is a way of gaining leverages. I can assure the Members that this has nothing to do with the elections or with anything else. "We represent 50 per cent of th© population of this country and it wag felt that the status and the image of the Indian woman somehow had been projected in various ways and this was becoming more and more of a problem and many of us, in various walks of life have demanding that some corrective been measures were needed and I do ralise and do accept what the hon'ble Member said I that just passing laws does not solve the But I think when you have problem. something with which you can act, the first step has been taken. It' is true that sometimes, legislation comes before, perhaps even the public is prepared for it. Specially for social legislation a particular trend has to be set. Sometimes social legislation comes in response to a public de-

mand. In this case, I can assure you that there has been a repeated demand from not only women's organisations but also from many, many other organisations, groups and thinking individuals that something was needed along these lines.

Various suggestions have been made about some. word which could have been included something more which could or have been added Or something which could have been put better. Well, as Ela Bhattji said, this is probably the first ever attempt at a Bill like this anywhere in the world. I do accept the fact that there is scope for improvement. It is like chiselling a carving; you improve with every effort that you put into it. And we are prepared, as "We go along, maybe with the experience over the next two or three years, to see where and how the Bill can be improved.

Sir, there are two or three points which I want to make. One is about protection. We have very cautious to see that not anybody been] and everybody is subjected to search. Particularly at the local level, very often in the name of maintaining law, innocent people can be harassed. Just because of certain other reasons, people can go and seize and create problems for others. We have, therefore, first of all required that before you place, a search warrant is can enter the absolutely necessary. The second thing is that we have' provided that the search would take place only during reasonable hours and that any seixure, made by the local officer would be reported to the nearest magistrate within the shortest possible time so that there is no question of personal vendetta at any stage.

We have also made it cognizable but bailable. It is for this reason that where there has been, maybe, some mistake or someone has just been picked up without suffeinet grounds, the person has a right to be

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bailed out and to defend himself because his fundamental rights are also something to be protected.

As far as punishment is concerned, for the first offender, we have given a chance because, as has been said, he may not know or he may have been misled. So there is no minimum punishment prescribed for the first .offence. There is a maximum punishment of two years and fine of up to Rs. 2,000 for the first offence. Where it is repeated—this could happen because there is big money involved in film posters, in various hoardings and other things-for the second offence, we have prescribed a minimum sentence of six months up to a maximum of five years and a minimum fine of Rs. 10,000 which may go upto Rs. one lakh, depending, of course, on who it is.

The other point which I want to mention is that we have provided for certain exemptions under the Act. And this point has been made. We have provided for exemptions, for instance, to material dealing with art, literature, science and so on which would require certain visual representations perhaps; also bona fide religious material. ancient monuments, archaeological sites and so on; and also films requiring certification under the Indian Cinematograph Act. A lot has been said about this Act itself, the censorship question, the Board and the criteria. I am one with you and I do realise that very often what is put out on TV even in "Chitrahaar" cannot be objected to because they are extracts from films which have been cleared by the Censor Board and, therefore, cannot be objected to under the existing code. As you know, the Censor Board is now being transferred to the Department of Culture from the Department of Information and Broadcasting. It will now be part of the Ministry of Human Resource Development. I cannot, on behalf of them, give an assurance, but I can certainly say that we

I Shrimati Margret Alva] are all concerned and perhaps we will be reviewing and seeing how some of the, shall I say, efforts made under this Act to improve the status *And* the projection of Indian women could gradually be translated also into the relevant other provisions under other Departments.

SHRI P. N. SUKUL: What about magazines from other countries?

SHRIMATI MARGARET ALVA: If they are for public distribution, then the right of seizure is there. That we have provided for. The other important thing is the special provision. Somebody said that the small man will get caught, the others will get away. We have made a special provision for the companies. ALL those involved with the publication, with the production, the companies and even the directors and others, would toe covered and would be responsible and the question of negligence and so on and so forth would be no reason why they would be let off. We have made special provisions for this. I think this will guarantee that tHe people at the top will not go scotfree saying that they did not know about it or that they were not responsible. About the offence itself, definitions have been discussed and I don't think there is very much need for me to detail them because there has been allround support to these. I can only say that as far as the provisions in the IPC are concerned, they exist. As I said at the beginning, we felt that something more and beyond just indecency or vulgarity was called for and, therefore, I think all our women who spoke so well, have brought out the fact that this image of the Indian women, the Way it is being denigrated, literally reduced to objects of sale or selling commodities, b^e ing equaled to fridges and other consumable items, is something which we have got to fight back. This is why we feel with this added support to the women's cause in this country and with support from all sections, irrespective of parties, age groups or the regions from which they have come, everyone has supported the Bill, we will be able to implement these provisions. I am grateful for this support and I believe that this piece of legislation will be welcomed by everybody outside as well and would mark a very important step forward in the country's effort at improving the status of the woman, give her a new projection in the media as an equal citizen.

Only Mr. Sukul had a couple of points. We are not banning modelling, we are not banning beautiful faces, we are not banning things of beauty or things of joy. We are only trying to say that they need to be projected the way that they should foe projected. I can assure him that none of us want to bloat our models. We are only talking about presenting the model in a manner which will bring dignity not only to herself but to all women in this country. I am not talking about the standards in other countries or what they are doing. Perhaps if they see a lot more of what we have done, they will have something to follow which they do not have at the moment.

With these words I once again thank all those who have participated and I can assure the House that before long I shall call groups of women from all over the country representing particularly women's organisations, to see how some of the social legislations which we have passed over the last two sessions may foe more effectively implemented, because, I think, this social legislation requires a massive support from women and I wish to repeat and emphasise, from men as well. Today when the Bill started and I went out, some of my colleagues said, "Aaz to mahitaon ka din hai; aaz to aap boliyega". This is not the approach. It has been said before when social legislations came. This is a social question and, T think, as somebody said, men are as much responsible for the image of their da-

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ughters, of their wives, their mothers and the women of this country. Therefore, I don't look at it in isolation. We need support and if all of us work together, then we can hope to implement this in a much more meaningful way.

With these words I commend the Bill.

SHRI J. P. GOYAL (Uttar Pra-deish): What about the Film Censor Board?

SHRIMATI MARGARET ALVA: I said it, it does not come directly under me, but I can assure you that women are very active and are not going to let it go unaffected.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): The question is:

That the Bill to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL); We shall now take up the clause-by-clause consideration of the Bill.

Clause 2: Definitions

SHRIMATI ELA RAMESH BHATT: Sir, I move:

1. "That at page 1 line 12, after the words 'smoke or gas' the words 'any hoarding, poster or visual of any kind' fee inserted."

2. That at page 2, for lines 1 to 7 the following be substituted, namely:—

'(c) 'indecent representation of women' means any public depic-

tion for commercial gain in any manner of the figure of a women, her form or body or any part thereof or exhibition of the person of a woman or the description of a happening to a woman, either toy herself or in conjunction with males, in such a way as to have the effect of being Indecent or of being derogatory to her dignity as a human being or denigrating her status as an equal of man, or is likely to deprave, corrupt or injure the public morality or morals of any person or persons of any class or age group notwithstanding that persons in any other class or age group may not be similarly affected'."

3. "That at page 2, after line 11. the following be inserted, namely:-

(g) 'women' means a female of any age.

The questions wete put and the motions were negatived.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL); I shall now put clause 2 to vote.

The question is;

"That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 3—Prohibition of advertisements containing indecent representation of women.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): We shall now take up Clause 3. There is one amendment by Shrimati Ela Bhatt.

SHRIMATI ELA RAMESH BHATT: Sir, I beg to move:

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4. "That at page 2, for lines 12 to 14, the following be substituted, namely: —

No person shall publish or cause to be published or present or cause to be presented Or describe or cause to be described in a public manner or arrange or take part in publication or exhibition or description of any advertisement or a show, or a play, or a slideshow or a videotape or a report, or a story or a coverage which contains indecent representation of women in any form."

The question was proposed.

SHRIMATI ELA KAMESH BHATT: Sir, if the honourable Ministtr agrees to think about it further, I would like to withdraw the amendment.

SHRIMATI MARGARET ALVA: AH right.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): Is it the pleasure of the House that leave be granted to the honourable Member to withdraw her amendment?

SOME HON. MEMBERS: Yes.

*The amendment No. 4 was, by leave, withdrawn.

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): Now, I shall put Clause 3 to vote.

The question is:

That Clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

For the text of amendment, vide col. supra.

Clause 4 to 10 were added to the Bill. Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRIMATI MARGARET ALVA Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE INDUSTRIAL, FINANCE COR-PORATION (AMENDMENT) BILL,1986—contd.

THE VICE-CHAIRMAN (SHRI-PAWAN KUMAR BANSAL): Now, we shall take up further consideration of the Industrial Finance Corporation (Amendment) Bill, 1986. Yes, Mr. Ashwani Kumar.

स्री अश्विनी कमार (बिहार) माननीय उपसभाष्यक्ष महोदय. सव से पहले मैं ग्रापके माध्यम से मंत्री जी का ग्रीर 耵 ध्यान इस ग्रोर सदन ग्राकषित करना चाहंगा कि यह बिल तडपन के साथ लाई है। सरकार कितनी

कि इसका एक उदाहरण यह पछल तीन सेशंस से यह शंट होता न्ना रहा ਡੈ ग्रौर केवल तीन चला सेशंस में शंट ही नहीं हो रहा **đ**, पिछले तीन दिनों में भी सब से ग्राखिर में इसका नम्बर पांच बजे के वाद लाया जाता है । यह कितना, महत्वपूर्ण विल है... (व्यवधान)

उपसभाध्यक्ष (श्री पवन कुमार बांसल) : सदन का जितना भी समय है, उसकी महत्ता एक बराबर है ।

श्री अशिवनी कुमार : नहीं, महत्ता जरुर है परन्तु कल यह विल डिसकस हुन्ना और म्राज दूसरा बिल पहले पास कर दिया गया । इसको बाद में ड्रिप दिया गया । यह मैं ग्रपने विचार रखना चाहता हं । सदन का सारा विषय