

WELFARE (SHRIMATI MOHSINA KIDWAI): Sir, I beg to lay on the Table.

I. A copy each (in English and Hindi) of the following papers:—

(i) Annual Account of the Post-Graduate Institute of Medical Education and Research, Chandigarh, for the year 1981-82, and the Audit Report thereon, together with Review by Government on the Accounts, under sub-section (4) of section 18 of the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966.

(ii) Statement giving reasons for the delay in laying the paper mentioned at (i) above.

[Placed in Library. See No. LT-6721/83 for (i) and (ii)]

II. A copy (in Hindi) of the Annual Report of the Indian Council of Medical Research, New Delhi, for the year 1979-80, together with a statement (in English and Hindi) thereon. [Placed in Library. See No. LT-6714/83].

श्री रामेश्वर सिंह (उत्तर प्रदेश):
उपसभापति महोदय, आप पहले मेरा व्यवस्था का प्रश्न ले लीजिये। मैंने आपको एक नोटिस दिया था कि...

MR. DEPUTY CHAIRMAN: Please do not record this thing. I have not allowed him. Please do not record him.

SHRI RAMESHWAR SINGH*

MR. DEPUTY CHAIRMAN: Please do not record him. We now take up the Calling Attention.

SHRI RAMESHWAR SINGH*

MR. DEPUTY CHAIRMAN: Please do not record him. Yes, Shri Jagannath-rao Joshi. (Interruptions). He is not there. All right, Dr. Bhai Mahavir.

SHRI RAMESHWAR SINGH*

MR. DEPUTY CHAIRMAN: I have not allowed you. Yes, Dr. Bhai Mahavir.

Calling Attention to a matter of urgency public importance reported increase in atrocities on women and frequent incidents of bride burning in various part of the country

डा० भाई महावीर (मध्य प्रदेश):
महोदय, मैं देश के भागों में महिलाओं पर होने वाले अत्याचारों में वृद्धि तथा बहुओं को जलाये जाने की प्रायः होने वाली घटनाओं के समाचार और इसके बारे में सरकार द्वारा उठाये गये कदमों की और गृह मंत्री का ध्यान दिला रहा हूँ।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. VENKATASUBBAIAH): Sir, Government views with great concern the incidents of atrocities on women and frequent incidents of bride burning and of dowry deaths and shares the feeling of the Hon'ble Members of Parliament about these incidents. It is the constant endeavour of Government to deal with such incidents promptly and effectively and bring to book the miscreants who indulge in such reprehensible and anti-social acts.

Government have already initiated action to plug the loopholes in the existing legislation dealing with dowry and rape cases in order to make them more effective and stringent. The Dowry Prohibition Act, 1961, as it exists, has not proved effective. The Dowry Prohibition (Amendment) Bill is presently pending before Parliament. The Joint Select Committee of Parliament constituted for this purpose have already gone into the matter thoroughly and submitted the report. The report is under the active consideration of the Government. The Criminal Law (Amendment) Bill 1980 as reported by the Joint Select Committee to make the law relating to rape more stringent will be considered in the current session of Parliament. A Bill for the amendment of the Indian Penal Code, the Code of Criminal Procedure, and the Indian Evidence Act, to deal with cases of cruelty to married women and

*Not recorded.

[Shri P. Venkatasubbaiah]

dowry deaths is proposed to be introduced in the Parliament during the current session. It is proposed to make an additional provision in the Indian Penal Code to punish the husband or the relative of the husband of the woman who subjects her to cruelty, with imprisonment for a term which may extend to three years and fine. Cruelty is being so defined as to include harassment on account of dowry. The offence will be cognisable and non-bailable. It is also proposed to amend the Evidence Act to permit the court to presume abetment of husband or relative of husband of the suicide of a woman in certain cases.

It is also proposed to provide for compulsory post-mortem and compulsory inquest in cases in which a woman commits suicide or dies under suspicious circumstances within 7 years of her marriage.

Whenever allegations of involvement of police in some of the incidents of atrocities against women are made, Government looks into them with all seriousness and takes immediate action. Since this matter falls within the purview of the State Governments, they have been advised that the complaints of alleged atrocities against women by police should be promptly looked into and enquiries conducted and the culprits brought to book in the shortest possible time to create a sense of confidence.

Notwithstanding the legislation on the subject and strict enforcement of the laws and rules, the requirements of the situation cannot entirely be met unless the necessary social awareness of these problems is created. Steps in this regard have also been initiated by Government. The State Governments and Union Territories, and Central Social Welfare Board and the State Social Welfare Boards have been requested to launch anti-dowry campaign to bring about attitudinal changes in the public mind against this evil. Sustained campaign against the dowry evil is also carried out through All India Radio and Television. I make a fervent appeal to the voluntary organisations, specially the women welfare organisations to mobilise

public opinion and enlist the cooperation of the people in the efforts of Government to eradicate this social evil.

Government is taking all possible measures to prevent atrocities against women and enable them to live not only with a sense of security but with dignity and honour.

डा० भाई महावीर : श्रीमन् मंत्री जी ने जो वक्तव्य दिया है उसमें उनकी चिंता और उनकी भावना के बारे में किसी को संदेह नहीं हो सकता। दुर्भाग्य की बात यह है कि सरकार की भावनाएं या तो प्रशासन तक पहुंचती नहीं या पहुंचने के बाद भी जिनके हाथ में कानून और व्यवस्था का संचालन है उनके ऊपर कोई असर नहीं करती। अगर करती, तो कम से कम आज जिस तरह से हमारी बहनों और बेटियों के ऊपर अत्याचार बढ़ते जा रहे हैं वे बढ़ते हुए दिखाई न देते। महोदय पिछली जून के सिर्फ आठ दिनों में अकेले दिल्ली के अंदर 16 मौतें दहेज के संबंध में हुईं। यह 16 की गिनती मैं सिर्फ कहने के लिए नहीं बता रहा हूं। अगर कुल गिनती जोड़ी जाये तो यह हजारों में हो रही है। लेकिन उस सारी गिनती को बताने से मैं नहीं समझता कि कोई बड़ा फायदा होगा। मेरी समझ में सबसे बड़ी चीज जो आज है वह यह है कि हमारे देश में हमारी बेटियों और बहनों के ऊपर किस तरीके का अत्याचार और अन्त्याचार हो रहा है। इस संबंध में सारे समाज में एक आपत्ति की भावना तो है, रोष का भाव तो है, लेकिन वह उसको कैसे रोकें इसके बारे में कोई स्पष्ट दिशा उनको मालूम नहीं है। हमारे मनचलों की छेड़छाड़ जिसको ईव टीजिंग कहा जाता है उससे लेकर सामूहिक बलात्कार जैसे भयंकर कृत्य जो पशु भी नहीं करते वहां तक जो इस देश के बेटियों के साथ व्यवहार

हो रहा है, वह दुनिया के अंदर हमारा सर शर्म से झुका देता है। दुनिया के लोग आते हैं और वें हमारे बड़े ऊंचे होटलों को देखकर प्रसन्न नहीं होते जब उनको यह पता लगता है कि अपने आपको सभ्य और सुसंस्कृत कहलाने वाला यह देश अपनी बेटियों की मर्यादा की सुरक्षा भी नहीं कर सकता।

महोदय, इस सारे सवाल पर ध्यान-कर्षण के दौरान मैं कुछ तथ्यों की और मंत्री जी का ध्यान दिलाऊंगा और आशा करूंगा कि सरकार उनके विषय में गम्भीरतापूर्वक विचार करके पर्याप्त कार्यवाही करेगी। सिर्फ कार्यवाही करने का आश्वासन दे कर ही नहीं बल्कि पर्याप्त जिसका एडीक्वेट कहना चाहिए ऐसी कार्यवाही करे।

महोदय, सबसे पहली चीज मेरे पास यह "वीक" पत्रिका है इसके अंदर कुछ घटनाएं ब्राइड बर्निंग की और दहेज के लिए की गयी हत्याओं की हैं, ये एक से एक बढ़ कर रोमांचकारी और दिल हिला देने वाली हैं, मंत्री जी के सामने यह जानकारी अवश्य होगी, प्रधान मंत्री जी के सामने भी होगी। लेकिन परिणाम क्या निकल रहा है इनकी जानकारी का। महोदय, सबसे पहले तो यह होता है कि पुलिस केस ही रजिस्टर नहीं करती, प्रायः केस दर्ज करने के मामले में पुलिस टालमटोल करती है। लेकिन अगर शिकायत सरकार के पास आती है, अखबार में छपती रहती है, लोगों के प्रदर्शन होते हैं तब पुलिस केस रजिस्टर करती है। उसके बाद यह होता है कि जो तफतीश होनी है, जो इन्वेस्टीगेशन होना है, वह जितनी चुस्ती से जितनी गम्भीरता से किया जाना चाहिए इस संबंध में बहुत कुछ कसर रहती है। समय बिताया जाता है और जिन लोगों ने यह जुर्म

किये होते हैं उनको बचने के लिए, नयी कहानियां गढ़ने के लिए, जो कोई सबूत हैं उनको मिटा देने के लिए समय और मौका मिल जाता है। महोदय, काफी देर से कही कोर्ट में कैसे तब आता है।

लम्बी कार्यवाही के बाद भी नतीजा क्या निकलता है? कई लोग बरी होते जाते हैं। इस रपट में महोदय तीन-चार ऐसी घटनाओं का उल्लेख है। तरविंदर कौर 18-12-78 को ब्याही गई और मई 1979 के अंदर उसकी मृत्यु हो गई या उसकी हत्या कर दी गई। कंचन चोपड़ा फरवरी, 1978 में ब्याही गई और जून, 1979 में उसकी मृत्यु हो गई, या उसकी हत्या की गई। वीणा नागरथ की एक लेडी सब इंस्पेक्टर, जिसके पांच साल के बच्चे ने कोर्ट में जाकर गवाही दी और कहा कि मेरे पापा ने मम्मी को जला दिया। उसका वह बयान टी०वी० के ऊपर भी आया और इस लेख में लिखा है कि उस बयान को सुन कर टी०वी० देखने वालों के दिल हिल गये होंगे लेकिन हमारे कानून और व्यवस्था की प्रणाली ऐसी है कि वह अपराधी भी छूट गया। उस बच्चे ने बार-बार यह कहा कि मैं बड़ा होगा तो गोली चलाना सीखूंगा और अपनी मां के हत्यारे को जाकर गोली मारूंगा।

क्या हम इस इंतजार में हैं कि हमारी जलने वाली बेटियों के बच्चे जिनके हैं, वे बड़े हों, वे गोली चलाना सीखें और जा कर न्याय प्राप्त करें जो हम उनको देने में असमर्थ हैं? यदि ऐसा है, तो देश के लिए बड़े दुर्भाग्य की बात है। पर मुझे विश्वास है कि मंत्री जी इस तरह की सम्भावना से स्वयं भी उतने ही दुखी होंगे जितना कि कोई भी सदस्य होगा या मैं भी दुखी होऊंगा। पर, महोदय, जो दिल्ली

[डा० भाई महावीर]

के सेशनस जज श्री जे० डी० कपूर जिनको स्पेशल जज के तौर पर इसी काम के लिए नियुक्त किया गया है उन्होंने जो जजमेंट दिया है उसमें वर्णित स्थिति क्या है ? दो बातें इस बीच में हुई हैं, एक जजमेंट तो श्री एस एम० अग्रवाल डिस्ट्रिक्ट एण्ड सेशनस जज का आया है, जिन्होंने तीन व्यक्तियों को सुधा की हत्या के सम्बन्ध में फांसी की सजा दी है। इस फांसी की सजा से जितनी हलचल मची है, उससे हो सकता है ऐसे जघन्य कृत्य करने वालों को फिर से सोचने के लिए बाध्य होना पड़े। परन्तु एकाध केस में इस तरह की कठोर सजा देना पर्याप्त नहीं होगा। सारी व्यवस्था को सुधारना अत्यन्त जरूरी रहेगा।

इस सिलसिले में दूसरी महत्व की घटना है श्री जे० डी कपूर ने जो फैसला दिया है, उसमें उन्होंने दिल्ली युनिवर्सिटी के कर्मचारी रामपाल को अपनी पत्नी शांति को आत्म-हत्या करने के लिए मजबूर करने के बारे में 'अबेटमेंट टू सुसाइड' सिद्ध माना है, उनके कुछ वाक्य में पढ़कर सुनाना चाहता हूं क्योंकि वह मंत्री जा के ध्यान दिलाने के लिये मुझे आवश्यक मालूम होते हैं

"It seems the more serious view the government expresses (on dowry cases), the more nonchalant and remissful the police turn..."

"In none of the cases received by this court the directions (of Delhi Administration) have been complied with. There is not a single case that has been investigated by the SHO of the police station concerned, what to talk of an assistant commissioner of police. In the present case also the SHO went to the spot and directed the sub-inspector—who probably had not even investiga-

ted a single case of murder—to prepare the most crucial and important proceedings known as inquest proceedings, and left everything to him. It shows how seriously the SHO, the ACP and other higher authorities were pursuing the instructions. They all need to be taken to task for dereliction of duty, the judge wrote.

दो-तीन वाक्य और ध्यान देने लायक है

"Even the Hon'ble Home Minister and the Hon'ble Prime Minister have been intervening in the debate of Parliament and have been recommending the formation of special cells for investigations in such cases...."

महोदय, क्या स्थिति है कि जिसने एक जज को यह कहने के लिए बाध्य किया ? मैं मंत्री जी से जानना चाहता हूं कि क्या ये सारी बातें उनके ध्यान में हैं कि नहीं ? इन सब कारणों में सिर्फ मंत्री जी का आश्वासन पर्याप्त नहीं होगा, उनको कुछ ठोस कदम उठाने पड़ेंगे और ऐसे कदम जहां अपराधी को सजा दिलाने में सकारध हों।

अभी तक जो आंकड़े हैं, 1980 में सत्रह केसेज में से नौ छूट गये। केवल 1 को सजा हुई और बाकी अभी पेंडिंग हैं। 1981 में 23 केस रजिस्टर हुए, 14 ट्रायल में हैं, 5 क्लोज कर दिये गये (अनट्रेस्ड कह कर) और 2 छूट गये, 2 कैसिल कर दिये छूट को मान कर। 1982 में जब सब से ज्यादा डाउरी डैथ्स हुई उस वर्ष के 19 केसेज पेंडिंग हैं इनवस्टीगेशन में, 17 ट्रायल में हैं, 3 कैसिल हो गये हैं और 1 अनट्रेस्ड डिक्लेयर कर दिया गया है। 1983 में 16 केस रजिस्टर हुए मई 31 तक। महोदय, यह सब स्थिति मैं सिद्ध करने के लिए बता रहा हूं कि पुलिस की कार्यवाही और कानून और व्यवस्था को

चुस्ती के बिना कुछ नहीं हो सकेगा। लेकिन मैं यह भी जानता हूँ कि यह दोष केवल पुलिस या कानून के सख्त बनाने से दूर नहीं होगा। मेरी जानकारी के मुताबिक अभी तक डाउरी प्रोहिबिशन एक्ट के अंदर केवल तीन-चार रिपोर्टें आयी हैं दहेज कानून का उल्लंघन करने के जुर्म से संबंधित। महोदय, सरकार के एक अधिकारी से पूछा गया तो उन्होंने कुछ कारण बताये। वे मुझे सही मालूम होते हैं। उन्होंने कहा कि आज हमारे जीवन के मूल्य बदलते जा रहे हैं, हमारा वेल्यू सिस्टम टूट रहा है। पहले बड़ों की, अध्यापकों की इज्जत होती थी, अब केवल पैसे की इज्जत होती है, समाज का ब्रूटलाइजेशन हो रहा है और इससे प्राबलम बन रहा है विशेष कर कुछ वर्गों में—उन्होंने नाम लिया पंजाबी वर्ग का जिन में छिया कर दहेज देने की कोशिश की जाती है। कुछ वर्ग हैं, जैसे सिंधी, बनिये, जो खुलेआम सौदा कर के तय कर लेते हैं। वहां शायद यह नहीं होता। उन्होंने जिस वर्ग के दोष की और इंगित किया उस के अंतर्गत मैं भी अपने को मानता हूँ—पंजाबी।

श्री रामेश्वर सिंह (उत्तर प्रदेश) : सभी में है।

डा० भाई महावीर : रामेश्वर जी कह रहे हैं कि बाकी जगह भी है। मैं तो केवल इस अधिकारी द्वारा दिया विश्लेषण कह रहा हूँ। खुलेआम सौदा कर लेना एक बात है लेकिन सौदा करने की हिम्मत तो करना पर इच्छा रखना और फिर उस के लिए घटिया तरीके से दबाव डाल कर किसी कन्या के जीवन को बर्बाद करना ज्यादा आपत्तिजनक बात है। जो पार्लियामेंटरी कमेटी बनी थी डाउरी प्रोहिबिशन एक्ट के संबंध में उस ने देखा कि कई राज्यों में

डाउरी प्रोहिबिशन एक्ट के ऊपर अमल ही नहीं होता, शेष में होता है तो बहुत कम। यहां तक उन्होंने कहा कि गुटूर डिस्ट्रिक्ट में एक दूल्हे के लिए एक करोड़ रुपये तक के दहेज की बात देखी गयी। कितने मंहगे हो गये दूल्हे इस देश के अंदर। कोई दूल्हा एक करोड़ का विकता हो यह, महोदय, कितनी आश्चर्यजनक और रोमांच पैदा करने वाली बात है। परन्तु सब से महत्व की बात, जिस से मंत्री जी सहमत होंगे, श्रीमन्, यह है कि आज समाज के विचार करने की शैली में सुधार की जरूरत है, आज जो नैतिकता समाप्त हो गयी है...

श्री उपसभापति : अब आप समाप्त करिए। और भी मेम्बर को बोलेंगे।

डा० भाई महावीर : मुझे अपनी बात पूरी कर लेने दीजिये। जो अपने देश के अंदर चोरबाजारी चल रही है और सस्ता रुपया कमाने की धुन है इन सारा चीजों के कारण यह बुराई बढ़ती जा रही है।

अब मैं मंत्री जी के सामने सुझाव रखना चाहूंगा कि कौन सी चीजें हैं जिन के लिए वास्तव में उन को कार्यवाही करनी पड़ेगी। सब से पहली चीज तो यह है कि हम अपने यहां पर यह कानून में संशोधन करें कि कोई भी व्यक्ति जो डाउरी के मामले में अभियुक्त हुआ हो, उस का वैसा जुर्म सिद्ध न भी हो ऐसा व्यक्ति किसी भी इलेक्टेड आफिसर के लिए डिबार कर दिया जाय पंचायत से ले कर पार्लियामेंट तक। इलेक्शन ला को संशोधित कर के हम ऐसा कर सकते हैं। दूसरे आप कुछ और भी कर सकते हैं। अभी तक तो क्रिमिनल ला में ऐसा है कि जब तक जुर्म साबित नहीं होता व्यक्ति को इनोसेंट माना जाता है—

[डा० भाई महावीर]

जब तक वह अपने को इन्फोर्मेन्ट साबित न करे तब तक उस को इस मामले में मुजरिम समझा जाय, जहाँ पर इस तरह की अननैचुरल मृत्यु हो उस की पत्नी की ! कम्पनी एक्ट में भी इस तरह के संशोधन की जरूरत है कि कोई व्यक्ति जिस पर इस तरह का आरोप लगा है डायरेक्टर या मैनेजर के पद पर न पहुँच सके। सरकार के सामने ये कुछ सुझाव आये हैं मैं चाहता हूँ कि मंत्री जी उन के ऊपर अमल करें। उस से भी पहले एक मेरेज कौंसिलर की व्यवस्था की जाय जिस से पीड़ित महिला को पुलिस के पास शिकायत न करनी पड़े। यह कौंसिलिंग की सर्विस हो जिस से जिस बहिन को शिकायत हो वह उन के पास जा कर बातचीत के जरिए समझाने-बुझाने के माध्यम से उस सवाल को हल कर सके। ऐसे ही हर किसी के पास एक पता या टेलीफोन नम्बर हो जिस पर तुरन्त सम्पर्क करके सहायता प्राप्त की जा सके। एक नेशनल कमीशन आन विमेन भी बनाया जाय जो महिलाओं के साथ होने वाले दुर्व्यवहार के बारे में जांच करके तय करे कि किस तरह से महिलाओं को सुरक्षा दी जा सकती है।

श्री उपसभापति : एक-एक मेम्बर इतना समय लेगा तो कैसे काम चलेगा।

डा० भाई महावीर : आज आप समय के बारे में ज्यादा आपत्ति कर रहे हैं। मैं अभी अपनी बात समाप्त कर लूँगा। आखिरी बात, अपने ही देश के अंदर महिलाओं का एक वर्ग है जिन को माइनारिटी के नाम पर अपने बुनियादी अधिकार जो कामन सिविल कोड के द्वारा प्राप्त हो सकते हैं वे भी नहीं दिये जा रहे। उन के लिए कानून में सुधार होना चाहिए : क्या सरकार उन बहनों के

ऊपर अन्याय की बात सोच कर उन के लिए न्याय प्राप्त करवायेगी ?

MR DEPUTY SPEAKER: I think the Minister will react to all the observations at the end because the same point is being covered again and again. Please note down and react to all the observations at the end. Shri Dhabe. Pleased don't repeat the points.

SHRI SHRIDHAR WASUDEO DHABE (Maharashtra): I am not in the habit of repeating.

श्रीमती रोडा मिस्त्री (आंध्र प्रदेश) : अपोजीशन के बाद कांग्रेस की बारी आनी चाहिए।

श्री उपसभापति : इसमें ऐसा नहीं होता।

श्रीमती रोडा मिस्त्री : आपकी मर्जी।

श्री उपसभापति : मैं अपनी मर्जी से नहीं करता। जो होता है सदन में वही कर रहा हूँ।

SHRI SHRIDHAR WASUDEO DHABE: Madam, this is not a debate. This is Calling Attention. Mr. Deputy Chairman, Sir, I must say with anguish that the Home Minister's statement is most disappointing. The more statements are made by the Minister, and as the judge has said, the more an attempt is made to create a consciousness, the more the dowry deaths are taking place. Also the rape cases are increasing. I would only like to say that the Minister in his own statement, in reply to Unstarred Question No. 7174, on 30-4-83 has given the figures. And he has made a very curious statement, Sir, that the Government of India is not in a position to get the comparative figures of crimes of deaths by burning from the various State Governments and so they cannot give that information. They have only given information about the Union Territories. Now what is the position in regard to dowry deaths by burning? In Delhi, in

1977 the figures was 311; 1978—327; 1979—424; 1980—when this Government came into power—408; 1981—535; and 1982—610. And in 1983, I am told that in the first half of the year, the dowry deaths have gone up to more than 400. So in Delhi city itself the number of dowry deaths has increased from 311 in 1977 to 610 now. The position is similar in Chandigarh. From 24 in 1977, it has gone up to 44 in 1982. In Goa, Diu and Daman, it has gone up from 27 in 1977 to 42 in 1982. Even in Pondicherry the figures have gone up from 13 to 24. So the Minister must take it very seriously. It is no use saying that consciousness should be increased. What steps has he taken? In the Union Territory of Delhi itself the graph is going up. I could understand if the number had come down. So far as dowry deaths are concerned, only the figures of Union Territories can be given, but not of the States. But so far as rape cases are concerned, they have given all the figures. I do not know how they have got them. That is the reply given on the 6th April, 1983, in the Lok Sabha. In Andhra Pradesh, the rape cases have increased from 157 to 245. In Madhya Pradesh, the figure has gone up from 858 to 1,017. In 1982, the figure for the first six months is 733. In Maharashtra it has gone up from 358 to 505. So on both counts there is increase in the offences against women. I do not understand why the Government has no machinery. I would like to know first why it is not possible to compile at least the figures of death by burning from all the States so that we know what the real position is in the matter.

Second is the question of investigation. Complaints are made against police officers that they are not registering the cases. Twenty-one complaints were sent. The Minister replied that only one is substantiated and others are still pending. Why should there be any difficulty in examining any complaint a police officer for not registering a complaint? And it is happening in Delhi, the capital city of India. There is laxity on the part of the Home Ministry not only in giving instructions but in enforcing them. Will the

Minister issue fresh guidelines that so far as complaints against police officers are concerned, they must be investigated in three months by a higher officer who can deal with the matter?

The position of rape is very serious so far as my State is concerned. Our Ministers are only busy fighting among themselves—the Chief Minister and other Ministers. There is practically no law and order and the cities are turned into cities of rape. Nagpur is the second capital of Maharashtra. Within 1-1/2 months 16 cases of rape and criminal assault have been reported. It is a crying shame. I shall give you only three instances. One Mohan Singh Saingar, a 24 year old youth, barged into the house of Mrs. Vandana Sopan Shinde and raped her after threatening her in the presence of her husband and children. He was under rampage for three hours. The incident took place on 26th May. On June 16 in Control Wadi area a 16 year old unmarried girl was raped by 7 hoodlums at the bus stop. What was the police doing? Nothing. It was watched by a hundred mute witnesses. Because of the rape, her marriage which was scheduled to be held during the course of the week, fell through. One culprit was still at large. On June 21 a young woman from Haldarpur was raped by four persons in Santra market. This mass rape was not reported by the police. The police received the news about the incident from Ramrao Godbole and Sesharao Vandari but the report was not taken. This is the position. I, therefore, want to know from the honourable Minister why it is not possible to give protection to women, especially in the public places where the offences are taking place, why there is laxity in the Home Ministry. He must also let us know why it is on the increase in the last two years. When the law and order was strictly previously it was very difficult even to molest a woman. There was fear in the minds of the people. Therefore, I want to know what steps the Minister is taking to enforce law and order and prevent the occurrence of these incidents, and to round up goondas and the offenders.

[Shri Shridhar Wasudeo Dhabe]

Lastly, he was appealing to the public to arouse consciousness. Women's organisations are doing a lot of work. In my State it is only women's organisations which are seriously engaged in this effort. But, instead of just leaving it to the women's organisations, the Minister should bring the necessary Bill before Parliament and pass it. They must take steps; the Home Ministry must issue instructions to all the State Governments, call a conference of Ministers to resolve this question.

श्री सूरज प्रसाद (बिहार): अभी जो बातें पेश की गयी हैं इसमें कोई शक नहीं है कि दहेज के कारण देश में हत्याओं की एक तरह से बाढ़ सी आ गई है और सबसे अधिक दहेज के कारण होने वाली हत्याएँ जो होती हैं उनकी खबर दिल्ली के अखबारों में प्रकाशित होती है। दिल्ली इसका प्रधान केन्द्र है जहाँ भारत सरकार का सबसे बड़ा शासन तंत्र केन्द्रीय सरकार का है। ऐसी अवस्था में इस बात पर विचार करना जरूरी है कि क्या कारण है कि देश के अन्दर हत्याओं की संख्या में वृद्धि होती जा रही है। मुझे इस सम्बन्ध में यह कहना है कि आजादी के बाद दहेज की प्रथा में काफी वृद्धि हुई है। आजादी से पहले भी दहेज की प्रथा थी इस देश में, लेकिन आजादी के बाद दहेज की प्रथा में वृद्धि हो गई और आज दहेज की प्रथा से दहेज लेने की इच्छा इतनी खूबी बन गई है कि लोग हत्या करने से भी बाज नहीं आते हैं। आजादी के पहले महज तथाकथित उच्च जातियों में ही दहेज की प्रथा थी लेकिन आज हर वर्ग में, पिछड़ी जातियों में भी, हरिजनों में भी यह बढ़ गई है। इसका मुख्य कारण यह है कि हमारे देश का जो सामाजिक और आर्थिक ढांचा है उसमें असंतुलन है। चटपट धनी बन जाने की इच्छा आज इतनी बलवान हो गई है कि महिलाओं को खत्म करने में लोगों को कोई हिचक नहीं होती। दहेज की नंगी तलवार आज महिलाओं की गर्दन पर लटकी हुई है और महिलाओं को आज महज सोने के अंडे देने वाली मुर्गी समझा जाता है

और ज्यों ही वह अंडा देना बन्द कर देती है तो उसको कत्ल कर दिया जाता है। इसलिए यह प्रश्न महज कानूनी दायरे के अन्दर का नहीं है इससे इसका हल नहीं निकल सकता है। सरकार ने इसके लिए कुछ कानून बनाने की बात कही है कि अमूक अमूक-कानून में ये ये संशोधन करके इस दिशा में कदम उठाये जा सकते हैं। लेकिन इसमें महज कानून बनाने से कुछ नहीं होगा। कानून तो बने हुए हैं। लेकिन सबसे बड़ा प्रश्न यह है कि सरकार ने जितने भी कानून बनाये हैं उनका अमल नहीं हो पाता। यहां तक कि तिलक लेने के सम्बन्ध में भी कुछ कानून बने हुए हैं, लेकिन वे कानून दूसरे लोगों की बात तो छोड़ दीजिए, जो सरकार के मंत्री हैं वह भी उस कानून को लागू करते नहीं और स्वयं भी अपने बेटे के तिलक या शादी में पैसा लेने में उन्हें कोई ऐतराज नहीं हुआ करता है। ऐसी स्थिति में सरकार द्वारा जो पारित कानून है वह महज मखौल बनकर रह जाता है। इसलिए मैं चाहता हूँ कि कानून जो बने इसको सख्ती से लागू करने की दिशा में कदम उठाया जाना चाहिए।

उच्चतम न्यायालय ने एक सुझाव दिया था कि इस चीज को रोकने के बारे में कानून की बात कही थी और यह कहा था कि गृह विभाग में एक सैल इसके लिए बनाया जाना चाहिए जो इस बात की जांच करेगा कि जो हत्याएँ होती हैं उनके क्या कारण हैं। मैं सरकार से जानना चाहता हूँ कि गृह विभाग के अन्दर यह सैल बनाया गया है? यदि हां तो उसका क्या काम है उसने इसको रोकने के लिए क्या-क्या कदम उठाये हैं, क्या-क्या कार्य किए हैं? दूसरी बात जो उच्चतम न्यायालय ने इस संबंध में सरकार को राय दी है वह यह है कि कोई भी हत्या अगर होती है डाउरी के कारण...

श्री उपसभापति : समाप्त करिये। बहुत से लोग बोलने वाले हैं।

श्री सूरज प्रसाद : अगर उसकी शादी के सात वर्ष के अन्दर हत्या की जाती है तो इसकी जांच पुलिस के उप-अधीक्षक द्वारा की जानी चाहिये। मैं सरकार से जानना चाहता हूँ कि इस दिशा में सरकार ने क्या आदेश अपनी राज्य सरकारों को इस संबंध में दिये हैं ?

तीसरी बात मैं इस संबंध में कहना चाहता हूँ कि शव संबंधी परीक्षण के बारे में भी इसमें कहा गया है। इस संबंध में सुप्रीम कोर्ट का रूलिंग यह है कि शव की जांच की जानी चाहिये। इस दिशा में सरकार क्या कदम उठा रही है ? (व्यवधान)

श्री उपसभापति : आप समाप्त करिये। बहुत से लोग बोलने वाले हैं।

श्री सूरज प्रसाद : अगर ऐसी बात है तो इस पर बहस कराने से क्या लाभ।

श्री उपसभापति : बहुत से लोग बोलने वाले हैं, आप ही नहीं हैं। आपका हो गया है। आपके 8 मिनट हो रहे हैं। कृपा करके समाप्त करिये।

श्री सूरज प्रसाद : स्त्रियों पर जो जुल्म और अत्याचार होते हैं वे जुल्म और अत्याचार न सिर्फ गुंडे और बदमाशों के द्वारा होते हैं बल्कि इन स्त्रियों की इज्जत पुलिस द्वारा भी लूटी जाती है। इस प्रकार के प्रमाण हमारे पास हैं। कहे तो मैं पेपर से पढ़ कर सुना दूँ।

श्री उपसभापति : पढ़िये नहीं।

श्री सूरज प्रसाद : मैं यह जानना चाहता हूँ कि इस तरह की पुलिस के बारे में अगर रिपोर्ट होती है तो क्या उस पुलिस के खिलाफ सरकार के द्वारा कोई कदम उठाया जाता है ? हम लोगों की सूचना यह है कि इनके द्वारा कोई कदम नहीं उठाया जाता।

MR. DEPUTY CHAIRMAN: Now, Shrimati Krishna Kaul.

श्रीमती रोडा मिस्त्रि : आप किस प्रोसी-जर से चल रहे हैं ?

MR. DEPUTY CHAIRMAN: You see, by mistake I passed over her name and called Mr. Suraj Prasad. That is all. Yes, Mrs. Kaul.

श्रीमती कृष्णा कौल (उत्तर प्रदेश) : उपसभापति महोदय, स्त्रियों पर अत्याचार व नई बहुओं को जलाना तो अब एक आम बात हो गई है। रोज ही अखबारों में, मासिक पत्रिकाओं में इनकी लम्बी-लम्बी दास्तान छपा करती हैं। यह एक मामूली अपराध नहीं है। अपराध तो मानव प्रवृत्ति की विकृति का एक स्वाभाविक सा अंग है और अपराध दुनिया के हर कोने में होते रहते हैं परन्तु इस प्रकार के अपराध तो हमारे देश में ही होते हैं। ये ऐसे अपराध हैं जिससे हमारी देश की, हमारे राष्ट्र की, हमारे समाज की, हमारी मानवीयता की, समस्त संसार के आगे और स्वयं अपने आगे लज्जा से आँखें झुक जाती हैं। यह इतना जघन्य अपराध है कि इसको बयान करना जुबान की ताकत से बाहर है।

मुझे तो केवल इतना कहना है कि बहुओं को जलाने की घटनाएँ रोज अखबारों में पढ़ने को आती हैं। परन्तु उनके अनुपात में कहीं यह पढ़ने को आम तौर पर नहीं मिलता कि बहु जलाने में इतनों को फांसी हुई, इतनों को जेल हुई। मैं मंत्री महोदय से इसका कारण जानना चाहूँगी। मैं मानती हूँ कि यह दहेज एक सामाजिक समस्या है और सजा देना न्यायिक काम है। परन्तु अपराध का रोकना, अपराध होने पर अपराधी को पकड़ना, सही तफ्तीश करके उसे सजा पाने की मंजिल तक पहुँचाना तो गृह विभाग का दायित्व है। अगर सजा का अनुपात कम है तो क्या पुलिस जांच के दौरान कुछ खामियाँ, कुछ कमजोरियाँ रह जाती हैं ? अगर ऐसा है तो क्या इस दिशा में विचार किया जा रहा है और क्या कदम उठाये जा रहे हैं ? क्या यह संभव नहीं है कि ऐसे मामलों की तफ्तीश दरोगा के स्तर से

[श्रीमती रुष्णा कौल]

ऊंचे स्तर के अधिकारी द्वारा कराई जाए । क्या जांच का समय कम नहीं किया जा सकता है ? क्या व्यक्ति परिवार के सदस्यों को जो अपने धन-दौलत लुटाकर भी अपनी बेटी की जान से हाथ धो चुके हैं उनकी पुलिस के दरवाजे खटखटाने की यातना व अवधि किसी प्रकार से कम नहीं की जा सकती है ? क्या इनको आम अपराधों के खिलाफ शिकायत करने वालों से जो थाने थाने भटका करते हैं कुछ अलग प्रकार का मान कर सुनवाई नहीं की जा सकती ? इस विषय में मेरा यह सुझाव है कि जिस प्रकार हरिजन भाइयों को दुःख और तकलीफ पहुंचाने वालों से निपटने के लिए कानून में तरमीम की गई है उसी प्रकार से इन घटनाओं के संबंध में भी कानून में तरमीम की जाय और पूरी तफ्तीश का ढांचा बदलकर ऐसा कानून बनाया जाय कि ऐसे जुर्म करने वालों को जल्दी से जल्दी और ज्यादा से ज्यादा सजा दी जाय क्योंकि तजुर्बा यह बताता है कि इन अपराधों के बारे में जो मौजूदा कानून है वह जाहिर है कि काफी नहीं है । अपराधियों को सजा इस प्रकार की मिलनी चाहिए कि वह सब के सामने मिसाल पैदा करे और इस प्रकार के अपराधों को रोका जा सके । इसलिए मेरा विनम्र निवेदन है कि अब समय आ गया है कि इस कोड़ को समाज से समाप्त करने के लिए आराम से न बैठा जाय और इसको समाप्त करने के लिए बहुत जल्द और सख्त कदम उठाये जाने चाहिए क्योंकि यह एक ऐसा कोड़ है जिससे हमारे समाज को बचाना बहुत जरूरी हो गया है ।

SHRI J. P. GOYAL (Uttar Pradesh): To my mind, Sir, the problem is a very fundamental one. And why is it so? I feel that our system of marriages is wrong, I mean to say, so many persons attending the 'barat', parties, so much problem of show, which at least a poor man cannot afford. This menace of bride burning one finds in cities rather than in villages. This we find mostly in Delhi,

which is the capital of the country, in Bombay and other cities where highly educated persons and very rich persons are living; in these families only we are finding mostly and not in the poor families. In poor families of course, one may murder a lady on account of some other reason, but not on account of 'dahez' and all that. My party was agitated about it, and a delegation of five persons, including me, waited on the Law Minister about a month back and then he promised us to bring a Bill. The Minister of State for Home Affairs said that a Bill is coming in the current session of Parliament. I would request the Minister that the Bill should come as soon as possible and I think it will be unanimously passed; there is no difficulty about it, so that such more deaths are avoided. One suggestion that we made to the Law Minister also was that instead of seven years let it be ten years. And the second thing was about the burden of proof. Generally in criminal cases the burden of proof is on the prosecution to prove its case, but in a case where a bride is burnt in the house of the husband, how will the prosecution prove its case. An eye-witness may not be there. Once post-mortem takes place and it is found that it is an unnatural death, then, in my submission, the burden should be on the husband. Just as in the case of Col. Anand at Chandigarh,

MR. DEPUTY CHAIRMAN: Leave aside that case. Don't comment on it.

SHRI J. P. GOYAL: If it is found that it is a case of murder and there is no other person in the family, the burden of proof should be on the husband. This is the point which I am emphasising. Otherwise, the purpose of the Bill will be frustrated. This is a novel thing in the criminal law. But we must do it. Now, regarding the marriage system . . . (Interruptions)

श्री उपसभापति : आप क्यों बीच में बोल रहे हैं . . . (व्यवधान) . . .

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश) : वे जला रहे हैं, ये जल रहे हैं
 (व्यवधान)

SHRIMATI RODA MISTRY: Mr. Deputy Chairman Sir, If you can so in reverse gear you can go down also.

MR. DEPUTY CHAIRMAN: Let us not go down.

(Interruption)

श्री भा० दे० खोबरागड़े (महाराष्ट्र) :
 उपसभापति महोदय, एक बजने को है,
 उनकी भी बोलने का समय दिया जाय।

श्री उपसभापति : आप क्यों परेशान
 हैं। . . . (व्यवधान) उनको बोलने दीजिये
 आप बीच में कमेंट करने लगते हैं।

SHRI J. P. GOYAL: Of course this Bill is coming. I would suggest another Bill. That may be a separate Bill regarding the marriage system. I come from the western part of U.P. When I was a small boy, there was a conference of a number of villages of the Jat community. They took a decision that not more than 5 persons will go in the marriage procession, including the bridegroom. This continued for twenty years. As regard, dowry, they decided that the father could give about Rs. 100/- in cash to the daughter. He could give one cow or something like that. In ornaments, he could give ornaments worth Rs. 200/- only. He could give one or two pairs of clothes. This was strictly followed by the community. Now we know that the Jat community has become very prosperous and more educated. What I want to say is this by legislation, why should we not stop this wastage? It is a wastage of production and wastage of our man-power. Therefore, I would suggest to the Home Minister that he should come out simultaneously with another bill regarding our marriage system also.

श्री हुक्मदेव नारायण यादव (बिहार) : उपसभापति महोदय, अभी जिस विषय पर सदन में हम चर्चा कर रहे हैं इन घटनाओं की चर्चा करने से ही कोई ज्यादा लाभ यहां होने वाला नहीं। महिलाओं का जो शोषण हो रहा है इस शोषण का जो प्रधान कारण है उस कारण को जब तक निमूल करने की दिशा में सरकार और समाज सक्रिय रूप से कदम नहीं उठायेगा तब तक कोई परिणाम नहीं निकलेगा। केवल सदन में बहस करने से सरकार के जरिये कानून लागू करने से, महिलाओं पर अत्याचार बंद नहीं होंगे। इसके लिये सबसे पहले हमें समाज का मानस बदलना होगा। जब तक समाज नहीं बदलेगा, समाज के विचार नहीं बदलेंगे, सामाजिक प्रक्रिया नहीं बदलेगी सामाजिक व्यवस्था नहीं बदलेगी तब तक महिलाओं पर जो अत्याचार और शोषण हो रहा है वह बंद होने वाला नहीं है। इसलिए यह जरूरी है कि आज जो वर्तमान व्यवस्था है इस व्यवस्था में आमूल परिवर्तन किया जाए। महिलाओं पर अत्याचार की जड़ क्या है? महिलाओं पर जो शोषण होता है, जो अत्याचार होता है उसके दो कारण हैं। महिलाओं पर बलात्कार होता है और बलात्कार की जननी है यौन संतुष्टि और अत्याचार की जननी है अर्थ संतुष्टि। महिलाओं पर अत्याचार दो दृष्टिकोणों से होते हैं। एक तो है यौन संतुष्टि के लिए और दूसरा है अर्थ प्राप्ति के लिए। इन दोनों दृष्टिकोणों से महिलाओं पर अत्याचार हो रहा है। इसलिए सदन को इन दो दृष्टिकोणों पर विचार करना पड़ेगा और यह सोचना पड़ेगा कि समाज में इन दोनों पर कितना नियंत्रण किया जा सकता है। एक तो यौन संतुष्टि के सवाल को नियंत्रित करना और उधर अर्थ प्राप्ति करने की अतिरिक्त भावना को नियंत्रित करना है। कहने का मतलब यह है कि

[श्री हनुमन् देव नारायण यादव]

जब तक देश में पूंजीवादी, कालाबाजारी और मुभाफाखोरी की व्यवस्था चलती रहेगी तब तक सब जगह यह अत्याचार जारी रहेगा। महिलाओं के साथ भी यह जुड़ा हुआ है क्योंकि जहां तहां से अर्थ की प्राप्ति ही पूंजीवाद की जड़ है, महिलाओं के साथ भी आज वही जुड़ गया है इसलिए उनके साथ इस का जोड़ा जा रहा है। इस पर हम को सोचना चाहिये। दूसरा कारण है क्या इस देश के लोग इस बात को मानने को तैयार हैं क्योंकि हमारे यहां पुरुष प्रधान प्रणाली है पुरुष की प्रधानता है। जिसके कारण सम्पत्ति का उत्तराधिकार पुत्र ही प्राप्त करता है इसलिए आज पुत्री का कोई आधार ही नहीं रह गया है। इसलिए इस व्यवस्था को क्या समाज बदलने के लिए तैयार है। अब पुत्र ही पिता की सम्पत्ति का उत्तराधिकारी न हो बल्कि पिता की सम्पत्ति का उत्तराधिकारी पुत्री को हो बना दिया जाए। जड़ तो वहीं कट जाएगी। सारे लड़के उन लड़कियों के पीछे दौड़ते फिरेंगे, लड़कों के पीछे लड़कियों के दौड़ने का कोई कारण नहीं रहेगा क्योंकि सम्पत्ति की अधिकारिणी वही बनेगी। आज पुरुष सम्पत्ति का अधिकारी है इसलिए उसके पीछे यह सब पाप छिपा हुआ है। क्या कानून के जरिये सामाजिक व्यवस्था के जरिये आप यह बनाने को तैयार हैं। कहने का मतलब यह है कि इसका बदलना चाहिए। दूसरा मैंने जो सवाल आपके सामने उठाया है वह यह है कि हम भोग और विलासिता की सामग्री प्रचुर मात्रा में बनाते जा रहे हैं। जहां कहीं आप जाइये भोग की सामग्री और विलासिता की सामग्री, जो विलास और भोग की आधुनिकता है वह दिखाई देती है। बाजार में भोग और विलास की सामग्री

के प्रति हम आकर्षण पैदा करते जा रहे हैं और एक तरफ लोगों की जेब में पैसे नहीं हैं, क्रय शक्ति नहीं है कि भोग और विलासिता की सामग्री वे प्राप्त कर सकें। तो अपनी दमित भोग और विलासिता की इच्छा को पूर्ति करने के लिए कहीं न कहीं से उसको अर्थ चाहिये। इसलिए वह यह अर्थ दहेज से प्राप्त करे, चाहे वह यह अर्थ खाने पीने की चीजों में मिलावट कर के प्राप्त करे, लेकिन प्रधान कारण है अर्थ की प्राप्ति और उससे पैदा होता है यह सब अत्याचार। भोग और विलासिता की सामग्री आप विदेशों से मंगाने हैं। मैंने पहले भी इस बात का इस सदन में जिक्र किया था। मैं एक कमेटी में था, और एक दुकान में गया, मैंने वहां पर उस दुकान में देखा वहां पर विदेशों से मंगाया हुआ सेक्स अपीलिंग परफ्यूम बिक रहा था। मैंने कहा कि हिन्दुस्तान जहां पर कमेटी बन रही है क्रिमिनल ला एमेंडमेंट करने के लिए कि बलात्कार को कैसे रोका जाए उस देश में विदेशों से मंगाया हुआ सेक्स अपीलिंग परफ्यूम बेचा जा रहा है। एक तरफ आप सेक्स अपीलिंग परफ्यूम की बौछार करिये, एक तरफ आप भोग और विलासिता की सामग्री पैदा करिये, एक तरफ दिल्ली, बम्बई, पटना की सड़कों पर उर्वशी, रम्भा और मेनका की पायल की झंकार के लिए विदेशों से सारी परम्परा और संस्कृति आप आयात करते चलो और दूसरी तरफ हिन्दुस्तान के अंदर महिलाओं पर अत्याचार रोकें। ये दो बातें एक साथ नहीं चलेंगी।

एक समय दो पंथ न चालू,
हंसब ठाए फुलाए गालू।

चलना है तो सीता की निष्ठा और द्रोपदी की स्वच्छंदता दोनों साथ साथ हिन्दुस्तान

में परम्पराएं चली आ रही हैं। यह दो नारियां हिन्दुस्तान का संस्कृति के अंग हैं। एक तरफ सीता है, एक निष्ठा वाली तो दूसरी तरफ द्रौपदी भी है। द्रौपदी स्वच्छंदता वाली नारी है। लेकिन उस स्वच्छंदता में भी मर्यादा है, नियंत्रण है। क्या सीता और द्रौपदी की परम्परा जो इस देश में रही है उसको मान कर आप चलेंगे? पुरुष को पूरा हक है, आपको पूरा हक है जितनी चाहे रख लो लेकिन नारियों के ऊपर आप नियंत्रण लगाते हो क्या वहीं छूट पुरुष के साथ नारी को भी आप देने को तैयार हैं? पाश्चात्य सभ्यता का अन्धानुकरण आप कर रहे हैं। मैं यह पूछना चाहता हूं कि इंग्लैंड और अमरीका में महिलाओं के साथ बलात्कार क्यों नहीं होता? वहां भी पूंजीवादी व्यवस्था है लेकिन वहां सभी को पूरी रोजगार की गारंटी है, महिलाओं को भी अपने ऊपर निर्भर रहने का, आत्म निर्भर बनने का अधिकार मिल गया है और आत्म निर्भरता उनकी जिंदगी में है इसलिए वे पुरुष के ऊपर आश्रित नहीं रहती। जिस समाज में महिला पुरुष पर आश्रित रहेगी उस समाज में पुरुष के जरिये महिलाओं पर अत्याचार होते रहेंगे। इसलिए सब से जरूरी है महिलाओं का पुरुषों पर से आश्रय खत्म करो। महिलाओं को आत्मनिर्भरता की ओर ले चलो। हम उनको पुरुष से ज्यादा अधिकार दें। रोजगार के क्षेत्र में, पूंजी के क्षेत्र में, जीवन की निर्भरता के क्षेत्र में, तब कहीं जाकर इसको रोक पाएंगे। जड़ को काटना पड़ेगा और आखिरी बात, महिलाओं पर यौन तुष्टि और अर्थ प्राप्ति के लिए अत्याचार होते हैं, पद प्रतिष्ठा और पैसे की प्राप्ति के लिए महिलाओं का उपयोग किया जाता है। महिलाएं आज केवल उपभोग की सामग्री नहीं हैं बल्कि महिलाएं उपयोग की

सामग्री बनायी गयी हैं, उनका उपयोग किया जाता है। आज दिल्ली में एस०एस० पी० की पत्नी पूर्णिमा सिंह का मामला हो, चाहे बिहार में बाबी काण्ड का मामला हो, चाहे राजस्थान में अम्बे प्रसाद को तीन तीन पत्नियों का मामला उठा हो जिसमें कई बड़े बड़े लोग आए हैं, ऐसे एक नहीं अनेकों मामले होंगे जिनको सामने ला दें तो इन महिलाओं के ऊपर जो अत्याचार हुए हैं वे किस कारण से हुए हैं मालूम हो जायगा। महिलाओं का उपयोग किया जाता है पद के लिए, प्रतिष्ठा के लिए, उन्नति के लिए, प्रोन्नति के लिए, लाइसेंस के लिए, परमिट के लिए या अर्थ उपाजन के लिए और उसमें अगर महिला कहीं कारगर सिद्ध नहीं होती तो फिर उस महिला की हत्या की जाती है जिसका शिकार आज बिहार में बाबी है। मैं ज्यादा नहीं कहना चाहता हूं। बिहार विधान सभा की एक मामूली कर्मचारी श्री मर गयी, हत्या हुई है और सम्पूर्ण सी०बी०आई० तथा दुनिया की ताकत लगी हुई है लेकिन वह बाबी के हत्यारे को पकड़ नहीं सकती क्योंकि उसकी हत्या कराने में पालियामेंट में, संसद में, विधान मंडलों में बैठे हुए मेरे जैसे अन्य लोगों का हाथ रहता है। हम अपने यौन की तुष्टि के लिए, समभोग की तुष्टि के लिए अपने पद और प्रतिष्ठा के लिए लड़कियों का इस्तेमाल करते हैं। उसी तरह से राजस्थान का मामला है, वैसा ही मामला पूर्णिमा सिंह का मामला दिल्ली में आया तीन या पांच मंजिल से एस०एस०पी० की पत्नी कूद कर मर जाती है। आज तक हत्यारे को क्या पकड़ पाए हो वह कहां से निकलता है। चूंकि महिलाओं का उपयोग पद के लिए, पैसे के लिए, प्रतिष्ठा के लिए अर्थोपाजन के लिए करना चाहते हैं इसलिए अगर महिलाएं उसमें बाधक बनती हैं

(श्री हुकमदेव नारायण यादव)

मेरे मन के अनुसार एक मशीन की तरह से नहीं नाचती हैं, अगर अर्थोपार्जन में सहायक नहीं बनती हैं चाहे वह मेरी बेटी हो अथवा पत्नी हो तो हम इतने निकम्मे, नीच और कीट बन गये हैं और हमारी मनुष्यता इतनी नष्ट हो गयी है कि हम उस पत्नी और बेटी की हत्या करने से बाज नहीं आते और दुनिया पर आरोप लगाते हैं। इसलिए जड़ को काटो समाज के अंदर इस पूँजीवादी व्यवस्था को नहीं काटोगे पुरुष प्रधान समाज को नहीं काटोगे और पद, प्रतिष्ठा के लिए जो महिलाओं का उपयोग किया जा रहा है इन सारी बातों पर विचार नहीं करोगे और जब तक अपने ऊपर विचार नहीं करांगे तब तक कुछ नहीं होगा। बलात्कार और व्यभिचार ये शब्द डा० राम मनोहर लोहिया जी, हमारे गुरु ने बताये थे। महिलाओं के साथ एक तो बलात्कार होता है और दूसरा व्यभिचार होता है। आपको चुनना पड़ेगा कि बलात्कार और व्यभिचार में कौन अच्छा है। मेरी राय में बलात्कार से व्यभिचार अच्छा हो सकता है। बलात्कार खराब है, जघन्य अपराध है, इच्छा के विपरीत किसी के ऊपर हाथ उठाना सबसे बड़ा जघन्य अपराध है। तो आज जरूरी है कि सभी मान्यताओं को बदलें, सामाजिक व्यवस्था को बदलें समाज के विचार को बदलें और समाज बदलेगा, विचार बदलेंगे, देश बदलेगा, व्यवस्था बदलेगी तो सब जड़ कटेगी। तो जड़ को काटो घटनाओं को गिनने से कोई बड़ा लाभ होने वाला नहीं है। इसलिए सरकार का काम है कि दोनों आधार पर काम करे। एक सामाजिक विचार बदलने का और दूसरा कानून के जरिये नियम बनाने का। दोनों को मिलाकर समाज को बदले तभी

महिलाओं पर शोषण रहेगा यही मेरे विचार हैं।

SHRIMATI ILA BHATTACHARYA (Tripura): (Spoke in Bengali).

SHRI DIPEN GHOSH (West Bengal): Sir, no translation is coming.

श्रीमती रोडा मिस्त्रि : श्रीमती ईला भट्टाचार्य का नाम कैसे है, आप बताइये ?

MR. DEPUTY CHAIRMAN: I think the interpreter is not there. Let us wait for some time. (Interruptions). You may please take your seat. I think Mrs. Roda Mistry is unnecessarily getting exercised. There is no convention, a rule that has been followed in this House not for one or two days or one or two years but for decades together. For decades, this has been the practice. You ask any Member, and the practice has been that one person from each party is called, and the Member whose name appears first in the list from the party, will be called. Whip has nothing to do in the matter. Unless the Member whose name appears first, surrenders his right to speak, we do not call the next person. Your name is last in the list from your party. Earlier, it was indicated to me that the hon. Members whose names appear above your name from your party, are not going to speak. Later on, I came to know that Shrimati Krishna Kaul wanted to speak. I cannot stop her unless she agrees. Shri Ram-anand Yedav agreed. Therefore, I had to call her first. That is the rule; that is the convention. But if you want to speak and some ladies are interested to speak—I can allow you at the end, when the whole list is exhausted, partywise. That is the rule.

SHRIMATI RODA MISTRY: Where is the name of Mrs. Ila Bhattacharya in the list?

MR. DEPUTY CHAIRMAN: I told you, whether the name is there or not, the party has got the right to give the name. I

think you are missing calling attention hours and, therefore, you are raising unnecessary objection. But don't cast aspersions; I am not doing anything against the rules.

I think we can wait for a few minutes; Bengali interpreter is coming, and then she can speak.

डा० भाई महावीर : हम को भी एलो किजिए ।

श्री उपसभापति : मैं कह तो रहा हूँ ।

श्री शिव चन्द्र झा (बिहार) : यह क्या व्यवस्था है ? मैं यह जानना चाहता हूँ कि जब पार्लियामेंट की कार्यवाही होती है, तो इंटरप्रेटर यहां पर क्यों नहीं रहता है ? वह लंच करने गया है या चाय पीने गया है, क्या तब तक मेम्बर नहीं बोलेगा, मैं यह जानना चाहता हूँ ? आपकी सारी व्यवस्था हाचपाच मालूम होती है ।

SHRI B. D. KHOBRAGADE: If the interpreter is not there, let us continue with it after lunch.

SOME HON. MEMBERS: We can carry on after lunch.

MR. DEPUTY CHAIRMAN: The debate will continue.

सदन की कार्यवाही दो बजे तक के लिए स्थगित की जाती है ।

The House then adjourned for lunch at eight minutes past one of the clock.

The House reassembled after lunch at four minutes past two of the clock.

MR. DEPUTY CHAIRMAN in the Chair.

*SHRIMATI ILA BHATTACHARYA (Tripura): Mr. Deputy Chairman, Sir, I remember a saying of Mahatma Gandhi while discussing atrocities on women today. He said, 'That country should be considered safe and civilized where women can freely move in the streets, even during night'. He expected that India would reach that level of civilization

after independence. But today, after thirty-six years of independence, we are discussing about the ways how we can save our women from atrocities. It is really disgraceful. Still so far as I remember that during the monsoon session on the 14th July last year we discussed a similar calling attention motion.

The Hon. Minister today has made a statement regarding various remedial measures that the Government propose to take to reduce the number of dowry deaths and suicides committed by women. I do not find any difference between the Statement made on the 14th July last year and today's Statement. Hon. Members may compare both the statements. They will not find any difference. The Government have said in this Statement that State Governments, Union Territories and State Social Welfare Boards have been instructed to take certain measures to create public opinion against dowry deaths. It is also said in the Statement that Central Social Welfare Board has instructed various registered women organisations in the country to rouse the consciousness of people against this evil practice of dowry in our society. These women organisations have also been asked to create public opinion for the abolition dowry here.

On the 14th and 15th July this year Central Social Welfare Board organised the eighteenth Conference of the Chairmen of State Social Welfare Boards. It was attended by the Honourable President, Shri Zail Singh and the Honourable Prime Minister, Shrimati Indira Gandhi. Both of them expressed this opinion there that serious atrocities were being committed on our women. They have admitted that mere legislations cannot solve this problem. Only strong public opinion can fight this evil. But who will create public opinion? This public opinion can be created by those who are sympathetic to the cause of women. Such persons will organise meetings in towns and villages to create public opinion in favour of protecting the rights of women. Already, various political parties are working in this regard. But mere public opinion will not do unless provision is made for stringent punishments in the existing laws. Criminals can never be brought to book without severe punishments in the present laws.

*English translation of the original speech delivered in Bengali.

[Shrimati Ila Bhattacharya]

The Government was compelled to introduce Dowry Prohibition (Amendment) Bill in Parliament due to strong agitations launched by women organisations. That Bill was referred to Joint Committee of the Houses and that Committee submitted its Report in the month of August last year. The Committee made certain recommendations. I would like to know from the Hon. Minister why he has not taken steps to save our women from atrocities even after those recommendations of the Joint Committee? I would like to know further from the Minister how nine women were burnt alive in the month of May in Delhi? Again, in the month of June, ten women were burnt alive in Delhi. These incidents took place despite the recommendations of the Joint Select Committee. I can give their names: Meera at Lajpat Nagar, Urmila at Shahdara and Iina at Karol Bagh etc. These names are mentioned in the Memorandum submitted by Dahej Virodhi Chetna Manch.

Various Women Organisations are already creating public opinion for the abolition of dowry. Other social organisations are doing the same thing. The Press is also playing its role in this regard. Editorials are being published for the abolition of dowry. *Statesman* has given the following figures of deaths by burning:

1979	327
1980	339
1981	450
1982	465
1983	192

Why so many deaths are taking place? What steps are being taken to prevent such deaths? But, unfortunately, the police have dismissed five per cent of above cases as suicide cases. They have treated another five per cent of above cases as cases of accidents.

In this manner, during the past four and a half years, the burning cases have in-

creased 53 percent. So the situation is very serious in the country. The Parliament must give serious thought to this problem. The Prime Minister is receiving honour abroad. But what is the real condition in our Country? We should be conscious of the realities here. So I demand that stringent punishments should be provided in our Laws. Mere public opinion will not help us.

Our social system is primarily responsible for the plight of our women. Our society is based on exploitation. Both men and women are exploited in our society. But since our society is a male-dominated one, women are subject to more exploitation than men. It is also a fact that a certain section of our people have lost the values in life. They have lost all respect for women. They do not treat women as human beings. So our social system must change. But, in the present capitalistic system of society, all should make sincere efforts to fight the evils of dowry. In this direction the Government, all social organisations and citizens must work in towns and villages.

Our newspapers are read in foreign countries. They frequently report cases of dowry deaths. So these cases are a blot on the fair name of India. But we take pride in the glory of our country. That glory is now at stake because of dowry deaths in such a large number.

I would like to know from the Hon. Minister why dowry deaths in Delhi, which took place in the months of May-June, could not be prevented, particularly after the Joint Select Committee submitted its recommendations to the Government?

I appreciate that the Government may find some difficulty in apprehending those criminals who are working in private offices. But, some Policemen who are responsible for such crimes are working in Government Offices. What steps the Government have taken against them?

We take pride in the fact that ours is a socialist State. But socialism cannot be established in the country through mere slogans. I must say that the Government is

not implementing those principles which establish true socialism in the country.

I had the good fortune to visit a socialist country, namely, Bulgaria. I have seen two women cleaning roads at 12 in the night. A policeman was assisting them with water through a hose-pipe. When I saw that picture, I remembered the harassment to our women stand in our country. So if we really want to establish a Welfare State, we must implement those principles which exist in Socialist Countries.

It is true that all should make sincere efforts to create public opinion against dowry system. But mere public opinion will not do. We must plug the loopholes in the existing laws. I request the Government to bring forward strict laws to prevent cases of dowry deaths, rape and bigamy. I repeat that the Government must stop all forms of torture on women.

MR. DEPUTY CHAIRMAN: Now I will make one exception because a lady Member is involved.

SHRIMATI MARGARET ALVA (Karnataka): Mr. Deputy Chairman, there are few women to speak. I am not going into the discussion of the causes. (Interruptions)

श्री शिव चन्द्र झा : आपने श्रीमती रोडा मिस्त्रि को बोलने का मौका नहीं दिया (व्यवधान)

SHRIMATI MARGARET ALVA: Mr. Jha, you get a chance every day.

श्री शिव चन्द्र झा : मेरा कहना यह है कि उनको आपने क्यों नहीं बुलाया ?

श्री उपसभापति : मैं तो उनको बोलने के लिए मौका देने को तैयार हूँ, लेकिन वे हैं कहाँ ?

श्री शिव चन्द्र झा : वे लड़कर भाग गई हैं। यह क्या तरीका है ?

श्री उपसभापति : मैंने आपको बताया कि मैं उन्हें बोलने के लिए मौका देने को तैयार हूँ, लेकिन वे यहाँ पर अभी हैं ही नहीं। चूँकि अभी पार्टियों का टर्न हो गया है, इसलिए उनको अब बुला रहा हूँ।

श्री शिव चन्द्र झा : आपने उनको बुलाया क्यों नहीं ?

MR. DEPUTY CHAIRMAN: Now, when she is not present, what can I do?

श्री बी० सत्यनारायण रेड्डी : (अन्ध-प्रदेश) : श्रीमन्, इसमें मेरा नाम भी है, आप भूल गये हैं (व्यवधान)

MR. DEPUTY CHAIRMAN: No, I am not making any discrimination: I told her before lunch: If you insist, I will make an exception, I will call you later on when the parties are over. Now parties have spoken, therefore, I was to call her, but she is not present. What can I do? That shows her eagerness. (Interruptions)

SHRIMATI MARGARET ALVA: Sorry. For this confusion you may leave me out. I will not speak. I withdraw. (Interruptions) Mr. Deputy Chairman, I will sit down if there is any objection. (Interruptions)

MR. DEPUTY CHAIRMAN: I will call from this group. I will call you, Mr. Khobragade. Please sit down. Mr. Kulkarni. (Interruptions) In the group of 'Others', I will call him. (Interruptions)

श्री शिव चन्द्र झा : आपने कुछ कहा, ही नहीं आपने उनको बुलाया ही नहीं ... (व्यवधान)

श्री उपसभापति : मैंने कहा है: आप रिकार्ड देख लीजिये। Mrs. Roda Mistry has not come. What can I do?

श्री शिव चन्द्र झा : आप यह कहिये कि गलती हुई है . . . (व्यवधान)
आपने उनको मौका नहीं दिया, इसलिए यह गड़बड़ी हुई है . . . (व्यवधान)

SHRIMATI MARGARET ALVA: Sir, in the morning you said that if there is time at the end, you will call me.

MR. DEPUTY CHAIRMAN: This is not correct. Now you are on the panel of Vice-Chairmen. Mrs. Roda Mistry was very angry. I would like to clarify. I was very much for it, if the House agreed, that we allow more than one Member from this party. The rule has been framed by the Rules Committee. But the leaders of parties did not agree that only five Members should be called. What can I do? (Interruption) It was not as a matter of right. Every party has got to offer one Member. If some Member surrenders that right, I can call the other. Mrs. Kaul was there. But I said, "If you insist, I will call you latter on when other Members from different parties have spoken". (Interruptions) Please do not say that it is a matter of right.

SHRIMATI MARGARET ALVA: Sir, as I said, I will withdraw if there is any objection.

SOME HON. MEMBERS: No.

SHRIMATI MARGARET ALVA: Sir, I just want to say that, what is happening, this question of dowry deaths and other atrocities on women is basically because of a social evil which exists, and that is the lower status which women enjoy today. These are only symptoms of a deeper malady which will have to be dealt with at different levels. This problem is getting from bad to worse, and I am glad that this Calling Attention has come before this House today. We worked on the Dowry (Amendment) Bill for about two years, and it is with the Government now, I think, for over six months. My first question would therefore be: When is the Dowry (Amendment) Bill going to be passed by

Parliament because I do not see it listed for this session as yet? And I would appeal to the Government at least to give an assurance that it would get sanction during this session of Parliament.

Besides this, there are a few other points which I would certainly like to make. There is now a proposal that certain other laws related to various aspects of evidence and also the Criminal Procedure Code and so on should be amended. But amending these Acts piecemeal is not going to solve the problem. We would like a review of all these Acts once and for all. There is another piecemeal legislation about remarriage of widows or something. In every session some piecemeal legislation is there. I would like to know whether the Government would be prepared to review all these laws at one time and see that a comprehensive legislation for the protection of women is introduced.

Sir, there is also the question of presumption which one should really deal with. What is happening in all these dowry deaths another things is that there are no eye-witnesses and the existing laws do not permit registration of cases as murders because it all happens behind closed doors, and it is recorded as suicide. Therefore, there has been a suggestion from various organisations and from lawyers' forums also that the presumption of murder should be there. When death takes place of a bride under mysterious or suspicious circumstances within six years of marriage, there should be presumption of murder. Unless proved otherwise, it should be regarded as murder and then investigated. I would like to now from the hon. Minister what his reaction to this suggestion from various forums would be.

Another great need today is what we call 'homes for battered women'. What is happening today is, once a girl is married particularly in the Hindu society, she is not taken back to her parent's home under any circumstances because it is considered to be a kind of humiliation if she is taken back from her in-laws home. Even when she is harassed and she knows

that she has to face all this, she goes through it until she is finally murdered or kills herself. Will the Government think in terms of having homes of refuge for such women so that they may go there and at least have place where they can seek protection until something is done for them? These exist in many other countries, But here it has not yet received the attention of the Government. I would like to ask the hon. Minister whether something could be done in this regard.

Sir, one more technical point. I have been very often fighting with the Ministry on his, that the hostels, Government hostels, for women have no provision for admitting a woman with children. Sometimes a young widow or a young destitute woman who finds a job has nowhere to go, and the hostel will not permit her to enter the hostel with a child, even a small child under six. I would ask the hon. Minister because most of them, come under the Home Ministry, whether they would be prepared to amend this rule and see that women in despair are allowed to stay in the Government hostels with their children.

There is only one more question. I am asking him, and that has not been touched upon. It is regularly that we read of the unfortunate atrocities on women not only in police stations but in jails where they are kept under very difficult circumstances, in mental hospitals where they are admitted, even in student hostels for girls where these girls are misused for immoral purposes as well as in remand homes. These things do not come to light until somebody goes to these places and takes courage to write about them. And normally the officers involved, when the enquiry comes up, try to hush the matter and see that the people involved are transferred somewhere else, and nothing comes out. I would ask the hon. Minister specifically whether some kind of a cell would be set up by the Home Ministry to investigate into what happens when the law-keeping authorities themselves get involved in these crimes.

Thank you very much.

SHRI B. D. KHOBRAGADE: Mr. Deputy Chairman, Sir, in recent years there has been an alarming and enormous increase in the cases of rape and criminal assaults on women. I need not give many instances because hon. Members have quoted many instances. But such atrocities are not being perpetrated in rural areas or in other cities only, but in Delhi also, where this Government is sitting, such atrocities against women are taking place. I will quote only one or two cases. In Indira Prastha College of Delhi University, two youths, on motorcycles came just near the girls and tried to molest them. Nothing could be done against them. Then two girls were walking down a street in the Government colony of R. K. Puram and they were brushed against by a youth on cycle as he drove past them and one of the girls who was hit angrily shouted against him. There are other cases also. The common cases are that there are attempts to pinch, paw and molest women. So such cases are happening in Delhi itself. I would like to know from the hon. Minister, if in the Capital of India such instances are occurring, what steps is he going to take to stop such things?

It has been said that such atrocities are perpetrated by the common man only. That is not the case. Just now Mrs. Alva made the point that in police custody, in jails, rapes take place and the police officials are also responsible for it. In one case, in the famous Mathura's case.....

MR. DEPUTY CHAIRMAN: Please don't go into these details. These facts are known to everyone. Please put your points.

SHRI B. D. KHOBRAGADE: In Mathura's case, two police officers raped her. In Baghpat, in Maya Tyagi's case, in broad daylight she was raped by 11 officials, and atrocities were perpetrated. I would like to know what has been done in the Baghpat case, in Maya Tyagi's case. Nobody has been convicted so far. In Mathura's case, there was one objection that she could not prove or the prosecution could not prove that the

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victim had submitted because of fear of death or hurt. The Law Commission has suggested that because of this judgment, the law should be changed now and in addition to fear of death and hurt, fear of injury other to body, mind, reputation or property should also be included. I do not know what has been done about this recommendation of the Law Commission. I think a Criminal Law Amendment Bill was introduced. I think it was referred to a Joint Committee and the Joint Committee has submitted its report.

MR. DEPUTY CHAIRMAN: That he has made clear in the Statement.

SHRI B. D. KHOBRADE: For the last two years that Bill has not been brought before the House. I would like to know from the hon. Minister whether this Bill would be brought before the House and passed and whether the recommendation of the Law Commission would be implemented. I would like to know these things.

MR. DEPUTY CHAIRMAN: The Minister, please.

श्री रामचंद्र भारद्वाज (बिहार) :
उपसभापति महोदय, एक सवाल।

श्री उपसभापति : अब कोई सवाल नहीं रह गया है।

श्री रामचंद्र भारद्वाज : आधा सेकेंड दे दीजिये।

श्री उपसभापति : नहीं अब हो गया।

श्री रामचंद्र भारद्वाज : सीधा सवाल है सुन लीजिये।

श्री उपसभापति : कई पूछने वाले इस तरह से।

श्री शिव चन्द्र झा : मुझे भी पूछना है।

श्री उपसभापति : भारद्वाज जी, मैं आपसे हाथ जोड़ता हूँ आप मत पूछिये।

SHRI P. VENKATASUBBAIAH: Mr. Deputy Chairman, I am highly thankful to the honourable Members who have participated in this Calling-Attention. Several suggestions have been made and several questions have been put on what action Government is proposing to take in order to control these crimes that are being perpetrated on women. Government is very much concerned about these atrocities on women. The Prime Minister time and again has been feeling that stringent action should be taken both on the administrative side as well as on the social side. In my statement I made an appeal that social organisations must be able to create an awareness in the country and mobilise public opinion against such atrocities. Several questions have been asked by Members, starting with Dr. Bhai Mahavir. I would like to narrate the various steps that I have taken. If I have not covered any of the points raised by honourable Members, they may kindly point out the same and I will try to answer them also. In my statement I have said that administrative measures are being taken in order to make laws more stringent. As regards in Dowry Prohibition Act 1961, it was referred to a Joint Committee and the recommendations of the Joint Committee are being looked into by the Ministry of Education and Social Welfare. Some honourable Members have asked why there is delay in introducing in Parliament the Amendment Bill as recommended by the Joint Committee. I shall certainly convey the feelings of the honourable Members to the concerned Ministry. As far as I know, it is being scrutinised by the Law Ministry; the various suggestions and recommendations made by the Joint Committee are being scrutinised. I only want to point out that the Amendment Bill to be brought before Parliament should be, as far as possible, foolproof and we should not take any hasty step in the matter lest the entire effort should prove counter-productive. That is the anxiety of the Government — to see that the Dowry Prohibition Amendment Bill is made foolproof and made more stringent.

Coming to the Amendment Bill on rape, I have given notice of introduction of

the Amendment Bill in Lok Sabha and it is coming soon and it will be discussed in both Houses of Parliament. The recommendations of the Joint Committee have been scrutinised by the Home Ministry and we are coming before both Houses of Parliament. Further, steps have been taken for a Bill for amendment of the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act to deal with cases of cruelty to women and dowry deaths, and the Bill is proposed to be introduced in Parliament in the current Session. The most important amendment that is being proposed by the Government is that we are making these offences cognizable and non-bailable. Even cruelty is also being defined as to include harassment on account of dowry. The offence will also be cognizable and non-bailable. These are the improvements that we are going to make so far as the Indian Penal Code, the Code of Criminal Procedure and the Indian Evidence Act are concerned.

Another point which the honourable Members have made is about dowry deaths not only in the city of Delhi but in various places in the country. We have taken cognizance of the feelings of the honourable Members and we have taken certain administrative steps so far as State Governments are concerned. The honourable House is aware of the limitation under which we work so far as State Governments are concerned. It is purely a State subject and we have to persuade the State Government's to fall in line with us and also to see that whatever sentiments have been expressed, suggestions made, are looked into very carefully and suitable administrative action is taken at the State level.

Sir, on 22-7-1980 instructions have been sent to all the State Governments and Union Territory Administrations and thorough investigation should be conducted in all cases of attempted suicide or death in suspicious circumstances of young married women during the first five years of their marriage. This period has been extended on 13-8-1982 to 10 years and such cases should be investigated by an officer not belonging the rank of a Deputy

Superintendent of Police and post mortem should be done by a team of two Doctors. Disposal of the dead body without post mortem should not be permitted except with 'No Objection Certificate' by the Police and such certificate should not be issued unless the dead body has been seen by the parents or guardians or close relatives from the bride's side of the family.

Allegations have been made that there has been police involvement and misbehaviour by police officers with women. About misbehaviour with women so far as police officers are concerned, the Home Secretary wrote to all the State Governments and Union Territory Administrations on the 14th March, 1980 bringing out clearly the legal position and advised them to ensure that the instructions issued are followed in letter and spirit by the State Police. The Union Home Minister has also sent letters to the Chief Ministers of States and Union Territories in July, 1980 reiterating the earlier suggestions contained in the Home Secretary's letter of the 14th March, 1980. He has further suggested that whenever any instance of alleged acts of offence committed against women by the Police comes to notice, prompt enquiry should be instituted and it should be completed within the shortest possible time to create a sense of confidence. When *prima facie* case is established, not only criminal case should be launched against the accused police officer, but he should be straightway suspended. Further, while making enquiry if it is suspected that the accused police officers' presence in the area is likely to affect the enquiry, he should forthwith be transferred to a distant place. In certain cases evidence may not be sufficient to launch criminal case, but may be enough to start departmental proceedings. In such cases, departmental proceedings should be completed immediately and deterrent punishment awarded to the accused.

We have advised the State Governments, we have persuaded them to do this and they are doing it. It is for them to act on these instructions.

Publicity should also be given to the steps taken by the Government in each

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case where enquiry is made against police officers. Publicity should also be given whenever any incident highlighted in the press is found to be either baseless or highly exaggerated.

As a result of recommendations of the Supreme Court in a recent case it has been mentioned by my hon. friend Dr. Bhai Mahavir—it has been decided to monitor actions taken by the State Governments and the Union Territory Administrations in following the instructions issued in regard to registration and investigation of cases of unnatural deaths of married women. The State Governments and Union Territory Administrations have been requested to constitute district advisory committees having fair representation of women to assist investigation of cases involving crimes against women. Notwithstanding legislation on the subject, strict enforcement of the laws and rules and regulations is not possible unless there is social awareness.

Delhi is attracting much attention because of a large number of dowry deaths and cases of harassment reported in the press. So far as Delhi is concerned, since it is under the administrative control of the Union Territory, we are taking certain steps. Delhi Administration has been instructed to take up the following dowry deaths, the police have set up a Special Cell from out their own strength. The Special Cell consists of one Deputy Commissioner of Police, two Inspectors and some of them consists of all cadres of police personnel. Sir, we are not satisfied with the present strength of the Anti-Dowry Cell.

DR. BHAI MAHAVIR: Sir, may I ask one thing? I quoted from the judgment of Mr. Justice J. D. Kapur that whatever instructions are issued are not followed. For example, we are told that the case has to be investigated by at least an Assistant Commissioner of Police.

SHRI P. VENKATASUBBAIAH: Yes, that is being done.

DR. BHAI MAHAVIR: No, Sir. The Judge says that in the cases referred to her Court, in none of those cases this has been done.

SHRI P. VENKATASUBBAIAH: If that is the case, I will certainly look into the matter.

MR. DEPUTY CHAIRMAN: But he is referring to the judgement of the judges.

SHRI P. VENKATASUBBAIAH: Yes, Sir; I am conscious of that. Whatever has been said by the Court, we will certainly try to implement it.

Sir, so far as the administrative measures that have been taken are concerned, I have been enumerating them and I have mentioned about the Anti-Dowry Cell. Instructions are being issued to the police officers to take serious notices of all cases of suicide or death in suspicious circumstances of young married women in the first ten years of marriage and the cases are to be treated as special cases and the investigation is to be conducted by an officer not below the rank of a Dy. Superintendent of Police, that is, an Asstt. Commissioner of Police. Dr. Bhai Mahavir has said that this is not being implemented by the police department. We will certainly look into the matter and whenever or wherever there has been such a lapse, I may assure the House that appropriate action will be taken.

Another thing, Sir, I would like to mention. A Reconciliation-cum-Guidance Bureau under the anti-dowry scheme has been set up by the Directorate of Social Welfare of the Delhi Administration to provide counselling and guidance services to married women in distress and who are victims of their-in-laws on account of dowry. The Directorate has also launched publicity and propaganda through various media. Instructions for getting the post-mortem conducted by at least two doctors in dowry death cases have been issued. Moreover, doctors are required to issue the necessary certification and at station at the time of the recording of the dying declaration, Spe-

cial Magistrates have also been detailed for recording the dying declaration in such cases. All women who are victims of offences are entitled to free legal aid, Sir, these are some of the steps that we have taken so far as the Union Territory of Delhi is concerned.

SHRI B. D. KHOBRA : What about the Law Commission's recommendations and the Criminal Law Amendment?

SHRI P. VENKATASUBBAIAH : The recommendations of the Law Commission have been gone into by a Joint Select Committee and the recommendations made have been considered and some of the Members were also Members of that Committee.

Sir, another thing is about the strictures passed by the Additional District and Session Judge, Delhi, in his judgement on 2-7-1983, in a case, FIR No. 609, under section 4 of the Dowry Prohibition Act, of the Police Station Ashok Vihar. While awarding death sentences, he has passed strictures against the investigating officer, a Sub-Inspector and the doctor of St. Stephen's Hospital for fabricating and forging the dying declaration of the victim. Departmental proceedings have been initiated against the Sub-Inspector and a notice is being sent by the Delhi Administration to the Matron of the St. Stephen's Hospital which is a private hospital for appropriate action against the doctor concerned. The same is being conveyed to the Medical Council of India for similar action. Sir, each case, whenever it is brought to our notice, is being looked into very carefully. Sir, a few days back I had a meeting with the Chief Executive Councillor of the Metropolitan Council. You might have seen a series of Press reports about the harassment of women not only in Delhi, but also in other States. But in Delhi this has become enormously menacing. So, we have had a meeting and the Chief Executive Councillor of the Metropolitan Council has already taken action with regard to stopping of eve-teasing. He has taken some administrative steps and eve-teasing has come down now. Also, Sir, we have

taken the co-operation of the DTC and now, Sir, whenever there is some misbehaviour on the part of any passenger in the bus, the bus driver can directly take the bus to the nearest police station. And the police has to take necessary action. Such people have been rewarded also. We have also taken a meeting with the Police Commissioner and other concerned officers. We are taking all possible steps to see that this menace is averted and it is contained as far as possible.

Sir, we have also recommended that there should be mohalla committees in order to know the circumstances leading to such sort of harassment of women. There are conflicting versions and some cases it is unfortunate that our public opinion is not so alert or responsive and some of these cases will not be able to be proved because of lack of evidence and hesitancy on the part of the people to come before the court to give evidence. There are some more factors but that should not deter us from going ahead. Sir, it is the duty of this Government, whether it is the Central Government or the State Government to go into all these matters. Of course, the hon. Member from Bengal has said that it is the primary duty of the Government to mobilise public opinion. I share the views of the hon. Member. But voluntary organisations also should feel their duty and should come to the aid of the Government and cooperate. Sir, in Delhi, I may say to the credit of some of the voluntary organisations, they are doing wonderfully well and they are cooperating with the Government and are trying to mobilise public opinion. Sir, several seminars have been held by these voluntary organisations where officers belong to the administration have been invited and there has been an exchange of views. It is a constant exercise. As somebody said, men are dominant in society where women are at the receiving end. These factors have to be taken into account.

Sir, the disease of dowry is more widespread among some of the educated people than among the rural folk. These are social evils that have crept up. Shrimati Alva has made a suggestion. I will certainly look into it, and whatever is possible

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on the side of the administration, I can assure the hon. Member that will be done in this case.

MR. DEPUTY CHAIRMAN: Dr. Siddhu, now. *(Interruptions)*

DR. BHAI MAHAVIR: Just one basic point, about the assumption of innocence in such cases.

MR. DEPUTY CHAIRMAN: He has covered it already.

DR. BHAI MAHAVIR: About the abolition of this...

MR. DEPUTY CHAIRMAN: He has already replied to that. Please sit down.

DR. BHAI MAHAVIR: But if...

MR. DEPUTY CHAIRMAN: Don't record *(Interruptions)*

DR. BHAI MAHAVIR:*

MR. DEPUTY CHAIRMAN: Dr. Siddhu.

MOTION FOR EXTENSION OF TIME FOR PRESENTATION OF THE REPORT OF JOINT COMMITTEE OF THE HOUSES ON THE MENTAL HEALTH BILL, 1981.

DR. M. M. S. SIDDHU (Uttar Pradesh): Sir, I beg to move the following Motion:

"That the time appointed for presentation of the Report of the Joint Committee of the Houses on the Mental Health Bill, 1981, be further extended up to the first day of the last week of the Hundred and Twenty Eighth Session of the Rajya Sabha."

The question was put and the motion was adopted.

*Not Recorded.

REFERENCE TO THE REPORTED INFILTRATION OF A LARGE NUMBER OF BANGLADESH NATIONALS INTO WEST BENGAL

DR. M. M. S. SIDDHU (Uttar Pradesh): Sir, with your permission I wish to bring to the notice of the Government a serious situation which is caused by the infiltration of persons of Bangladesh origin and the so-called Biharis in Bangladesh. They are infiltrating in 24 Parganas of West Bengal. It has been said earlier also in this House that there are two types of infiltrations: one through documents, through visa, and the other... *(Interruption)*

It has been calculated that about 25 per cent come with valid documents or invalid documents, because the check posts have not been able to verify whether all of them are valid documents. Nearly 20,000 per year disappear in Calcutta and its neighbouring suburbs. The police or the Home Department is unable to trace them. It is estimated that in about 10 years more than 3 or 4 lakh people have infiltrated in this way. They might be anti-social elements or might be anything. It has been reported in the Statesman of 25th July that there are two touts. One of them is the resident of Basarhat. He is able to procure even ration cards for the persons who get into 24 Parganas in this way. A ration card is a document or evidence by which one can prove that he is the resident of that area. Secondly, it is a matter of great regret that this is going on for such a long time and no effective action is taken. Like the foreigners' issue, it is another place, Bengal, where this problem is being created. This is a similar thing. I will not go into details. I refer only to newspaper reports. It is a signed article. So, it can be traced. I ask the Government to go into the root of this matter. Otherwise, a situation like Assam may be created. It is said that in certain villages more than 70 per cent of the persons do not belong to our country. Thank you, Sir.