

this is a bad thing. They feel the pinch but then they are the people who have religious sentiments behind them and they feel that this system has acquired religious sanctity and that it has got to be observed even if it means their ruin. In any case, it will be the best thing if this Bill could be withdrawn but if the Government insists that it should not be withdrawn, then I would prefer it to be passed in the present form in which it has come to us for the simple reason that Government would have the satisfaction that it has taken a step forward in regard to social legislation. The provisions of the Bill and particularly the explanations to clause 2 practically nullify the effect which it is hoped that this Bill will have. In the circumstances, I feel that the most satisfactory arrangement would be for Government to withdraw this Bill because it is not going to help us in any way and it will constitute a laughing stock; if Government does not want to withdraw this measure, then it may be passed because Government will then have the satisfaction, as I said earlier, of having taken a step forward and this will be the case with others also who want to take shelter behind this measure.

I cannot support the Bill but then the Bill has to be passed and it may be passed in the present form without accepting any of the amendments which have been given notice of because the amendments are worse than the disease itself.

MR. DEPUTY CHAIRMAN: The house stands adjourned till 2 P.M.

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

The House reassembled after lunch at two of the clock. Mr. DEPUTY CHAIRMAN in the Chair.

## MESSAGE FROM THE LOK SABHA

### THE INDIAN STATISTICAL INSTITUTE BILL, 1959

SECRETARY: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary of the Lok Sabha:

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Indian Statistical Institute Bill, 1959 as passed by Lok Sabha at its sitting held on the 14th December, 1959."

Sir, I lay the Bill on the Table.

### THE DOWRY PROHIBITION BILL, 1959—*continued*.

MR. DEPUTY CHAIRMAN: I have got still about 15 names before me and we have hardly 45 minutes. So, Members will please take 5 minutes each.

SHRIMATI SAVTTRY DEVI NIGAM (Uttar Pradesh): In five minutes what can be said?

MR. DEPUTY CHAIRMAN: Everything that has to be said on the Bill has been said.

DR. SHRIMATI SEETA PARMA-NAND: It is a social measure and

MR. DEPUTY CHAIRMAN: I am calling the hon. Minister to reply at 2.45 P.M.

SHRI B. D. KHOBARAGADE (Bombay): The Chairman has said that the discussion might continue up to 3 o'clock.

MR. DEPUTY CHAIRMAN: We will take up the amendments tomorrow but the discussion will close.

DR. SHRIMATI SEETA PARMA-NAND; He said that if the House desired, we could sit from 5.00 to 5.30.

SHRI S. CHANNA REDDY (Andhra Pradesh): Mr. Deputy Chairman, Sir. I rise to lend my hearty support to this social measure but I cannot be very optimistic about the efficacy of the Bill. It is true of all social legislation of this kind. This social evil of dowry is not only deep-rooted but it has been haunting our society for so many years. Of course, of late, it has become very serious and it has assumed enormous proportions. The situation has now come to this pass that having daughters has become a curse upon ill-equipped families. Moreover, there is no more sanctity or piety behind matrimonial relations, they have been reduced to business transactions. Sir, this is a compound social evil; it is dependent upon so many other evils such as caste system, etc. This caste system has made the marriage market very limited and therefore the demand for bridegrooms has become very acute and the people have to pay very high price for bridegrooms. In my opinion, this evil is a bit economic too because the ambitions of our young people, especially educated young people, are soaring very high but the resources at their disposal are not keeping pace with their high ambitions and therefore they want to tap or exploit this source also.

As I have said, this Bill cannot be an entire remedy for this malady which is persistently haunting our society. The society and the public have to be constantly educated; then only a social atmosphere could be created in which the giving of dowry will be prohibited. Socially, this problem is vexing the middle class and upper middle class families very much but as for the lower strata of our society, this evil custom is working the other way round. Generally, it is understood that 'dowry' means the bride's parents giving something in cash or property to the bridegroom's

parents, but in the lower strata of society it is quite the other way round. The bridegroom has to pay something as price for the bride and that is generally called *Kanyasulka*. It is prevalent in 60 per cent, of the population, at least in my part of the country.

Sir, it is very good that the definition has been made very comprehensive so as to cover this point also. But I cannot be agreeable to the Explanation which is added to the definition of 'dowry'. The Explanation would render it impossible to detect actually what is dowry and what is not dowry. Everything, cash or property, can be passed off as a marriage present though it may actually be dowry. So, this Explanation defeats the very purpose of the Bill and therefore, Sir, in my opinion it has to be deleted.

There is much controversy about making this offence cognizable. In my opinion, it is not good because our police is not functioning ideally and it will only be one more instrument in the hands of the police to harass the people.

MR. DEPUTY CHAIRMAN: I am very sorry; it is my unpleasant duty to remind you of the time.

DR. SHRIMATI SEETA PARMA-NAND; It will not be possible to speak like this. It is such an important legislation; we should get more time. Nobody can speak in less than 10 minutes on this measure.

SHRI S. CHANNA REDDY; In my opinion, it should not be made cognizable. Sir, with these observations, I conclude. Thank you.

SHRI B. D. KHOBARAGADE: Sir; in the very beginning I would request you to allot me a little more time.

MR. DEPUTY CHAIRMAN: You may take one or two minutes.

SHRI B. D. KHOBARAGADE: The present Bill that is under consideration seeks to eradicate the evil off

dowry system from the society. The dowry system is a most pernicious and heinous system and I think there can be no two opinions that this evil should be completely eradicated from the society. There is no individual in India, except a few orthodox persons, who would desire that such an evil system of dowry should be allowed to continue any longer in society. Sir, because of this dowry system, a number of families are ruined. Many promising young girls cannot get married and most of those unmarried daughters usually commit suicide or they have to spend their life in misery; not being able to get married, they are considered to be a burden on the family. In view of these difficulties it is very essential that this evil system of dowry should be eradicated completely from society.

The only question is whether by adopting this measure which is before us we can eradicate this evil. So far as reforming the society by means of legislation is concerned, it is my frank opinion that we can reform society with the help of laws but there are two essential conditions which are extremely important. The first condition is that the law should be capable of being enforced and the second condition is that there should be willingness, zeal and enthusiasm on the part of the Government to enforce the law. If you take into consideration some of the social measures which were passed by this august House with a view to reforming our society, you will see that we have been able to implement those Acts, to enforce them and to reform the society. For instance, take the Hindu Marriages Act which prohibits bigamy. Because we have passed that law, we are noticing that bigamous marriages are not taking place now. There was a huge uproar from orthodox quarters that we should not give any rights of inheritance to women. But when the Act was passed and when it is being enforced, we see that women are getting their legitimate rights.

Sir, I will quote one instance relating to untouchability and that instance is from my district. Some Scheduled Caste people were obstructed by caste Hindus while drawing water from a public well. Unfortunately, the Government did not take any action in spite of repeated reports to the police officers. But when the aggrieved party filed a complaint and the culprits were convicted, it had a salutary effect. In the whole of that tehsil all the public wells were thrown open. Because the people were afraid that if they did not allow the untouchables to draw water from the wells, they would have to suffer the consequences. It is clear, therefore, that social reforms can be carried out by legislation. But, as I said, there are two conditions. The first is that the law should be capable of being enforced and the second is that there should be willingness on the part of the Government to enforce the law. Unfortunately, the Government is not enthusiastic to enforce the law and that is the greatest drawback. So far as untouchability offences are concerned, I can quote a number of cases . . .

MR. DEPUTY CHAIRMAN; Leave alone the Untouchability Act. You come to this Bill.

SHRI B. D. KHOBARAGADE; If the law is not enforced, what can be done? The tenancy legislation is there. It was passed to protect the interests of the tenants. But the Government did not desire to protect the tenants and all tenants are being removed from their holdings. I must say that so far as the Government is concerned, there is a great craze to enact laws which are, as was aptly described by a Communist friend, decorative pieces of legislation . . .

DR. SHRIMATI SEETA PARMA-NAND: This is in response to popular wish that Government has brought forward this Bill.

MR. DEPUTY CHAIRMAN: Please go on. Your time is limited.

SHRI B. D. KHOBARAGADE: It is, still a decorative piece of legislation.

[Shri B. D. Khobaragade.] So, there is a craze to enact laws which is equally matched by utter incompetence of the Government to enforce the laws. So, if the Government is not competent and it does not desire to enforce the law, then there could be no social reform. If the Government is really desirous of enforcing the law, then we can have a social revolution by these measures.

So far as the Dowry Bill is concerned, I express grave doubt whether we would be able to enforce the law and bring about a social revolution so far as dowry system is concerned. According to the amendments that have been passed by the Lok Sabha, by introducing Explanation I in clause 2, I doubt in what way this law can be enforced. In my opinion, this law is not capable of being enforced. You cannot bring the culprit to book. You cannot take any action against those people even though they contravene the provisions of this Bill by taking dowry. So, if the law cannot be enforced, what is the use of enacting it? If you want the law to be enforced then, at least make one or two improvements in this Bill. The first is, remove that Explanation which allows a number of gifts to be given at the time of marriage. Yesterday the hon. Deputy Minister said that even if he removed the Explanation, the free gifts given would not come within the purview of the Bill. My question to the hon. Deputy Minister is, if Explanation I is redundant, as claimed by him, why should we retain it? Why should we not delete it? It should be deleted, because if it is there the presumption will be that anything given during the marriage ceremony, should be treated only as gifts and not as dowry. It will facilitate giving dowry in the guise of gifts. So, we should delete this Explanation.

My second suggestion is. Make the offence cognizable . . .

AN HON. MEMBER: No.

SHRI B. D. KHOBARAGADE: The offence of taking dowry should be

made cognizable. Other individual! will not be able to take any action against the offenders. Of course, if we make the offence cognizable, there is a possibility that certain individuals might be harassed. For that purpose I would like to make one or two suggestions. The first is that only D.S.Ps. should be allowed to sanction investigation of all the cases. If any cases are reported, the permission of the D.S.P. should be there to investigate the offence. Secondly, no officer below the rank of inspector should be entrusted with the investigation of such cases. Thirdly, if any prosecution is to be launched in a court of law, then the permission of the D.S.P. should be obtained.

DR. SHRIMATI SEETA PARMA-NAND: I would like to move a motion that the House do sit from 5 to 6.

MR. DEPUTY CHAIRMAN: No.

SHRIMATI SAVITRY DEVI NIGAM: I second it.

MR. DEPUTY CHAIRMAN: Your time is over, Mr. Khobaragade.

DR. SHRIMATI SEETA PARMA-NAND: Everyone may get four minutes more.

MR. DEPUTY CHAIRMAN: No.

SHRI B. D. KHOBARAGADE: So, it is quite clear that if we make the offence cognizable and if we take these precautions, no individual can be harassed while the law can be enforced and persons accepting dowry can be punished.

MR. DEPUTY CHAIRMAN: That will do.

SHRI B. D. KHOBARAGADE: My personal view is that mere laws are not adequate to abolish dowry. The concept of marriage should be changed. The whole marriage system should be revolutionised. It is because of the status of slavery to which women and untouchables have been reduced by Hindu law, Hindu religious scriptures, that they are suffering such humiliation and injustice . . .

(Time bell rings.)

DR. SHRIMATI SEETA PARMA-NAND: I make a motion that ...

MR. DEPUTY CHAIRMAN: No. Shrimati Savitry Devi Nigam.

DR. SHRIMATI SEETA PARMA-NAND: I have a right to make a motion . . .

MR. DEPUTY CHAIRMAN: I am sorry. The time has been fixed by the Chairman. I cannot do anything.

SHRI B. D. KHOBARAGADE: So, the whole marriage system . . .

MR. DEPUTY CHAIRMAN: Please take your seat.

SHRI B. D. KHOBARAGADE: Half a minute only . . .

MR. DEPUTY CHAIRMAN: No. You have taken ten minutes.

SHRI B. D. KHOBARAGADE: The whole marriage system should be revolutionised. Nowadays marriages are arranged by parents. Boys and girls have no voice at all. Girls and boys should be allowed to mix freely and acquaint themselves with each other, develop acquaintance into friendship, and friendship into love and it should ultimately result into the bond of marriage . . .

MR. DEPUTY CHAIRMAN: That will do.

SHRI B. D. KHOBARAGADE: Inter-caste marriage . . .

MR. DEPUTY CHAIRMAN: Order, order. Please sit down, Mr. Khobara-gade.

SHRI B. D. KHOBARAGADE: Inter-cqste marriages and inter-province marriages . . .

MR. DEPUTY CHAIRMAN: I have called the other Member. Please sit down. Sittings of the Council shall

conclude at such hour as the Chair-irect The Chairman has directed that the sitting shall conclude at 5 P.M. Shrimati Savitry Devi Nigam. please go on.

DR. SHRIMATI SEETA PARMA^ NAND: Sir . . .

MR. DEPUTY CHAIRMAN: Order, order. (*To Shri Khobaragade*) I have already given you more time.

SHRI B. D. KHOBARAGADE: I am only saying that I should be allowed to finish. Inter-caste and inter-provincial marriages should be allowed and they should be permitted and the Government should see . . .

MR. DEPUTY CHAIRMAN: It has nothing to do with dowry. Shrimati Savitry Devi Nigam.

DR. SHRIMATI SEETA PARMA-NAND: The Chairman has not directed us in the House in so many words . . .

MR. DEPUTY CHAIRMAN: Yes.

DR. SHRIMATI SEETA PARMA-NAND: In the Chamber he said we could sit even after five . . .

MR. DEPUTY CHAIRMAN: No. (*To Shrimati Savitry Devi Nigam*) Please go on.

' DR. SHRIMATI SEETA PARMA-NAND: We make that motion. I want to know whether the House has no right to make a motion . . .

MR. DEPUTY CHAIRMAN: You must give proper notice and then move, and also not in the midst of business. There are certain rules laid down for making motions. Shrimati Savitry Devi Nigam.

**श्रीमती सावित्री निगम :** उपसभापति महोदय, बड़ी लम्बी प्रतीक्षा के बाद यह विधेयक आज सदन के सामने उपस्थित है, जो कि समाज की एक उस भयंकर कुरीति का विनाश करने जा रहा है जो कि उसकी तस्-नस् में व्यस्त है और उसे दुर्बल बना रही है। श्रीमन्, देहेज का प्रथा का सीधा संबंध पूंजी के आदान-प्रदान से है, इसलिये इस प्रथा ने समाज को जितनी हानि पहुंचाई है, मेरा मानना है कि शायद और किसी अन्य कुरीति ने समाज को उतनी जबरदस्त हानि नहीं पहुंचाई है।

श्रीमन्, अभी श्रीमती राजकुमारी अमृत कीर और श्री पणिकर के भाषण सुनकर मुझे काफी आश्चर्य हुआ। राजकुमारी जी तो राजकुमारी हैं और उनका जनता से चूँकि सीधा सम्पर्क नहीं है इसलिये उनका इस तरह के विचार प्रकट करना स्वाभाविक ही है। इसलिये, श्रीमन्, मैं एक बात कहना चाहती हूँ जो कि माननीय पणिकर साहब ने नहीं। उन्होंने कहा, कानूनों में निहित मौल्य और पयस ब्रिटिश का प्रभाव जनता पर नहीं पड़ता लेकिन मेरा यह मानना है और मेरा विश्वास है कि कानूनों में निहित भारत ब्रिटिश का . . .

SHRI AKBAR ALI KHAN (Andhra Pradesh): She was in touch with the people. You cannot say she was not.

**श्रीमती सावित्री निगम :** औरत लोगों पर, जो कि नेतृत्व में विश्वास करते हैं उनके ऊपर उसका ज़रूर असर पड़ता है। यह विधेयक देश की मर्जावृत्ति में एक जबरदस्त सुधार लाने वाला है। श्रीमन्, जनता का जो ला-अबाइंडिंग सेक्शन है, अर्थात् रेस्पेक्टेबल और एजुकेटेड सेक्शन है, वह समाज का नेतृत्व करता है, वह हमेशा अगुवा होता है। समाज का और उसके रहन-सहन और विचारों का प्रभाव समाज पर बहुत जबरदस्त तरीके पर पड़ता है, यह बात हम कई बार देख चुके हैं।

श्रीमन्, क्लॉज २ में जो एक्सप्लेनेशन लगा हुआ है यदि वह अलग नहीं किया जायेगा तो सारे विधेयक का महत्व नष्ट हो जायगा। इसी तरीके से क्लॉज ६ में यह साफ नहीं किया गया है कि जो प्रापर्टी वालेन्टेरिली स्त्री को दी जायगी उसको यदि किसी भी समय वह दूसरे को ट्रांसफर करना चाहेगी तो कर सकेगी या नहीं। अगर इस पर रोक नहीं लगाई जायगी तो होगा क्या कि लोग पहले प्रापर्टी स्त्री के नाम ट्रांसफर करेंगे और साल या दो साल के बाद उस पर दबाव डालकर फिर अपने नाम से ट्रांसफर करा लेंगे। इसलिये इसमें ऐसा क्लॉज जोड़ना चाहिये जिससे दस साल तक कोई भी व्यक्ति उस स्त्री को दिये हुये वालेन्टेरी गिफ्ट को दोबारा ट्रांसफर न कर सके।

श्रीमन्, फंडामेंटल राइट की बात कुछ लोगों ने उठाई है। इसी क्लॉज में मैं यह बताना चाहती हूँ कि फंडामेंटल राइट्स की आड़ लेकर जो दलीलें दी गई हैं इस प्राविजो को बनाये रखने के लिये, वे वास्तविकता में fundamental right to exploit women बन जायेंगी, अर्थात् डावरी प्राहिबिशन बिल के सारे एम्स एंड अडवेंट्स डिफ्ट हो जायेंगे, अगर इसमें सुधार नहीं किये गये। दूसरी चीज—क्या ज़रूरत इस बात की है कि वालेन्टेरी गिफ्ट मैरिज पर या मैरिज से एक साल के भीतर या बाद में ही दिये जायें? जब वन्या सम्पत्ति में समानाधिकार पाने वाली है तो पिता का पुत्री के नाम प्रापर्टी ट्रांसफर करने का जो फंडामेंटल राइट है उसकी सिवाय देहेज के मद में फंसा हुआ व्यक्ति ही सिफारिश कर सकता है। मेरी समझ में सबसे नुकसानदेह बात इस विधेयक में क्लॉज ३ में है जिस में डावरी गिवर और डावरी टेकर दोनों को समान दंड का भागी बताया गया है। श्रीमन्, समाज की स्थिति से जो लोग बाकिफ हैं वे जानते हैं कि बेवारी वयस्क कन्याओं के पिता किन सफोर्किटिंग सिचुएशंस में पड़कर देहेज देने पर तैयार होते हैं। कभी-कभी छल्ला-छल्ला बेच

कर, जन्म भर के लिये कभी न उतरने वाले बौझ में दब कर, जो पिता कन्या के हाथ पीले करने का सौभाग्य प्राप्त करे उस मरने हुये को और भी मारने की व्यवस्था इस विधेयक में कर दी गई है कि वह दहेज देने के लिये भी सजा पायेगा। श्रीमन्, इस विधेयक में अगर डावरी गिवर को भी अपराधी माना जायेगा तो ऐसे केसेज भी नहीं लिये जा सकेंगे जिनमें कि दहेज लेने के बाद भी बेचारी विवाहित कन्या को उसका पति छोड़ देता है। मेरा आपसे यह अनुरोध है कि इस विधेयक के द्वारा यह व्यवस्था की जाये कि दहेज देने वाले को अपराधी न माना जाय बल्कि दहेज लेने वाले को ही अपराधी समझा जाय। इसलिये इस बिल में क्लोज दो में जो प्रवाइजो है, उसको इस प्रकार सुधारा जाय कि लड़की के नाम पर कोई भी गिफ्ट रिट्रांसफर न कर सके। मैं सोचती हूं कि यह बिल —It will have a far reaching effect.

श्रीमन्, मैं यह चाहती हूं कि इस तरह का संशोधन आवश्यक है और माननीय मंत्री महोदय से यह अनुरोध करूंगी कि यदि वे सचमुच यह चाहते हैं कि यह बिल समाज में जाकर उस बुरी प्रथा को नष्ट करे तो उन्हें इस बिल में इस तरह का सुधार अवश्य करना चाहिये। मेरा माननीय मंत्री जी से यह अनुरोध है कि वे इस तरह की व्यवस्था जरूर करें कि जिससे दहेज देने वाला इससे मुक्त रहे। तब इसका असर यह होगा कि जो पिता है, दहेज देने वाला है, दहेज देने के बाद, स्वयं कोर्ट में जाकर अपना मुकदमा दाखिल कर सकेगा। इसका असर यह भी होगा कि कन्या पक्ष के लोग अनाचार, स्वेच्छाचारी और लालची लोगों से बच जायेंगे।

श्रीमन्, यह बिल बहुत लम्बी प्रतीक्षा के बाद आया है और हजारों लाखों अनागे पिता जो कन्याओं के पिता हैं, जिनकी कन्यायें विवाह योग्य हो गई हैं वे इस बिल की ओर बड़ी आशाओं से देख रहे हैं। मेरा विश्वास है कि अगर इस तरह का संशोधन हो जायेगा तो यह बिल अत्यन्त प्रभावशाली

हो जायेगा। इस बिल के द्वारा समाज में एक नई श्रान्ति पैदा हो जायेगी जिसके द्वारा नर नारी में जो विषमता है वह सदैव के लिये नष्ट हो जायेगी और नर नारी दोनों समाज में हर प्रकार से बराबर के अधिकारी हो जायेंगे।

SHRI MULKA GOVINDA REDDY (Mysore): Mr. Deputy Chairman, this dowry system is a great evil. It is growing in its intensity. With the spread of education, it is really a strange phenomenon how these two things can happen at the same time. Whatever social legislation is brought before us, unless the society deems it a duty imposed on itself that such a thing should be done away with, it will be really difficult for the Government to enforce this measure.

Sir, I really share the views expressed by the Law Minister that in this particular case, whatever might be the reasons or difficulties that might arise in enforcing the other laws, it will be very difficult to enforce this law because it concerns mainly the bride and the bridegroom and their parents, and it is very rare that either the bride or the bridegroom or their parents will ever go to the court to complain against this evil system. Sir, this can only be put an end to by removing the existing inequalities in the social structure, the existing inequalities in the cultural and educational standards of the people, and by encouraging more and more love marriages. This is not incompatible with our marriage system. Sir, births and deaths are registered, but unfortunately there is no law enforcing the registration of marriages. Government should take steps for imposing a ceiling on marriage expenses. If such an imposition of ceiling is there then it will be rather difficult for any parent to encourage this dowry system.

Sir, I would like to bring to the notice of this hon. House that a year ago a Bombay millionaire celebrated his marriage in Delhi. Three hundred guests were flown to Delhi by a

[Shri Mulka Govinda Reddy.] chartered plane, and they were staying in the Ashoka Hotel for four or five days. When such a national waste is being perpetrated by the so-called rich people, this evil system will never come to an end. Therefore, in order to see that this pernicious system is put an end to, mere passing of this legislation will not do. It should be supplemented in other ways, by other means I have just now suggested.

Sir, the Explanation that has been given here may take away the effect of the whole legislation. As the Deputy Law Minister explained, if it is proved that it is not given as consideration for the marriage, the very purpose of it can be served even without this Explanation. The presentation of ornaments, clothes and other articles, if they are not presented as consideration for the marriage, can be made under this measure without the Explanation. This Explanation makes it clear and removes doubts, if there are any, that if presentations are made which are not meant as consideration for the marriage, they will be permitted.

I am afraid, Sir, this legislation will not be of much use unless and until the public conscience, the social conscience, is aroused and other complementary legislations are undertaken. Thank you, Sir.

**श्री नवाब सिंह चौहान (उत्तर प्रदेश) :**  
उपसभापति महोदय, मेरे पास जो दो चार मिनट हैं उसमें मैं अपनी एक दो बातें आपके सामने कहना चाहता हूँ। मैं माननीय मंत्री जी को इस बात के लिये धन्यवाद देना चाहूँगा कि उन्होंने इस बिल द्वारा एक हाथ से जो चीज दी है दूसरे हाथ से उसी चीज को ले लिया है। पहला जो एक्सप्लेनेशन था वह अच्छा था और मैंने उस समय उसका समर्थन भी किया था लेकिन जिस तरीके से आज यह चीज एक्सप्लेनेशन में रखी गई है उसके मानी इसके सिवाय और क्या हो सकते हैं

कि आप एक हाथ से एक चीज दे रहे हैं और दूसरे हाथ से उसी चीज को वापस ले रहे हैं। जिस चीज को आप नैतिक आधार पर अभी तक सब कंडम कर सकते थे, उसी को अब आप लीगेलाइज करने जा रहे हैं। मैं आपसे पूछना चाहता हूँ कि इस एक्सप्लेनेशन में ऐसी कौनसी चीज रह गई है जो दहेज के रूप में नहीं आती है। अभी तक तो कोई भी आदमी नैतिक आधार पर दहेज देने पर सिझकता था और समझता था कि यह चीज बुरी है लेकिन आपने एक्सप्लेनेशन में जो चीज रखी है उसके द्वारा आप उस आदमी को खुले खजाने दहेज देने की इजाजत दे रहे हैं और इस तरह से डाउरी देना या लेना लीगेलाइज कर रहे हैं। इसलिये मैं खास तौर से माननीय मंत्री जी को धन्यवाद दे रहा हूँ कि वे इस चीज को कानून जायज यानी लीगेलाइज कर रहे हैं।

इसके साथ ही साथ दूसरा धन्यवाद इसलिये है कि इसमें मारने वाले के लिये भी सजा रखी गई है और जो मारे जा रहे हैं साथ ही साथ उनके लिये भी सजा रखी गई है। यह भी एक दलील है कि आपने रिक्वत रोकने के लिये ऐसा ही कानून बनाया है लेकिन उसमें भी आपने गुंजाइश रखी है। हालांकि देने वाले के काम को आपने घाफेन्स करार दिया है लेकिन कानून उसको अप्रूवर बना लिया जाता है और उसको इस तरीके से निकाल देता है कि उसको कोई सजा नहीं होती। फि.तु यहाँ ऐसा कुछ नहीं है। लेकिन कुछ ग्रंथों में दहेज एक पवित्र कार्य कहा जा सकता है। ऐसी दशा में इस पवित्र कार्य के लिये जैसा आपने पहले दो हजार रुपया रखा था, उसी तरह से आप इस तरह का कोई प्रविजिन रख सकते थे। इन्कम ग्रुप बना देते और इन ग्रुपों के अनुसार जो रुपया व सामान दिया जाता उसको एलाउ कर देते। तो आप इस तरह से ए. ए. एन्ड यानी लक्ष तक पहुँच जाते। किन्तु इस एन्ड तक पहुँचने के लिये आप जिस मीन्स यानी साधन से काम ले रहे हैं उससे आप नहीं



पहुँच सकेंगे। इसलिये इस बिल से कोई फायदा नहीं होगा। आगे चल कर इस बिल में बहुत सी ऐसी चीजें हैं जिनको समझा नहीं जा सकता है। आपने कहा कि इसमें उसको इतनी सजा हो जायेगी। ठीक है, आप सजा कर देंगे, जुर्माना कर देंगे। वह सजा काट कर आयेगा, फिर आप उसका क्या करेंगे? एक दफा वह जेलखाना चला जायेगा फिर आप उसका क्या करेंगे? जो मर गया है उसके बारे में आपने कहा है कि जो उसका एयर होगा वह वसूल करेगा। किससे और कंस वसूल करेगा? अगर लेने वाला खपीकर मर गया तो क्या होगा? अगर उसके उत्तराधिकारी को इसमें से कुछ नहीं मिला और उस के पास वह जायदाद है जो उसके पुरखों से चली आ रही है, तो क्या उससे वसूल होगा? मान लीजिये कि उसकी एयर एक गरीब लड़की रह गई तो क्या उससे वसूल करेंगे? इसलिये इसमें यह साफ साफ नहीं रखा गया है कि उसका क्या होगा। वह तो मर जायेगा लेकिन साथ-साथ रहने वाला उत्तराधिकारी बेकसूर मर जायेगा। और बाद में क्या होगा, क्या नहीं होगा, इस सम्बन्ध में इसमें साफ-साफ कुछ नहीं प्रोवाइड किया गया है। इसलिये इसमें बहुत सी असंगतियां हैं, दोष हैं, जिनको बिल्कुल साफ नहीं किया गया है। इनसे आगे चल कर बहुत ज्यादा पेची-दगियां बढ़ने का अंदेश है।

कागनिजेबिल इसको खरब बनाना चाहिये। जब तक कुछ डर नहीं होता है तब तक कुछ नहीं होता है। आपने इसके अन्दर यह कहा है कि अगर कोई एक साल के अन्दर शिकायत करे तो कुछ एक्शन लिया जायेगा। लेकिन एक साल में नहीं मानूँ क्या होगा क्या नहीं होगा। एक साल में तो यह साबित करना ही दुश्वार हो जायेगा की शादी ब.ब हुई थी।

श्री साहोब प्रसाद भार्गव (उत्तर प्रदेश) : आपकी क्या राय है ?

श्री नवाब सिंह चौहान : मेरी राय यह है कि इस बहुत ही सेवेज और वहशियाना प्रथा के लिये कानून भी वैसी ही होना चाहिये। जिनके पास रुपया है उन्होंने इसको सम्पत्ता का रूप दे दिया है, लेकिन जैसा कि जसवंत सिंह जी ने बताया लाखों बच्चियों की इसी कुप्रथा के कारण पैदा होते ही हत्यायें की गई हैं और इसी तरह से आज भी बहुत सी चीजें हो रही हैं। इस प्रथा की जो बैकग्राउंड है वह बड़ी सेवेज है और उसको दूर करने के लिये वैसी ही वहशियाना सजा होनी चाहिये। मेरा यह सजेशन है कि इसके लिये पब्लिक फ्लैगिंग होनी चाहिये ताकि लोगों पर ठीक ढंग से असर हो। लेकिन सवाल यह है कि इसको कौन चाहेगा और कौन करेगा। आजकल कुछ दूसरे ढंग की ही चीज हो रही है। जब तक डिटेन्ट पनिशमेंट नहीं होगी तब तक ऐसी सामाजिक कुरीतियां खत्म नहीं हो सकतीं। हमने देखा कि कितनों ने अपनी जानें दे दीं और कितने रेवोल्यूशनरीज ने दूसरों को मार दिया—खास तौर से ऐसा बंगाल में हुआ है और हमारे मंत्री जो उसी प्रांत से आये हुये हैं,—लेकिन ऐसी सामाजिक कुरीतियां निकाल नहीं सके। उन्होंने दूसरों को मार दिया और खुद फांसी के तख्ते पर चढ़ गये, लेकिन अभी तक कुप्रथायें खत्म नहीं हुई हैं। इसलिये सामाजिक कुरीतियों को निकालना कठिन है और इस के लिये बहुत सख्त कदम उठाना पड़ेगा।

मेरा एक सजेशन यह भी है कि जिनको सर्विसेज में लेना हो उनको उस वक्त तक न लिया जाय जब तक कि वे मेरिज साटिफिकेट न दे दें। अभी जो एक साधारण येजुएट है वह अगर आई० ए० एस० या आई० पी० एस० में आ जाता है तो उसकी कीमत बढ़ जाती है।

साथ ही साथ अगर से, चाहे मिनिस्टर हों, चाहे बड़े बड़े आफिसर हों, चाहे पोलिटिकल पार्टीज के लीडर्स हों, सब को जनता के

[श्री नवाब सिंह चौहान]  
 सामने आदर्श उपस्थित करना चाहिये कि वे  
 डावरी नहीं ले रहे हैं। जब हम ऊपर से चलेंगे  
 तो उसका जनता पर एक नैतिक प्रभाव पड़ेगा  
 और यह जो बहुशियाना प्रथा है वह हमारे  
 समाज से समाप्त होगी। धन्यवाद।

SHRI V. PRASAD RAO (Andhra Pradesh): Mr. Deputy Chairman, Sir, I am not a pre-eminently eligible bachelor like my leader nor am I a father of a large number of daughters. So, I cannot be accused of partisanship in this matter.

SHRI AKBAR ALI KHAN: You are the proper person.

SHRI V. PRASAD RAO: Equally, I am not a father of an equal number of sons.

AN. HON. MEMBER: It is not the problem.

SHRI V. PRASAD RAO: That is why I can view the things very objectively, not from a partisan point of view.

Sir, unless we go into the basic question, there is no use finding a palliative when the gangrene has set in. The Law Minister has himself said that this social legislation is almost a decorative legislation. He did not say it in so many words. He said that it would be there in the Statute Book, that it might not be completely implemented and all that sort of things. But unless we go into the root cause of this evil, I think any amount of legislation like this would not help the matter. Unless woman is given her rightful place in the society, unless she is given an equal share in the property, no amount of law whatever it might be . . .

DR. SHRIMATI SEETA PARMA-NAND: That has been done already.

SHRI V. PRASAD RAO: Unless it is given, no amount of such legislation would correct the evil.

THE DEPUTY MINISTER or LAW (SHRI R. M. HAJARNAVIS): It has been dealt with already.

SHRI V. PRASAD RAO: She has not been given fully; she has been given only a fraction. She has been done only fractional justice in the Hindu Inheritance Act. That has been very correctly pointed out. You may at best drive this dowry system underground. At best you can do that, and nothing more than that. By this legislation, one need not even conceal the dowry. He can give it in the name of a gift, in the name of the so-called voluntary gift. It has been made very clear by the Explanation that any amount of money can be given. Even if this Explanation is deleted, it will be quite possible to give any amount of money in the name of a gift. Only, it should be very clearly said by both the parties that whatever is given is not given in consideration of marriage, but is only a voluntary gift and nothing could be done. That is how the dowry can be completely legalised. It cannot be left to the conscience of these people because they could come and perfectly claim that it is not as consideration for the marriage, but it is only a voluntary gift—the so-called voluntary gift—on behalf of the father to the daughter. Sir, the days of *Kanyadan* are gone. Woman is not a commodity which can be given as a *dan*; she is not to be given like *bhnodan* or some other *dan* which is given away to somebody else. The days of न स्त्री स्वातंत्र्यमहं

are gone. Marriage must be voluntary and based on mutual love. Woman is not to be given away like this. The very concept of it I think is absolutely wrong. So, I think that unless that basic defect is remedied, such a legislation can at best be a palliative. Let me point out, Mr. Deputy Chairman, that this legislation is not even that palliative. That is my grouse.

Some friends have correctly pointed out that this Explanation is redundant. Yes. The Explanation gives very wide scope for any amount of money to be given as gift. Even if the Explanation is removed, then also that lacuna stands because what is defined . . .

SHRI B. D. KHOBARAGADE: A bit better.

SHRI V. PRASAD RAO: Yes, a bit better.

'Dowry' is denned as that money or that gift or that security which is given as consideration for the marriage. But how is it to be proved that a particular thing is given as consideration for the marriage or not? Can it be left to the subjective conscience of a judge to decide whether a particular amount is given as consideration for the marriage or as a voluntary gift? And nobody will be forthcoming to give evidence also because the giver as well as the taker, both are punished. There is the story of a proverbial king who used to punish both the complainant and the defendant in order to dispose of the case. If anybody went to him with a complaint that somebody had beaten him, both the complainant and the defendant were made to suffer, were made to undergo imprisonment. Hence, nobody came forward to complain. So also, under the present Bill both the giver and the taker of the dowry are punished. And nobody will come forward to give evidence whether a particular thing or amount has been given as dowry as consideration for the marriage or as a voluntary gift. Even if a third person who is interested in it goes and complains in the court, both of them can get away with the simple statement that it was not given as consideration for the marriage, but only as a gift given by the father to the daughter. I know why this thing has come up. There is no time for me and I do not want to dilate upon it. Under this society, under capitalism, everything tends to be commercialised. I am sorry to point out that even the 135 RSD—5.

sacred institution of marriage is being commercialised. I know that in the State from which I come a sort of graded scale has been fixed up as dowry. One need not even ask if the fellow is a matriculate. If so many acres are there as his property, then it is Rs. 1,000 for every acre he has got, plus Rs. 1,000 for his being a matriculate. If he is a graduate, it is another Rs. 3,000. If he happens to be a medical student or an engineering student, it varies from Rs. 20,000 to Rs. 30,000. So, even this sacred institution is being commercialised. But if we want to do anything serious about it, let us tackle the basic problem, and tackle it in such a way as it can be done properly. There is no use putting decorative legislations on the Statute Book. Let us tackle this problem in right earnest. About the other problems, I propose to deal with them on some other occasion.

SHRI P. N. SAPRU (Uttar Pradesh): Mr. Deputy Chairman, Sir, the Law Minister has put the case for this measure moderately and in a well-considered speech. I must say, however, that from the very beginning I have been opposed to the very principle of this Bill. I pointed out in my speech on the motion for reference to Select Committee that it was a piece of legislation which the courts would find it difficult to administer. This is an argument which supporters of the Bill cannot ignore. Legislation is not a panacea for all the evils from which our society suffers. The legislative process has certain limitations and you cannot make people marry your girls if they do not want to. In my opinion this Bill seeks to give vitality to the Hindu system of arranged marriages. I think the solution to the problem lies in having a wide choice for your girls and for your boys, and in inter-caste marriages.

SHRI B. D. KHOBARAGADE: Inter-State marriages also.

SHRI P. N. SAPRU: Inter-regional marriages and also communal marriages. That I think is the solution.

[Shri P. N. Sapru.] The bridegrooms must meet and select their future mates in life. This system of arranged marriages should go. What happens, Sir, today? And what will happen if you pass this Bill?

SHRI SONUSING DHANSING PATIL (Bombay): What about love marriage?

SHRI SHEEL BHADRA YAJEE (Bihar): He is in favour of love marriage.

SHRI P. N. SAPRU: The poor man will find it difficult to find a match for his girl. If a girl is an heiress or has got lots of money, then no question of dowry arises. Even the IAS people will be only too eager to marry her.

Then, Sir, I am strongly opposed to the deletion of the Explanation. It must be remembered that this is not a substantive clause. This is an Explanation and it makes explicit what is implicit in the Bill. I think that if you do not have this Explanation, there will be much occasional fruitless litigation because there is no doubt that the Explanation only makes clear what is implicit in the Bill. The test of a good legislation is that it should avoid litigation and we do not want litigation in the domestic sphere. I would like to see the father, or I would like to see the guardian, who will make a complaint about the demands for a dowry. If he has any commonsense, he will realise that he will not in that way be able to get his daughter married. The point of view of the Law Minister was that this is in the nature of an appeal by the Legislature to the social conscience of the community. Well, whether it is the function of the Legislature to appeal to the social conscience in a matter like this is a difficult question and I would not go into it, but any further amendments on the lines suggested by the Select Committee or on the lines suggested

by Shri Bhupesh Gupta and others should be strongly opposed by this House. I think, Sir, that this House has got a reputation for sanity and I am not ashamed, if it comes to, my being described as a Conservative by Shri Bhupesh Gupta. I assure him that I am both a very staunch Radical and Socialist and that I look upon the Communist Party as a reactionary party. I am not ashamed, therefore, at the fact that Mr. Gupta has called me a Conservative because the cap fits him and it does not fit me.

श्री जूगल किशोर (पंजाब) : माननीय उपसभापति जी, चले ये बीमारी को दूर करने के लिये लेकिन बीमारी और ज्यादा हमारे चिमट गई। मैंने जब यह बिल—डावरी रेस्ट्रेंट बिल—पिछले फरवरी महीने में इस हाउस में रखा और वाद-अर्ज आनरेबिल ला मिनिस्टर साहब के इस यकीन दिलाने पर कि वह जल्दी ही इसके मुतालिक एक मुफ़सिल बिल लाने वाले हैं इसको वापिस ले लिया और जब मैं अपनी कांस्टीट्यूंसी में पहुंचा तो मैं ही जानता हूं कि वहां की जनता ने किस गम और गुस्से का इजहार किया। जनता चाहती थी कि यह डावरी बिल जल्दी पास हो ताकि यह लानत जो कि आज देश में फैली हुई है जल्दी दूर हो। यह बीमारी अमीर लोगों में ही नहीं है बल्कि मैं तो कहना चाहता हूं कि आज घर-घर में और देश-देश में यह बीमारी फैली हुई है और इस बीमारी को निकालने के लिये जब तक पार्लियामेंट सख्त कदम नहीं उठायेगी तब तक यह बीमारी दूर नहीं होगी। मैं आपसे अर्ज करना चाहता हूं कि जनता को बड़ी उम्मीदें आपकी पार्लियामेंट से थीं और उसे खयाल था कि ला मिनिस्टर साहब जरूर कोई ऐसा कदम पेश करेंगे जिससे कि बीमारी दूर हो जायेगी। जब तक कि सेलेक्ट कमेटी ने रिपोर्ट दी उस वक्त तक जनता को यह खयाल था कि बीमारी अब जाने वाली है। मैं आपसे अर्ज करूं कि बहुत से उन भाईयों ने जो कि डावरी लेने के बहुत उत्सुक थे उन्होंने अपने लड़कों की शादियां जल्द जल्द शुरू कर दीं,

बहुत से भाईयों ने पिछले महीनों में उनकी शादियां कर लीं और उन लड़कियों को, जो कि बड़ी उम्र की हो गई हैं और शादी करने के काबिल हैं उन्हें उम्मीद लगी हुई थी कि अब हमारी शादी का भी मौका, वक्त, आने वाला है। लेकिन मैं क्या अर्ज करूँ, जबकि यह बिल लोक सभा में इस एक्सप्लेनेशन के साथ— जिसको कि एक्सप्लेनेशन नं० वन कहा जा रहा है—पास हुआ और यह बिल इस सभा में आया तो उन तमाम की उम्मीदों पर पानी फिर गया और उन लोगों के घरों में जो कि डावरी लेना चाहते हैं, उसको लेने के लिये बहुत उत्सुक हैं, धी के चिराग जल गये।

मैं आपकी सेवा में अर्ज करूँ कि यह जो एक्सप्लेनेशन है...

**श्री अकबर अली खान :** इसको निकाल देंगे।

**डा० श्रीमती सीता परमानन्द :** ला मिनिस्टर साहब इसको निकाल रहे हैं।

**श्री जुगल किशोर :** इस में शुरू में कहा गया है कि "फार दी रिमूवल आफ डाउट्स", तो किसके डाउट्स को रिमूव करना है, लड़की वालों के या लड़के वालों के? लड़की वालों को तो कभी डाउट था ही नहीं, वे तो चाहते ही थे कि डावरी खत्म हो। मैं कहता हूँ कि यह डाउट रिमूव किया गया है, यह खतरा रिमूव किया गया है, लड़के वालों के लिये। लड़के वालों को यह छूट है कि कितना भी नकदी रुपया लें, कितना भी जेवरात लें, कितना भी कपड़ा किसी कीमत का लें, हाथी, घोड़ा, बैल, मोटर कार, मोटर साइकिल कुछ भी ले सकते हैं, कोई रुकावट नहीं है। तो मैं अगर यह कहूँ कि मालूम नहीं कि यह बिल डावरी को प्रोहिबिट करने चला है या डावरी को लीगेलाइज करने चला है, गलत नहीं होगा...

**श्री अमोलख चन्द (उत्तर प्रदेश) :** अब तो यह लीगेलाइज हो रहा है।

**श्री जुगल किशोर :** मेरे खयाल से इस एक्सप्लेनेशन ने तमाम जान जो कि इस बिल में थी वह निकाल दी है और मैं अर्ज करूँगा कि इस एक्सप्लेनेशन को इस बिल से जरूर निकाल देना चाहिये। कल मेरे भाईयों ने यह जिक्र किया कि यह एक्सप्लेनेशन पंडित ठाकुर दास जी के कहने पर यहां लाया गया। मैं अर्ज करूँ कि मैं भी उसी इलाके से आता हूँ जहां से कि पंडित ठाकुर दास जी आते हैं। मैं ने उन से ३, ४ रोज़ हुए इसका जिक्र किया कि यह एक्सप्लेनेशन आप क्या ले आये तो उन्होंने कहा कि इस तरीके से यह अच्छा नहीं हुआ और मैं समझता हूँ कि यह अच्छा हुआ भी नहीं। इस तरह जो इस बिल में डावरी के लिये रुकावट थी वह खत्म हो गई है और जैसा कि मैं ने पहले अर्ज किया कि इस वजह से जो आवश्यकता कानून की होनी चाहिये वह अब बाकी नहीं रही है।

दूसरी चीज मैं आपकी सेवा में यह अर्ज करना चाहता हूँ कि इस आफेंस को जो नान-काग्निजेबल बनाया है वह काग्निजेबल होना चाहिए। जैसा कि मेरे बहुत से भाईयों ने कहा कि लड़के वाला या लड़की वाला कोई भी शिकायत नहीं करेगा तो कैसे काम चलेगा, कैसे सहादत मिलेगी? लेकिन मैं यह कहना चाहता हूँ कि हमारे भारतवर्ष के लोग आज कल कानून के डंडे के आगे चलते हैं। अगर कानून का डंडा उनके सिर पर हो तो वे कानून से डर कर जुर्म करने को तैयार नहीं होते जो कि वे अमूमन कर सकते हैं। इसलिए अगर यह काग्निजेबल बना दें और उनको डर हो कि पुलिस हमको गिरफ्तार कर सकती है तब तो डावरी बंद हो सकती है।

इन लफ्जों के साथ मैं आपकी सेवा में अर्ज करना चाहता हूँ कि अगर इस बिल

[श्री जुगल किशोर]

को इस एक्सप्लेनेशन के साथ पास किया जाय तो मैं इसके हक में नहीं हूँ लेकिन अगर इसको निकाल के पास किया जाय तो मैं इसका समर्थन करने के लिये तैयार हूँ।

MR. DEPUTY CHAIRMAN: Mr. Patil, you will please close just before 3 o'clock.

SHRI SONUSING DHANSING PATHI, Sir, marriage is a natural thing in life, but it cannot be an arrangement for money brought about by the parents of the respective parties. The present legislation which seeks a remedy for this evil is worse than the disease, and some of the clauses in this Bill, particularly clause 4, "Penalty for demanding dowry", and clause 6, "Dowry to be for the benefit of the wife or her heirs", in my opinion, are objectionable in the sense that nowhere in the world merely demanding a particular thing is penalised. So, we are going much beyond the scope of the Bill in that even a mere demand for a dowry is made punishable. Secondly, if dowry is to be prohibited, then why should this transfer be allowed, because it again gives a sort of sanctity to the dowry? Thirdly, Sir, I am in favour of retention of Explanation I, because the Bill, as it had emerged from the Joint Select Committee, deformed the definition of "dowry" and made things impossible, namely that anything which was given in a marriage as a consideration for the marriage was considered an offence. In respect of social legislation the giver and taker should not be placed on a par with the ordinary criminals. After all, a social legislation is meant to facilitate social reforms, however might be the demand from a particular section of the community, particularly the womenfolk, because the danger in our population is that women are as many in number as men—so the difficulty of bringing about marriages particularly without offering a dowry, has become a sort of evil which is creeping into the white-collared section of

the society. The evil is not rampant in the rural areas as far as I know, but because the white-collared society adopts a particular system of marriages, the evil is also spreading to certain villages where the people are well-to-do. The question is, this is a legislation which is not going to be effective in any way, because a number of clauses in the legislation are contradictory to one another. I need not go into the various details. Now, the Bill itself is a sort of declaration by some of the social workers to the youths of the country. The Bill should have been circulated to the parties concerned, that is the young men and women of the country who are eligible for marriages. The criticism that is offered by the leftist group in this House and also some of the Members belonging to the Treasury Benches, I think, emanates from persons who have no practical experience or have no realistic approach to the problem, and it is a problem which deals with the life of a girl or a boy, and if there is a mutual adjustment made, we call it dowry or any such thing, but if it does not take the form of exaction or extortion, then I think dowry is not at all a sort of evil which people make it out to be. The question is, if you want to give some status to a girl and make her a *Grihalakshmi* by offering her to a person who is well-educated, well-trained and well-to-do, then one has to pay the price for it. Of course, that price must not be exacting, and marriage should not take the form of a mercenary marriage or commercialised marriage. If that thing happens . . .

(Interruption.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI SONUSING DHANSING PATIL; . . . then it is for the social workers and for the youth movement. Suppose the youths of the country are not prepared to accept this legislation, they want to cash in on their education, cash in on their technical

knowledge—particularly the I. A. S. and the I. P. S., the engineers and the medical graduates—then it is for the social workers to launch a youth movement, and particularly young Leftist enthusiasts like Mr. Prasad Rao should launch a youth movement to educate the youths against this evil of dowry, and the youths accepting a dowry must be excommunicated. The evil can be mitigated only when there are no caste marriages. As long as it is a caste-ridden society, the evil will be continuing. But the remedy that is provided here is not going to be effective in many ways, because the remedy provides that even a demand is to be penalised. Moreover, the offence is made non-cognizable and non-compoundable. Sir, we have seen the working of the Child Marriage Restraint Act. No doubt social legislation enables social reforms to take place in society. But such a type of legislation, without going deep into the matter of implementation, is going to be most infructuous, and I am afraid that the time spent and the money spent over the consideration of this Bill are, for all practical purposes, wasted and the beneficial or the useful effects that we are going to achieve through this are going to be very very negligible so far as the implementation part of it is concerned. This matter should be safely entrusted into the hands of the social reformers, and the country needs them very much, and it should not be a matter for legislation. I feel that such a type of legislation is not welcome at this stage and it will only give a sort of excuse for the social reformers to avoid their work, which they would otherwise be doing, and we in India should not disturb the institution of marriage, which in any Hindu society is a question of sacrament. Marriage has got a certain sanctity and if we destroy that sanctity or disturb it on the ground of dowry, it will amount to giving them a directive to treat marriages in a particular manner, and I personally feel that if the House is

inclined to accept the Bill, then it must accept it with this Explanation, because the definition of "dowry" is most ridiculous and it exposes a big joke to the House.

With these remarks, Sir, I conclude.

MR. DEPUTY CHAIRMAN: The hon. Law Minister will reply tomorrow.

We have got some other business now—Statement regarding Dandakaranya Project.

### **MOTION RE THE STATEMENT ON THE DANDAKARANYA PROJECT**

SHRI BHUPESH GUPTA (West Bengal): Sir, I move:

"That the Statement regarding the Dandakaranya Project, laid on the Table of the Rajya Sabha on the 27th November, 1959, be taken into consideration."

You will remember, Sir, last Session, on the 1st of September, we had a similar discussion on the working of the Dandakaranya Project. I do not propose to cover the ground which had already been covered then. Only I would like to say that the developments during the past two or three months have proved substantially the allegations that we had made, and proved our apprehensions—unfortunately—to be true. I would ask the hon. House to consider what I have to submit without any passion or without any partisan prejudice or bias, because over this matter we are all vitally concerned.

Now, Sir, we have before us the statement of the hon. Minister of November the 27th. There is something like what is called suppression of truth and suggestion of falsehood. Might I say, Sir, with all humility that this particular statement is a remarkable example of that thing? That is to say, *suggestio falsi sttp-pressio veri*.