

Clauses 2 to 4 were added to the Bill.

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

HAFIZ MOHAMMAD IBRAHIM: I move:

"That the Bill be passed."

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

#### THE DOWRY PROHIBITION BILL, 1959

THE DEPUTY MINISTER OF LAW (SHRI R. M. HAJARANAVIS) : Sir, I beg to move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to prohibit the giving or taking of dowry, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint- Committee:

1. Pandit S. S. N. Tankha,
2. Shrimati T. Nallamuthu Ramamurti.
3. Shri Akhtar Husain,
4. Giani Zail Singh,
5. Shri Sheel Bhadra Yajee,
6. Shrimati Yashoda Reddy,
7. Shri Bhagirathi Mahapatra,
8. Shri J. H. Joshi,
9. Shrimati Rukmani Bai,
10. Shri Jugal Kishore,
11. Shri N. R. Melkani,
12. Shri Abdur Rezzak Khan,
13. Shri D. P. Singh,
14. Shri Abhimanyu Rath, and
15. Shrimati Jahanara Jaipal Singh."

Sir, it was only some months back "that a measure having a similar object in view was introduced and discussed in this House, and on that occasion we gave an assurance to

the House that the Government themselves would sponsor a Bill with the same object in view. Now I am happy to say, Sir, that we have been enabled to fulfill that promise within a very short time. But I must apologise to the hon. Member Mr. Jugal Kishore who had introduced in this House a Bill, nearly the same as the present Bill, and I cannot help feeling that the Government are, so to say, appropriating the credit which was due to him. I take this opportunity to express the gratitude of the Government for the able manner in which he canvassed the necessity for a Bill of this nature in the House, and as I have said, we have largely drawn upon the suggestions that he made and also upon the fact that his Bill, which was more or less the same as the Bill before the House, had met with a large measure of acceptance by this House. Sir, there have been such Bills previously in the other House also, and they have been pending for some time, and if this measure was not put on the Statute Book earlier, it was not because Government did not feel the necessity or Government took the view that this evil did not require to be eradicated from this country. This evil is not confined to one region or to one community in the country. It is an evil which has been prevailing in the country for a very long time and it is almost countrywide. But Government have doubts, which they still entertain, as to whether this evil could be eradicated by legislation. Sir, we have every sympathy with the efforts that are being made in order that this evil should be rooted out of the society, and the view at present is that if law does render some assistance or some help towards that objective, towards the effort of the social reformers on whom ultimately the success of rooting out this evil will depend, then such assistance sought by law ought not to be withheld. Everyone of us, Sir, is acquainted with the untold suffer

ings which young girls undergo as, in most cases, their parents are unable to provide the dowry with the parents are expected to pay before the marriage is fixed. I have myself suffered the anguish as I went on trying from house to house to arrange the marriage of my sisters just after I had begun my life. I know the sickness, I have experienced the sickness which comes to the heart of every parent or every guardian. I have complete sympathy with the idea of the Bill, but as a lawyer having some experience of the courts during the last twenty-five years I also know that this evil cannot be eradicated by mere legislation. We have made giving or taking, of dowry a penal offence.' But I must confess, I must plainly acknowledge in the House, that it will be an almost impossible task for the prosecution to prove that such an offence has been committed. After the parent or the guardian of ward has paid the dowry where will be the evidence that this money has actually been paid? No parent or guardian having provided the money is going to complain that this money was extorted out of them. By making a complaint against his own son-in-law or against his parents is he going to blight the married life of his daughter or ward. But, probably by enacting the law we shall be setting a pattern of behaviour, we shall be possibly activating the social conscience of society. If it is capable of having such effect, nobody would be more glad than those of us who are now associated in the Government with this measure.

Sir, I might briefly explain the provisions of the Bill. Clause 2 of the Bill defines "dowry" as:

"any property or valuable security given or agreed to be given to one party to a marriage or to any other person on behalf of such party by the other party to the marriage.....as consideration for the betrothal or marriage of the said parties . . .".

40 RSD.—4.

So that the essential things are that the property must pass from one party to the other, and secondly, that it must pass as a consideration of the marriage. We all know that the burden of proving both—that the property has passed and that the passing of property is in consideration of the marriage—will lie upon the prosecution which, in the circumstances of the case, would be most difficult to discharge.

SHRI BHUPESH GUPTA (West Bengal): May I seek a clarification? The hon. Minister has said "passing of property from one party to another". Suppose during the marriage or immediately after the marriage a bank account is opened in the name of the daughter who has been married and the dowry money is actually put in that particular bank account in the name of the daughter. Would it be constructed as passing from one party to another?

SHRI R. M. HAJARNAVIS: Now, to an astute lawyer like Mr. Bhupesh Gupta I need hardly point out that whether the property has passed or not will be a question of fact, to be decided in each case. It does not matter in whose favour the bank account has been opened? The question would be: Who is the ultimate recipient of the money? Has it passed from one party of the marriage to another? The words are:

"agreed to be given to one party to a marriage or to any other person on behalf of such party by the other party to the marriage or by any other person on behalf of such other party . . .".

In this connection may I draw the attention of my hon. friend to clause 6 to which I was coming shortly? By Clause 6 we bring into effect the recommendation of the Hindu Law Reforms Committee by which they said:

"Anything which is paid as dowry should be regarded as property of the bride."

[Shri R. M. Hajarnavis.] She would have a right to it and she would have a right "to have it transferred to her, so that whatever may be the intention of the parents in giving the money, that money actually belongs to their daughter, or if the money is paid by the guardian it belongs to the ward. I think this particular provision would probably be a really effective provision.

SHRI BHUPESH GUPTA: That is a separate provision. Firstly, what will happen if it is detected that dowry has been given? Clause 6 will come later. You have given the money in the name of the daughter and it would be construed as the money belonging to the daughter. The penal provisions will not come into force. Now the question is whether dowry has been given. I raised that point because the defence would be that dowry has not been given. Nothing has passed from one party to another. It is only giving something to the daughter although in effect it may have been dowry. Clause 6 comes later, after you have proved that dowry has been given . . .

MR. DEPUTY CHAIRMAN: Speech will come afterwards. You are speaking.

SHRI R. M. HAJARNAVIS: Again, I submit it does not matter to whom ostensibly the money has been given. If in effect the money has been given in contravention of Clause 2, then surely it will attract penal provision. It may be that instead of giving it in the name of the daughter, it may be given in the name of a third person, altogether a stranger. But if in effect it has been given in contravention of Clause 2 and if that is proved by evidence then Clause 3 would apply. But I cannot categorically say that because it has been given to the daughter, therefore, Clause 2 is either infringed or not infringed. It will depend on the total evidence which is led in that particular case.

Clause 3 is a penal one. Clause 4 prohibits abetment. Clause 5 says

that the agreement for dowry will be void; it cannot be enforced. Clause 6 I have already explained.

This then is the Bill which I leave to the collective wisdom of Members of both the Houses and request them to join the Select Committee. I hope they will make suggestions which have not so far either been placed before the House or have not occurred to the Government, and Government would be exceedingly willing to improve the Bill in every way possible.

SHRI H. P. SAKSENA (Uttar Pradesh) : May I know, Sir, whether the Bill, when passed into law, will have retrospective effect?

SHRI R. M. HAJARNAVIS: The general rule of interpretation is that no provision of law is retrospective unless it is expressly said so in the body of the Act or by necessary implication.

SHRI D. A. MIRZA (Madras): May I know, Mr. Deputy Chairman, at what point it becomes a penal offence —after this amount is passed as dowry or while it is in the process of negotiations? Suppose the man negotiates for giving a dowry. Is it a penal offence?

MR. DEPUTY CHAIRMAN: Negotiation is not passing of money. Motion moved:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to prohibit the giving or taking of dowry, and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:

1. Pandit S. S. N. Tankha,
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13. Shri D. P. Singh,
14. Shri Abhimanyu Rath, and
15. Shrimati Jahanara Jaipal Singh."

DR. A. N. BOSE (West Bengal): Mr. Deputy Chairman, Sir, I cannot thank the Law Minister for bringing this Bill which has a very admirable motive but which is thoroughly disappointing as a practical measure. It was strange of him to say that he wants to bring this Bill as a pattern for social behaviour, as an educative measure. Sir, a Bill should come after education, not for education. We have so many instruments and " machineries for social education. A Government have the biggest party behind them, spread throughout the length and breadth of the country—There are such social organisations as the Bharat Sevak Samaj. Let them start the propaganda work, the work of publicity. Let them carry the message of this Bill throughout the length and breadth of the country, prepare public opinion for it, and then the situation might be ripe for a legislative measure.

PANDIT S. S. N. TANKHA (Uttar Pradesh): They will take up that propaganda after the Act is passed.

DR. A. N. BOSE: It is putting the cart before the horse. The message should be taken to the public before the Bill is passed. The public must be made conversant about what you are going to do. I was further astounded to find in the Statement of Objects and Reasons that by merely transferring the dowry to the wife from\* the person receiving it, they will go a long way to educating public opinion and to the eradication of the evil. Sir, public opinion is not educated that way. It is liard, patient

and sustained work which has to be done for quite a long stretch of time.

Sir, the dowry system arises 4 p.M. out of a bilateral deal. It is a

deal between two parties in, which one party stands to gain and another stands to lose. But both are equally interested in such transactions. As the hon. Minister himself, has confessed, neither party will voluntarily admit the transaction or will speak the truth. This acceptance and offering of dowry is non-cognisable offence. So, for evidence and for detection, the prosecution will have to depend on third parties. But, Sir, who is going to offend a neighbour and invite trouble for himself, especially when it is a deeprooted social practice? At every stage, Sir, detection of the offence, proving the 'offence and then conviction of the offender will be an extremely difficult job for the prosecution. Sir, we might take a lesson from the operation 'of the Act prohibiting child marriages, which has been on our Statute Book for quite a number of years now. This Act is much easier to enforce because the age of the child may be discerned at sight, but the transaction 'of dowry cannot be discerned. A few weeks ago, Sir, there was a very spectacular marriage ceremony performed on the platforms of the Sealdah Station among the displaced persons who had made the station platform their home and garbage 'of the street their food. This marriage ceremony was performed between a girl of about ten years and boy about fourteen years old in the presence of hundreds of people looking on and under the nose of the p'olice. So, Sir, that is how social legislation operates, without proper social education behind, and without social conscience being around, as far as the masses are concerned.

Obviously, Sir, this dowry system is a social disease, and in order to cure any disease, the first thing necessary is to diagnose the disease. First of all, Sir, we must go into the roots of this social evil. Why is dowry offered and taken? I am afraid, Sir, the Ministry has not gone in thi\*

[Dr. A. N. Bose.] problem at all. It has, *not* at all, gone into the social roots of the dowry system. The dowry system flourishes on the two principles of reciprocity and compensation. Every party will try to compensate for the loss which has been incurred before, and every party will deal with the opposite party on the principle of reciprocity. Suppose, Sir, a very rich father has a daughter without charms and accomplishments or with some physical deformities. Will not that rich father try to find out a groom for his girl quite equal to his status, and will he not try to make up for those physical deficiencies and those deficiencies in charms by hard cash? On the other hand, a handsome groom . . .

SHRI D. A. MIRZA: It means the groom is marrying money and not that girl.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, order.

DR. A. N. BOSE: On the other hand, Sir, a very desirable boy who wants to marry a girl of his choice and who can easily find a charming girl as his partner, why should he be compelled to marry a charmless girl for nothing? Unfortunately, Sir, marriage is a sort of market operation; there is a marriage market just as there is a commodity market where brides and grooms come through the papers and through the channel of matrimonial bureaux and other institutions, and where competition goes on on either side. Nobody will voluntarily choose without previous knowledge or intimacy; nobody will voluntarily choose a bad partner, a partner with physical deficiencies or without attainments, in preference to a much better partner with charms and attainments. That is how, Sir, the dowry system goes on. So, unless you can stop this market business in the matter of matrimony, unless you can stop this competition in the marriage market which goes on just as we find it in the commodity market, you cannot eradicate the sys-

tem of dowry, because every party will try to make amends for its physical deficiencies by means of hard cash, and the other party also will demand the same thing. Sir, the only alternative, to my mind, is free intimacy between men and women and some free choice of partners, without the intervention of parents, who are more interested in dowry than in the partners themselves.

Sir, this system is universal. It is not confined to the illiterate and the poor. It extends to the rich and the educated also. In Bihar and Orissa, Sir, there are certain classes of people where the groom has to offer a heavy purchase-money to his bride, and there are cases where the groom has to run into sixties or seventies to bring his bride home. And sometimes, Sir, he has no chance at all. He cannot collect sufficient money throughout his life to pay up his dues and get his wife home.

SHRI N. M. LINGAM (Madras): What happens to the wife in the meantime?

DR. A. N. BOSE: That you know better. Sir, among the rich and among the educated also this system is equally in vogue. Everybody tries to get a partner suitable to his status, a partner of more or less an equal status. Therefore, Sir, it is not merely a question of education; it is not merely by introducing some uniform literacy or education that you can stop the dowry system. It is more a matter of social conscience being aroused so as to break with this deeprooted tradition.

Sir, then coming to the actual clauses of the Bill, we find that in clause 2, 'dowry' has been defined as any property or valuable security given or agreed to be given to one party to a marriage by another before or after the marriage.

MR. DEPUTY CHAIRMAN: The time allotted for this Bill is only two hours.

DR. A. N. BOSE: Sir, I shall finish in another two or three minutes. So, Sir, what is the value of this property? No value is fixed for this property, the transaction of which may be regarded as dowry. And even if its value is fixed, the payment may be a deferred payment; it may be paid in instalments or it may be paid several years or several months after the marriage is performed. I wonder, Sir, how the transfer of property of some value several years hence, which is now only a promise, could be construed as the payment of dowry. Then coming to sub-clause (i) of the same clause, an exception is made in favour of *mahar*. So far as I know, *mohor*, according to *SHARIAT*, is not dowry. *Mahar* is merely a token payment of some valuable metal or Coin made by the groom to the bride at the time of the marriage. It is merely a token transaction but now many Muslims have abused this practice in the name of religion and have converted it into a dowry system. Many abuses are shielded under the cloak of religion. I do not think the Government need be so soft whenever a religious plea is raised. If you make this concession to the Muslims, you might as well make a concession to the Hindus who have sufficient authority in their *Sastras* for the transactions of dowry. In the *Manu Samhita* there is the *Brahma* form of marriage which is regarded as a higher form of marriage in which the bride is given to the groom fully ornamented and there is the *Asura* form of marriage in which the bride has to be purchased with *Sulka*, that is dowry. You can find support for any evil custom in the *Sastras*. In fact no religion, whether Islam or Hinduism, ever supports social tyranny. Every religion is very considerate in this respect, that no one should be allowed to oppress or exploit another in the name of God. But if during subsequent deterioration of social practice, some evil system is foisted and justified in the name of religion, I do not think we need be very soft about this practice. Tradition dies hard. You cannot be soft towards tradition and at the same time

introduce bold and courageous social reforms. That is why I plead that this exemption should go.

Last of all, clause 6 is the most wonderful clause where it is proposed and it is expected that by transferring a dowry when it is actually received, to the wife, the society will be educated and the evil will be minimised. I Sir, you cannot punish an evil and condone it at the same time. What happens when a case of dowry is detected? The offender is fined and put to jail and how can the same offender transfer the same amount, the amount for which he is convicted, to the wife? It is for the Government to confiscate the amount and do whatever it likes with the amount. It does not lie with the offender to do anything with the money. So I think this clause contradicts the very purpose of the Bill and softens the penal provisions of clauses 3 and 4. On the whole, I do not understand how the Joint Select Committee will deal with this Bill. The whole Bill has to be changed lock, stock and barrel if it is to be given any workable shape at all.

MR. DEPUTY CHAIRMAN: Shrimati Lakhanpal. Ten minutes.

SHRIMATI CHANDRAVATI LAKHANPAL (Uttar Pradesh): Let it be fifteen minutes because I feel that this is a very important Bill.

MR. DEPUTY CHAIRMAN: There are 7 speakers from the Congress side. Only two hours are allotted.

SHRIMATI CHANDRAVATI LAKHANPAL: It is very important from our point of view.

MR. DEPUTY CHAIRMAN: Every speech by the hon. Member is very important.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Let ladies have more time.

श्रीमती चन्द्रावती लखनपाल : उप-सभापति महोदय, आज सदन के सम्मुख दहेज को रोकने का जो बिल लाया गया है, वह

### [श्रीमती चन्द्रावती लखनपाल]

काफी इन्तजारी और काफी देरी के बाद आया है। श्रीमन्, दहेज प्रथा हिन्दू समाज की एक कठिन समस्या रही है, जिसका दुष्परिणाम न केवल स्त्री जाति पर ही पड़ा, बल्कि उससे समस्त हिन्दू समाज शताब्दियों से दुःखित और पीड़ित रहा है। श्रीमन्, अब से बहुत पहले इस बिल को सदन के सम्मुख आ जाना चाहिये था, लेकिन फिर भी यह सन्तोष की बात माननी चाहिये कि आज यह बिल हमारे सामने लाया जा रहा है। श्रीमन्, मैं माननीय मंत्री जी को इसके लिये हार्दिक बधाई देती हूँ और इस बिल का स्वागत करती हूँ।

श्रीमन्, हिन्दू समाज में बहुत सारी समस्याएँ हैं, लेकिन उनमें से जितनी भी है, अधिकांश स्त्रियों की ही हैं। जितनी भी हमारे समाज की समस्याएँ हैं, उनमें से साठ प्रतिशत से ज्यादा स्त्रियों की समस्याएँ हैं। जैसे बाल-विवाह, दहेज की प्रथा, तलाक की प्रथा, पर्दे की प्रथा, उत्तराधिकार की समस्या, प्रापर्टी में कोई हिस्सा स्त्रियों को न मिलने का रिवाज, ये सारी प्रथाएँ जो हैं, उनका सम्बन्ध स्त्रियों से ही है। तो आज हमें देखना यह है कि इन समस्याओं का इलाज क्या है? जैसा कि अभी मुझ से पहले बोलने वाले बन्धु ने कहा कि यदि हमें यह पता लग जाय कि रोग का इलाज क्या है, तो उसे हल करने में आसानी हो सकती है। श्रीमन्, आज मैं भी अपने ढंग से, थोड़े समय में यह विचार आपके सामने रखना चाहती हूँ कि इतिहास की यह जो समस्या है उसका मूल कारण क्या रहा होगा, उस वक्त हमारी समस्याओं का प्रारम्भ हो रहा होगा। तो श्रीमन्, इन बातों को विचारने के बाद मैं इस परिणाम पर पहुँचती हूँ कि स्त्रियों की जितनी भी समस्याएँ हैं, उन सब का एक ही मूल कारण है और वह यह है कि स्त्रियों का आर्थिक दृष्टि से समाज पर बोझ होने का जो एक तथ्य है वह सत्य है। दूसरे शब्दों में मैं यह कहूँगी कि स्त्रियों की

जो पराधीनता आर्थिक दृष्टि से है, वही इन सब समस्याओं का रोग जानना चाहिये। श्रीमन्, यह बात मानते हुए अच्छा नहीं लगता है कि हमारे समाज के पूर्वज स्त्रियों को इतनी नीची दृष्टि से देखते होंगे। श्रीमन्, यह भी सच है कि जब हमारे समाज के अन्दर ये प्रथाएँ, बाल-विवाह इत्यादि की चली होंगी, उस समय हमारे समाज का जो निश्चित रूप से ऊँचा आध्यात्मिक और मानवीय दृष्टिकोण था, जो कि हमारी संस्कृति और सभ्यता का एक विशिष्ट हिस्सा था, उसको वह खो चुका था। उस समय हमारे समाज का मानवीय मूल्य, उसका नैतिक और आध्यात्मिक मूल्य काफी गिर चुका था। उस समय हिन्दू समाज की नजरों में स्त्री, देवी और नारी के अपने विशिष्ट स्थान को खो चुकी थी और समाज की नजरों में वह आकर्षित नहीं रही। उस समय हमारे पूर्वज स्त्रियों को क्या समाज के ऊपर, क्या घर पर, बोझ के समान मानने लगे थे। इसलिये उस वक्त जो विवाह की प्रणाली थी.....

**श्री शीलभद्र याजी (बिहार) :** यह किस जमाने की बात कह रही हैं? पुराने जमाने में तो स्त्रियों की बहुत इज्जत होती थी।

**श्रीमती चन्द्रावती लखनपाल :** यदि मेरे बन्धु सन्तोष से मेरी बात सुनेंगे तो उनकी समझ में सब बात आ जायेगी। यह ठीक है कि वैदिक काल में स्त्रियों का अधिक मान था। लेकिन मैं उस काल, उस युग, उस मध्य युग की बात कह रही हूँ, जब स्त्रियों का मान समाज में गिर चुका था। उस समय स्त्रियाँ नरक की देवी समझी जाती थीं और उनकी स्थिति नीचे चली गई थी। जिस समय हमारे यहां ऐसी सामाजिक स्थिति हो गई थी, उस समय एक जमाना वह भी आया जिसमें विवाह प्रथा के साथ साथ हमें इस तरह के प्रमाण भी मिलते हैं कि यदि किसी माता-पिता के यहां लड़की पैदा होती थी तो पैदा होते ही उसको मार डालते थे।

यह बात भी हम से छिपी नहीं है कि सती की प्रथा हमारे देश में चालू थी और कानून से उस प्रथा को दूर करना पड़ा। आज भी जब कन्या का जन्म होता है तो हमें उतनी खुशी नहीं होती है, जितनी एक लड़के के जन्म होने पर होती है। कन्या आज भी एक दान देने योग्य वस्तु समझी जाती है और कन्यादान हमारे विवाह की प्रणालियों में एक मुख्य प्रणाली है। कन्यादान की प्रथा एक मुख्य प्रथा मानी जाती है। हमारे समाज की आंखों में स्त्री एक निर्मूल्य वस्तु हो गई थी, उसका कोई मूल्य नहीं था, वह आर्थिक रूप से एक बोझा मानी जाती थी और यही कारण था कि माता-पिता यह कोशिश करते थे कि जितनी जल्दी उसकी शादी हो जाय उतना अच्छा है। वह पराये घर की अमानत मानी जाती थी, वह पराये घर का धन मानी जाती थी, इसी लिये उसको शिक्षा देना माता-पिता बेकार समझते थे। फिर यह दहेज की प्रथा चली। जब किसी चीज का कोई मूल्य नहीं होता है तो उसका मूल्य बढ़ाने के लिए कुछ देना पड़ता है। उसी प्रकार समुराल वालों की दृष्टि में मूल्य देने की यह प्रथा चली कि हम लड़की भी दे रहे हैं और उसके साथ दहेज यानी रुपये और कीमती आभूषण, कपड़े आदि उसके मूल्य के रूप में दे रहे हैं। क्योंकि जिस चीज का अपना कोई मूल्य नहीं उसको थोड़ा सा मूल्य मिले। जो लड़की अपने समुराल वालों के यहां ज्यादा दहेज लेकर जाती थी उसी का मान होता था और जो कम दहेज ले कर जाती थी उस बेचारी को अपनी जिन्दगी भर दूसरे लोगों की भर्त्सना सहनी पड़ती थी।

इसके अलावा जो उत्तराधिकार की प्रथा हमारे यहां की थी कि लड़की का माता-पिता की सम्पत्ति में कोई अधिकार नहीं था वह इसी लिये थी कि माता-पिता यह समझते थे कि लड़की हमारी नहीं है, वह पराई अमानत है, इसलिए क्या जरूरत है कि उसको पैतृक सम्पत्ति में अधिकार दें। तो, श्रीमन्, मैं यह कह रही थी कि स्त्री की निर्मूल्यता सब समस्याओं

की जड़ है। स्त्री को मूल्य देने के लिए रुपयों का प्रयोग किया गया और स्त्री का मूल्य तब बढ़ता था जब वह रुपया कमाने वाले पुत्र को जन्म देती थी। यही कारण है कि तलाक की प्रथा चली और हम समाज के अन्दर देखते थे कि जब तक कोई स्त्री पुत्र की माता नहीं हो जाती थी तब तक उसका सम्मान समुराल वालों की नज़र में नहीं होता था। उसकी इज्जत तब होती थी जब वह पुत्र को जन्म देती थी। जो स्त्री पुत्र को जन्म नहीं देती थी उसको परित्यक्ता होकर अपना जीवन व्यतीत करना पड़ता था।

श्री उपसभापत : आपका टाइम बहुत कम है। बिल के बारे में कुछ फरमाइये।

श्रीमती चन्द्रावती लखनपाल : तो मैं आपके सामने यह कहना चाहती थी कि स्त्री जाति की जितनी भी समस्याएं हैं, उन सब का एक ही मूल कारण है। यदि हम दहेज की समस्या को और स्त्री जाति की जितनी भी समस्याएं हैं उन सब का स्थायी हल चाहते हैं तो स्थायी हल यही हो सकता है कि स्त्रियों को अपने पैरों पर खड़ा होने के लायक बनाया जाय, समाज के अन्दर सम्मानपूर्ण ढंग से जीवनोपाजन करने के जितने भी मांग हों, सब उनके लिए खोल दिये जायें और उनको पैतृक सम्पत्ति में हिस्सा दे दिया जाय। फिर आप देखेंगे कि जितनी भी समस्याएं हैं उनका हल अपने आप निकल आयेगा।

श्री शैलभद्र याजी : ग्रैजुएट लड़की हो जाने के बाद भी लड़के वाले दहेज मांगते हैं।

श्रीमती चन्द्रावती लखनपाल : लेकिन उन हालातों को आने में अभी काफी समय लगेगा। यह ठीक है कि दहेज आदि की समस्याओं ने इस समय बहुत ही उग्र रूप धारण कर लिया है और समाज को बहुत कष्ट उठाना पड़ रहा है और हम यह नहीं देख सकते कि हिन्दू समाज में हमारी लाखों और हजारों बहनें हर वर्ष यातनाएं भोगें। इसलिए हम को कोई तात्कालिक हल निकालना पड़ेगा और



## [श्रीमती चन्द्रावती लखनपाल]

तात्कालिक हल के रूप में आज यह बिल हमारे सामने आया है। यह बहुत ही संतोष और प्रसन्नता की बात है कि इस बुराई को दूर करने के लिये यह बिल लाया गया है। श्रीमन्, यह आक्षेप किया जाता है कि यदि सरकार बिल के द्वारा ऐसी सामाजिक बुराइयों को दूर करने का प्रयत्न करेगी तो यह हमारे निजी मामलों में हस्तक्षेप करना होगा, लेकिन यह गलत चीज है। दहेज का मामला कोई निजी मामला नहीं है। जिस समस्या का असर समाज के ऊपर इतना ज्यादा गहराई से पड़े कि उससे हिन्दू समाज घुन की तरह पिसता चला जा रहा हो; जिस समस्या का असर हमारी हज़ारों और लाखों बहनों पर इतना बुरा पड़े कि उनमें से कितनी बहनों को हर साल आत्महत्या का सहारा लेना पड़े और उनका सारा जीवन दुखी हो जाय; जिस समस्या से लड़कियों के माता-पिता ऋण के बोझ से इतना लद जाये कि उनका परिवार कभी पनप ही न सके . . . . .

(Time bell rings.)

श्रीमन्, जो अभी असली चीज है उसे आपके सामने रखना चाहती हूँ। मुझे आशा है कि आप थोड़ा सा समय और देंगे। इसलिए यह कोई निजी मामला नहीं कहा जा सकता। आज जो बिल लाया जा रहा है वह ठीक ही लाया जा रहा है। इससे जो समाज में एक बड़ी बुराई है वह हल होगी।

श्रीमन्, अभी यह कहा गया है कि शिक्षा पहले होनी चाहिये और यह बिल पीछे लाया जाना चाहिये। मैं अपने पूर्ववक्ता महोदय से कहना चाहती हूँ कि एजुकेशन का काम काफी देर से चल रहा है। जितनी भी सामाजिक संस्थाएँ आर्य समाज आदि हैं, वे काफी समय से दहेज प्रथा के खिलाफ आन्दोलन चला रही हैं इस बिल को ला करके उनके हाथों को और मजबूत किया गया है और उनका मार्ग प्रशस्त किया गया है। यह ठीक है कि कानून किसी बुराई को जड़ से नहीं रोक सकता है। उसके

लिए पब्लिक ओपिनियन, लोकमत, को जागृत करना पड़ता है। लेकिन यह भी ठीक है कि कानून की अपनी वैल्यू है, कानून एक प्रकार से समाज को प्रेरणा देता है, समाज को लीड करता है, गाइड करता है, और कानून समाज के अन्दर एक वातावरण तैयार करने में मदद करता है। इसलिए यह कहना गलत होगा कि एजुकेशन पहले होनी चाहिये और कानून पीछे आना चाहिये। यह कानून आया है, यह बिल्कुल ठीक है और अब यह कानून प्रवर समिति के सामने जा रहा है। इसमें कोई शक नहीं है कि यह काम बड़ा कठिन है लेकिन फिर भी हमें यह देखना है कि इस कानून की धाराएँ केवल कागज़ पर न रह जायें बल्कि वे अमल में लाई जायें। इसलिए प्रवर समिति को इस बिल में ऐसे संशोधन करने चाहिये जिससे यह बिल वास्तव में कारगर बन जाय।

इस सम्बन्ध में और न कह कर इतना जरूर कहना चाहती हूँ कि कैसे यह पता लगेगा कि किसी ने इस बिल के खिलाफ काम किया है? जैसा कि अभी हमारे पूर्ववक्ता ने कहा था, यह ठीक है कि पड़ोसियों के लिए यह काम मुश्किल होगा लेकिन सामाजिक संस्थाएँ यह काम बड़ी आसानी से कर सकती हैं और कर रही हैं। ए० आई० डब्ल्यू० सी० आदि जितनी भी संस्थाएँ हैं, उनकी मदद से इस कानून को कार्यान्वित करने की कोशिश होनी चाहिये।

इन शब्दों के साथ मैं इस बिल का समर्थन करती हूँ।

SHRI P. N. SAPRU (Uttar Pradesh) : Mr. Deputy Chairman . . . . .

MR. DEPUTY CHAIRMAN: Please take only ten minutes.

SHRI P. N. SAPRU: Very well, only ten minutes. You may reduce it to two minutes and you will have an.  
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SHRI P. N. RAJABHOJ (Bombay): It is an important Bill, Sir.

SHRI P. N. SAPRU: I shall be as brief as possible and I will not exceed my time. Sir, I regret I cannot at all speak enthusiastically about this Bill. Indeed, I am extremely critical of this Bill.

[THE VICE-CHAIRMAN (PANDIT S. S. N. TANKHA) in the Chair.]

SHRI D. A. MIRZA: You are a free man.

SHRI P. N. SAPRU: I do not deny that the evil exists and I am not going to argue the obvious. I myself belong to a community where there is no system of dowry and public opinion will not tolerate the giving or accepting of dowries and that system has worked very well.

Now the evil, as was pointed out by Dr. Bose, is essentially a social one. It can only be fought by educating public opinion, by devoted social workers, by social reformers and social organisations.

SHRIMATI CHANDRAVATI  
LAKH ANP AL: That is being done.

SHRI P. N. SAPRU: The State is not in a position to enforce the law. No one will file any complaint. The offence is non-cognisable, non-compoundable and a bailable one. No court will be able to take cognisance of the offence without a complaint and I should like to see the father who files a complaint. If the father files a complaint, his daughter will just not get married and social opinion will not tolerate that. Therefore, the law will remain unenforceable. You must not bring laws into contempt. It is no good enacting laws which you cannot enforce. This way you only bring laws into contempt and this is something which is not healthy.

THE VICE-CHAIRMAN (PANDIT S. S. N. TANKHA): The complaint can be filed by any third party, not necessarily by the father or the guardian.

SHRI P. N. SAPRU: Then the father will be in the position of a person who will have to speak lies. That is

1 worse end you are encouraging lying and you are encouraging fraud. It will be impossible to prove that the amount was given as consideration. It will be for the prosecution to prove that the jewellery or the amount was given as consideration for the marriage. You know with your superior sense of the law that the burden of proof is impossible to discharge and the Deputy Law Minister himself admitted it. He was just apologetic about it. The law has to be passed because there are some people interested in seeing that a law like this is placed on the Statute Book.

THE VICE-CHAIRMAN (PANDIT S. S. N. TANKHA): Does the hon. Member mean to say that this evil does not persist in society?

SHRI P. N. SAPRU: I have said, Mr. Vice-Chairman—if you had listened carefully you would have known it—that the evil exists but I am not arguing the obvious. I have raised objections of a different character. I have not sold my intellect to the Legislative Department or to any other department. I continue to exercise that independence of judgment even now. Take the clause about exemptions, 2(ii):

"(ii) any presents made at the time of the marriage by either party to the marriage in the form of ornaments, clothes and other articles not exceeding two thousand rupees in value in the aggregate."

Are you going to have a body of assessors to find out what the value of those articles is? Why should the limit be Rs. 2,000? Why should presents given at the time of betrothal be excluded? Either this sum of Rs. 2,000 is too high or too low. It is too high for the poor and too low for the richer folk.

Mr. Vice-Chairman, there is a more fundamental objection to this Bill. It 4 views the whole problem of marriage from the wrong perspective. I am completely against this system of arranged marriages. I think we should<sup>1</sup> encourage marriages by choice.

SHRI D. A. MIRZA: Love marriage?

SHRI P. N. SAPRU: Yes, love marriage if you like, and companionate marriage if you prefer. I am prepared to go even as far as that. I do not fight shy of my social philosophy. The problem of mutual adjustment is getting more complicated in marriages and I think it is monstrous that educated girls should be married . . .

SHRI P. N. RAJABHOJ: Inter-caste marriage also.

SHRI P. N. SAPRU: Inter-caste marriage and inter-communal marriages— marriage is a personal affair and I think it is monstrous that educated girls should look to their parents for finding out their partners. In a free society, it should be possible for young men and Women to meet under healthy conditions and they should choose their partners for life. That is the ideal that we should encourage and you ought not to force your daughters to marry under all conditions. If the girl happens to be ugly or not good-looking or is not educated then you cannot find a husband easily for her. You talk of dowries being given by girls' fathers to the sons' people but I know of cases where the sons' fathers have paid heavy sums for the wedding of their sons in some decent families.

SHRI AKBAR ALI KHAN: That is very rare.

SHRI P. N. SAPRU: It is not so very rare. There are some communities in Uttar Pradesh where husbands have to pay. I know a servant of mine who had to pay a sum of Rs. 500 in order to get a bride for himself.

RAJKBARI AMRIT KAUR (Punjab): That is prevalent in Himachal Pradesh also.

SHRI AKBAR ALI KHAN: Generally, the father of the girl has to pay.

SHRI P. N. SAPRU: I am talking of exceptions.

SHRI D. A. MIRZA: To get a beautiful girl, the father of the boy has to pay.

SHRIMATI T. NALLAMUTHU RAMAMURTI (Madras): Not only that. The girl is sought after because she is a gem and, therefore, the husband has to pay.

SHRI P. N. SAPRU: Why should it not be open for a father to give, to his daughter before marriage or after, presents? I do not know how long this "after" is going to continue? Why do you want unnecessarily to interfere with parent-children relationship? Why do you want unnecessarily to interfere with husband-wife relationship? I suppose one day we shall have a law promoted by the Legislative Department to curtail the number of births in this country for the reason that according to their calculations the particular number mentioned will be the one for whom the country will be able to find employment. You will have many other types of ridiculous legislation promoted in this House. I want this House to devote itself to serious work, to serious legislation meaning thereby social, economic and political problems which require consideration by the House. I can understand a Bill like this being promoted by a private Member. If you have taken the job upon yourself to promote this Bill, then what is it that the Select Committee will do to improve a Bill which is incapable of improvement? If you make the offence a cognizable one, then the police will be very much in evidence at every marriage and there will be prosecutions, trials, re-trials and appeals after every marriage. If you do not want just some spectacular effect, if you are not just after deluding the people that you have done some wonderful thing, that you are promoters of a wonderful piece of social reform, then, think boldly and courageously about social matters. Go forth into the countryside as social reformers. Tell them that the whole relationship of man and woman in this country is wrong, that their concept

of marriage, which may have been all right a hundred years back, is no longer valid today and that they must change with the time. We must give to our daughters the education and opportunity which will enable them to select good partners for themselves in life. We must give our educated young people the opportunity to mix together under healthy conditions. Take for example, the English society. When the daughter comes of age, the parents give a chance to meet her, and she has opportunities to meet people at various parties. She is able to exercise the right choice, because in exercising her choice, she is helped by her parents. This is how healthy English society works. I do not say that we should follow Western society in every respect. That is not my point. But I think that there is the ideal of personal freedom in marriage towards which we must work. I remember, Mr. Vice-Chairman, when I was a member of the delegation to the United Nations in 1954, the Arab delegation were objecting, so far as fundamental rights were concerned, to the right of choice for women to choose their own partners. When our delegation thoughtlessly also just agreed to it, I made them change their view. I felt that it was all wrong. We are very much in favour of our Arab brothers, but we just cannot follow them in their social customs.

May I say a word about dower? Reference has been made to the dower system. Reference was made to it by Dr. Bose. Now, dower is essential for Muslim marriage. Muslim marriage is a contract and dower gives permanence to the marriage. If the dower is high, the wife has some security against the husband. Therefore, there is no analogy between the 'Meher' and the dowry system.

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Thank you, Mr. Vice-Chairman. I believe I have exceeded ten minutes under your benign auspices. I say

that I do not feel at all enthusiastic about this measure. I think this measure should be withdrawn by Government. The Joint Select Committee should bestow a great deal of thought over this measure. I cannot understand why for example, the offence, though it is non-cognizable, though it is bailable, should be non-compoundable. I cannot understand clause 6 and objections were raised by Dr. Bose. I do not want to reiterate them. I think that penal clauses 3 and 4 too require consideration. I cannot also understand this clause 5: "Any agreement for the giving or taking of dowry shall be void." It will have to be made clear. The drafting of this Bill will have to be improved almost beyond recognition by the Joint Select Committee. Thank you very much for the opportunity given to me.

THE VICE-CHAIRMAN (PANDIT S. S. N. TANKHA) : Shri Rajendra Pratap Sinha.

श्री पा० ना० राजभोज : हम को भी पांच मिनट मिलना चाहिये । बहुत अच्छा महत्वपूर्ण बिल है ।

उपसभाध्यक्ष (श्री दया० सु० तन्खा) : अभी बिल पर बहस चलेगी, अभी खत्म नहीं हो रहा है ।

SHRI RAJENDRA PRATAP SINHA (Bihar): Mr. Vice-Chairman, I do not envy the lot of my friends who are going on this Joint Select Committee. I do not think that the House has assigned a more difficult task to a Joint Select Committee than has been done in this case. There is no doubt that this great evil of dowry is playing havoc in our society. But at the same time, as has been pointed out by my hon. friend, the mover of this Bill, and my esteemed friend, Mr. Sapru, it is one of the most difficult legislations that we are attempting to do. We thought that we should be able to curtail or at least minimise this

[Shri Rajendra Pratap Sinha.]

evil by the enactment of the Hindu Succession Act and by the marriage reform laws. I was associated with those legislations and we thought that by reforming our marriage system, by giving inheritance right to the daughter, we may minimise the evil of dowry. But I find that these have had no appreciable effect upon the society. Now, we are attempting to make the giving of dowry a penal offence. I support so far as the principle is concerned that we should make an effort, if we could, to stop this evil by legislation. But I also admit that it is a very difficult task to eradicate any social evil merely by legislation. Public opinion has to be built and probably the passing of this measure will create some amount of public opinion. I would like, however, the Joint Select Committee to look into the various provisions of this measure. They seem to me to be contradictory to each other. I would not like in any way to touch what is called '*Stridhan*'. I would like that the daughters who have got a legitimate right in their father's property should get that. But at the same time, extracting dowry from persons who cannot afford that, should be stopped. Now, the greatest evil today is this that in the case of bright boys who get into the Civil Service or some kind of Government service, their parents or they themselves extract dowry. I would like to enjoin on the Committee to consider this question whether they should not make a provision here in the Bill itself or recommend to the Government that the Government Servants Conduct Rules must be amended, similar to what we have done in the case of Government servants marrying more than once. If a Government servant does so, he incurs some disqualification. Similarly, if a Government servant either on the occasion of his own marriage takes a dowry or is a party to a dowry transaction, he should incur the displeasure of the Government. Whatever it is, I do

not know the exact way in which you will put it, but it should be some kind of offence or whatever you may call it under the Government Servants Conduct Rules. As my hon. friend was saying, the Government servants command the highest price. That must be stopped too.

Then, I would like the Select Committee to examine the various Acts that are already in existence to curb this evil, that is the Bihar Dowry Restriction Act and the Andhra Pradesh Dowry Prohibition Act. They are in existence since 1950 and 1958 respectively, and I would like the Select Committee not only to examine the provisions of these Acts but also to find out how they have been implemented and whether in these States of Bihar and Andhra Pradesh they have had any appreciable effect.

SHRI J. S. BISHT (Uttar Pradesh) : What its effect in Bihar is you know?

SHRI RAJENDRA PRATAP SINHA: I would like the Select Committee to examine that. As far as my knowledge goes it has remained a dead letter.

SHRI R. M. HAJARNAVIS: Five cases were instituted in Bihar, and unless my information is incorrect, all of them ended in acquittal.

SHRI RAJENDRA PRATAP SINHA: Therefore I say that they had had no appreciable effect in those States. I can say, at least about my State, that although the Act has been there on the Statute Book since the year 1950, it has had no effect. The dowry is being demanded and taken as before. Now as the hon. Minister says, five cases were instituted under the provisions of that Act and they all ended in acquittal. So the Select Committee must examine the point that if those Acts are not functioning properly, how this measure will function. They should draw some wisdom from the working of those enactments and the experience which those States have gained in this respect.

Sir, this is one of the most difficult tasks which the Committee faces. But I wish them well. I am not sure how far they will be able to present before this House a good measure, "but I can only say at this stage that I wish them all success.

Thank you Sir

**श्री पी० ना० राजभोज :** उपसभाध्यक्ष महोदय, यह जो बिल सदन के सामने लाया गया है, मेरे स्वीकृत से बहुत अच्छा है। हमारे माननीय मंत्री जी ने अभी बतलाया कि हमारे यहां विवाह की जो प्रथा है वह बहुत पुरानी हो गई है और उसमें जो कुछ खराबियां हैं उन्हें हमें दूर करना चाहिये। पुराने जमाने में भी जितने तरीके से विवाह होता था उसमें दहेज नहीं लिया जाता था। किन्तु अब हिन्दुस्तान के हर एक प्रान्त में, हर संप्रदाय में विवाह के वक्त दहेज लिया जाता है। इस दहेज प्रथा की वजह से हमारे देश में बहुत सी लड़कियां आत्महत्या कर लेती हैं। इसका खास कारण यह होता है कि माता-पिताओं के पास दहेज में देने के लिए इतना रुपया नहीं होता और लड़कियों की शादी जब दहेज की वजह से नहीं होती, तो अक्सर लड़कियां आत्महत्या कर लेती हैं। इस प्रथा की वजह से हमारे देश में बहुत सी लड़कियां वगैर शादी के ही रह जाती हैं या आत्महत्या कर लेती हैं।

उपसभाध्यक्ष महोदय, इस समय सदन के सामने जो बिल लाया गया है, वह लड़कियों के हित में बहुत ही अच्छा है, इसके लिए मैं माननीय मंत्री जी को बधाई देता हूँ। यह एक सामाजिक सुधार है जिसका असर सारे देश में पड़ेगा। इस सम्बन्ध में मुझे यह कहना है कि आन्ध्र प्रदेश में तलाक अथवा "बली" की जो प्रथा है जिसमें लड़के के माता-पिता को लड़की के माता-पिता को पैसा देना पड़ता है, उसे बन्द करना चाहिये। बम्बई सरकार ने अन्तर्जातीय विवाह के लिए २०० रुपया रखा है, ताकि लोग हरिजन और आदिवासियों के साथ सम्बन्ध करें। इस तरह से बम्बई सरकार जातपात की समस्या को हल करना

चाहती है। इस चीज को खत्म करने के लिए बम्बई सरकार ने एक सर्कुलर निकाला है कि जो इंटरकास्ट मैरेज करेगा उसे दो सौ रुपया दिया जायेगा।

**श्री डी० ए० मिर्जा :** जब आपने शादी की तो आपको डाउरी में क्या मिला ?

**श्री पी० ना० राजभोज :** मेरे पास समय बहुत कम है, आप मुझे बीच में न रोकें। इस समय हमारे देश में दहेज लेने की जो प्रथा है, वह बहुत ही खराब है और उसको जल्द से जल्द बन्द करना चाहिये। शादी के समय जो पैसा लिया जाता है वह बहुत ही खराब बात है। यह हमारे लिए बहुत ही शर्म की बात है कि पैसा लेकर लड़की की शादी होती है, इस चीज को हमें जल्दी खत्म करना चाहिये। हमारे सपू साहब ने कहा कि लव-मैरेज की प्रथा इंग्लैंड में बहुत सफल रही। मैं भी हालैंड, जर्मनी और योरोप के दूसरे मुल्क, अमेरिका आदि देशों में घूमा और वहां मैंने देखा कि जितनी भी लव-मैरेज होती हैं, वे दो तीन साल में ही खत्म हो जाती हैं। वहां पर तलाक की प्रथा बहुत ज्यादा है।

**श्री अकबर अली खान :** नहीं होता है।

(Interruptions.)

**श्री डी० ए० मिर्जा :** क्या आपके लड़के और लड़कियों की शादी हो गई ?

**श्री पी० ना० राजभोज :** आप सुनते रहिये, मेरे पास टाइम नहीं है कि मैं आपकी बात का जवाब दूं। मैं यह कहना चाहता हूँ कि हमारे देश में शारदा एक्ट बना हुआ है, अगर जिस तरह से उस पर अमल किया जाता है, अगर उसी तरह से इस बिल पर भी अमल किया गया तो हम अपने उद्देश्य में बहुत कामयाब नहीं हो सकते हैं। हमारे गांव में दहेज की प्रथा पैसे वालों में नहीं है, लेकिन अब यह प्रथा गरीब आदिवासियों में फैल रही है। वे लोग लड़की की शादी के वक्त पैसा लेते हैं। वहां पर दो तरह के रिवाज हैं। ये बहुत खराब रिवाज हैं और इन्हें बंद किया जाना चाहिये।

[श्री पा० ना० राजभोज]

पुराने सिस्टम को खत्म करके नया सिस्टम जारी करना चाहिये। अभी मेरे भाई ने बिहार के बारे में कहा था कि सेलेक्ट कमेटी को इस बारे में विचार करना चाहिये कि वहां पर जो प्रथा शादी की इस समय है, उसकी जांच की जानी चाहिये। बिहार प्रान्त के मिथिला विभाग में लड़कों की जो शादी होती है, वह बहुत ठीक होती है। वहां भी पांच केसेज के बारे में अभी माननीय मंत्री जी ने बतलाया, जो बिल्कुल ठीक है।

SHRI R. M. HAJARNAVIS: May I make a slight correction? The figures that I gave related to the period up to 1954. The latest figures are not available. We have called for them.

श्री पा० ना० राजभोज : मैं कह रहा था कि बिहार प्रान्त में मिथिला में लड़की की जिस तरह से शादी होती है वह ठीक होती है, लेकिन वहां भी पैसे देने से खूबसूरत लड़की मिलती है। इस तरह से हिमाचल प्रदेश और दूसरी जगहों में शादी के बहुत से खराब रिवाज हैं, जहां पर बहुत रुपया खर्च करना पड़ता है।

(Time bell rings.)

मुझे कुछ ज्यादा टाइम मिलना चाहिये। यह जो बिल हमारे सामने आया है वह बहुत ही अच्छा है। इस सम्बन्ध में मैंने आन्ध्र प्रदेश की जो बात कही उस पर माननीय मंत्री जी जरूर ध्यान देंगे। इसके साथ ही साथ बम्बई सरकार की ओर से त्वर्णों द्वारा हरिजनों की लड़कियों से शादी करने पर जो रुपया मिलता है, उसको भी हमें ज्यादा से ज्यादा फैलाना चाहिये। लेकिन इसके साथ ही साथ मुझे यह भी कहना है कि जो पैसे वाले हिन्दू हैं, वे अपनी लड़कियों की शादी हरिजन लड़कों के साथ करना चाहते हैं और साथ में रुपया भी देना चाहते हैं। मेरी प्रार्थना यह है कि इस तरह से जो रुपया पैसे वाले लोग हरिजनों को देते हैं, उसे डाउरी के नाम पर कानून द्वारा

मना नहीं किया जाना चाहिये। इस पैसे को डाउरी न समझकर प्रेजेंट समझा जाना चाहिये। अगर आपने इस पैसे को भी डाउरी के रूप में मान लिया तो इस समय जो कास्ट हिन्दू पैसा देकर अपनी लड़कियों की शादी हरिजन लड़कों से कर रहे हैं, वे भविष्य में नहीं करेंगे और इस तरह से हमारे देश में जात पात की जो समस्या है वह भी दूर नहीं होगी। हमारे देश में जाति-भेद की जो समस्या है वह अभी तक बनी हुई है और कई प्रकार के पुराने रिवाज अभी तक मौजूद हैं, जिन्हें हमें जल्द से जल्द खत्म करना चाहिये। हमारे देश में जो तरह तरह की सामाजिक बुराईयां हैं, उन्हें इसी तरह के विधेयक लाकर दूर किया जा सकता है।

(Time bell rings.)

मुझे थोड़ा वक्त और मिलना चाहिये।

उपसभाध्यक्ष (श्री श्या० सु० तन्ना) : आपका टाइम हो गया है।

श्री पा० ना० राजभोज : अगर हमारा हिन्दू समाज आगे बढ़ना चाहता है तो उसे अपने पुराने रिवाजों को जल्द से जल्द खत्म करना होगा। हमारे समाज में बहुत से पुराने रिवाज अभी तक चल रहे हैं। जब तक हम उन सब रिवाजों को खत्म नहीं करेंगे, तब तक हमारा देश उन्नति नहीं कर सकता है। यह जो बिल मंत्री जी सदन के सामने लाये हैं, बहुत अच्छा है। हमारे देश में जो मिडिल क्लास के लोग हैं उन्हें अपनी लड़कियों की शादी करने में काफी तकलीफ उठानी पड़ती है। मिडिल क्लास का जो तबका है वह बहुत गरीब तबका है और उसे अपनी लड़की की शादी करने के लिए काफी तकलीफ उठानी पड़ती है और कभी-कभी तो लड़की को बेच भी देना पड़ता है। अभी मेरे भाई पूछ रहे थे कि तुमने अपने लड़के-लड़की की शादी कर ली है? मुझे भी अपने लड़के और लड़की की शादी करने में काफी तकलीफ उठानी पड़ी।

श्री व्यंकट कृष्ण ठगे (मुम्बई) : पांच बज गये हैं ।

डा० राज बहादुर गोंड (आन्ध्र प्रदेश) : आपने डाउरी ली या नहीं ?

श्री पा० ना० राजभोज : देनी पड़ी, परिस्थिति ही ऐसी हो गई थी । मैं क्या करूं, यह बहुत ही दुःख की बात है । मैं अन्त में, इस बिल का समर्थन करता हूं और आशा करता हूं कि इस पर अमल पूरी तरह से किया जायेगा । जैसा कि सप्रू साहब ने बतलाया कि शारदा एक्ट पर अमल नहीं होता है, उसी तरह से कहीं इस बिल पर भी न हो, इस चीज का ध्यान माननीय मंत्री जी को अवश्य करना होगा

5 P.M.

TH\* VICE-CHAIRMAN: (PANDIT S. S. TANKHA) : Mr. Solomon.

SHRI P. A. SOLOMON (Kerala): Mr. Vice-Chairman, Sir, I would support the Bill.

THE VICE-CHAIRMAN (PANDIT S. S. N. ) : You can continue the speech the next day.

The House stands adjourned till 11 A.M. on Monday, the 24th August, 1959.

The House then adjourned at one minute past five of the clock till eleven of the clock on Monday, the 24th August 1959.