

[Shri B. N. Datar.]

Then, Sir, I forgot to answer one point raised by my hon. friend. Dr. Sapru. He made a reference to clause 53 and he stated that so far as the law is concerned there is no question of any chivaky at all. I should like to point out that we have not given any special rights to women at all. what has been done is no woman shall, against her will, be compelled to appear in person before a village court. Now, that does not in any way give them any right at all. It is a question of pure volition. It is a question of pure desire or reluctance on the part of the woman concerned if she is a suitor or if she is an accused.

DR. R. P. DUBE: That is a relief.

• SHRI B. N. DATAR: This is, in fact, a relief as my hon. friend points out. I would like in this connection to point out an analogy from a recent amendment of the Code of Criminal Procedure. Section 160 of the Code of Criminal Procedure deals with police officer's powers to require the attendance of witnesses. Now, certain complaints were received that women were called for interrogation and that they were not treated properly. That is the reason why Parliament has introduced a proviso to section 160, viz., provided that no male person under the age of fifteen years or woman shall be required to attend at any place other than the place in which such male person or woman resides. Therefore, there is no question of chivalry and here in this case we have left it entirely to her choice and if a woman desires to appear before a court then naturally there is no objection at all. That is the reason why the word that has been used is "compelled" and we have added the expression "against her will". Therefore, it is entirely a matter of choice for her.

MR. DEPUTY CHACRMAN: The question is :

"That the Bill be passed." The motion was adopted.

THE UNION T E R R I T O R I E S (LAWS) AMENDMENT BILL, 1956

THE MINISTER IN THE MINISTRY OF HOME AFFAIRS, (SHRI B. N. DATAR) : Sir, I beg to move:

"That the Bill further to amend the Union Territories (Laws) Act, 1950, for the purpose of extending certain Acts to the Union Territory of Manipur, as passed by the Lok Sabha, be taken into consideration."

This is a very simple Bill. After the integration of certain former States of India certain new territories were, added to the other portion of India, popularly then known as British India. Now, in 1949 an Act was passed by the then Parliament or Legislative Assembly known as the Merged States (Laws) Act, 1949. This Act gave power to the Central Government to extend certain laws to the merged areas and subsequently the Part C States (Laws) Act was passed. According to these Acts a number of Acts were introduced in various parts of India including what were formerly known as Part C States. At that time a large number of Acts were introduced in Manipur, but the question with regard to ten Acts was left open because it was considered that a further examination was necessary in view of the peculiar conditions obtaining in Manipur. And, therefore, when this Act was passed, ten Acts were not made applicable at all to Manipur. The question was examined and now it is found that six of these Acts ought to be made applicable to the Union Territory of Manipur. Now, so far as these six Acts are concerned

KAZI KARIMUDDIN (Bombay): May I know why they were not applied ?

SHRI B. N. DATAR: Because the point was, whether they would be necessary at all. These ten Acts had not been fully examined at that time. In or about 1952 or 1953 this question was taken up. Now, if the hon. Member would read the Acts which have been made applicable as also the Acts which have not been made applicable, he would find out the purpose either for the application of these Acts or for their non-application. I would take Part B of the Schedule first. Now, in Part B of the Schedule, at page 3 of the Bill, will be found the Acts extended to Manipur by this Act as from the commencement of the Union Territories (Laws) Amendment Act. One is the Indian Oaths Act. It has not been applied at all and it is considered that the Indian Oaths Act should be applied. Of course, the Oaths Act does not deal with ordeals which were just now removed. Then, there are the Transfer of Property Act, 1882; the Suits Valuation Act, 1887; the Code of Criminal Procedure, 1898, as now amended; and then the Code of Civil Procedure, 1908 and then the Indian Succession Act wherever it applies subject, as I have stated, to the customary law being duly applied in proper cases. Now, in respect of four Acts, after examination it was considered that they were not necessary at all. They are : The Native Convert's Marriage Dissolution Act; The Indian Christian Marriage Act; The Married Woman's Property Act; and the Legal Practitioners Act. So far as these are concerned, it was found that, though we had a certain Christian population there and though the marriages took place in the church, still these people even after conversion to Christianity desired to be governed by their respective customary laws. Therefore there was no desire on the part of the people there to have these new Acts. So far as the Legal Practitioners Act is concerned certain provisions have been introduced in the Manipur Courts Act regarding pleaders or lawyers, and a simple procedure has been laid down as to how a lawyer can be enrolled, in what cases he can be allowed to appear and all other

matters including the disciplinary proceedings to be taken in a proper case against a lawyer. Therefore a simple procedure has been provided for so far as the Legal Practitioners Act is concerned. That is the reason why it is now considered that these six Acts should be applied to the territory of Manipur. We had formerly a Part C States (Laws) Act. All those words have been removed since the passing of the States Reorganisation Act.

I would therefore submit. Sir, that so far as this Bill is concerned all that it is concerned with is the making of the six all-India Acts applicable to the State of Manipur.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Union Territories (Laws) Act, 1950, for the purpose of extending certain Acts to the Union Territory of Manipur, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause by clause consideration of the Bill.

Clauses 2 to 4 were added to the Bill.

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

SHRI B. N. DATAR: Sir, I move: "That the Bill be passed."

MR. DEPUTY CHAIRMAN: The question is :

"That the Bill be passed." The

motion was adopted.