

ef High Court or retired Sessions Judge, or who had been on an industrial tribunal for more than two years. I have got here persons who have never appeared in industrial tribunals for more than five years. He may give me the names afterwards and certainly if there is any substance in it, we will go into it—not because the man has appeared once for one party and so he is disqualified to be a judge. Of course, if he has been

MR. DEPUTY CHAIRMAN: He is just doing what he did not want Mr. Saksena to do.

SHRI ABID ALI: Of course Mr. Saksena has been a very active Member and whenever there is any matter connected with labour, he makes a valuable contribution, but when he starts making contributions on the basis of information, of the non. Member Mr. Mazumdar, he misses the bus, or misses the mark.

SHRI H. P. SAKSENA: I overtook the bus at once as soon as.....(*Interruptions.*)

SHRI ABID ALI: With regard to time-limit, again the hon. Member opposite had made a reference. I submit that if we fix three months or any period in the Statute Book, and a particular party does not file statements, should the judge proceed without consideration of the case of such a party? Take the labour Union. Or if they are not prepared for the argument, in that case, should the case be disposed of without hearing them? This matter has been discussed by various Trade-Union Organisations for several years and though they want a time-limit to be fixed, it has not been found possible to determine what this time-limit should be. They want a time-limit to be fixed and that I appreciate. But what period should be mentioned? What should be this time-limit? That is the question. Some cases, as hon. Members may know, may take only two months, but another case may take two years. Take the case of the Coal Tribunal

or the Jute Tribunal. Or if a tribunal is appointed for the workers in the plantations who number ten lakhs and who are spread all over the country, from Assam to Travancore-Cochin, if you fix three months or even six months, within that time, the parties cannot even submit their written statements and pleadings.

SHRI S. N. MAZUMDAR: The Coal Tribunal was delayed for another reason.

SHRI ABID ALI: Maybe. And some times the judges have to go on inspection to find out the working conditions of the employees in the industry. Therefore, Sir, it is impossible and impracticable to fix any time-limit and the difficulty has been that the Trade Union Organisations themselves have been feeling this difficulty and therefore they are not themselves willing to mention any time-limit, although the demand for fixing a time-limit is there.

Sir, I submit that the Bill be passed.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed".

The motion was adopted.

THE ABDUCTED PERSONS RECOVERY AND RESTORATION) CONTINUANCE BILL, 1955

THE MINISTER FOR WORKS, HOUSING
AND SUPPLY (SARDAR SWARAN SINGH) :
Sir, I beg to move:

"That the Bill to continue the Abducted Persons (Recovery and Restoration) Act, 1949, for a further period as passed by the Lok Sabha, be taken into consideration."

Sir, this legislative measure was enacted by the Constituent Assembly in December, 1949. Its life was extended from time to time, first by

[Sardar Swaran Singh.] the Constituent Assembly and later by Parliament and on the last occasion, this measure came up before this Rajya Sabha in February 1954. Parliament extended its life till the 31st of May, 1955 and the Lok Sabha has now further passed this Bill extending its life till November 1956. Certain facts and figures were given before Parliament in February, 1954.

After February, 1954, the representatives of the two Governments, that is to say, the Governments of India and Pakistan, met in a conference in May, 1954. They reviewed at considerable length the functioning of the recovery organisations in the two countries and they also examined in considerable detail what further is required to be done. As a result of these discussions, an agreement was arrived at between the two Governments, the Agreement dated the 8th May, 1954. This was published both in India and in Pakistan and Government also issued a communique. I will briefly recapitulate those decisions. It is not my intention to take in the time of the House by referring to the various clauses of the Agreement. But there are two or three important matters which could, with some advantage, be referred to at this stage.

The agreement, first of all, reiterated the desire of the two Governments to carry on this work expeditiously and a resolve was made that every effort should be put in. This, Sir, is what was provided in the Agreement.

"At the outset both the delegations reaffirmed their determination to recover and restore all abducted persons as expeditiously as possible. For the furtherance of this humanitarian cause, the progress made in the recovery and restoration, and the problems arising therefrom should be reviewed from time to time and effective measures taken to complete this work as

early as possible. With this end in view, every effort should be made to create an atmosphere where the woman can shed her fear-complex and prejudices created in her mind since abduction, which can be ensured only if the recovered person is in a position to think and decide her future in a free and friendly atmosphere."

The second point of importance that was decided, as a result of these Indo-Pakistan talks related to the appointment of a Fact Finding Commission. The terms of reference of this Fact Finding Commission were decided on as follows:

- (1) To assess the extent of outstanding work of recovery in the two countries; and
- (2) To advise the two Governments on measures to be adopted for speedy conclusion of recovery work in both the countries.

The actual carrying on of the work with reference to these two terms of reference was to be done by the two High Power Officers. It was further agreed that in this work, they will be assisted by one whole-time officer not below the rank of Deputy Commissioner. It was further agreed that the assessment should be completed within six months, presumably, of the constitution of this Joint Fact Finding Commission.

SHRI H. C. MATHUR (Rajasthan): When was this Committee appointed?

SAHDAH SWARAN SINGH: I am coming to that point. As it sometimes happens in these matters when action has to be taken by two governments and the names also have to be mutually agreed upon, considerable delay took place before these two officers who were to assist the High Power Officers in the assessment of this work could be in position and the two officers of Deputy Commissioner's rank who were to assist the two High Power Officers in carrying out this work

were actually appointed in February this year. But it was only on the 12th of February, 1955 that these officers were actually appointed. These officers have been working since that time and they have examined a large number of cases and they have also examined a large number of witnesses, both official and non-official.

The two officers who were appointed to assist the High Power Officers are expected to give their report within about a week's time. Actually, the date was about the end of this month but there may be a difference of a few days this side or that. That report will be examined by the two High Power Officers and it is expected that by the middle of September—within another fifteen or twenty days—the report of the High Power Officers will be before the Government. This is the second point which was agreed upon between the two Governments in May, 1954.

Another important matter about which agreement was arrived at was with regard to the procedure for ascertaining the wishes of the recovered persons. The provision about this contemplated that the recovered person shall be kept in a friendly atmosphere so that she could get rid of her fear complex and, in a friendly atmosphere, be able to think and decide for herself as to what her future should be. It was agreed that if the recovered person does not wish to go to the other country, he or she shall be transferred immediately to a Special Home at Jullundur or Lahore, as the case may be, to be set up for the purpose where the person shall be kept for a sufficient period to enable his or her relations from Pakistan or India, as the case may be, and social workers to meet him or her. It was also agreed that where the recovered person does not wish to go to the other country then, under certain contingencies, he or she should be persuaded to visit temporarily, for a specified period, the other country. On the termination

of the recovered person's visit to the country, he or she would be brought back to the Special Home in the country of recovery and, without unnecessary delay, produced before the Tribunal which shall record his or her statement and where the person is willing to go to the other country, order restoration accordingly and where the person does not wish to go to the other country, order release forthwith. I am referring, Mr. Deputy Chairman, to these provisions in order to show that this agreement was arrived at after giving full weight to the views expressed by the hon. Members of this Sabha. This point was particularly stressed that suitable methods should be devised by which no person is sent over to the other country if he or she does not want to go over to that country; in the ultimate analysis, it is the will of the individual which should, I think, count. To ensure that, this Agreement was arrived at so that there may not be any case in which a person is sent across to the other country if he or she does not want to do so.

The fourth point about this Agreement which I want to mention relates to the establishment of the Special Homes. These Special Homes were to be set up in both India and Pakistan so that there may be a little more friendly atmosphere where the social workers could talk to these unfortunate victims, where the relations could also meet them and explain to them about their future. This was also to enable the persons, after the uncertainty about their future had been removed, to decide for themselves as to what they want to do. That type of atmosphere is not there at the official level; there is not that type of emphasis on the social aspect so that these Special Homes were created to create that kind of social atmosphere.

Unilateral action for the starting of these Special Homes could not be taken because social workers and security arrangements had to be provided by the other country; accommodation also had to be arranged

[Sardar Swaran Singh.] and so, the Special Home, on our side, could not be started for quite some time and Pakistan has not yet been able to start it but the important point to be borne in mind is that, so far as the implementation of the provisions of the Agreement relating to ascertaining the wishes of the recovered persons are concerned, they have been strictly adhered to irrespective of the fact whether they are being kept in one or the other type of camps. Social workers and relations are permitted to see them even in the transit camps that have been functioning all these years in the two countries since, before this Agreement about the Special Homes was arrived at.

These were the important points or principles which had been agreed upon as a result of the Indo-Pakistan talks in May, 1954. It will be premature to anticipate the report of the Fact Finding Commission. The ultimate decision will be considerably influenced by the report of this Joint Fact Finding Commission, their assessment of the outstanding problem, their suggestions or recommendations as to what would be the best way of tackling it, whether the official element could be replaced either wholly or partly by the requisite social structure in which the social workers should predominantly take part, etc., are all points which will be gone into when the report of the Fact Finding Commission is received.

It was for this reason that Government originally came forward with a Bill in which the life of the Statute was sought to be extended till November, 1955, so that, after the report of the Fact Finding Commission was known, those points could be gone into and, if necessary, Parliament approached again either to give a fresh lease to this enactment in its original form or in a modified form in the light of those recommendations. There was, however, a preponderance of opinion expressed in the Lok Sabha by hon Members representing

different Parties, that to extend the life for a short period really is not in the interest of work as it would create a certain amount of uncertainty amongst those who have been given the task of doing this work; there was also the further danger that the unfortunate women who have suffered all these years may take the view that perhaps their fate is now sealed and that, nothing further is going to be done to them after this period, which would result in their thinking that the opportunity to come out and be kept in an atmosphere of such a character where they would have an opportunity to think for themselves, is perhaps gone for ever. Therefore, Government accepted the amendment by virtue of which the present Bill is to be extended till November, 1956.

At the same time, Sir, I made the position clear that if, as a result of the recommendations of the Fact Finding Commission, it is found necessary that any change is required, Government will not hesitate to come before Parliament to effect that change and will not take shelter behind this argument that the life of the enactment is till November, 1956. If as a result of those recommendations, changes of a procedural character, of a structural character or of an organisational character only are envisaged, changes that do not require any change in the legislative measure, then obviously it will not be worth while wasting the time of Parliament by coming to it again and asking for a change in the legislative measure. Changes of that character could easily be made within the framework of this measure by suitable administrative action.

4 P.M.

There are, Sir, certain figures which I would like to give so that the Rajya Sabha may be able to judge as to how this agreement which was arrived at in May 1954 has actually been worked in practice. Up to the end of December 1953, I gave certain figures last year. I will give the

totals so that hon. Members may be saved the botheration of looking up the previous records. During the year 1954—I am giving the figures of recovery from India—2,111 persons were recovered in India. From the 1st of January 1955 to the 30th of April 1955, 465 persons were recovered and during the months of May and June 1955—291. Out of these 1,114, 249 and 119 respectively were sent across to Pakistan.

SHRI H. P. SAKSENA (Uttar Pradesh): The others refused to go? Is that the idea?

SARDAR SWARAN SINGH: The others were released in India.

SHRI H. P. SAKSENA: The others refused to go to the other side?

SARDAR SWARAN SINGH: Yes, they did not want to go across and therefore they were released in India. Therefore it works out to roughly half, that is, of the total number of persons recovered, about half of them were released inside the country.

I am giving these figures, Sir, to meet the argument, if I may say so, which is often advanced that as soon as a person is recovered, she is transferred to the other country and that nobody bothers about her wish. These figures do indicate that that criticism is not correct and a fairly large number of persons who did not want to go were actually released in India. The^e are figures for 1954 and up to June 1955.

PROF. G. RANGA (Andhra): What happens to them when they are released?

SARDAR SWARAN SINGH: They are enabled to go back to the families from which they were recovered. They are at perfect liberty to go wherever they want to go. Normally they go back to the person, who can be described as an abductor. Normally they go there. They sometimes go to some other relations in India. At any rate they remain in India and

in a majority of cases they go back to those places wherefrom they have come.

SHRI H. P. SAKSENA: Will the hon. Minister kindly give the figure of the other side also?

SARDAR SWARAN SINGH: I shall give that figure "also."

SHRI B. M. GUPTE (Bombay): Is the percentage of those who are going back decreasing?

SARDAR SWARAN SINGH: I cannot say in terms of percentage. I cannot really accept that it is decreasing because the figures that I have given, according to the methods we are following, show that it is not decreasing

SHRIMATI C H A N D R A V A T I LAKHANPAL (Uttar Pradesh): Is any record kept of how many women go back to the abductors' families and how many are engaged otherwise?

SARDAR SWARAN SINGH: I can say about 90 per cent, of them do go back to the places wherefrom they have been recovered, but I have not got the exact percentage, but that is the impression that I have formed after examining these cases as they come from time to time.

There is, Sir, another important question as to what happens to the children that have been born after abduction and I will give some figures to indicate as to whether they have actually gone with the mother or whether they have remained in India. It is, Sir, a very difficult and complex subject and this really is the one matter which causes the Government also a lot of anxiety, because, whatever one may say about the choice of the women, these children unfortunately are placed in such a difficult position that they are faced with a predicament in which they have to be separated either from the mother or from the father in those cases where the mother goes across and in thi* matter as to how best this problem of

[Sardar Swaran Singh.] children should be dealt with, the guiding principle has been the interest of the child. It has also been conceded that with regard to those children of tender age, the wishes of the mother should play a very dominant role in deciding as to what would happen to those children,

because the mother—in these circumstances really knows best as to what should happen to those children. And, first, it is not an easy matter for the mother also to decide. But, by and large one can say that the decision that mothers have taken in this case is not very surprising, difficult though it appears to be. Normally they have taken children of tender age with them and have left the children that have grown up here with the abductor, and I will presently give the figures which will indicate as to how these children really have been disposed of. I will give two sets of figures one for 1954 and the other for the period January to April 1955. During the year 1954, the number of post-abduction born children taken to Pakistan by their mothers was 163 as against 578 that were left behind with the abductor fathers, as we call them, in India. And for the other period, that is, from the 1st of January 1955 to the 30th of April 1955, they took 36 children with them—those that went with their mothers—and 148 were left behind.

PROF. G. RANGA: It does not make it clear whether those women—who preferred to go back had all their children with themselves or was there any one else left out of account?

SARDAR SWARAN SINGH: Yes, yes, those children were generally with the mothers.

PROF. G. RANGA: With the women who had chosen to go away?

SARDAR SWARAN SINGH: Yes, who had chosen to go to the other side and with regard to others, we don't have any figures because we do not go by some information that four children had been born to a certain person

unless those children are found here. Mr. Ranga is quite correct that the 148 that is left on this side may not be the entire number; there may be an unrecovered child, but these figures really relate to those who have been recovered with regard to whom we actually pass some order.

SHRI KISHEN CHAND (Hyderabad) : I want to know one thing. During 1954, 1,114 women went to Pakistan and the balance, about a thousand, remained in India. During the same period the number of children taken to Pakistan and those left behind here were 163 and 578 respectively. Now were there any children out of these 163, that belonged to any of the one thousand women that remained in India, or did they all belong to the women who went across the border?

SARDAR SWARAN SINGH: It is obvious. The children went with their mothers. Therefore 163 went with some, out of the 1,114 that went across.

MR. DEPUTY CHAIRMAN: He wants to know probably whether the figures that you are giving relate only to the women that went across or whether they relate to the women that remain here also.

SARDAR SWARAN SINGH: Obviously it cannot relate to the women here. They may be of others also. I have not got the break-up with regard to children of only those women who went across.

Now, I gave the figures for the period 1st January to 30th April 1955. Now, with regard to May and June, 23 children were taken by mothers with them whereas 39 were left behind.

SHRI A. DHARAM DAS (Uttar Pradesh) : It seems to me that the figures that you are giving are the figures of children of those persons who left this country and went to Pakistan. Otherwise there will be

as against the 20,000 and odd that I mentioned as the number of persons who have been sent to Pakistan, is only 8992, that is slightly less than half. But this does show that, this organisation on either side has been responsible for restoration to their respective families, as large a number of persons as 30,000 which is the total number that have crossed over as a result of the functioning of this recovery organisation in the two countries. The figures relating to Pakistan for those three periods for which I gave the figures with regard to India are as follows:

1954—Persons recovered in Pakistan
247; out of which 160 were brought to
India

SHRI KISHEN CHAND: Is that for four months?

SARDAR SWARAN SINGH: No; that is? for the year 1954. These are the figures corresponding to 2100 and 1114 that I gave with regard to India.

SHRI KANHAIYALAL D. VAIDYA
(Madhya Bharat): What about the remaining?
Did they refuse to come here?

SARDAR SWARAN SINGH: You were very happy when I said that out of 2111 only 1114 were sent across and about a thousand were released here. Now, when I say that out of 247 recovered from there 160 came out and a little less than a hundred decided to remain there you start questioning.

From 1st January 1955 to 30th April 1955—which corresponds to the second period for which I gave figures with regard to India—130 were recovered in Pakistan out of which 99 came over to India and the rest were released in Pakistan because they did not want to come to India. And during the two months of May and June 79 were recovered in Pakistan out of which 49 came over to India.

One may have views on this subject as to why the number of people who

Now I will give the other figures so that hon. Members may weigh the position. The corresponding figure of the number of persons who have been brought over to India from Pakistan.

[Sardar Swaran Singh.] are recovered from Pakistan is not large enough. One point, however, to which I would draw the attention of this hon. House at this stage is about the implementation of that agreement relating to the ascertainment of the wishes of the people. It is operating practically in the same way in the two countries. Between 30 and 50 per cent, of the people do not want to come across and they are being released in that country. We may have different view-points as to the intensity of the activities so far as recovery work is concerned as to why it is slow and why the number recovered is less but I may point out that so far as the implementation of this agreement relating to the ascertainment of the wishes is concerned, these two figures of the total number of persons who are sent across and the total number of persons who are released do indicate that it is being implemented in the right spirit and that people are not being pushed across merely because they have been recovered and the usual criticism that is levelled is not fully justified.

There is another aspect which has to be kept in mind in the light of these figures that I have given. The nature of work is very difficult. There is not enough of popular support also, as is unfortunately the case not only here but everywhere. Human memory is short and the original wrongs that have been done are sometimes forgotten and the immediate thing when it touches anybody is sought to be magnified.

When we remember further that as many as 30,000 persons have actually been restored to their families as a result of these measures, then for anybody to say boldly that no wrong decision or no wrong action was taken or could have been done while handling these huge number of cases would perhaps be too big a claim and I for one cannot make that claim. There may have been shortcomings in the functioning. After all, human beings

have to implement this thing and human material was being handled and in doing so, if there has been any failure either of an organisational character or individual cases of hardship have occurred, I, for one, cannot really controvert any such thing. But I do submit that in a problem of this colossal magnitude, 30,000 is not a small number, the surprise really is that the number of complaints have been so surprisingly few, particularly during the last year and a half. I have given special thought to all these matters and the number of complaints that come to the Government really has been disproportionately small, as compared to the number of cases that have been recovered.

SHRI H. P. SAKSENA: Perhaps because the people have resigned themselves to the existing conditions and they have learnt to forget all about it.

SARDAR SWAKAN SINGH: That may be correct. But I do submit that in a case where a person is recovered, he would not have that complacency because here he is actually being removed from his surroundings. Therefore, if in that process or in the ultimate decision of that case, he is not getting justice, then his inertia of human mind will not react that way. But, he will certainly come forward if there is any grievance either against recovery or against sending across. Therefore, I submit that this does create a certain amount of confidence amongst the people and the fact that people after recovery are released in the country in which they are recovered has created, if I may say so, a new confidence in the functioning of this organization.

The corresponding figures with regard to children that were recovered in Pakistan are the only ones which I want to give to complete the corresponding figures with regard to Pakistan. The total number of post-abduction born children brought to India by their mothers in 1954 is 22 as against 17 that were left behind in

Pakistan. From the 1st of January 1955 to 30th April 1955 10 were brought over by the mothers as against 17 that were left behind and for the months of May and June, 18 children were brought by mothers as against 2 for this period that were left there.

This, Sir, is the picture with regard to the functioning of this organization. "There is one other thing which I want to mention before I close. As this hon. House knows the cases are first gone into by an Indo-Pakistan Tribunal where representatives of the two countries function. There was criticism on the last occasion that this Tribunal is only nominal and that they are not effective and are not perhaps releasing people even after those cases come to their notice and that they are just registering the transfer of people across the border. Now, I would submit the figures with regard to the actual disposal of cases that were handled by this Indo-Pakistan Tribunal. I have got figures for the period from the 1st April 1954 to the 30th June 1955. First, with regard to India, the total number of cases handled by them was 932 and the persons involved were 1,924. Out of these persons restored to relations in Pakistan, there were 759 cases involving 985 persons. The cases restored to relations in India were 173, involving 939 persons. That is, if 985 persons were sent across, 939 were released in India. The corresponding figures for the same period for Pakistan are: total number of cases 214, involving 368 persons. Out of these, 23 cases involving 83 persons were restored to relations in Pakistan, whereas 191 cases involving 285 persons were restored to relations in India, that is they were asked to go over to India.

To sum up, I submit that, as a result of the observations that fell from the lips of the hon. Members of this House in February 1954, Government convened this Indo-Pakistan Conference and took concrete decisions and I can say that the figures that I have given

bear ample testimony to the fact that those decisions are being implemented. The report of the Fact Finding Commission will be in the hands of the Government within another fortnight or so. That will indicate as to what is the extent of the outstanding problem and what should be the change, if any, to be brought about either in the administrative set-up or in the legislative provision. From the very nature of the problem, the only way to handle it is by international co-operation. When such a subject matter comes up for discussion, I can well appreciate the anxiety of certain members to create conditions in which things in the other country, *i.e.*, Pakistan, may be pushed ahead with greater speed. That is quite understandable. But, I do submit that the only way to do that is to continue to do our duty and so far as this subject of a humanitarian character is concerned, we should not try to do it on a parity basis. We should not try to work out mathematically that so many heads have come here or so many heads have gone to the other side. But, we should really approach this problem from a human angle. And if there are women, unfortunate persons, in this country who were the victims of the unfortunate happenings of those troubled times, the real question to which we should give anxious thought is as to whether some arrangement should not continue to exist under which they could come out of that cramped atmosphere in which they find that they have perhaps lost themselves and whether the same machinery should not be there under which they could be brought out, kept in a friendly atmosphere where they could meet their relations and after that, if they have shed their fear complex, if they want to remain here, they could remain. That appears to my mind to be the best way of dealing with this problem which is a very complex one. If any one has set views about this, perhaps it will be something which could be controverted by arguments. But we should not

[Sardar Swaran Singh.] try to invent arguments in favour or in support of one or the other theories. But, I do submit that the way in which this functions and the number of people who have exercised an option to go over, does show that there is a fairly large percentage of persons who, after breathing the free air of that atmosphere and after having been torn from that atmosphere, still want to go. The only answer that occurs to me is to give this a little more trial and we may make a last effort to wind up this problem and then, we can really re-assess the whole thing in the light of the recommendations of this commission.

SHRI H. C. MATHUR: May I know, Sir, if the hon. Minister can give us some information as to the expected number of persons in both the countries, who are likely to be brought over from there and taken over from here and the number of cases that are pending at the present moment? Also, I want to know three points: the number of persons who are likely to be brought over; the number of cases which are at the moment pending and the number of cases which have gone to court to escape restoration.

SARDAR SWARAN SINGH: These are very pertinent questions. But, so far as the number of outstanding cases is concerned, it has been stated from time to time that it is really a very difficult problem to assess and I want to take this hon. House into confidence with regard to the difficulty that is experienced in this matter.

To start with, the number of reports even with regard to the same individual has been more than one. It happened in this way. In that confusion somebody's brother registered a report at Jullundur; somebody's uncle registered a report at Delhi; somebody's mother registered a report at Ludhiana. Wherever any relation of the missing person happened to be, he went to the nearest place and registered his

report. The result is that with regard to the same individual on scrutiny and shifting, sometimes, we find that there are about five or six reports with the result that the lists went on swelling.

Then, again, cases were registered here in the hope that some investigation will be made on the other side and ultimately it was found on investigation that the person is either dead or is not traceable or something has happened. Therefore, the two Governments really have never been able to assess clearly as to what is the total number of persons involved, but there is one figure available: which I can give. There are roughly about 5000 cases where the clues that have been given have not been fully investigated. After full investigation of those 5000 cases, whether any individual will actually be recovered or not, whether that person is dead, or what has happened to him, nobody can say. But that does indicate the extent of the outstanding problem in a way. And the fact that recoveries are taking place and that certain people are being recovered from month to month does indicate that the problem has not reached its last legs. Therefore, we should await really the report of the Fact Finding Commission. This is one of the terms of reference, to report as to what is the outstanding problem. That is one aspect.

Regarding the number of cases that have gone to court and what has happened to them, I have got some figures and as required by the hon. Member opposite, Shri Mathur, I will give those figures:—

Number of cases instituted in courts arising out of recovery of Muslim abducted persons in India

Supreme Court 2 (both dismissed >

High Court—

Punjab	39
Uttar Pradesh	1
PBPSU	&
Tammu and Kashmir	1
TOTAL	49

All dismissed except two in Punjab and one in PEPSU, which were pending at the time when this brief was prepared, that is, about a fortnight or three weeks ago.

I do not know what has been the fate of those cases.

Civil Courts in Punjab 119—all dismissed. That indicates that not even in a single case, any of the High Courts or any of the Civil Courts have decided a case against this recovery organisation.

What was the third point, to which Mi. Mathur wanted a reply?

SHRI H. C. MATHUR: The pending cases at the present moment.

SARDAR S WAR AN SINGH: The number of cases pending investigation I have already indicated. There will not be any other figure because to have any firm figure with regard to cases that are pending before the Tribunal, that will be a constantly changing figure and that will not really give us any correct clue to any important issues.

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill to continue the Abducted Persons (Recovery and Restoration) Act, 1949, for a further period, as passed by the Lok Sabha, be taken into consideration."

श्रीमती चन्नाबती लखनपाल : श्रीमन्, आज जो बिल हमारे सामने इस समय विचारधीन है उसका उद्देश्य यह है कि जिन अपहृत स्त्रियों के नए बसाए हुए घर हैं उनको उन घरों से निकाल कर पुनर्न घरों में बसाया जाए। यह विधेयक हर वर्ष हमारे सदन में मंत्री महोदय के द्वारा उपस्थित किया जाता है और उनके अनुरोध से, आग्रह से, इस विधेयक की अधि का हर साल बढ़ा दिया जाता है। आज भी मंत्री महोदय ने अपने कंस को बड़े ही योग्यतापूर्ण ढंग से इस सदन के सामने उपस्थित किया है, किन्तु मुझे खेद है कि मैं बहुत विचार करने

के बाद भी उनकी बहस की बातों से सहमत नहीं हो सकती।

[THE VICE-CHAIRMAN (DR. P. SUBBARAYAN in the Chair.)

यह बिल कई सालों से इस सदन के अन्दर आ रहा है, किन्तु आज पहली बार मैं इस बिल पर अपने विचार व्यक्त कर रही हूँ, क्योंकि मैं आज बहुत तीव्रता के साथ इस प्रश्न पर अनुभव कर रही हूँ।

श्रीमन्, यह ठीक है कि आज से आठ साल पहले हमारे देश के अन्दर एक बड़ी गंमांचकारी घटना घटी जिसके परिणामस्वरूप, जैसा कि अभी कहा गया, लगभग ४० या ५० हजार स्त्रियों का अपहरण देश की सीमा के इस पार और उस पार हुआ। साथ ही इस सभ्य संसार ने शायद ही पहले कभी ऐसी गंमांचकारी, प्रलयकारी, मानवता को नष्ट करने वाली और मानवता के विरुद्ध घटना देखी होगी। वास्तव में आठ साल पहले, यह समस्या अपने देश के सामने एक जीवित प्रश्न के रूप में उपस्थित थी और हमें इस बात का गर्व है कि हमारी सरकार ने बहुत ही सफलता के साथ इस प्रश्न का सामना किया और इसको हल किया। लेकिन आज का प्रश्न तो एक अलग प्रश्न है। अब हमारे सामने प्रश्न यह है कि अपहृत स्त्रियों के निकालने और उनको अपने पुनर्न घरों में बसाने का कार्य अब आठ साल बीत जाने के बाद भी जारी रखा जाय या न रखा जाए। इस सम्बन्ध में बहुत विचार करने के पश्चात् भी मैं तो इस परिणाम पर पहुँचती हूँ कि आज परिस्थितियाँ बदल गई हैं और परिस्थितियों के साथ ही साथ हमका भी बदलना है। यदि हमें किसी भी कार्य की उपयोगिता को परखना हो तो हमें परिस्थितियों के आधार पर उसका परखना होता है। आज आठ साल पहले की परिस्थितियाँ नहीं हैं। जो अपहृत, एबडक्टड या चुराई हुई स्त्रियाँ थीं, उन्होंने आठ साल में अपने घरों को फिर से बसा लिया है, उन्होंने नए सम्बन्ध स्थापित कर लिए हैं, उनके नए असॉसिएशन्स फार्म हो गए हैं, उनके बच्चे भी हो गए हैं और उन्होंने अपने लिए

[श्रीमती चन्द्रावती लखनपाल]

एक नया वातावरण और एक नया घर तैयार कर लिया है। तो अब उस नए घर से उनको फिर से उखाड़ना और उनको एक अजीब सी परिस्थिति में रख कर उनसे यह मनवाना कि वे अपने पुराने घरों में जाकर बसें, जहां उनका स्वागत करने के लिए कोई तैयार नहीं होगा, मैं समझती हूँ कि यह एक ऐसी समस्या है कि जिस पर हमें बहुत गम्भीरता से विचार करना चाहिए। मुझे तो ऐसा लगता है कि जो नए बसे हुए घर हैं उनसे इन अपहृत बहनों को उखाड़ना, उन को अपरुत करना, और उनकी सारी लाइफ को एक प्रकार से डिस्टर्ब करना, मैं तो कहती हूँ कि यह उनके साथ सहृदयता का या मानवता का व्यवहार करना नहीं है, बरन् उनके साथ निष्ठुरता का व्यवहार करना है और उनकी भावनाओं के साथ मखाँल करना है। आप एक छोटी सी चीज को लीजिए। एक छोटा सा पाँधा होता है। यदि हम उसको एक बार उखाड़ कर किसी दूसरी जगह पर लगा दें तो वह ज़म जाता है, लेकिन यदि हम उस ज़मे हुए पाँधे को फिर से उखाड़ कर किसी तीसरी जगह लगा दें तो यह निश्चित है कि वह पाँधा सूख जाता है और ज़मता नहीं है। यह बात जब पाँधे के लिए ठीक है तो फिर मनुष्य तो मनुष्य ही है, उसके अन्दर हृदय है और हृदय के अन्दर भावनाएँ हैं।

सरदार स्वर्ण सिंह: मनुष्य तो पाँधे से बहुत ज्यादा मुस्तीलफ चीज है ?

श्रीमती चन्द्रावती लखनपाल: हाँ, यही तो मैं कह रही हूँ। वह एक जानदार चीज है, उसके अन्दर एक जीवित हृदय है और उसके जीवित हृदय के अन्दर भावनाएँ हैं, स्मृतियाँ हैं, ऐंसांसिएं हैं।

सरदार स्वर्ण सिंह: जो कि पाँधे में नहीं है ?

श्रीमती चन्द्रावती लखनपाल: जी हाँ, पाँधे में नहीं है। जब उखाड़ कर एक दूसरी जगह लगाने का असर पाँधे पर होता है तो फिर मनुष्य को एक दूसरी जगह बसाने में कितनी तकलीफ

होगी और कितनी ज्यादा कठिनाई का सामना उसे करना पड़ेगा ?

श्री ४० प्र० सक्सेना: मगर उसको कोई मजबूर तो नहीं करता ?

THE VICE-CHAIRMAN (Dr. P. SUBARAYAN): Order, order. The hon. Member is not yielding.

श्रीमती चन्द्रावती लखनपाल: माननीय सदस्य जरा मेरी विचारधारा को सन्तोष के साथ सुन कर समझने का प्रयत्न करें, तो शायद वह अच्छी तरह समझ सकेंगे। तो मैं कहना यह है कि हमारा जो उद्देश्य है वह केवल अपहृत बहनों को निकालने का ही नहीं है बल्कि उनको बसाने का भी हमारा उद्देश्य है। हमारा उद्देश्य का सब से आवश्यक भाग यह है कि जिन बहनों को हम निकालते हैं उनको हम बसा भी दें और पहिले से अच्छे ढंग से बसा दें, उन्नत वातावरण में बसा दें, उनके जीवन को सुखद और सुन्दर बना दें। हमें देखना है कि क्या वास्तव में हम बसा कर रहे हैं। मुझे इसमें बहुत सन्देह है और हमारे मंत्रीजी ने जो फंड्स और फिगर्स दिए हैं, वे भी इस बात के प्रमाण हैं कि हम उन अपहृत बहनों को जिनको हम आज निकाल कर लाते हैं, अपने समाज के अन्दर सुन्दरता और सफलता के साथ एसीमिलेट और एबजार्ब नहीं कर पा रहे हैं, हम उन्हें हज़म नहीं कर पा रहे हैं।

सरदार स्वर्ण सिंह: क्या आपके पास कोई ऐसा कंस है कि जो आदमी उधर से आए हैं उनको हमारी सोसाइटी ने एबजार्ब नहीं किया। यह तो हिन्दुस्तान के नाम पर एक बड़ा धक्का होगा।

श्रीमती चन्द्रावती लखनपाल: अभी आपने जो फीगर्स दी हैं उनसे पता चलता है कि १९५४ में जो बहनें निकाली गईं उनकी संख्या २११९ थी और जो बहनें वहाँ रहीं, जिन्होंने वापस जाने से इंकार कर दिया उनकी संख्या लगभग १००० की है। इसी प्रकार से और भी आंकड़े आपने दिए हैं जिनसे पता लगता है कि लगभग आधी संख्या बहनों की ऐसी रही है जिन्होंने कि बहुत

फुसलाने और समझाने के बावजूद भी पाकिस्तान में, या दूसरी जगह अपने पुराने घर में जानें से इंकार कर दिया है। तो आप लोगों के सामने मैं इस प्रश्न का केवल एक ही पहलू रखना चाहती हूँ और वह यह है कि हमारा जो समाज है, चाहे वह हिन्दुस्तान का समाज हो या पाकिस्तान का समाज हो, उसके अन्दर इतनी सामर्थ्य नहीं है कि वह इन बहनों को, जो कि ५ साल अपने घरों से बाहर रह चुकी हैं, जिन्होंने नए एसोशिएशंस बना लिए हैं, जिनके बच्चे हो चुके हैं, जिनके सब सम्बन्ध एक नए ढंग से बन चुके हैं, उन्हें अपने अन्दर पूरी तरह से हजम कर लें। होता क्या है? जिन बहनों को निकाला जाता है जब वे पुराने घरों में जाती हैं तो उनका स्थान लगभग भर चुका होता है और उनको उस घर में वही पुराना स्थान नहीं मिलता है जो कि पहले मिला हुआ था। उनको वह रस्पेक्टिविलिटी, वह आनर, वह मान और मर्यादा और इज्जत नहीं मिल सकती। मैं अपने दृश हिन्दुस्तान की बात कहती हूँ। जैसा कि हमारा आर्थाटोक्स टाइप का समाज है उसको हम भली प्रकार से जानते हैं, और यही हाल पाकिस्तान में भी है। जो आंकड़ें हैं उनसे साफ है कि जिन बहनों को पाकिस्तान भेजा जाता है उनमें से आधी बहनें वहां जाने से इंकार कर देती हैं। तो, श्रीमन्, मैं यह कहना चाहती हूँ कि आज हमारे सामने जो प्रश्न है वह बहनों को बसाने से ज्यादा सम्बन्ध रखता है, केवल उनको निकालने से ही उसका सम्बन्ध नहीं है। हमें इस पहलू पर बड़ी गम्भीरता से विचार करना है।

इस प्रश्न पर जब उस सदन में विचार हो रहा था तो बहुत से भाइयों और बहनों ने कहा कि अपहृत बहनों का प्रश्न दृश की मान मर्यादा, दृश की प्रतिष्ठा और प्रेस्टिज का प्रश्न है। उन्होंने यह भी कहा कि जब तक हिन्दुस्तान के अन्दर और पाकिस्तान के अन्दर एक भी अपहृत बहन रहती है तब तक इस काम को जारी रखा जाए। लेकिन मैं बहुत ही नम्र शब्दों में निवेदन किया चाहती हूँ कि यह जो एप्रांच है वह सेंटिमेंटल एप्रांच है, यह भावुकतापूर्ण दृष्टिकोण है। और जब किसी प्रश्न पर भावुकता में आ

कर विचार किया जाता है, तो कभी भी उस पर गम्भीर विचार नहीं हो सकता। यदि हम इस प्रश्न पर या किसी भी प्रश्न पर सफलता के साथ और गम्भीरता के साथ विचार करना चाहते हैं तो हमें भावुकता को अलग कर के, ठंडे दिल से, तर्कपूर्ण ढंग से, उस पर विचार करना होगा। हमें तर्क की दृष्टि से, जो वस्तुस्थिति है, जो फैक्ट्स हैं, जो रियलिटीज हैं, उनको सामने रख कर विचार करना होगा। श्रीमन्, मुझे खेद के साथ कहना पड़ता है कि आज जो विचार हो रहा है वह हम, जो फैक्ट्स हैं, जो रियलिटीज हैं उनके आधार पर नहीं बरन, उनकी उपेक्षा करके कर रहे हैं। जैसा कि मैंने कहा आज जो हमारे सामने प्रश्न है उसको हमें सेंटिमेंटल दृष्टि से हल नहीं करना है, बल्कि वस्तुस्थिति के आधार पर, फैक्ट्स के आधार पर, हमारे सामने जैसी स्थिति है उसके आधार पर, उसको देखते हुए, हमें हल करना है। श्रीमन्, बड़े जोरों की चर्चा होती है कि इस प्रश्न को ह्यूमनेटैरियन एप्रांच से, ह्यूमनेटैरियन भावना को आधार बना कर, हमें हल करना है। बिल्कुल ठीक है। यह तो मानवता का प्रश्न है, और मानवता की भावना को सामने रख कर के ही उसको हल करना चाहिए। लेकिन ह्यूमनेटैरियन एप्रांच से आज आपका क्या आशय है, आपका क्या अभिप्राय है? यही तो अभिप्राय है कि जिन बहनों की समस्या को आप हल करना चाहते हैं वह उनकी भावनाओं को देख कर हल करें। लेकिन देखने में आता क्या है, होता क्या है? देखने में यह आता है कि हम अपनी भावनाओं को प्रधानता दे रहे हैं और उनकी भावनाओं को नहीं, जिनकी कि समस्या हमें हल करनी है, जो कि अपहृत हैं। जैसा कि मैंने बताया, जो अपहृत बहनें हैं, यदि उन्हें हम उनके नए बसाए हुए घरों से निकाल लेते हैं तो हम उनके साथ मानाता का व्यवहार नहीं करते, उनकी भावनाओं के साथ हम एक प्रकार से मखाँल करते हैं। तो मैं यह बताना चाहती हूँ कि अगर हमारे सामने दृष्टिकोण वास्तव में ह्यूमनेटैरियन एप्रांच का हो, तब तो हमें यह देखना होगा कि जिन बहनों को हम उनके घरों से निकाल

[श्रीमती चंद्रावती लखनपाल]

रहे हैं, उनके वातावरण को किस प्रकार से सुखद और सुन्दर बना रहे हैं, और जहाँ पर हम उन्हें ले जा कर रख रहे हैं वहाँ क्या ऐसी स्थिति है, क्या यह ऐसा घर है, कि वह सम्मानपूर्ण, उन्नत प्रकार का जीवन बिता सकें? यदि गहराई से देखा जाए तो हमें तो यही उत्तर मिलता है कि दोनों देशों में समाज के अन्दर वह सामर्थ्य नहीं है कि वह इन आहत बहनों पर उनके त्याग और तपस्या के लिए, उनके अभाग्य के लिए, दया कर सकें और उनको वही पुराना स्थान, पुराना आनर, पुरानी मान भर्खा और सम्मान दे सकें। श्रीमन्, यह वस्तुस्थिति है। इन अभागी बहनों को, अपने किसी दोष के कारण नहीं बरन् देश की विचित्र परिस्थितियों के कारण, बर्बरता और दानवता का शिकार बनना पड़ा। उनका क्या दोष है? लेकिन जो स्थिति है वह यह है, कि ह्यूमनेटेरियन एप्रोच का खाल बिल्कुल अधरा ही रह जाता है। जैसा कि मैंने अभी बताया, ह्यूमनेटेरियन एप्रोच के जो माने होते हैं वह यह हैं, कि जो हमारी भावनाएं हैं, जो सेंटीमेंट्स हैं, उनको आगे रख कर समस्या को हल करते हैं, और उन बहनों की भावनाओं का उतना खयाल नहीं करते, जिनका कि असली सवाल है।

श्रीमन्, अन्त में मुझे एक बात और कहनी है। जैसा कि अभी मंत्री महोदय ने बताया कि बहनों के अतिरिक्त बच्चों का भी सवाल है। अभी बताया गया कि जो बहनें यहां से जाती हैं वे अपने साथ अपने बच्चों को नहीं ले जाती हैं। आप सोच सकते हैं कि कोई भी मां अपने बच्चे को छोड़ कर दूसरी जगह जाना कभी भी पसन्द नहीं करेगी जब तक कि वह यह न देख ले कि उसके बच्चे के लिए अगर इधर गया है तो उधर खाई मौजूद है। माता यही समझती है कि अगर वह अपने साथ बच्चे को ले जाएगी तो उस बच्चे का उस पुराने घर में कोई स्वागत नहीं होगा। इसलिए वह मजबूर हो जाती है अपने बच्चों को छोड़ कर चल जाना के लिए। अब आप सोच सकते हैं कि जो एडवर्टेड हैं, जिसकी फौमली है, उसके घर में उस बच्चे का

जिसकी मां वह घर छोड़कर चली गई है, कैसे स्वागत होगा। क्या उसको विकास के लिए अनुकूल वातावरण मिल सकेगा, मुझे इसमें बड़ा सन्देह है। और फिर अनुकूल वातावरण न मिलने पर क्या हमारा देश में ऐसी सांसाइटी है, या ऐसे होम्स हैं, जहाँ पर हम उन बच्चों को रख सकेंगे। न हमारा समाज में इतनी सामर्थ्य है, न हमारी सरकार में इतनी सामर्थ्य है, न घरों में इतनी सामर्थ्य है, कि जो कि हजारों की लादा में, इन बच्चों की देखरेख और पालन पोषण कर सकें। श्रीमन्, ऐसी दशा में, क्या हम डॉलिवर्सेस का, अपराधी का, प्रोत्साहन न देते रहेंगे? क्या ये बच्चे डॉलिवर्सेट अपराधी और क्रिमिनल न बनेंगे?

इसलिए, मैं यह कहना चाहती हूँ, कि आज हम जिस समस्या को हल करना चाहते हैं, उस समस्या को पूर्णतया हल न करते हुए, साथ साथ अनेक अन्य समस्याओं को भी खड़ा कर रहे हैं। और ये नई समस्याएं पहली समस्याओं से भी भयंकर हैं। जैसा कि मैंने बताया, हजारों की संख्या में ऐसी बहनें रह जाएंगी जिनके लिए न इधर रास्ता है और न उधर रास्ता; धोबी का कुत्ता, न घर का न घाट का। उनका लिए न होम्स हैं, न घर होंगे। न ये घर होंगे न वे घर होंगे। इसी प्रकार से बच्चों का जीवन भी हो जाएगा और उनके विकास का कोई रास्ता नहीं होगा। इस प्रकार से मैं यह कहना चाहती हूँ कि हम एक समस्या को हल करने के लिए सैकड़ों नई भयंकर समस्याओं को, जिनको हल करना हमारी सरकार के हाथ में भी नहीं है, उनको जन्म दे रहे हैं। इसलिए इन सब कारणों से मैं तो यह समझती हूँ कि जो कार्य आज चल रहा है, अब से आठ साल पहले, भले ही वह बड़ा अच्छा, बहुत सुन्दरता के साथ चला, लेकिन आज परिस्थितियों के बदल जाना के कारण यह बिल्कुल अनुपयुक्त हो गया है, इसकी आवश्यकता नहीं रही है।

इसके अतिरिक्त वह मशीनरी भी हमारी इतनी एफीशेंट नहीं है, जितनी कि इस काम के लिए होनी चाहिए। जैसा कि मंत्री महोदय ने स्वयं बताया, समझौते का इंफ्लैमेंटेशन जो

हैं, इधर तां बहुत अच्छा हो रहा है। और उधर जिस डिलाई के साथ हो रहा है, स्वयं मंत्री महोदय ने उसे स्वीकार किया है। क्या आप सोचते हैं कि इस डिलाई के लिए केवल पाकिस्तान ही जिम्मेदार है। मैं ऐसा नहीं मान सकती। अगर हमारी सरकार ने जो समझौता किया है उसको वह उसी सख्ती के साथ पाकिस्तान के साथ मनवा सकती, तो कभी यह नहीं हो सकता था कि पाकिस्तान इतनी डिलाई के साथ काम करता। इस डिलाई की, इस समझौते को ठीक से इम्प्लिमेंट न करने की जो जिम्मेदारी है, उससे हम अपने आप को बरी नहीं कर सकते। इस लिए मेरा तो यह कहना है कि यह जो आज का बिल है इसके अन्तर्गत, निष्कासन का या रिस्टोरेशन एंड रिकवरी का जो कार्य चल रहा है, इसको अब खत्म करना चाहिए। ज्यादा से ज्यादा मैं इतना कह सकती हूँ कि जो बिल का प्रारम्भिक रूप है, जिसके अनुसार केवल नवम्बर तक मंत्री महोदय ने इस बिल की अवधि बढ़ाने की मांग की है, उसका मैं समर्थन कर सकती हूँ, उससे आगे नहीं।

जो भावनाएं मैंने व्यक्त की हैं वह केवल जिस प्रकार से मैं अनुभव करती हूँ उसके आधार पर की हैं। यदि मेरी भावनाओं को व्यक्त करने से मंत्री महोदय को या किसी और भाई को दुःख हुआ हो तो उसके लिए मैं खेद प्रकट करती हूँ और क्षमा चाहती हूँ।

श्रीमती सावित्री निगम (उत्तर प्रदेश) : उप-सभाध्यक्ष महोदय, श्रीमन्, मैं अपहृतों की खांज सम्बन्धी इस विधेयक का हार्दिक समर्थन करने के लिए खड़ी हुई हूँ। मेरी समझ में नहीं आता कि हमारी बहिन जैसी विचारशील स्त्री कैसे ऐसे विचार रख सकती है। कोई भी स्त्री कभी भी अपने अपहरणकर्ता, या अपने पति, पिता या पुत्र के हत्यारों के साथ रहना कैसे पसन्द कर सकती है। यह मेरी समझ में नहीं आता। यदि जैसा कि उन्होंने बयान किया, स्त्रियाँ एक पाँधे की तरह निजीव होतीं, तो मैं समझ सकती थी कि उनकी

दलील ठीक है कि उनकी जड़ें जम गई हैं, जैसे कि पाँधे की जम जाती हैं, और उन को बसे रहने दिया जाय। लेकिन श्रीमन्, मैं यहां उनसे यह जानना चाहती हूँ कि उन्होंने जो यह दलील दी है वह कहां तक माने रखती है। यहां पर सवाल केवल स्त्रियों का ही नहीं है। बहुत से बच्चे, बहुत से लड़के लड़कियाँ पाकिस्तान में रह गए हैं। वे अपने हृदय पर हाथ रखकर यह कहें कि उनके हृदय में एक माँ का हृदय है, उनके शरीर में माँ का हृदय है और फिर यह बतायें कि अगर उनके भी बच्चे पाकिस्तान में रह गए होते तो क्या आज वे इस विभाग के बंद करने की दलील कभी पेश कर सकती थीं। लेकिन यह बिल केवल स्त्रियों के लिए ही नहीं है। बहुत से ऐसे लोग हैं जिनके इकलौते बेटे, इकलौते बच्चे जो कि उनके हृदय के टुकड़े के समान हैं, पाकिस्तान में रह गए हैं। आप सोचें उन माओं की परेशानी, उन माओं का दुःख और रंज, आप उसे अनुभव करें।

श्रीमती चन्द्रावती लखनपाल : इसके लिए मैं विरोध नहीं करती हूँ।

THE VICE-CHAIRMAN (Dr. P. SUBBARAYAN): Order, Order. Please sit down.

श्रीमती सावित्री निगम : श्रीमन्, यह दलील नितान्त भ्रमात्मक है कि स्त्रियाँ, जो पाकिस्तान में बस गई हैं या जो हिन्दुस्तान में बस गई हैं, उन्हें उन्हीं लुटरो के साथ, एम्बेडर्स के साथ छोड़ दिया जाय। चाहे वह बुरी दशा में तो, चाहे भली दशा में हों, उनका पता लगाने की भी आप अनुमति नहीं दें।

श्रीमती चन्द्रावती लखनपाल : उसके लिए आर्डिनरी ला है।

श्रीमती सावित्री निगम : श्रीमन्, जब साफ साफ मंत्री महोदय ने यह बताया है कि उन स्त्रियों को पूरी स्वतंत्रता मिल चुकी है कि वे वह विचार करें कि आया जहां वे बसी हैं, जिन एम्बेडर्स के साथ रहती हैं, उनका

[श्रीमती सावित्री निगम]

व्यवहार अच्छा मिलता है या नहीं मिलता, और उसके बाद उनको स्वतंत्रता मिलती है कि यह निर्णय कर लें कि वे पाकिस्तान जाना चाहती हैं या हिन्दुस्तान आना चाहती हैं; किस प्रकार उन्होंने यह दलील रखी कि उन ऐसी स्थिति में, मैं यह नहीं समझ सकती कि लोगों के बारे में पता ही न लगाया जाय, जैसे कि मानों नदी में फेंक दिया गया।

(Interruption.)

श्रीमती चन्द्रावती लखनपाल : उसके लिए सामान्य ला तो हैं।

श्रीमती सावित्री निगम : श्रीमन्, मैं इस सम्बन्ध में इतना जरूर कहना चाहती हूँ, जैसा कि चन्द्रावती बाहन ने एक बात कही है, कि हमें रिहॉबीलिटेशन के ऊपर अधिक ध्यान देना चाहिए। मैं इससे सहमत हूँ। मैं चाहती हूँ कि रिहॉबीलिटेशन के कार्य के लिए, यहां के समाजसेवी बाहनों और भाइयों की एक एक कमेटी दोनों दशों में बना दी जाय, जो स्थिति का इस प्रकार अध्ययन करें कि जो परिवार बसाये गये हैं उनकी परवरिश किस तरह होती है और उसका पूरी तरह ब्याँस रखें। जैसा कि हमारी बाहन ने कहा कि उनको कैसे रिहॉबीलिटेट किया जायगा, मैं कहती हूँ कि हमारी सरकार को यह श्रेय प्राप्त है कि उसने लाखों करोड़ों शरणार्थियों को बसा दिया, तो क्या वह इन बच्चों और स्त्रियों को नहीं बसा देंगी? अगर उनके परिवार के लोग पसन्द भी नहीं करते हैं कि वे उनको ग्रहण करें तो हम यह देखेंगे कि क्यों उनका वही स्टेटस नहीं मिलना चाहिए। लेकिन अगर कोई स्त्री अपने एडक्टर के पास दुःख में है, कष्ट में है, तकलीफों में है, तो हम देखेंगे कि वह अपने देश में जरूर लाई जाय। पहले सरकार उन के लिए होम्स बनावे, और उनका नाम "मां का घर" रखा जाय और इस तरह से उनको पूरा लीगल स्टेटस दिया जाय। इस जगह मैं वे स्त्रियाँ ला कर रखी जायें। लेकिन मैं यह

कभी नहीं पसन्द करूंगी कि एक भी स्त्री ऐसे लोगों के पास अनिच्छापूर्वक छोड़ी जाय जिन्होंने उसके पीत का वध किया था, या उसके इकलौते पुत्र को मारा था, या परिवार वालों को नष्ट किया था; घरों में आग लगाई थी। श्रीमन्, आप स्वयं साँचें कि कोई भी स्त्री कैसे उस आदमी के साथ रिकंसाइल कर सकती है, जिसने अपनी आँखों के सामने अपने परिवार पर ऐसे कृत्य करते हुए उसको देखा हो।

श्रीमती चन्द्रावती लखनपाल : हजारों ने रिकंसाइल कर लिया है।

श्रीमती सावित्री निगम : जिन बहनों ने रिकंसाइल कर लिया है, मैं समझती हूँ वह उनकी मजबूरी होगी। हो सकता है किसी ने उसके परिवार वालों को मारा हो, और किसी दूसरे ने आश्रय दे दिया होगा, जिनके साथ वह रह रही होगी। एडक्टर के साथ कोई स्त्री रहना पसन्द नहीं करेगी, क्योंकि एडक्टर जो होगा उसने किसी न किसी की हत्या की होगी और उसके कृत्यों का देखकर कोई भी उसके साथ खुशी से नहीं रह सकता। हाँ, यह सम्भव है कि जो स्त्रियाँ एडक्टर के अलावा किसी ऐसे व्यक्ति के घर में रह गई हों जिसने उस पर दया दिखाकर अपने घर में रख लिया, चाहे वह स्त्री पाकिस्तान में हो या हिन्दुस्तान में हो, उसके साथ अच्छा व्यवहार किया, अच्छा स्टेटस फौमली में दिया, तो शायद वह स्त्री कहे कि मैं अब वापिस नहीं जाती, जैसा कि हुआ भी कुछ केंसज में। अभी, श्रीमन्, जो मंत्री महोदय ने फिगरस बताये उनको सुनकर मेरे मन में इतनी अधिक श्रद्धा रिकवरी डिपार्टमेंट के प्रति पैदा हो गई है कि जो शंकाएँ थीं भी वे भी दूर हो गई हैं। मेरे मन में भी यह शंका थी कि कहीं ऐसा तो नहीं होता कि स्त्रियों को जबर्दस्ती उन की इच्छा के विरुद्ध उन के देश में भेजा जाता है जैसे कि एक आध मामले किसी समय में हमारे सामने दो तीन वर्ष पहले आये थे, और जब हमने उनके बारे में छानबीन की तो

