

SHRI C. C. BISWAS: That is a matter for the State Government. I only promised to furnish information and I have placed before the House the information as I have got it.

SHRI S. BANERJEE: Partial information, not the whole of it.

MR. CHAIRMAN: Anyway, you have supplemented it.

CHANGES IN THE SITTINGS OF THE COUNCIL

MR. CHAIRMAN: There is a desire on the part of Members of this Council not to have a meeting of the Council tomorrow. Is that so?

SEVERAL HON. MEMBERS: Yes.

AN HON. MEMBER: Why?

MR. CHAIRMAN: If that is your desire, then there will be no meeting tomorrow. But it means that you will have to meet on Saturday, the 5th September 1953. It has also been decided that the session of the Council should be extended up to the 18th September for the transaction of official business. In other words, you will have sittings of the Council on the 14th, 15th, 16th, 17th and 18th of September. Of these, four days, i.e., 14th to 17th, will be available for questions.

Shrimati Lilavati Munshi.

RESOLUTION RE STERILISATION OF ADULTS SUFFERING FROM INCURABLE DISEASES OR INSANITY.

SHRIMATI LILAVATI MUNSHI (Bombay): Mr. Chairman, I beg to move—

“That this Council is of opinion that with a view to secure the development of a healthy and strong nation and also to check the growth

of the family where desired, Government should take early steps to enforce sterilisation of such adults as are suffering from incurable diseases or insanity.”

Sir, the Resolution moved by me is a very simple one and at the same time a very mild one also. Today we find that from yourself and the Prime Minister downwards everybody, including Ministers and politicians, are saying that the population in the country is increasing by leaps and bounds and it is difficult to check its growth. It is also difficult to increase the resources of the country adequately, especially of food to feed the growing population of the country. It is stated that 40 lakhs of new mouths are added every year.

The Family Planning Conference which was held last year in Bombay was, if I mistake not, presided over by you and supported by our Prime Minister and.....

MR. CHAIRMAN: Not correct.

SHRIMATI LILAVATI MUNSHI: Then it was inaugurated by you, Sir, though it was not presided over by you. Well, in effect it comes to the same thing—you gave your support to it.

SHRI H. P. SAKSENA (Uttar Pradesh): This gives us a foretaste of what is going to follow.

SHRIMATI LILAVATI MUNSHI: And different State Governments sent delegates to it. It shows how greatly our Governments are interested in this problem. Shrimati Rama Rau, the wife of the Governor of the Reserve Bank of India, and other leading ladies of the country had organised that conference.

It is not only academic interest that our Government has shown in this matter. Almost every State Government is running family planning clinics in many of their maternity homes

and hospitals I have even seen literature being distributed and propaganda being carried on in the big exhibitions and at public places

Family planning in all its aspects is a very difficult and wide question. Comparing this Resolution to the bigger aspect of the question, the Resolution is, as I stated before, a very mild and limited one. I do not know what fate this Resolution is going to meet with but if our Government are interested in asking healthy people to exercise birth control, why not start with people who are suffering from incurable diseases and who are insane? If we prevent these people from bringing children into this world, we shall be preventing endless suffering and misery to those unborn children who, if born, will start life with a great handicap.

The main object of my bringing forward this Resolution is to save children and save the nation from being flooded with diseased people. The children of diseased and insane people may inherit disease from their parents or, in rare cases, may not inherit it. But it is certain that parents who are suffering from such diseases or insanity cannot fulfil their obligation to their children or look after them. Such children will be a burden to the whole society and to the nation. Either the State or some other relatives will have to look after them and if that is not possible they must live on public charity. With regard to the relatives looking after such children, in these days of economic distress and various other difficulties, when it is difficult to look after one's own children it is doubly so to look after other people's children. Even public charity is drying up now and in the set-up of the Estate Duty Bill, there will be hardly anything to spare for charity. Somebody may say here that the State should look after such children. May I know how many children's homes the Central and the State Governments are running even for ordinary left-out

children? There are not sufficient homes and there is none so far as I am aware, for the children of diseased and insane parents. Looking to the present financial resources and the various commitments and schemes that we have undertaken it is doubtful that even after two decades the State will be able to take such a huge burden upon itself.

As I said before Sir, this resolution is not tackling the bigger question of birth control but it is being restricted only to those people who are suffering from incurable diseases or insanity. Not only is there the chance of their transmitting disease to the children but it is also true that these children cannot be looked after by such parents and such poor innocent children have to undergo life-long suffering because society under a mistaken notion of humanity allows such people to breed. I have often heard responsible people say that such people may get cured, may be one in a thousand but it is cruel to deprive even this one person of the happiness of having children. On account of the progress made by science I dare say that there may be some chance for one person out of a thousand or even out of a lakh to get cured of any disease which is supposed to be incurable but it is equally true that on account of that mistaken notion of humanity we shall be inflicting misery on hundreds of children who will be allowed to come into this world through such parents. On the one hand we go on bewailing the growth of the population and we want that everybody including healthy persons, to restrict the family but, on the other hand, we have no courage to restrict diseased or mad people from procreating. This is really a great paradox.

People might ask us, "how many such people exist in this country?" Only last week I read in the papers a statement by Shri B. G. Kher, our High Commissioner in London, saying that there are about a million persons suffering from leprosy alone in India.

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These people cannot earn their living. Neither is it practicable for the State to provide homes and food for them so as to segregate them. As a first step in checking the spread of the disease, it seems desirable that the people afflicted with leprosy may be sterilised so that diseased progeny may not be propagated. Sir, this is the opinion of Shri B. G. Kher who is a staunch Gandhian and a very sober man. This is only about one disease.

Then, there is the tubercular disease. The incidence of tubercular disease is very heavy in this country. Although no public figures are available—they may be available to some doctors but I could not find them—it may be computed that there will not be less than a million people suffering from tuberculosis in this country. Children born of advanced cases of this disease are bound to catch the parental disease sooner or later. Would it not be desirable to restrain tubercular patients from bringing forth diseased children? You are starting many hospitals to cure patients but this will be dealing with that disease at the root and there will be fewer cases to deal with. Ultimately, we may hope to root out that disease altogether if we can prevent such people from procreating.

Then, there are a large number of people suffering from insanity epilepsy, drug addiction and even venereal diseases who are bringing forth a number of blind children into the world.

With the increased strain and stress of life and difficult socio-economic conditions, all these diseases are on the increase. It is also generally accepted that some of these are hereditary diseases and are transmitted from parents to children. Some can be got by contact. There is a strong opinion in some of the foreign countries in favour of compulsory sterilisation of such defectives.

Eugenic sterilisation started at first in U.S.A. in 1899 when Dr. Harry Sharp

began systematic sterilisation by vasectomy on the boys of Indiana State Reformatory. He had no legal sanction till 1907 when the sterilisation law was passed. The sterilisation law in the United States has a stormy history behind it. Laws were passed in many States but were repealed afterwards. It was in 1927 that advocates of sterilisation won their case when the Supreme Court gave a decision in its favour in the State of Virginia. Since then several other States have enacted laws after the Virginia Sterilisation Law. The first State Sterilisation Law was enacted in Indiana in 1907. California, Washington and Connecticut followed suit. Up to the end of 1943, as many as 42,617 sterilisations had been done under the sanction of the State laws in 30 years. The law is in operation to a greater or lesser degree in 26 States.

The rational basis of the United States Eugenic Sterilisation Law is well expressed in the Supreme Court Decision dated the 2nd May 1927. The verdict says:

"We have seen more than once that the public welfare may call upon the best citizens for their lives. It would be strange if it could not call upon those who already sap the strength of the State for these lesser sacrifices often not to be felt as such by those concerned, in order to prevent our being swamped with incompetence. It is better for all the world if instead of waiting to execute degenerated offsprings for crime or to let them starve for their imbecility, society can prevent those who are manifestly unfit from continuing their kind."

This is the judgment of the Supreme Court which I have just quoted

The Eugenic Sterilisation Law enacted in some of the U.S. States is now held constitutional by both the States and Federal Courts.

The British Departmental Committee (1934) advocated that voluntary sterilisation should be legalised in the case of mental defective or carriers of grave transmissible disability.

The German Sterilisation Law was enforced on January 1, 1934, and is being enforced very rigorously. It is said to be most dogmatic and of a categorical nature. It applies to the following cases. Some of them I do not understand but I shall read those. The doctors may know what they are. As I said, it applies to the following cases:—

1. Inborn feeble-mindedness.
2. Schizophrenia.
3. Manic depressive states.
4. Hereditary epilepsy.
5. Huntington's chorea.
6. Hereditary blindness.
7. Hereditary deafness.
8. Severe hereditary physical deformity.
9. Severe alcoholism.

Sterilisation is done in an approved hospital on the decision of the District Eugenic Court by vasectomy or salpingectomy.

The Denmark Sterilisation Law is not eugenic but is primarily enacted for economic and social reasons. It is done in the interest of society when a mentally defective person is unable to take care of his children or to avoid compulsory institutional life. Consent of the guardian is required but not of the mentally defective. Sterilisation is done by vasectomy or salpingectomy. I do not know what is the meaning of the second one.

Similar sterilisation laws with varying effectiveness have been enacted in Switzerland and Canada.

Now these are some of the foreign countries about which I could get some information. But before I proceed further, let me make one thing clear. I have consulted many emi-

nent doctors and I am told by them that by sterilisation either men or women do not lose their normal faculty of enjoying life or married relations and are normal in every way. I quote here Dr. Clarence J. Gamble, M.D., who read a paper in the 3rd International Conference of Planned Parenthood in Bombay:

"Since the sex glands are not disturbed by sterilisation and continue to function normally, there is no alteration in sexual appearance or desire. The patient can detect no difference except that children are not produced."

Again he says:

"The sterilisation operation for man is simpler and does not require a stay in the hospital; the cost is less than that for a woman. Vasectomy is often less expensive than the instruction and supplies for temporary birth control which it makes unnecessary."

Only a few months back I attended a function of the Leprosy Association in Muni ki Reti near Rishikesh. The person who read the report was a staunch Gandhian worker, Acharya Dharam Shastri. He was connected with the Association and the homes that the Association was running for lepers. He cited some instances (I am speaking from memory) and said that something had got to be done, if necessary, by law, to prevent these people from giving birth to children. To my horror I found that some of those leper women to whom I distributed cloth had children in their arms—women whose fingers had decayed and dropped down. The President of the meeting who presided over the function and many responsible speakers gave voice to the same feeling that such people should not be allowed to breed and I believe that the opinion of almost all people of high standing who attended the function was the same. When you actually see the lepers whose fingers and other limbs have decayed, hold-

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ing children in their arms, then you can realise the full horror of the situation

There is another instance I remember. In one of the TB sanatoria which we visited there was a husband and a wife, both advanced TB patients staying in the TB sanatorium for two years and yet gave birth to a child. Just imagine the fate

DR P C MITRA (Bihar) In the sanatorium? Gave birth to a child in the sanatorium?

SHRIMATI LILAVATI MUNSHI
Yes

DR P C MITRA How can it be? Males are put on one side and the females on another. What the lady member says cannot be

SHRIMATI LILAVATI MUNSHI
My hon. friend does not perhaps know that there are family quarters even in some of the sanatoria

DR P C MITRA No, certainly not

MR CHAIRMAN Well Dr Mitra, later on you will have an opportunity to put forward your views.

SHRIMATI LILAVATI MUNSHI
Just imagine the fate of the child born of such parents. Besides, even if people with such disease get cured they are never strong enough to do work and earn sufficient living which can enable them to fulfil their obligations to their children.

You know, Sir, that there are people who will be opposed to this principle in the name of religion. The people who were the founders of religion were people with a broad outlook. They preached what was necessary in their age. When the population was sparse and the family wanted some sons in order to get help and protection, the religion prescribed that it was merit to have sons. Some countries even in recent times did the

same thing when they wanted greater population and man-power. They gave rewards to those who produced large number of children. But I understand that now the very same countries are removing the restriction against preaching and practising birth control. Besides, our case is different. Our population is growing so rapidly that on account of overpopulation the country's progress is retarded. Birth control is openly preached even under Government agencies. Let us make a beginning at least to prevent those people from procreating who are not in a position to contribute anything to the welfare of the children—leave alone the nation. They only increase the burden of the nation, and children of such parents are going to be a burden to the whole society. It is a kind of cycle of unhealthy parents bringing unhealthy and unfit children in the world. They in their turn bring more such children enlarging the circle of unhealthy and unfit children. One parent has three children the three bring forth twelve, and the twelve bring forth thirty-six, and many a time it is not only an average of three children that are born to parents, sometimes it is seven or eight.

Here I may repeat a story which I heard from a very eminent surgeon. There was a gentleman who had an insane son.

MR CHAIRMAN Mrs. Munshi, you have another four minutes.

SHRIMATI LILAVATI MUNSHI
Please this is a subject which

MR CHAIRMAN I know that. The rules allow half an hour for the mover and 15 minutes for every other Member.

SHRIMATI LILAVATI MUNSHI
Please be a little lenient. I shall finish soon.

There was a gentleman who had an insane son but that son managed to have seven children. He was not

capable of doing anything for himself or for those children. The old father, a Bohra gentleman, got so tired of looking after the son, his wife and seven children that he brought his son to the surgeon. He said to him, "In my old age I can do nothing else but have to go on looking after and feeding my son and his progeny." He wanted his son to be sterilised, but that idiot son would not consent to be operated upon and would not go near the operation table. So the surgeon could do nothing but send them back.

I may say again here that the founders of the religion preached according to the needs of the time. When the nation wanted man-power they preached that everyone should have sons. Now when we are over-populated our needs are to prevent at least those people who are suffering from incurable diseases and insanity from procreating.

Here I cannot resist the temptation of quoting your own words from the platform of the 3rd Planned Parenthood Conference:

"God is not an external despot or a Sultan in disguise."

You further said:

"What is civilization? Is it not progressive control of nature? To combat disease, pestilence, prolong the span of life; all these mean a fight against the drift of nature. Children that might have been normally born are unborn because of one's abstinence. Intelligence is divine gift and it is up to us to use it in furtherance of social happiness and individual development"

Our Prime Minister also in a message said that the approach should be scientific and the aim social good. Any scientific approach must not be inhibited by preconceptions or convictions.

If this is true for all people, even for the healthy people, why not start with unhealthy ones and stop the drain which saps the strength of the whole nation?

Again I should like to quote here Dr. Clarence J. Gamble of U.S.A. who spoke on sterilization and said that "human sterilisation might well accomplish more for human health and happiness than any other. It protected parent from pregnancy, which might damage or kill. It spared children who might be born to the mentally diseased or defective parent and it protected the next generation from the inheritance of those and other hereditary handicaps."

Somebody may argue that between a husband and wife, one of whom may be suffering from incurable disease or insanity, why penalise the other party who is a healthy one? But now, Sir, Parliament is going to pass laws for marriage and divorce, and one of the grounds for taking a divorce, I hope, will be that the other party was suffering from an incurable disease or insanity and as such the aggrieved healthy party who wants to have children can very well take a divorce, marry again and have as many children as he or she likes to have. In a number of cases I know, Sir, that after two or three children, there are many women, even normal and healthy women

(Time bell rings.)

Just a few minutes, please. There are many women, even normal and healthy women, though illiterate, who want to be sterilised. It is the husband who is generally opposed to it. In most cases because of ignorance or religious sentiments or on account of selfishness some people may imagine that their pleasure is going to be limited, which is not the case.

An argument can be brought forward in the name of Gandhiji that he preached celibacy and said that young men and women who do not want

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 children should voluntarily renounce the pleasure of married life. They should come together only when they desire children. Well, Sir, this is merely to be stated to show how impracticable or impossible it is. Let anyone in this House or outside answer whether it can be a practical proposition for ordinary mortals.

To sum up again I would say that to have complete family planning is a wider question which can be tackled by bigger people than myself. I am only asking this House to prevent those people who are a burden to the whole society and are likely to transmit their disease to their children, either by contacts or by heredity. Besides such children of those parents will be starting their lives with great handicaps and they will be a burden to the nation. Such children will be feeble and may be diseased. When they grow up again they may start the same chain of bringing diseased and feeble children into the world who will be no good to themselves or to anyone else. Looking to the slender resources of our country let us prevent, if we can, such an armv of unhealthy children being born.

I know there are many people who would like to kill this resolution by ridiculing it, if they cannot do so by arguments. I remember Sir that there was a Bill of a private member to the same effect introduced in Parliament last year.

MR CHAIRMAN Mrs Munshi you must wind up now.

SHRIMATI LILAVATI MUNSHI
 One or two minutes more, Sir.

MR CHAIRMAN Why talk about the other Bill now?

SHRIMATI LILAVATI MUNSHI
 And it was reported in the newspaper that the House became hilarious and laughed it out. And here also there was a little exhibition of it. I even remember, Sir, that some years ago,

when for the first time the question of birth control came before the Bombay Municipality, of which I was one of the members for many years the members became positively vulgar. But between then and now the time has changed and the old prejudices have gone. Now even Governments and municipalities are running family planning centres. I hope, Sir, the Members here will discuss this matter with all sobriety and see that it is given due consideration. I do not know, Sir, what fate this Resolution will meet with in this House but I can only appeal to the Members of this House that here is a proposition which, if adopted, will do good to the country. There are a good many people in this country who are either diseased or insane. As soon as they come to know that if they cannot get themselves cured, they will be prevented from having children, I believe, many of them will seriously start taking care of themselves and get cured, if they wish to have children. This will be the indirect benefit of such a Resolution and gradually we shall be able to eradicate the race of unfit and unhealthy people. A question might be asked.

MR CHAIRMAN Now that is all. Nothing more.

Resolution moved.

"This Council is of opinion that with a view to secure the development of a healthy and strong nation and also to check the growth of the family where desired Government should take early steps to enforce sterilisation of such adults as are suffering from incurable diseases or insanity."

Now there are seven amendments to this Resolution. I will ask the movers to move their amendments—those of them who want to move.

SHRI P SUNDARAYYA (Madras):
 Sir, I beg to move

"1 That the words 'with a view to secure the development of a

healthy and strong nation and also to check the growth of the family where desired' be deleted

2 That after the word 'enforce' the word 'voluntary' be inserted

3 That at the end of the Resolution the words 'if they desire' be added "

SHRI GOVINDA REDDY (Mysore).
Sir I beg to move

"1 That the words 'and also to check the growth of the family where desired' be deleted

2 That for the words 'incurable diseases or insanity' the words 'congenital defects and incurable insanity' be substituted "

SHRI T V KAMALASWAMY (Madras) Sir, I beg to move

"That the following proviso be added at the end —

'Provided that sterilisation is effected in such a manner as not to affect consummation of marriage' "

SHRI RAJAGOPAL NAIDU (Madras) Sir, I beg to move

'That the following proviso be added at the end —

'Provided such sterilisation shall not make such adults decrepit' "

MR CHAIRMAN Well, now the Resolution and the seven amendments that have been formally moved to this Resolution are open for discussion

KUNWARANI VIJAYA RAJE (Bihar) Sir, I am glad to lend my support to the Resolution which has just been moved by my hon colleague Mrs Munshi

In introducing this measure she will be doing a positive service to our fu-

ture generation and therefore deserves all praise for this laudable move

Today our major problem is of over-population and this additional factor of increasing unhealthy offsprings has contributed to it in no small measure

No nation can hope to survive with these serious handicaps

To ensure a healthy progeny should be the primary consideration of any nation, as its future entirely depends upon it. This Resolution seeks to make it possible to a certain extent and therefore I feel that there should be no difficulty in finding support for this Resolution from all quarters. There are however, a few points which I would like to suggest

Firstly, I suggest that specific mention should be made of all the incurable diseases and the scope of the Resolution should be limited and unambiguous. I would suggest that only such cases need be treated which can be classed as incurable. To facilitate matters, I feel that public opinion should be created and the public should be asked to co-operate with the Government. In the absence of that, no legislation can be effective. Then, Sir, we find that medical practitioners are the persons most likely to come into contact with the mpasses, and, therefore, they should be asked to bring to the notice of the Government all such cases which in their opinion, are incurable

Secondly, Sir, with regard to insanity I feel that the Resolution is not very clear. There can be various reasons for insanity. For instance, mental derangement can take place due to a shock or similar other reasons. The patient having once recovered, need necessarily not suffer from this malady again. And therefore, cases of this type should be treated on a different footing.

[Kunwarani Vijaya Raju]

Sir, we have also to guard against the possible misuse of sterilisation by people who are not affected by any of the provisions of this Resolution. With the intense drive and propaganda for checking the high birth rate, the popularity of birth control measures is increasing rapidly. There is a growing tendency among the people—especially the middle class people—to take the course to these measures after two or three issues have been born. This, in my opinion, is a very harmful attitude while other preventive measures may be a temporary check. Sterilisation becomes a permanent disability. Therefore every care must be taken to prevent its indiscriminate use.

Therefore, Sir, while supporting this Resolution, I would appeal to the Government to do all in their power to check this possible tendency and allow sterilisation only on the grounds contained in this Resolution.

9 A M

MR CHAIRMAN I Will now ask movers of the amendments to speak

SHRI P SUNDARAYYA Sir this Resolution has been moved with entirely wrong conceptions and wrong ideologies and wrong arguments. And in the Resolution itself these things are glaringly patent. Sir we have moved amendments to this Resolution to counteract those wrong arguments and wrong conceptions.

Sir the Resolution says

“ to secure the development of a healthy and strong nation and also to check the growth of the family where desired. Government should take early steps to enforce sterilisation of such adults as are suffering from incurable diseases or insanity ”

I would say, Sir, that this is a fantastic argument. It is a nonsensical thing to imagine that a healthy and strong na-

tion can be built up merely by sterilising a few people who are suffering from incurable diseases and thus preventing them from having children. This is just to say that India is an over-populated country and as such we are trying to have family planning and we want to check the growth of family, check the growth of population, and therefore this will be the first step to do so. So, let us start first sterilising the so-called incurable-diseased people or the so-called incurable-insane people, and later on we may extend its scope. In fact, the Resolution itself provides for that and that is clear from the words “and also to check the growth of the family where desired”. The result may be the same as was in Hitler's Germany, where this provision was used against political opponents in the first instance and later on other measures against the whole population itself.

Then, Sir, this theory that India is over-populated is a fantastical and nonsensical theory, because modern science enables you to feed many more times the present population. Instead of planning for prosperity of the people, instead of achieving more and more agricultural production and industrial production, instead of utilising the scientific knowledge to build a strong nation, they go to short-cuts like family planning, birth control, sterilisation, etc. It is nothing but bankruptcy of mind to imagine that the world is over-populated and therefore that over-population has to be checked. It shows a lack of knowledge of the possibilities of science. In fact, the possibilities of science indicate that the world can produce food not only for its population of 2,500 million today but for many times the present population. There is the example of the Soviet Union and China and other countries also. By the use of modern scientific knowledge more food and more of everything is being produced for the people. The only reason why this vast scientific knowledge, including the field of atomic

energy, including the energy that is concealed in the seas, etc., is not being utilised by us, is that we refuse to change the existing system of society, which restricts all productive forces. Instead of tackling our problems at the root, instead of coming out with proposals for doing away with all exploitation, to do away with the existing order of society so that the productive forces can be fully utilised, we come out with these fantastic theories of birth control, this fantastic theory of over-population, etc

Let us take up the other aspect about incurable diseases. What are incurable diseases, the so-called incurable diseases? Here again, medical science has advanced so far and is still advancing so fast that diseases which have been so far considered as incurable are being tackled today. The hon. the mover of this Resolution mentioned certain incurable diseases. Tuberculosis is considered as one of the hereditary diseases, and therefore the people who are suffering from tuberculosis should also be sterilised. Such a proposal takes one's breath away. Evidently she does not know what tuberculosis is, because tuberculosis is being cured. How many millions of our people are suffering from tuberculosis? If this proposal is to be accepted—first of all tuberculosis is not incurable but assuming that it is incurable—then all the millions of people who are today suffering from tuberculosis should be sterilised. Then she may come forward with another resolution saying that all people should be sterilised because then after sterilisation, normal marriage life will not be interfered with. It would be more straightforward to bring forward a proposition like that instead of one like this. Tuberculosis is being cured and it can be completely eradicated from the earth provided all people's health is taken care of and all people are fed properly.

Then, take the question of another disease—venereal disease. The argu-

ment is that people suffering from advanced stages of venereal diseases and cases which are congenital should be sterilised. I do not know whether she has got any statistics of the people suffering from this disease,—not only Government statistics which the Government itself accepts are not complete. We know that because of the present system of society, there is a large number of people suffering from this disease. This can be cured and made harmless, but because of the way in which society is at present organised, this is not being tackled. According to the mover, all the people suffering from various stages of venereal disease should be sterilised. Now, these are the two instances which she has given.

Let us take the question of leprosy which is considered incurable. Are you so pessimistic that science cannot find any cure for this disease? Leprosy is not congenital. That is what doctors have told me. It is said that, since this disease is infectious, the children are bound to suffer from this. When starvation stalks the land when unhygienic conditions stalk the land, when famine stalks the land, every disease, however small becomes contagious. To suggest therefore that all the people suffering from these diseases should be compulsorily sterilised is a proposition which no human being with any sanity can advocate. Sir, coming to the question of insanity, I would like to know what degree of insanity should be allowed before a case could be brought under this Resolution. Some wise men say that insanity and genius are sometimes indistinguishable. If this sterilisation process is allowed, you will be sterilising even the geniuses. One theory is that this is hereditary and so is immutable. This theory has been challenged by science. What was once considered immutable has been proved to be mutable. There is nothing immutable. They can be changed provided society is organised properly. What is hereditary can be changed in

[Shri P Sundarayya]

the present life itself, and a man's progeny need not suffer from his diseases. Instead of investigating all these possibilities and organising society on a new basis, the mover comes with a proposal for sterilisation of the people suffering from these diseases. That is why my amendment seeks to remove the words "with a view to secure the development of a healthy and strong nation and also to check the growth of the family where desired", as we do not believe that sterilisation can do these things, nor do we believe in the theory of over-population. They are theories of bankruptcy, nothing more than that. They are theories of the advocates of the present system of exploitation. They want the present society to continue. These advocates say that the world is over-populated, that India is over-populated and so they come out with proposals for birth control, sterilisation etc. That is why I want these words to be removed. If these words are removed and the other amendments are accepted, then it will become a very harmless Resolution for which Government should come forward to provide funds. If these words are removed, the Resolution will read

"This Council is of opinion that Government should take early steps "

"to enforce"—I do not agree with it—it must be

"to provide funds for voluntary sterilisation "

I want to be extra careful.

" of such adults as are suffering from incurable diseases or insanity, if they so desire "

Naturally it will be very difficult for anybody to get their consent, at least from people who are insane

THE LEADER OF THE COUNCIL (SHRI C C BISWAS) Will the hon. Member kindly explain what is meant by voluntary enforcement? How can enforcement be voluntary? How can an insane person declare that he wants sterilisation?

SHRI B RATH (Orissa) The word 'enforcement' has been taken away

SHRI GOVINDA REDDY Sir, I agree with the laudable desire of the hon mover in bringing this Resolution. We should have a healthy and strong nation no doubt but it is also possible that people suffer from incurable diseases and insanity. Would sterilisation be the remedy for this? Would it be made use of as a remedy and should it be practised in this country and would it be supported by the people? are some of the questions which this House has to consider in this Resolution

I will, at the outset, point out some of the difficulties which I see in this Resolution. One is that the Government may find it very difficult to implement this Resolution because the subject matter of this Resolution is not in the Union List. Neither is it in the State List. It is in the Concurrent List and naturally the Central Government will have to consult the States and that will of course take the matter into doubt and uncertainty and whether the Government will be able to come to any decision at all is the first difficulty

The second difficulty I foresee is the question of Fundamental Rights. Well Sir I have the statutory right to the society of my wife. So also my wife has the right to my society

HON MEMBERS Who prevents?

SHRI GOVINDA REDDY But the hon mover has marshalled her arguments with expert medical opinion

that sterilisation does not incapacitate and therefore it does not affect it. Quite so. Well, every Indian considers that to beget children is a sacred and a religious duty and our Shastras and Dharma Shastras all say that the father does not get *sadgati* if he has no son. She has quoted several countries where sterilisation has been legislated upon. It is quite so. But those countries do not have this religious faith. In this country fortunately or unfortunately religion is the be-all and end-all of our lives. We sacrifice everything for the sake of religion, we sacrifice our individuality, our property and our career and even our lives for the sake of our religion. In a country where the bulk of the population is

SOME HON MEMBERS Ours is a secular State

SHRI GOVINDA REDDY In a country where the bulk of the population has got these religious feelings and feel that whatever the son be, he may be an imbecile or he may be weak, he may have defects, but whatever it is, unless I have a son I don't get *sadgati* would our people support this Resolution?

SHRI C G MISRA (Madhya Pradesh) What is the religion which he refers to which says that he can bring forth any kind of children?

SHRI GOVINDA REDDY It does not specifically qualify what kind of children one can get. So when you put this idea before the people

SHRI C G MISRA Sir, may I

MR CHAIRMAN Mr Misra, you will have a chance later

SHRI C G MISRA May I ask the hon Member to give any particular provision in any religious book in support of his contention?

SHRI GOVINDA REDDY If the hon Member has got any religious authority opposing my view, he is entitled to place it before the House

SHRI C G MISRA That will come later

SHRI GOVINDA REDDY So when we put this idea before the public, then the public who have got this religious idea may turn round and say 'Look here, ethical considerations should not be the be-all and end-all of a State. Eugenics should not be the only aim.' If that is so, if you want to have a healthy and strong nation by any means whatsoever, irrespective of the moral considerations involved, then why not bring veterinary law here and try to have a healthy nation? If that is the argument, it is difficult to meet it. We are essentially a people living on moral and religious basis and I feel that our people certainly will not with this background, welcome this Resolution.

The third difficulty that has been referred to by the speakers preceding me is whether incurable diseases are a certainty, whether we have diseases that can be called incurable. Formerly what medical science considered as incurable diseases have now been made curable. Typhoid was considered to be incurable if one were to get it after 40 years but it is considered curable. Asthma, they say, was incurable, but now it is curable. Tuberculosis, which the hon mover has referred to, was held to be incurable but now it is becoming a curable disease and they have now remedies for it. So also insanity. Insanity also was held to be incurable but today it is a curable disease. Medical science has so far advanced that even hopeless cases of insanity are cured now. In this matter it must be said that there is a great difficulty and the mover must admit it. Who is the person to decide whether a disease is curable or not? It is certainly a doctor. Medical experts differ from person to person. Some consider a

[Shri Govinda Reddy]

particular disease as incurable and the others disagree. I have got two instances which happened recently. I had a trustee in the public institution which I am running. Owing to some difficult circumstances he went out of mind. I got him admitted into the mental hospital in Bangalore. He was treated there for a month and was partially cured when the doctor said, 'Now there is no danger. Take care of him. He will be all right,' and then he was released from the hospital. But 15 days later he went worse and again I got him admitted into the hospital. The doctor had told me the first time that if he had any relapse he would never be cured again. He said "So please see that he does not get a relapse." We took every precaution. But he did have a relapse and when that happened the doctor naturally said, "This is an incurable thing and I told you before. Why did you not take precautions? Anyhow I will try all the same." He kept him in the hospital for a month more but he was not able to cure him and then he told me that he would not be cured but if I wanted he would be kept there otherwise I could take him away. We took him away. Three months later, without any remedy without any medicine, without any effort whatever, he became perfectly sane and sound. Here was a medical expert who said it was incurable and the patient has now become all right. I read of another instance where an American millionaire found that after a certain age he was having continued fever. He went to the American doctors who gave him some prescriptions. He tried them and found the ailment still troubling him and he even went to famous experts in Europe and consulted them. The expert doctor told the man after examining him thoroughly, "Well my man you have only ninety days more to live." The man was taken aback and he said to the doctor, "Well, doctor you are now judging the whole of my life as to how long I will live." "Yes," said the doctor, "I have made

a very careful examination of your complaints and have also taken a heavy fee for that and I am sure you have only another ninety days more of life." As I said, he was a millionaire and had no children. So he thought of several ways by which he could enjoy his enormous wealth during the few days left to him. He went here and there and found out every possible means of deriving enjoyment from his wealth and spent away everything that he had. But after the ninety days were over, he still found himself alive, and he was aghast, because he had spent away all his wealth hoping that he would die within ninety days, but there he was, still living and without any money. "What am I to do?" I have been living as a millionaire and I don't know how to live now," he said. He went to the same old doctor, caught hold of him by the neck and asked him, "Well, you fellow, do you recognise me?" You told me I would die within ninety days, but there said. The doctor coolly replied, "No, I don't remember having seen you. So many people come and go, I can't remember them all." Then the man asked the doctor to refer to his books and it proved that he had foretold his death in ninety days. "What do you say now," he asked the doctor. What could he say? He simply said, "Well, this seems to be something beyond medical experts. I cannot say how you were cured." Therefore, Sir, these are instances which indicate that medical opinion is not a final thing in the world. After all, medical knowledge is progressing and what was considered an error or mistake is being found right. So how can we say that there can be something static like an incurable disease? How can we deny anyone the right to have progeny on the basis of the opinion of medical experts?

Then again, there are diseases which may be congenital or they may be accidental. I may accidentally develop asthma and on the score that asthma is an incurable disease, am I to

be denied the right to have children? That is most unfair. At what stage do you hold a disease to be incurable? At what stage will the Government take steps to subject the man to sterilisation? These are the difficulties which I foresee. No doubt, the object of the Resolution, as I said, is laudable. But it would be worth while to see if the object cannot be achieved by educating the public and by making the necessary propaganda. In this way we can get over some of the difficulties. We can also improve matters by securing up-to-date remedies, by getting diseases cured by the latest scientific and advanced treatment. We can improve the nation that way and not by enacting a statute which cannot be implemented by Government.

I have suggested some amendments. One of them, I believe, the mover of the Resolution will have no difficulty in accepting. Where checking of the growth of the family is desired, this Resolution speaks of compulsory legislation, that the State should bring in legislative action. But I have suggested that the words "and also to check the growth of the family where desired" may be deleted, because where the members of a family want to check the growth of the family, they will take action voluntarily. It is optional. So it does not come under the operation of the Resolution.

The other amendment of mine relates to the words "incurable diseases or insanity." For the reasons given by me, I think it would be better to have the words "congenital defects and incurable insanity" put in for the words now in the Resolution. Congenital diseases are of course liable to be inherited and are held in psychology to be transmissible. That they are transmissible or not, of course, may be a matter of opinion. There is also an opinion that these defects are not transmitted to the offspring or to the progeny. They say no insanity is beyond cure except political or religious insanity which, of course, do not

come under the medical sphere. Insanity is curable. We have qualified it by saying "incurable insanity".

I hope the honourable the mover will have no objection to accepting these amendments.

SHRI T. V. KAMALASWAMY: Mr. Chairman, I shall be very brief. I heartily support the Resolution moved by Shrimati Lilavati Munshi in her well thought-out and, if I may say so, well read-out speech. The amendment which I have proposed to move is self-explanatory. Under the present law governing Hindus, if either contracting party is unable to consummate the marriage, that marriage is null and void. The purpose of my amendment is to see that the law does not obstruct the consummation of the marriage. I wish the mover had worded this Resolution in a more specific manner, for example, in terms of the amendments moved by Mr. Govinda Reddy. Sir, incurable diseases, it is very difficult to define. Present-day doctors say that no disease is incurable. Diseases which were thought to be incurable about ten years ago are now deemed curable. They, in fact, say that every disease is curable. Therefore, unless there is widespread agreement as to which diseases are incurable and which not, we shall be creating hardships in the application of the sterilisation law that may be proposed. For example, let us take night blindness—an extreme case like that. It is admitted by everybody that if a family is suffering from night blindness, rather if the mother has night blindness, her progeny is almost certain to have night blindness. On that ground, will it be fair to have sterilisation of the mother? So, incurable diseases should include only those diseases that are transmissible and which are hereditary.

AN HON. MEMBER: And baldness too.

SHRI T. V. KAMALASWAMY: Yes, another extreme case is that of baldness. Baldness, they say, is an incurable disease.

MR. CHAIRMAN: Be serious.

SHRI RAJAGOPAL NAIDU: Mr. Chairman, I rise to lend only qualified support to the Resolution of the hon. Member, Shrimati Lilavati Munshi, with certain modifications and limitations. When we deal with a Resolution of this kind, namely, the sterilisation of all adults, who suffer from incurable diseases, we have to be very careful.

AN HON. MEMBER: No doubt, you have to be

SHRI RAJAGOPAL NAIDU: I say this because sterilisation is a permanent disability. Once an individual is sterilised, it is a permanent disability so far as that individual is concerned. So, when we discuss a Resolution of this kind, we have got to be very careful and especially we have got to be very careful when the hon. mover wants the law to be enforced in this country to this effect. I am opposed to any law being enacted. I feel that anything done in this connection should be only on a voluntary basis. The hon. mover has been quoting several laws of various countries, like the U.S.A. and other countries. I heard her with attentiveness and I only came to the conclusion after hearing her quotations of laws that all the laws of the various countries are only permissive laws. No country which she alluded to has passed any compulsory legislation. They have not passed any law which made it compulsory or obligatory on any of those persons suffering from incurable diseases to undergo any kind of sterilisation. It is all on a purely voluntary basis. It was purely a sort of permissive law that was enacted in those countries and I can never think of any country making any such kind of a compulsory law. The hon. the mover of the Resolution probably moved this Resolution on the presumption that a person suffering from an incurable disease always begets children who suffer from the same incurable disease.

In other words, she presumes that any person suffering from an incur-

able disease transmits that disease to her or his off-spring. I think it is an erroneous presumption on the part of the mover. It may be that in some cases a person suffering from insanity—one should be careful in using the word because insanity is different from unsoundness of mind according to the law—may transmit his or her disease to the off-spring, but I can never think for a moment that a person suffering from an incurable disease transmits that incurable disease to an off-spring.

Now, let us try to analyse what are incurable diseases. I don't think that with the advancement of medical science in the present day world, there is any disease which is incurable. Is asthma incurable? Is diabetis incurable?

SHRI GOVINDA REDDY (Mysore): Cancer?

SHRI RAJAGOPAL NAIDU: Is tuberculosis incurable? Nothing is incurable in the world. Secondly, even assuming for a moment that it is incurable, there is absolutely no basis for the presumption that incurable diseases will be transmitted to the off-spring. So, let us, for a moment, think of the fate of the person who is sterilised and who is suffering from tuberculosis. It may be that with these latest drugs, like streptomycin and other 'mycins', they are able to cure tubercular patients. Suppose this law is enforced, that tubercular patient is sterilised; and if he or she is cured after some time and wants to beget children what will be his or her fate? Certainly, we cannot force such a kind of legislation on the country.

Now, the hon. the mover has been referring to the Hindu Marriage and Divorce Bill that has been introduced in the House and that is going to be made into law. I can say with a little more authority that there is absolutely nothing in the said Bill which grants judicial separation for the husband or the wife if the other party is suffer-

ing from an incurable disease. What the Bill contemplates is that if a person suffers from some loathsome disease, the other partner is certainly entitled to have judicial separation. The word "incurable" does not find a place in the Hindu Marriage and Divorce Bill. What we find in the Bill is that if a person is suffering from some loathsome disease such as venereal disease, not acquired from either of the contracting parties, namely, the husband or the wife, or in the case of some loathsome disease like leprosy, then a divorce can be effected. We do not find in the Bill any provision to the effect that persons suffering from incurable diseases can get divorce. As I have already said, we do not find that word "incurable" in the Bill. The Bill does not contemplate such a thing and it is erroneous on the part of the mover to have said that there is provision even in the present Bill for the effecting of divorce if a person suffers from an incurable disease.

Now, I do not want to say anything more on this Resolution excepting to come to the amendment which I have tabled, namely, that such sterilisation shall not make such adults decrepit. Instances had come to my notice when some persons who had undergone voluntary sterilisation, namely, had undergone the operation of vasectomy—some, not all—had expressed that they had felt somewhat different afterwards. They had suddenly become old, infirm or weak or some such thing. It is only that which made me table that amendment that such sterilisation should not make a man feel decrepit in any sense.

Sir, as I said in the beginning, I lend my qualified support to this Bill with certain modifications.

MR CHAIRMAN It means that we expect you to be very sober and serious.

DR P C MITRA (Bihar):

डा० पी० सी० मित्र (बिहार) :
सभापति जी मुझे बड़ा दुख होता है कि

60 CSD.

हाऊस आफ एल्डर्स (House of Elders) में ऐसा रिजोल्यूशन (Resolution) ऐसा आब्जेक्टिव (objectionable) रिजोल्यूशन आया है।

SHRI RAJAGOPAL NAIDU May I request my hon friend to speak in English? We do not understand what he says.

DR P C MITRA

डा० पी० सी० मित्र : और यह आप जानते हैं कि यह तकल है और एनीमल हस्बैंड्री (animal husbandry) जैसे गवर्नमेंट गुरु किये हुये हैं वैसे ही यह भी ह्यूमन हस्बैंड्री (human husbandry) की बात है। जैसा कि इसके रिजोल्यूशन में दिया गया है कि "हेल्दी और स्ट्रॉग (healthy and strong) बनाने के वास्ते दरकार है" तो मैं कहता हूँ कि हेल्दी और स्ट्रॉग नेशन कैसे होगी जब हमारे यहाँ पौवर्टी (poverty) बनी हुई है। नेशन को हेल्दी बनाने का एक तरीका हो सकता है आर्टिफिशल इन्सेमिनेशन (artificial insemination) का जेम्मे बाहर से स्टड बुल (stud bull) ले आकर के आर्टिफिशल इन्सेमिनेशन कराया जाता है, नहीं तो नेशन की बेहतरी नहीं हो सकती। मैं तो कहता हूँ इन सब बातों के लिए रिस्पॉन्सिबल (responsible) थारदा बिल है क्योंकि जिस वक़्त बाल विवाह प्रचलित था उस वक़्त शिवाजी के माफिक आदमियों का जन्म हुआ और हम लोगों के यहाँ बिहार में पटानपुर स्थान पर कुआर सिंह उन्नी की तरह पढ़ा हुये। लेकिन आज कुआर सिंह और शिवाजी नहीं होते हैं। क्यों? उस वक़्त यह था कि कोई कन्टामिनेटेड पार्टिज (contaminated parties) नहीं थी और अब प्रायः ७० प्रतिशत हैं। लडके

[Dr. P. C. Mitra.]

लविकायां को वचन में आदा हो जाती थी और उनके भीतर कोई कन्स्ट्रिक्शन नहीं था आज एक ही उपाय है और वह है ट्यूमन हस्बेन्डरी बनाना। ऐसा करने से स्ट्रॉग नेशन हो सकती है। इसी तरह से सैनीटोरियम (sanatorium) में जब लड़का पैदा हो तो उसका लिये यह करना चाहिये कि फैमिली क्वार्टर (family quarters) आनडिंग हों त्रिममें मेल (male) और फीमेल (female) के रहने के लिये अलग जगह रहे क्योंकि एक ही कमरे में जब दोनों ठहरते हैं तो दोनों को ट्यूबरकुलोसिस फैलेगी और इस लिये ऐसा नहीं होना चाहिये।

SHRI K. S. HEGDE (Madras): There are family quarters also.

DR. P. C. MITRA: No; there are no family quarters.

SHRI K. S. HEGDE: Go to Tambaram and other places. You will find family quarters.

MR. CHAIRMAN: Mr. Mitra, get along. They say that there are family quarters and you say that there are no family quarters.

DR. P. C. MITRA: There are no family quarters; both the patients can't remain there together. They can remain in the male and female wards but not together. The male and the female, free from the disease can remain there. To serve the husband, the wife can remain there and, to serve the wife, the husband can remain there. That is the family quarter; it is not that both can live together.

MR. CHAIRMAN: All right, get along.

DR. P. C. MITRA:

डा० पी० सी० मित्र : हिन्दू धर्म शास्त्र में लिखा है कि "पुत्रते क्रियते भार्याऽ पुत्र पिण्डम् प्रयोजनम् ।" पिता को कुम्भी पाक

पुत्र द्वारा पिण्ड

होती है। इस बात को सब हिन्दू मानते हैं। इसी वजह से मैरिज (marriage) का उद्देश्य यह है कि "यू हैव चिल्ड्रेन" (you have children)। जो इन्क्योरेबल डिजिज की जाती है हम जो यह बाल्डहेडेड (bald-headed) लोग देखते हैं ये इन्क्योरेबल हैं, जिनको ल्यूकोडर्मा है वह इन्क्योरेबल है। पैथोलोजी में हम उन्हें इन्क्योरेबल मानते हैं।

(Interruption.)

MR. CHAIRMAN: Order, order.

DR. P. C. MITRA: You will be astonished to hear that I was released in 1942 from the Hazaribagh Jail for tuberculosis. It was diagnosed as tuberculosis and I was removed on a stretcher from the jail to my home and I was congratulated by all the inmates of that place. I am still living, even after so many years.

इसी तरह एक आदमी एकदम इनसेन (insane) था, नंग इधर उधर घूमता था लेकिन जब वह एक महीने के बाद हास्पिटल से आया तो सेन (sane) हो कर आया। तो इनसैनिटी इन्क्योरेबल (insanity incurable) नहीं है क्योंकि ऐलेक्ट्रिक करेंट से आराम हो जाता है। उसमें कोई मेडिसिन (medicine) भी दरकार नहीं होती सिर्फ ऐलेक्ट्रिक शॉक (shock) देना पड़ता है।

सन् १९४६ में जो भोर कमीशन हुआ था उसमें जो रिपोर्ट दी थी उसमें भी लिखा है :

"In India, so little is known about the distribution of inborn defects in the population that it appears to us premature to attempt any such legislation at present. We believe, at the same time that it is desirable, as a part of the study of the popu-

lation problem in India, that the part which heredity plays in the transmission of valuable human traits and of defects should be investigated."

तो मेरा यह कहना है कि स्टेरिलाइजेशन प्रिमेच्योर (sterilisation preamture) है और यहाँ पर यह सब करना ठीक नहीं है। जब कन्ट्रासेप्टिव इन्फेक्टिव (contraceptive ineffective) हो गया तो उसी वक़्त स्टेरिलाइजेशन आया। मेरा कहना है कि जब डाइवोर्स (divorce) बिल आ रहा है तो फिर इसकी क्या जरूरत है। जिसकी जो इच्छा और खुशी होगी वह डाइवोर्स कर के दूसरा ला सकता है। इसलिए यह स्टेरिलाइजेशन की बात प्रिमेच्योर है और मैं इसको अपोज़ (oppose) करता हूँ।

[For English translation, see Appendix V, Annexure No. 19.]

DR. SHRIMATI SEETA PARNANAND (Madhya Pradesh): Sir, I rise to support the Resolution and while supporting it I wish to point out that the Resolution should have been worded slightly differently. Of course it is obvious that in the present state of affairs in our country such a Resolution cannot be acceptable even to Government. The Commerce Minister is sitting here and I would like to mention that when Government is not in a position to stop the import of luxury goods in the interest of the country it will never be able to enforce this type of legislation. It has to be realised that most of our people especially in the rural areas do not even know what is good for them and what should be done in the interest of the nation.

I would first of all say how the Resolution should have been worded and if it had been so worded then it would have been acceptable to me at any rate. These two clauses, namely, of "enforcement" and "voluntary" should have been separated. The Resolution should be in the following

form according to me: "This Council is of opinion that with a view to secure the development of a healthy and strong nation, Government should take early steps to encourage sterilisation of such adults as are suffering from incurable or hereditary insanity or obnoxious and infectious diseases and also make available and propagate information about sterilisation with a view to voluntarily checking the growth of population." There need have been no enforcement at all for the time being.

What is happening today, Sir, is that sterilisation is being practised by a section of the people who know the advantages of this and who know their duty to their families and the country. The mover of the Resolution said that in England during such and such a time it was made permissible whereas that question does not arise here, because sterilization is permissible in our country. Even today people are taking the advantages of sterilization and there is no legal bar to doing that.

Sir, I would then like to deal with some of the objections raised by the Members who otherwise hold the views of advanced countries like Russia like the hon. Member Mr. Sundarayya. His amendment says: "that after the word 'enforce' the word, 'voluntary' be inserted." I would like to ask, Sir, that if a thing is voluntary, where is the necessity for enforcing it? He also mentioned that it is a monstrous thing or a nonsensical thing to say that our country is over-populated. Sir, if in our actions we are going to be guided by science, then that very science says that beyond a certain limit we should not go on increasing the population. From that point of view many hold that India has reached a stage beyond which it is not advisable to increase her population at the present rate at which it is going on. The measures suggested are not so much for what has happened already but for what might happen if these measures are not introduced. So, Sir, where sterilization is desired it is with a view

[Dr. Shrimati Seeta Parmanand.]
to checking the present population rate. I would now like to refer to the objection raised by some Members saying that Hindus desire sons for performing religious rites after their death, etc. Even then there is no point in bringing in this world a diseased child, because the objects which are intended to be served can be served by adopting a child, if that is the idea in having a male child. Nobody would like to see his child suffering from an incurable disease.

Now, coming to the amendment of Shri Govinda Reddy, he wants the words "congenital defects and incurable insanity" to be substituted. From the arguments put forth by the hon. Mr. Reddy I thought he said that it was not possible to decide which were incurable diseases and which were not. In that case there is no point in introducing these words at all; either you maintain one thing or you don't maintain that. So from that point of view, Sir, I think the wording of the Resolution has led to a lot of confusion.

Then there are people who do not like fragmentation of their property and they should welcome this measure because this would limit their families. They would like to see that their property is not reduced to small holdings which they do not like. And incidentally it is on this ground that they do not like that their daughters should inherit their property.

Sir, I would like to say finally that this type of legislation is possible and desirable—especially possible in dictatorial countries. It was so successful in Germany. Hitler had introduced such a legislation because he wanted to strengthen the Aryan race and get rid of Jews. Of course, there is no doubt that in our country there are a lot of people whose diseases become aggravated because there are no medical facilities available to cure them, and it would be a blessing in disguise if by some legislation, until medical facilities and sanatoria become available, such people could be

sterilised and prevented from bringing more children into the world. It would depend on the people creating public opinion in favour of this type of move. There is no doubt, Sir, that certain diseases are hereditary. There are certain diseases like leprosy which, though we have included it in the Marriage Bill, today, I am told, according to modern science are not hereditary, nor is leprosy considered incurable. Certainly, Government can take opinion again finally as to what diseases are hereditary, and what diseases are infectious, and then pass a law accordingly. But nothing can be final in this world. Sir, medical opinion changes every few years, but an opinion will certainly hold good for that generation. From that point of view Government can certainly pass a law by which it can take powers in its hands to sterilise people who are suffering from such diseases.

Sir, it was said that it would be unfair to a Hindu married couple, one of whom is suffering from a hereditary disease, to be sterilised in this manner. Sir, it was also mentioned that divorce was open to such a person as a remedy. But I would suggest that nobody should take recourse to divorce. Particularly male members usually take objection to this type of legislation, because they feel that second marriage or polygamy is permissible to them and there should be no disability in case the wife is suffering from a disease. I feel, Sir, that in the interest of humanity and on the principles of ideal marriage, they should not take recourse to divorce as an escape from the hardships of not having progeny, but they should, taking recourse to this sterilisation, continue in wedlock. Sir, I would also like to say that male members should not throw out this Resolution. It does not mean that if this Resolution is passed, Government is going to proceed with this legislation, but it would only mean that all the Members of the House accept the principles of this Resolution which certainly are desirable for the country if we are to call ourselves a progressive country. Legislation

could be taken up at a suitable time when enough propaganda has been made amongst the rural population and other illiterate population of the country.

[MR. DEPUTY CHAIRMAN *in the Chair.*]
10 A.M.

DR. R. P. DUBE (Madhya Pradesh): Mr. Deputy Chairman, Sir, I had no mind to speak this morning, but after listening to the discussions that have been going on in this House, I have been impelled to speak. I congratulate, and congratulate very heartily, the mover of this Resolution. I think it is time that people of this country who have got the interest of the country at heart supported this Resolution and legislation of this nature. There was some friend who said that he wanted to delete the words "healthy and strong nation". He said "How can you by sterilising ensure a strong and healthy nation"? I am of the opinion that if you do not ensure a healthy and strong nation, at least you will not be adding invalids and idiots to the population. That at least you will be able to stop. My friends think they are living in England or America where almost all the diseases can be cured. I can tell you that even ordinary diseases, in spite of everything, are not being cured here. Why? Because even ordinary medical facilities are not available. Millions of people die of an ordinary disease like malaria. More people die of malaria in this country than many other diseases put together. Unless the Government is prepared, unless the Government makes this State a full-fledged welfare State, unless all facilities are there, I think that this Resolution should be adopted and given effect to. I should also like to say that by merely passing a Resolution you do not go very far. One friend said that since the Sarda Act has been passed nincompoops are being born. I say there are still, in spite of that Act, child marriages and I am sure my friend knows it very well.

Then I am surprised that my friend said that it was not possible for people

to have children while suffering from tuberculosis. I can tell him—though I am a younger man than he is.....

DR. P. C. MITRA: Not in the hospital?

DR. R. P. DUBE: Why, hospital is the best place. The husband is there to look after the wife or the wife is there to look after the husband.

MR. DEPUTY CHAIRMAN: Order, order.

DR. R. P. DUBE: I can tell you that tuberculosis makes people more virile. (*Interruptions.*) I can give you a number of instances which have come to my notice during my work.

AN HON. MEMBER: To you?

DR. R. P. DUBE: To me as a doctor. My friend forgot that I am a medical man. (*Interruptions.*) I really don't want to speak very much on these points, but I can say that this is a Resolution that must be supported by the House. And I personally think that it should do a lot of good to the country in the present circumstances.

Then, I wanted to speak something about my bachelor friend Mr. Reddy. I do not know why he is interested in the growth of the family. He has moved his amendment, saying that the words "and also to check the growth of the family where desired" be deleted. I personally think that because he is a good parliamentarian, he wants to talk something. I do not think he is serious about his amendment. Well, Sir, I wholeheartedly recommend this Resolution and request every Member of this House to support it without any fear that sterilisation harms anybody or interferes with married life.

SHRI B. RATH: Mr. Deputy Chairman, I do not agree with the Resolution because if we split up the Resolution into two parts, we find that the objective is the development of a healthy and strong nation and the

check of the growth of the family where desired. The method sought to be adopted is to enforce sterilisation of such adults as are suffering from incurable diseases and insanity. It is most unfortunate for me not to have been present while the previous speaker, the eminent Doctor, was speaking here, and, as such, I have not been able to follow the line of his argument. But towards the end of his speech, I heard some very robust words which were not convincing enough to me. First of all, Sir, I do not accept the idea that by sterilising the incurable-diseased persons or by sterilising the insane people, India can grow into a healthy nation, nor do I accept the idea that it is necessary that steps should be taken to check the growth of population in the country, because the soil of India cannot any longer sustain more people. Sir, I feel that the method suggested by the mover of the Resolution is not the right method. It is produced by a mind which sees darkness all around and finds no way to escape from this darkness. And as such, as a first step, the proposer of the Resolution suggests sterilisation of a particular section of people. Then, if that does not solve the problem, spread it to other sections, then to persons who are weak, who are feeble-minded or who cannot maintain their families, and thus try to reduce the country's population by sterilisation, because all other methods proposed by the Five Year Plan for family planning are not acceptable to them. So, they are trying to take to this drastic method which Hitler had to adopt in 1934, not with the intention of developing a strong nation, but with other intentions which ultimately brought Germany to an end. Sir, I feel that the method suggested here is quite unnecessary and utterly useless. Sir, the diseases that have been spoken of are tuberculosis and leprosy; they are considered to be incurable. I wish, the hon. the mover of the Resolution had brought in a resolution demanding of the Government to make suitable arrangements so that the persons

suffering from leprosy and tuberculosis were treated and cured. If she had moved a resolution to enforce sanitary measures not only in the cities but also in the rural areas, I would certainly have welcomed it. Sir, I come from the State of Orissa and I know what steps are taken to provide treatment to persons suffering from leprosy and tuberculosis there. For the last two years I have been trying for the opening of a clinic for the treatment of persons suffering from leprosy in a few villages, but I have not yet succeeded, because there is no co-operation from the Government. The real help of Government does not reach the people who really need it. I know what steps have been taken in my State for curing persons who suffer from leprosy. A sanatorium has been opened in a place where the patients have tigers as their companions; they have various other wild beasts as their companions. They have not the company of men there but of tigers and beasts. They have association with tigers but not with men. And also the Tuberculosis Sanatorium cannot provide beds for persons who desire to go there. When such are the conditions prevailing in our country, the hon. mover of the Resolution should at least have brought it to the notice of the Government that it was their duty to see that persons suffering from these diseases should at least be tried to be cured. But such steps are not taken. We find that the worst diseases like leprosy and tuberculosis are left to be looked after by voluntary associations like the Indian Leprosy Association, to which the Government contributes some money but does not take the responsibility on its own shoulders. We find that the sanitary measures which are so necessary in our country as elsewhere, are never attempted to be taken seriously, with the result that the diseased persons grow in number and they become disappointed and they feel that they cannot be cured and therefore they do not come within the premises of hospitals. Why should a man go to a hospital to be turned back? Why do you spend

money on X-ray photos when there are no proper arrangements for treatment?' I therefore would say, Sir, that instead of taking recourse to sterilisation, it is necessary that some other steps be taken to eradicate such diseases. Other countries, other nations, have done it. And if they have not succeeded fully, they are striving for it. Instead of looking at the problem from that point of view, here the pronouncements of eminent Judges of the Supreme Court or the Federal Court are quoted to convince us that this is the only method and that there is no other method of eradicating these evil diseases which have been considered to be incurable.

KHWAJA INAIT ULLAH (Bihar): The Resolution does not say so.

SHRI B. RATH: It does not take that path. It takes a path which is very gloomy.

Then a word about insanity. I cannot understand what the hon. the mover of the Resolution has in mind. There are various degrees of insanity and there are various categories of insanity. Some may be mentally diseased but they are not insane. There are no statistics to show the number of persons who suffer from insanity that is transmitted from generation to generation. If it is a question of merely voluntary sterilisation, if it is merely a permissive law, I won't mind it. I would tell the hon. mover that there is no ban on sterilisation even at present. If both the parties agree, then a doctor can sterilise them. That is there, but the mover of the Resolution is not satisfied with that. She wants enforcement, because she says that there are too many people in the country, because we want a strong nation—a laudable object—but I do not agree with the method she advocates. That is why I oppose it.

SHRIMATI VIOLET ALVA (Bombay): Mr. Deputy Chairman, as an ideal I am for this Resolution, but for all practical purposes, I shall have to oppose this Resolution. When we are

building up this nation on the democratic method, it is too early for my friends to suggest this. The Estate Duty Bill is on the anvil, and it will take two or more decades to level up incomes and the standard of life of the people. It will take another two decades before we shall be able to sit together and look after each other's welfare and make social and medical services available to the more unfortunate ones of tomorrow. If you keep that in the background, then this becomes an impossible measure even to contemplate today. It is no use citing examples, as Mrs. Munshi has done that America came out with a measure like this in 1899; if America did that in 1899 we shall have to wait till 1970. How can we run with the others? We are being constantly invaded by foreign ideas. There is constant foreign invasion going on. First, it was the crude form of nomenclature, 'birth control'. Then it became more respectable, 'planned parenthood', and now comes this drastic form, 'sterilisation'. I do not really know where we are going to end. I may sound out of tune when I say that we women must think more about the economic reconstruction programme that must be undertaken before we think of planned parenthood, sterilisation, etc. What are we doing, each one of us, in our own districts? You can have this as a voluntary measure. The Deputy Health Minister is here; I stand here subject to correction, but I think voluntary sterilisation is allowed now.

MANY HON. MEMBERS: Yes.

SHRIMATI VIOLET ALVA: Then, what more do you want except the will to disseminate this knowledge that voluntary sterilisation is available to those who want it. Mr. Sundarayya stretched this point very far and said that political opponents would be sterilised. So long as we have a democratic Government in this country, I think he need have no fears about that. A dictator might do it, but not a democratic Government. But here we have full freedom of opinion, we must keep that up

[Shrimati Violet Alva.]
and focus our attention and our energies only on the programme of economic reconstruction that produces agricultural wealth.

Sir, you will permit me to digress a little. Birth control, planned parenthood, etc., have become so much in vogue, have become such a fashion, especially among society women, that planned parenthood has come to mean no parenthood. Why should we not produce more from the soil to support our increasing population? We read reports that in England after the Second World War, by the time they reach 1975, there will be too many grown-up people and too few children. That comes of planned parenthood. That comes of birth control. Now England actually wants more population. There are other countries where they give a prize to the first, second and third child and tax bachelors.

SHRI GOVINDA REDDY: They get tax exemption also.

SHRIMATI VIOLET ALVA: The parents get exemption from certain taxes. We shall come to that stage when we shall also want more children.

Then, Sir, Mr. Govinda Reddy said that a man should always have the society of his wife. I do not know why he is in the state of bachelordom.

SHRI K. S. HEGDE: He preaches but does not practise.

SHRIMATI VIOLET ALVA: Mrs. Munshi said that a child was born in a tuberculosis sanatorium, another in a leper home. I would ask her, "What are the political and social workers doing?" Why was the sanatorium permitted to allow this? Why was not the sanatorium taken to task? Why was not the child isolated? I am not talking here of family wards or of males being kept on one side and the females on the other. I am saying that the child ought to have been isolated and looked

after. It is the bounden duty of every Government and of every Health Ministry to see that children born under such conditions are isolated the moment they are born, instead of coming here and citing examples *ad infinitum* as factors justifying a Resolution like this.

Now, Sir, I should like to come to our ancient laws. The ancient law of India sanctioned separation in cases of incurable diseases. There are so many effective methods today to cure these incurable diseases. What is incurable today becomes curable tomorrow morning. I know of a tuberculosis patient who was on the last stages of his life saying, "If only I had got the disease a year hence, I would have been cured." Diseases are curable, and so why give them this permanent disability?

Talking of ancient laws, we had many methods of keeping down the population. The first was infanticide. The second was *sati*. The third was prohibition of widow remarriage. What were these except methods of keeping down the population?

SHRI K. S. HEGDE: Would you like to go back to them?

SHRIMATI VIOLET ALVA: No. We rightly gave up those things but we are applying more artificial methods equally abhorrent to bring about the same state of affairs, depopulation. When the nation's standard of living goes up, the population goes down. It is very true. The higher the standard of living, the fewer the children you produce. The lower the standard of living, the more the children you produce. This is nature's law.

HON. MEMBERS: There is no recreation.

SHRIMATI VIOLET ALVA: Yes. There is no recreation. That is why we should have more scope for recreation, we should concentrate more on our cultural growth, we should have more theatres, encourage dramas,

poetry, physical training, etc., so that you can divert people to other interests and from concentration on the wrong subject. It should happen very fast.

Then, the Resolution has escaped one class and that is the habitual criminals. That also is hereditary as far as books on criminology go. I shall here give you what I read in a book of how a famous criminologist lecturer when giving a lecture to young criminologists took out a book and turning page after page said pointing to some pictures, 'This was such and such a murderer, this was a famous sadist so and so, and then he came to a picture and said, 'Now can anyone of you tell me who is this one?' One said he was a murderer, another said he was some other criminal, and so on. Ultimately the lecturer said 'He is the Archbishop of Canterbury'. Observe how drastic such a measure could be and the misuse that could follow if legislative and legal sanction was given. As far as the voluntary nature of this measure goes, I fully support it, but when we come here and sit in this House and ask for legislative and legal sanction, I oppose it just as I would oppose even the more fashionable move that is going round, "planned parenthood." Let us be rational. We are building up this country. Countries that were far behind us at the start have built up in the last 30 or 40 years. Let us look at the European countries. Look at Russia, look at China. They are not bringing in these measures. Why do we have a closed mind? Read everything, see everything, come to your own conclusions and judge dispassionately. If other countries have done it and achieved their goal without artificial methods, can we not do it? In what way do we lag behind except perhaps that we have not tried them? If efforts are made in the right direction, I am sure we can do propaganda for voluntary sterilisation which will be as effective as the measure sought here today. But no sterilisation until medical and social services are available to the masses,

until every incurable man or insane man is certified after prolonged medical observation of months or years. Therefore there should be no sanction, legislative or legal, given to this sort of measure. I oppose, Sir.

SHRIMATI MONA HENSMAN (Madras): Mr. Deputy Chairman, Sir, I would first like to bring to the notice of the hon. mover of this Resolution that the Resolution is ambiguous in its wording. If the hon. mover wishes to secure the development of a healthy and strong nation by checking the growth of those who suffer and the birth of those who are about to suffer in the future from incurable diseases, then what is the point in having the words 'to check the growth of the family where desired'. Does the hon. mover wish the jurists and the purists of law afterwards to use this measure to check the growth of the population and to say that this particular Resolution and whatever legislation may follow it in the future will affect not only those who suffer from what is called incurable disease but also ensure that it may be used as a drastic measure to check the growth of population? Does it apply to those who suffer from incurable diseases only, or may others be sterilised by this measure? Information and elucidation should make clear this passage.

Next I would preface my remarks by saying that the hon. mover is one who has always had our admiration for her enthusiasm for all that is good, and for all that she has done for social service and for the progress of women. She has never, whether placed in high positions or elsewhere, forgotten the existence of poverty, sickness, disease and all sorts of disabilities, and I would remind you Mr. Dy. Chairman that the burden of these disabilities is borne by women; and therefore when she goes to a hospital, when she sees a baby in the arms of a leprous father or mother, when she sees the tuberculosis parents coughing and spitting blood in a small room with little children around, her heart

[Shrimati Mona Hensman.] runs away with her head. There are other ways to bring about the end she desires,—by the segregation of infected persons or prevention of incurable diseases being handed down by treating and curing the patients. There are other ways I say, of bringing this about than by introducing a Resolution like this into the Legislature. There are Women's organisations which can do the propaganda that is necessary and spread the education that is necessary for this purpose, and if Shrimati Munshi had come before us today asking that legislation be provided to increase the sanatoria or increase the places where men and women may be treated in a proper manner for the diseases which up till now have been considered incurable, then we would have looked upon this Resolution from a very different point of view. Now I would like to put forward one or two points today whereby "incurable diseases" are a matter less for putting on the Statute Book than for the medical research that is going on. For one thing if a person is to be treated in a manner so drastically as she suggested here, should not at least two or three medical opinions be given, should not at least freedom be given to that person to have a hope of recovery? In diseases like tuberculosis, no doubt in leprosy, no doubt in cancer, it is the removal of hope of recovery, it is the pessimistic outlook that makes the person feel absolutely condemned, and handed over to the disease, and this must affect the improvement of the patient. Sir, I have had close contact with many of these hospitals, especially with those where the insane are treated, since my husband has been a specialist in this matter and he has told me that it is the hope of recovery that often overcomes even the disease. Therefore I will start by saying that there are in these days with modern science and with the growth of education and with that right psychology of hope, no such disease as an incurable disease. But certainly the prevention of the future generation being born from people who are

unfit is a matter to be considered mostly by Men's and Women's organization in the land, not by the Legislature.

Then again the limitation of a family or the sterilisation of one of the partners is considered to be only a woman's affair rather than a man's affair, but it is equally dependent on both and when it comes to a matter of giving up of family life by artificial or other methods, no one but the family is interested in those methods. I believe that this particular Resolution, if carried into effect, will do the opposite of what the hon. mover wishes it to do. For instance if a person is suffering from tuberculosis or from cancer or some other so-called incurable disease, he or she would hesitate to go to hospital lest it would be known and registered and compulsory sterilisation would follow. Such people will hesitate to have any treatment given on an organised basis lest they be told to have "A small operation", and they would get no more children. I think you are driving these diseases underground and you are multiplying them in the home, for the very disease, the very infection that the hon. mover seeks to keep out of homes, will then exist only in the home infecting everyone there without the chance of medical attention. This Resolution seeks to kill all prophylactic treatment in the country. We as a nation believe that prevention is better than cure. As in the case of malaria and other diseases where many researches are being made, why should researches be made with prophylactic and other drugs if only people in the last stages of the disease confess to their infirmities when it is too late? If that is to be done, why would anybody bring for medical attention and treatment any small disease in its incipient stages when we believe prophylactic measures or preventive methods could have led to recovery? Sir, as I have said, and I say so again before this House that if this Resolution is to be implemented, no such diseases will be made known until the stages for prophylactic

measures and even for preventive measures are passed.

Then, another point is about the mental outlook of the patient. We have often in this House spoken of the psychological approach to life. Now, if by compulsory laws we were forced to come to this House, if we were forced to go to the temple or do this or that or the other, even if it be taking a bath, our nature would revolt involuntarily against the order because it is a compulsion. We revolt automatically against any measure of compulsion. At present there can be voluntary sterilisation of a parent at a medical man's request or by his advice, and all those methods that are spoken of in this connection can be resorted to, but on a voluntary basis. All that will continue to be done with or without a Bill. But there is a sort of inhibition that comes upon us if there is compulsion. A person voluntarily goes to a hospital and receives treatment. That is a very good thing and that is one way of curing sickness. That has a very salutary effect on the family. But if the father or the mother is removed compulsorily and the law comes down upon them, or penalises the parent for not doing what the law wants him or her to do in the way of sterilisation, then there is bound to be discontent. There will be discontented homes and frustrated minds, and much that is good in the cultural background of this nation would disappear.

Then, again, is our duty greater to the unborn child, to the children who are yet to be born or is our duty greater to those children who are already born? Should we not feel that a father and mother who are being given a chance to be restored to health, to come back to the family, would be a more potent factor to build up a healthy nation than the same father and mother frustrated, relieved of what they feel to be part of their humanity and brought back to perform the mechanical process

of life? If this is voluntarily done, I have no objection. But if it is done compulsorily, if there is to be compulsory sterilisation, then that will tend to make crossgrained, unhappy and futile homes for the children who are already born. At the same time, it will not prevent them from infection, for the father and mother living together after sterilisation can still breed and spread infection to each other and to others they meet.

The hon. mover said that this was a mild measure. I have already told the House that to my mind, this is a very drastic measure. It is a step that may be taken only in the ultimate region or circle of humanity where the blessing of free will and self discipline, self restraint does not exist and there is no point in saying that this could be made an excuse for limiting families. In a way this may still be done in some cases. I must here remind the House of the origin of sterilisation. Women who flourish out of their homes, were the first and foremost to take advantage of such methods in order to have no consequences of their actions and they are also subject to some of these laws who have voluntarily taken upon themselves sterilisation. But if you make it compulsory, it would not lessen but increase all sorts of infectious diseases, venereal diseases and others and our case would be worse at the last than it was at the first, for every sterilised person would give way to personal indulgence without restraint. That would be the result if we allow such a measure to be passed or even to be thought of.

The hon. mover spoke of clinics in the same breath as places of sterilisation. I would remind you, Sir, that clinics are a very different matter. They are there for giving advice, for giving help or guidance to people who want such help, help of a particular nature, physical and mental. But a clinic is not operative, in the

[Shrimati Mona Hensman.] sense that it does not dictate to you and make you do something that perhaps you do not want to do. You go there voluntarily. You may or may not accept the advice. You are at liberty to reject the measures that may be proposed to you there. Of course homes for leprosy, tuberculous and suffering citizen or sanatoria should be encouraged by the State. This may be done through the different States. The hon. mover may remember that she has quoted State Legislation passed in America. Even so, legislation to this effect may be passed in any of the States here if they so want. If the State which the hon. the mover represents or that where she is such an ornament, or any one of the other States in India were to come forward and pass such a Resolution, it may be an example to the rest of the country. But to have the measure passed at the Centre, to have it as a legislation for all the States, with so few representatives here to give their opinion on this vital matter seems to me to be not only an unfortunate but also a tragic move.

Finally, the name of religion has been brought in and quotations made on this basis. Sir, I would speak not in the name of religion but only in the name of common sense and in the name of experience which bind us all as one. This is not a question of right or wrong, of black or white. It is a question of what is expedient for the nation and what is the most suitable time for doing this sort of thing. I consider that the time is not yet ripe for such a measure now or ever, and that it is that the proper time for sterilisation by compulsory methods does not belong, and will never come to India, as she is today.

DR. R. B. GOUR (Hyderabad): Mr. Deputy Chairman, somebody over there told me in the lobby that whatever may be the intention of the mover of this Resolution, one thing was desirable—that the Opposition here should be sterilised. I told her

that we have no such apprehension, that we can take care of our fertility. But one thing I can tell the House on behalf of the whole Opposition, that we are beginning to feel that our entire virile fertility is of little use here ranged as we are against a barren Government.

Anyway, I am standing here to oppose the Resolution moved by Shrimati Lilavati Munshi. We are entirely against compulsory sterilisation; but we are strong advocates of voluntary sterilisation in all desirable and necessary cases. Sir, I base my statements on certain facts and I would like the advocates of compulsory sterilisation also to kindly look into the various asylums and try to find out whether the population in these asylums consists more of acquired insanity patients or of patients who have inherited the disease. Of course, insanity in a family predisposes the child to the particular attack. At the same time there are cases of insanity that are acquired. There are diseases which are termed insanity but which are curable. They should be cured and the children in such families could be taken proper care of and they should be prevented and protected from contracting and suffering from similar diseases. That is one thing. Secondly the emphasis should be on treatment of insanity because there are many in our country who have acquired insanity. Actually there are more persons in our country who are suffering from acquired insanity than those who have inherited it. That is one point that I want to drive home. We feel that in all such cases the emphasis should be on the treatment and the curing of the disease by giving special facilities to doctors and medical men and institutions who are interested in the curing of these diseases. Secondly, there seems to be some misapprehension in some hon. Members' mind that even leprosy, T.B. and such other diseases are inherited and are also hereditary. I want to remove that misapprehension or fear. Leprosy is not inherited. T.B. is not inherited. It is of course, infectious. Leprosy is a

contagious disease. If one rubs on a leprous wound, only then he acquires that disease.

If one inhales the expired breath of a tubercular patient only then he acquires tuberculosis. That is why what is required is a proper care of these patients, a proper isolation of these patients and a proper isolation and care of the children born to them. That is the point, Sir. Therefore, our emphasis must be on prevention of the disease, on isolation of children from such people and on isolation of such people from society because it is not so much the children of a leper or of a tubercular patient that acquire leprosy or tuberculosis but healthy people, young men, students in schools and workers in the factories—it is they who acquire tuberculosis, leprosy and all such communicable diseases through contacts with patients suffering from these diseases. Therefore, Sir, I would again emphasise that the emphasis should be on treatment, on cure, on prevention, on isolation and on care of children. That is why I oppose this sort of compulsory measure; this legislation would only mean giving a license to all sorts of people for sterilising all people whether it is necessary or not. That is the most important point. When we stand for voluntary sterilization, I would like to remove certain misapprehensions in the minds of people who are opposed to it. They think, rightly or wrongly, knowingly or unknowingly, and mostly unknowingly, that sterilization would mean also impotency. This is wrong and incorrect. Sterilization does not affect the family life of the person who is sterilized because sterilization only means no children.

SHRI B. C. GHOSE (West Bengal): Can a person be desterilized?

SHRI K. S. HEGDE: His potency is not affected.

SHRI B. C. GHOSE: No, I did not mean that. Can he be desterilized?

DR. R. B. GOUR: That is not possible. To that extent I would like to come to the rescue of Mrs. Munshi that sterilization is not a thing that has to be feared from that angle, but, at the same time, certainly I am not standing on the same grounds as Mrs. Munshi because she advocates compulsory sterilization and I am opposed to it in the circumstances in which we are placed in our country.

Again, I would say that the emphasis should be on treatment, on cure, on prevention, and on isolation, and with that, Sir, I conclude.

SHRI K. B. LALL (Bihar): Sir, I rise to voice my unqualified opposition. Up till now, as it appears, there has not been a single speech which could be said to be an unqualified support to the Bill excepting one coming from a doctor which cut across the other doctor's speech. All the speeches made were of the nature of qualified support or qualified opposition. I stand for unqualified opposition and I may say in the beginning that it is in the name of religion and in the name of science both. Of course, these are the days when people advocate a compromise between science and religion. I am not one of those who believe in compromise between science and religion. I believe that compromise is only possible where one is opposed to the other. In my view, science is complementary to religion and there could be no compromise. So, I say, in the name of both religion and science, this Resolution is fit to be opposed. So far as religion is concerned my friend sitting behind will get startled. I know Mr. Rao's feeling. Whenever the word 'religion' is uttered, whenever the word 'God' is uttered he flares up. I apprehend it and so I have mentioned it before. At the very outset, I may say for his consolation that I do not believe so much in formal religion and all the other religions also do not believe so much. But there are people who

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run away with the superfluous idea of religion and God and they have begun to slash God and castigate Him unnecessarily. God is a law which operates automatically and helps or wreaks vengeance on those who help or obstruct its course. If you take God in that sense you will find that it is always operative; do not obstruct, otherwise it will wreak vengeance upon you. When I am saying this in connection with this Resolution then it may be said that if that is so, we should not do anything. That is not the way; we can always be engaged in action just as our Gita says. We should never be away from action even for a single moment as we are never without action, but action should not be guided so much by the ideas based on the so-called science, which we have taken for granted so that it is against God. Science is always with God; take the science of spiritualism that Lord Krishna uttered so many thousands of years before, which is now being illustrated by the present day material science. It was said that 'shabd' was 'Brahman'. Now, these words that are uttered here can be heard in Washington, which is proving that. So, with a little of patience we could have seen how religion is science, how we can even make researches in the domain of religion, or in what great religious teachers have said. But, instead, some people at once flare up and begin to slash God and religion because of a perverse idea of science and religion. Science and religion are going hand in hand and they are complementary to each other. So I say if you take even religion, if you try to obstruct that, the so-called law, call it Law personified as God or by any name, is operative and if you obstruct it, it will wreak vengeance upon you. Don't rely too much upon the present day science and all these sterilizations and other things are not doing us any good. But then you will say, 'If we sat tight with our hands, folded, how are we going to mend matters? How are we going to improve our lot?' I say that the

Law does not wait for you. You go on working in the right path, be engaged in the right path and you will see the result. It is coming even now.

This thing is much better controlled by restraint than by letting loose all the reins of pleasure in your hands. What is happening today? In one breath you are relaxing all laws of restraint that were placed on the marriage between cognates, between sisters' and brothers' sons and daughters, making the progeny grow like anything. What will be the result when there is no control over it? And here you come for sterilisation. I cannot understand how you are blowing hot and cold in the same breath. Follow the restrictions already placed by your religion. Why not respect them? By these restrictions you can make your children grow up well controlled and well-disciplined in the rules of morality? In the existing cinema world to-day, where inspiration of all pleasures are drawn from the screen and there is nothing to screen the immorality there. How could you expect the society to produce healthy children? In spite of all the knowledge that you have come to acquire through the science of the Western world and in spite of all your feverish attempts to check every evil prevailing in our society, have you been able to root the evils out? There is pestilence, there is war, there is flood, there is earthquake. All these dangers are not sparing you to-day; they take their toll of human lives and the population is reduced. It all happens according to the adjustment of that Law which is called God, and it will go on in spite of all the knowledge that you possess or any method that you may be advised to put into operation according to modern science. It is for that reason that I say that you should not dabble in the operation of that Almighty Law and don't repent in the way you are repenting to-day. Follow that grand law. Observe that law. Call it God. Call it anything. It is operating amongst you. It is operating here and it will

have its operation and it will have its results and you will all see that.

Now I come to another aspect of the resolution. You speak of insanity. You speak of incurable diseases and you speak of sterilisation. I have only to add that if you make it a sort of compulsory law just as you have recommended in the resolution the result may be that it may be abused in a good many cases and it may have bad repercussions and may lead to legal complications. I know of a Maharani who has been declared insane and she has been rotting in that deplorable condition. Suppose a boy is the heir apparent to some *gadi* or estate and suppose some interested persons take it into their head to prevent that boy and his progeny from inheriting and to get rid of him, it would be easy for them to have their object fulfilled by bribing some doctor to get a certificate from him that the boy is insane and get him sterilised, and in this way the law may be abused if the object of this resolution is enacted into law. I do not also agree with some of my friends who advocated that it should be 'voluntary'. That would be going against the law of nature. You think perhaps that by such dabbling you will be doing good to society which I am afraid will not be the case because you are seeing that in spite of the best efforts of human beings evils exist in the world. There have been so many schools. There have been so many religious classes. There have been so many religious prophets. Those prophets have come and preached good morals to society. But what is the result today? We see how immorality is abounding in our society and how we have thrown to the four winds everything good. So evils must remain just as they existed in the days of Sri Ramchandra and Sri Krishna, and at all times in the world good and evil have existed together. So they will continue to exist together, and you should not be afraid of that. Leave it to the working of the law that I have always impressed, the law of God. That law

will adjust and regulate the affairs of the world. But if you try to interfere with it with your human ingenuity and with the scientific knowledge that you possess to-day you must realize that you are doing something which will react very badly upon the society itself for which you say you are all working. Now I will give you an example. Among street beggars you see both male and female both of whom you see having children in arms and you may be astonished how such a figure, such an emaciated and poverty-stricken woman could conceive and produce a child. You of course take pity upon those beggars in the streets. But all the same that is going on and that will go on even in spite of your sterilisation. They will continue just as the evil existed in the past in the days of Sri Ramchandra in the Satya Yuga and in the days of Sri Krishna in the Dwapara Yuga. Such things will continue and the world also will continue to go on in that manner, and Sri Krishna has said that as the *Sato Gun* decreases and *Tamo Gun* increases he would come and settle the matter. It is bound to happen. The evils have been present, are present and will be present and in the long run it will adjust itself. For ourselves the only thing that we should do is to go the right path, think righteously. That is the law that has been enjoined upon us by our religion and which is according to the laws of the society as a whole. All the time if you are thinking wrongly, you are thinking viciously and so acting you are going to show to the world that the society is going to be transformed by such laws. That is something hoping against hope and this I want to impress upon this House. Never try to dabble in or tamper with the natural law and thereby expect good results. In this connection it would not be out of place to mention a few words about the marriage law, by which you are contemplating to widen the scope of increasing the population of all sorts. It may be that some day you may think in all your wisdom

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that even marriage should be abolished just as you see in Russia they have already simplified the marriage by which two persons go hand in hand to the registrar of marriages and get their marriage registered in a minute, and after a few days they get the marriage dissolved.

MR. DEPUTY CHAIRMAN: Mr. Lall, please confine your remarks to the resolution.

SHRI K. B. LALL: Yes, Sir, and I think I am within the four walls of the resolution. I am trying to show how other similar laws especially in respect of marriage can worsen the situation in respect of producing all kinds of children.

MR. DEPUTY CHAIRMAN: You will have an opportunity when the Marriage Bill comes up. Please speak on the resolution before the House now.

SHRI K. B. LALL: All right, Sir. You will go on simplifying even sacred marriages to that extent. What would be the result? You would come to think loosely that sexual morality is nothing and you can therefore relax moral laws to such an extent that we should think of nothing in terms of morality but producing a strong progeny and a healthy nation and we should not observe any law of marriage and we should give freedom to all in this respect to do what they liked. You may even say that we should sterilise all mankind, all male persons except a few who just like breeding bulls in the animal world would produce good and strong progeny, and that there must be only good breeding and that there is no need of marriage law, and that we need have only a few persons who may be called 'breeding men', who will give strong and healthy children to the nation. So if you pull down the ancient laws in this way you will only be disrupting the whole society.

For that reason I say defer this law and observe the law of morality. Think rightly and act righteously. That alone will settle up matters—not such measures.

SHRI RAMA RAO (Madras): Mr. Deputy Chairman, Sir, it is a very interesting contrast indeed that I should follow immediately the gentleman who is sitting before me—Shri Kailash Behari Lall. He represents the Stone Age; I represent perhaps the 21st century. He talks of religion. I agree with the Communists here, and with a good deal of their philosophy too, and I believe with them that Religion is the direst dope that has been inflicted on humanity. Dharma Shastras! Dharma Shastras be blowed; I am not interested in them. I am a legislator—the successor of Manu—and I have the right to serve my country and my countrymen consistently with the needs of the times and the cause of progress.

Sir, I shall first handle my distinguished friend, Mr. Sundarayya. He has given us an excellent exposition of Communist theory in general and Communist biology in particular. Have more miseries and therefore more Communism, he says. Have more imbeciles and the Reds will multiply. There is obviously a political motive behind his theory that India is not overpopulated. Russia is underpopulated and Russians want more men. To that extent, therefore, it may be right in Russia to do so. It could not be right in India which is over populated. Next Mr. Sundarayya was contradicting himself when he was putting forth the thesis that there was no disease incurable, because science had made considerable advance. The answer to him is that if science advances so well then there will be no need for sterilisation. To-day we pass a law in favour of sterilisation; tomorrow if science does so well as to declare that no disease is incurable then that law falls dead. Meanwhile are we to tolerate this torrent of unfortunate babies coming into this world—these horrid babies, imbecile babies, lunatic babies, syphi-

litic babies, all the time infecting the country? To that question I expect a plain answer. Under what conditions do we want sterilisation? We want it to be certainly compulsory, so far as I am concerned, because, otherwise there is no meaning in having sterilisation at all. There will be a first-class medical examination to begin with. There will be a judicial decision next whether a particular person should be sterilised or not. The law when it is passed will have to do all these things. Is it medically easy? Yes. Does it interfere with the pleasures of sex life? No; it has been demonstrably proved.

Some Members have been asking—how in a difficult matter like this doctors can be relied upon? The answer is not difficult. So long as you have got to believe in doctors, so long as you have got to proceed on the basis of the expert medical opinion available today, you have got to rely on the doctor's opinion. How many of you in this House refuse to go to a doctor and ask his opinion? In 99 out of 100 cases doctors are good; they save your life. It is just possible that in some cases there may be a mistaken decision. If you want to proceed on the basis of exceptions, then no legislation is possible. No public opinion can be formulated. It is not, in my opinion, an intellectually honest argument, this one about the infallibility of medical opinion. Obviously there are certain incurable diseases; my doctor friend over there has mentioned them—apoplexy, asthma, some types of madness, leprosy and some other diseases. If these are transmissible there is no reason why a bad parent should be allowed to produce bad children and thus harm the country. As regards venereal diseases, the incidence of suffering on account of them is still heavy in this country, in spite of the fact that venereal diseases have been proved to be controllable. Some years ago syphilis was declared to be an incurable disease—at any rate some types of syphilis. Today medical science has advanced so well that they

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say that there is no incurable syphilis. Well, there will be no need for sterilisation then, of syphilitics.

Mrs. Alva has said, that the proposition before us, is too advanced. What is our answer? Our Constitution is too advanced! our Fundamental Rights are too advanced! I am surprised, that such an argument should have come from a feminine quarter where marriage and divorce are being so freely discussed on very advanced lines indeed.

Sir, I do not bother about the Hindu Dharma Shastras. In fact, however, I believe that the ancient Aryans had an excellent sense of the eugenic science. The moment a *rishi* got a son by another woman, not his wife, he walked away with the boy. Take the case of Vyasa.

My friend Shri Govinda Reddy, spoke about the Fundamental Rights in this connection. As I have often said in this House, it is unfortunate that the chapter on Fundamental Rights gives freedom too much to capitalists and too much to Communists and now they are being claimed for lunatics and syphilitics too. In any case, I want my friend, who is a lawyer, to read over and over again that chapter on Fundamental Rights, and he will distinctly find that there is a provision that anything intended for social good cannot be prevented on the ground that it is against the Fundamental Rights provided under the Constitution.

SHRI K. S. HEGDE: So far as I know, there is no Fundamental Right to have a child.

SHRI K. RAMA RAO: And no Fundamental Right to produce a bad child either.

Much has been said about the sacredness of the individual personality. I suppose it is rather good to discuss it in a theoretical fashion, but may I quote the opinion of a political philosopher? He says "The theory

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that every individual alive is of infinite value is legislatively impracticable." Sir, there is a certain hypocrisy in our approach to this question of sterilisation. Men who cannot afford to go on producing children—are given very little aid, I mean the poorer classes, for limiting their families, while those who can afford to have more children are doing it. Again, while those who can produce healthy children want to limit their families, those who are producing unhealthy children are being denied the knowledge and advantage of sterilisation. We are responsible legislators; we ought to be honest to ourselves. If we admit that men and women can exercise certain privileges because they are well placed in life, it does not follow that we should deny those privileges to others less fortunately placed. That is not democracy.

There was a sermon on self-restraint by Shri Kailash Bihari Lall. If there were so much self-restraint as he suggested, this country would be full of Mahatma Gandhis. There would be no State, no Constitution, no Government, no Council of States, not my friend there, nor myself here. Let us go to the forest then. It is an absurd argument.

Now, what are the advantages of any legislation that is based on the Resolution of Mrs. Munshi? It will reduce infant mortality which is largely prevalent among children born of unfortunate disease-stricken parents. It will reduce the incidence of suffering. To that extent you will certainly be practising the maxim "अहिंसा परमो धर्मः." We shall not be burdened with children who are not wanted and who are not looked after by the State when their parents are not able to do it. Our marriage system is outdated and the worst sufferers are women, and if this kind of legislation is passed, it will help women more than even men. It has been said, Sir, that Government cannot enforce

this kind of legislation. I beg of my friends in this House not to allow any such argument. It is not for us to say that if the Government cannot carry out the things which the Legislature wants, it is for the Legislature to keep quiet. It is for the Legislature to enforce its views on the Government or to turn the Government out, if it persistently fails to discharge its responsibilities. At any rate, I am glad that this question has been taken up in connection with our consideration of our paramount national problems of today. Sir, I am particularly happy that women Members in this House have interested themselves in it. After all it concerns them, being the mothers of the nation, much more than men. It is very necessary that they clearly understand the elements of science much more than men, so that we may have a good race. I consider this debate a good opening shot in a new campaign—a campaign for the progress that we have got to make towards an ideal race. Let us forget the unapplicable theories of the dead past.

Again, Sir, regarding religion, I believe only in the religion of science. I believe in the *dharma* of Creative Evolution. I believe in the *Elan Vital*. It is necessary for us to cultivate an entirely new outlook and an entirely new mentality. If we are Aryans, let us cultivate the Aryan theory of life and build up a society in which there is no waste, no vice, no incompetence, and in which every one is a Plato and every one is a citizen of the Republic. It has been well stated by a political philosopher:

"Until there is an England in which every man is a Cromwell, a France in which every man is a Napoleon, a Rome in which every man is a Caesar, a Germany in which every man is a Luther plus a Goethe, the world will be no more improved by its heroes than a Brixton Villa is improved by the Pyramid of Cheops. The production of such nations is the only real change possible to us."

SHRI C. G. MISRA: Sir, I take this opportunity to congratulate Mrs. Munshi on having had the courage and wisdom to bring this Resolution before the House. Although there are some points in this Resolution which I do not quite appreciate, yet I support it. Many friends have spoken in opposition on the basis of religion. Whenever there has been a question about the Hindu religion, the Aryan religion or the Vedic religion, I have seen people speaking on the authority of Vedas, Shastras, Smritis, Gita, etc. But I doubt very much if they have studied these books at all. And I can say with confidence that in many cases there are gentlemen who have not even seen the Vedas. Whenever there is a reference to religion, I have seen gentlemen speaking very eloquently and saying something which is really in opposition to their own religious principles, contained in the Vedas. Sir, our misfortune is that we do not study these things properly sometimes. We form a very vague and a very incorrect idea about religion based upon Vedas and Smritis. If you believe that God has created this Universe, then you must admit that God is a scientist and a mechanic par excellence. If God had not been a scientist and a mechanic, He would not have been able to create this world. All the laws that are operating in the world, whether physical or spiritual are laws of God. And if we want to follow God, we must of course understand the scientists. If certain propositions of the scientists are wrong today, they may prove to be correct tomorrow, or if certain propositions of theirs are correct today, they may prove to be wrong later on, but that does not matter. We have to believe in the law of God and the law of God is nothing but science. If I may quote a mantra from the Vedas, it is said there:

नहि सस्तव नो मम शास्त्रे अन्यस्य रशयति यो
अस्मान् वीर अनायत । "ऋग्वेद ८, ३३, १६

That means that the Almighty God does not take pleasure in the law of

anybody else—neither mine nor yours. He is a Warrior who leads us. Now, if we start with this fundamental proposition as regards religion, we have to admit that we must take into consideration the laws of spiritual and physical science, which is *Shastra*.

I am sorry, Sir, to say that opinions like those expressed by Mr. Rama Rao on more than one occasion about religion may be tolerated only to the extent to which, I believe, he has not studied Vedic texts of the Hindu religion in their proper sense. It is not his fault. He has perhaps been educated under the influence of the present day society, I mean the Hindu society, in the matter of religion, and that is why he has got incorrect views about Vedic religion. I am not a believer in any religion which is not based upon science, i.e., the laws of God. I believe in religion only to the extent to which it can be in conformity with what is called science, and science means the science relating to spiritual, intellectual and physical matters. I do not confine science only to what is physical. In the Yajur Veda, in the Atharva Veda and in some Smritis, we will find that the object of marriage—the object of cohabitation between man and woman—is not simply the pleasure. According to the laws of God, it is for producing progeny. If you produce children, you must produce physically, intellectually and spiritually powerful children. Otherwise, there is no use producing them. In this sense, if persons who are incapable of producing healthy children are sterilised, I think there is no harm, there will be everything to be gained. Those who have heard the *mantras* recited to them during the time of their marriage though in most cases they are never interpreted to them—will know that the *mantras* enjoin upon the couple that they must produce healthy children. That is the mandate given. Produce children who are brave, whether they are sons or daughters. Well, this means that you should not produce children who

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are weak physically or mentally or spiritually. Apart from the consideration of the food problem and apart from any other consideration, it is your duty to produce healthy children, and it is only such children who can take you to heaven. The idea that heaven is a place in another world where you go after you have passed from this world after death is also a wrong idea. *Swarga* or heaven is here in this world. If you have sons who will take you to heaven in this world, you may go to heaven in the next world also if there is any. Those sons will lift you to heaven and keep you there.

SHRI H. P. SAKSENA: Are you strong enough?

SHRI C. G. MISRA: I am strong enough. That is the idea of begetting children. If that is accepted, then there is nothing wrong in Mrs. Munshi's Resolution either on the ground of religion or on the ground of national well-being. Therefore, we must wholeheartedly congratulate Mrs. Munshi on having brought such a Resolution. Such matters are not generally discussed even among the educated classes. It is high time that we study books relating to sex relations, the relations between man and woman, the purpose of sex relations, etc. Unless you have studied matters relating to sex life, you have no right to marry. Child marriages are things of the past nowadays, but even now people, before entering upon marriage, are not given proper instructions about sex matters. These things are not taught.

Some have argued against the Resolution on the ground that these diseases like leprosy, etc. have not finally been declared to be incurable. They may be curable or incurable, but at present in India, whether they are incurable or curable, we have not got the means to cure even some of them. Generally we have seen that these diseases take a long time to be cured, and generally the cure is often beyond

the means of the persons who are suffering from them. The Resolution only means that so long as they are suffering from these diseases, they should not produce children. That is quite right.

Then, some gentleman quoted some isolated examples in support of his contentions against the Resolution. Mr. Reddy spoke of how somebody was cured by some miracle. By merely quoting miraculous instances, we cannot build up a general proposition. The only question is whether those people who are suffering from the said diseases should be allowed to beget children or not.

The Resolution of course speaks of reducing the population on the ground that there are so many mouths to be fed. I do not appreciate this particular part of the Resolution. I think this portion should be left out. Some objection has been taken to the proposition that because there is not sufficient food to feed all the mouths, therefore not one of the persons suffering from these diseases should be allowed to beget children. That objection is correct.

Then, some objection was taken to the Resolution on the ground that measures should not be taken to sterilise people compulsorily. It has been said that compulsion should not be used. But in the present state of our society, we are not progressive in many things. In the matter of religion and social matters, the majority of the population is backward. In India, we cannot depend upon majority opinion, because majority opinion is generally backward in such matters. The majority has always opposed measures like the Child Marriage Restraint Act and the Abolition of Sati Act. The orthodox people have always opposed and will always oppose such measures, but most of them, I think, appreciate now the conditions of our society after the introduction of the Child Marriage Restraint Act. Since the majority of the society will always move very slowly in these matters, there is no

validity in the argument that such measures should not be compulsorily adopted, and that no law should be enacted which will interfere with the religious or other customs of society. Many persons oppose such measures in the name of religion and at times in the name of God also. With these few remarks, and of course without going into the details of all the arguments that have been advanced against the Resolution, I support it wholeheartedly.

SHRI KANHAIYALAL D VAIDYA
(Madhya Bharat):

श्री कन्हैयालाल डी० वैद्य (मध्य भारत)
उपसभापति महोदय, श्रीमती मृगी ने इस प्रस्ताव को रखते हुये तीन बातों पर जोर दिया है। आपने कहा कि इस देश में ऐसे लोग बीमार और रोगी होते हैं कि जिनके कारण यदि उन्हें सनानोत्पत्ति की सुविधा रही तो वे रोग बढ़ेंगे। उन्होंने यह भी कहा कि श्री खेर ने अभी लदन में यह बताया कि इस देश में कोढ़ के भारी सख्या में बीमार हैं और उनको अलग रख कर के उनके उपचार की व्यवस्था यहाँ नहीं की जा सकती है। टी० बी० के बारे में भी आपने कहा कि वह ऐसा ही एक रोग है। मैं भी वैद्य रहा हूँ और वैद्यक के आधार पर मैंने रोगों के निदान और रोगों के विषय में जानकारी ली है। यदि हम ऐसे रोगों को नहीं रोक सकते और ऐसे रोग के रोगी को इधर उधर समाज में फिरने से रोकने की दशा में कोई व्यवस्था नहीं कर सकते, जिनकी सांस से, जिनके थूकने से और जिनके आस पास के एक दूसरे लोगों से मिलने से लाखों आदमी और रोगी हो सकते हैं तो मैं नहीं समझता कि इस प्रकार के अव्यवहारिक प्रस्तावों को ला कर के क्यों इस तरह से हमारे जनतंत्र की हसी उड़ाने का काम किया जाता है। विदेशी विचारों में बहते हैं, अमेरिका

का नाम लेते हैं, जर्मनी का नाम लेते हैं। अमेरिका तो एक पूँजीवादी देश है, वहाँ एक मजदूर को आठ सौ रुपये मासिक तनख्वाह मिलती है। वहाँ हमारे देश की तरह करोड़ों लोग भूख से नहीं मरते। वहाँ रोटी की समस्या इस प्रकार की नहीं है जिस प्रकार की कि हमारे देश में है। यहाँ रोग का कारण गरीबी है, करोड़ों आदमी भूख के शिकार हो कर के मौत के मुँह में जा रहे हैं। वे लोग हमारी सरकार से और हमारी इस कौंसिल आफ स्टेट्स से यह अपेक्षा करते हैं कि यहाँ बैठ कर हम ऐसे प्रस्तावों की चर्चा करेंगे, और ऐसे सुझाव गवर्नमेंट के सामने रखेंगे कि जिनके द्वारा हम उनको रोटी दे सकें और रोजी दे सकें। ऐसे स्टेरिलाइजेशन के प्रस्तावों द्वारा हम कुछ नहीं कर सकते हैं। मैं तो यह कहूँगा कि ऐसे प्रस्तावों द्वारा हम इस जनतंत्र राज्य पर पूँजीवादी व्यवस्थाओं को हावी होने का एक रास्ता प्रशस्त कर रहे हैं। जर्मनी का उदाहरण श्रीमती जी ने दिया। ठीक है, जर्मनी में हिटलर जैसा एक आदमी पैदा हुआ जो कि डिक्टेटर था। इस देश में तो जवाहरलालजी हमारे प्रधान मंत्री हैं, वह डिक्टेटर नहीं हैं, वह तो जनतंत्र में विश्वास रखते हैं। उन उद्धरणों को पढ़ कर सुनाने से तो यही मतलब लगाया जा सकता है कि उन व्यवस्थाओं को इस देश के अन्दर लागू करने के लिये हमें और देश को प्रभावित करना है जो कि किसी एक डिक्टेटरी देश के अन्दर लागू की गई और इस देश को जनतंत्र के रास्ते से हटा कर एक डिक्टेटरी व्यवस्था की तरफ या पूँजीवादी व्यवस्था की तरफ ले जाने के लिये एक मार्ग प्रशस्त करना है। मैं यहाँ किसी पार्टी विशेष के ऊपर आक्षेप करने के लिये यह नहीं कह रहा हूँ लेकिन मेरा कहना है कि हम और आप जितने भी इस

[Shri Kanhaiyalal D. Vaidya.]

हाउस में बैठे हुये हैं वे सब जनतंत्र के कारण यहां बैठे हुये हैं। आज इस देश के अन्दर जनतंत्र के रास्ते में बहुत से खतरे पैदा किये जा रहे हैं और जो ताकतें इस देश के अन्दर जनतंत्र की व्यवस्था को उलट देना चाहती हैं वे देहातों के अन्दर तरह तरह के प्रचार करते हैं। अगर कालरा का इंजेक्शन लगाने के लिये कोई पार्टी गांवों में जाती है या अगर कोई और बीमारी फैल जाती है और उन बीमारियों को रोकने के लिये स्वास्थ्य विभाग की ओर से गांवों में कोई व्यवस्था होती है तो जो पार्टियां जनतंत्र की दुश्मन हैं वे देहातों में यह प्रचार करती हैं कि यह नेहरू सरकार, यह राष्ट्रीय सरकार, हमको नपुसक बनाने के लिये ये सब इंजेक्शन दिला रही है क्योंकि इस सरकार की ऐसी व्यवस्था नहीं है कि वह इस देश के लोगों को भुखमरी से बचा सके। वह देश के लोगों को खाना नहीं दे सकती है और देश की अन्य समस्या हल नहीं कर सकती है इसलिये इंजेक्शन लगा कर हमको खत्म कर रही है। मैं कई जगह गया, मैं कई एलेक्शन में हो कर आया हूँ। मैंने देखा कि उन लोगों के प्रचार को सुन कर लोगों पर यह प्रभाव हुआ कि यदि कोई डाक्टर वहां इंजेक्शन लगाने के लिये आया तो गांव का गांव भाग खड़ा हो गया और नतीजा यह हुआ कि या तो डाक्टर साहब और इंजेक्शन लगाने वाले वापस चले गये या फिर उन लोगों को यह विश्वास दिलाया गया कि आने वाले डाक्टर नहीं हैं तब वे बच सके वरना लोग ने उन पर आक्रमण करने की तैयारी कर ली थी। आज इस प्रस्ताव को जिस तरह से विवाद में लाया गया है और इस पर जो बहस की गई है उससे, मैं समझता हूँ, इस देश के अन्दर इस जनतंत्र राज्य को उलटने के लिये जो विचारधारा चल रही है उसको बिल मिला

है और इस प्रस्ताव के आधार पर वे खूले रूप में जनतंत्र राज्य को उलटने के लिये प्रचार कर सकते हैं कि देखो जो कुछ हम कहते थे वह सत्य हुआ और कौंसिल की एक सदस्या ने यह प्रस्ताव रखा है कि लोगो को खस्ती किया जाय और अब ऐसा किया जायेगा क्योंकि लोग बीमार हैं और हमारी सरकार बीमारियों को रोक नहीं सकती। मैं अपनी स्वास्थ्य मंत्राणी से कहना चाहता हूँ, क्योंकि उन्होंने महात्मा जी के साथे में रह कर अपना जीवन निर्माण किया है, कि महात्मा जी ने चरित्र निर्माण करने के लिये एक रास्ता बताया था, ब्रह्मचर्य का एक रास्ता बताया था। उस रास्ते से, उस नीति से हमने इस देश का नव निर्माण किया। आज हम जवाहरलाल जी की जीवन की घटनाओं को लें। श्रीमती कमला नेहरू की जीवन लीला समाप्त हुये बहुत दिन हो गये, सन् १९३६ की यह घटना है। क्या जवाहरलाल जी चाहते तो एक नहीं बल्कि पचासों शादियां नहीं कर सकते थे किन्तु उन्होंने एक आदर्श को अपनाया, एक ऊँचे चरित्र को अपनाया। मैं निवेदन करूंगा कि देश के नेतागण जनता के सामने चरित्र निर्माण की बात करें। हम राजकुमारी जी से इस बात की अपेक्षा करते हैं कि वे देश के अन्दर जो समस्यायें स्वास्थ्य के संबन्ध में हैं उन्हें दूर करने की चेष्टा करेगी और इस तरह का रास्ता अस्तिथार करेंगी कि जिससे इस प्रकार के निकम्मे प्रस्ताव पर देश की जनता को विचार करने के लिये मौका न मिले। मैं तो कहूंगा कि कुष्ठ रोग का, जिससे कि लाखों आदमी पीड़ित है, विनाश कीजिये और इस प्रकार के साधन दीजिये, उसके उपचार के लिये ऐसी व्यवस्था काम में लाइये जिससे कि उनका कोढ़ दूर हो और उनका रोग दूर हो। बीमारियां क्यों

होती है, क्यों लोग इस तरह के रोगों के शिकार होते हैं ? यह पूजीवादी व्यवस्था का अभिशाप है। जो पूजीपति है वे अच्छी अच्छी वस्तुओं को खाते हैं और जो निकम्मी वस्तुयें हैं उनको दूसरे लोगों के लिये छोड़ देते हैं और गरीबों को सिर्फ निकम्मी वस्तुएं ही मिलती हैं; जिन वस्तुओं में तत्व है वह उनको नहीं मिल पाती है। उनको डालडा खाने को मिलता है या जो विदेशों से सत्वहीन गेहूं आ रहा है वह खाने को मिलता है। मेरे ऊपर स्वयं इस तरह की बीत चुकी है, मुझे इसका पूर्ण अनुभव है। मेरी बच्ची अंडरनारिशमेंट (under nourishment) के कारण १८ साल की उम्र में टी० बी० की शिकार होकर मर गई। तो टी० बी० जैसी बीमारी का क्या कारण है ? इसका कारण है देश में गरीबी। गरीबी के कारण देश में लोग भयंकर रोगों के शिकार होते हैं। अतः हमारी सरकार के सामने जो सब से बड़ा प्रश्न है वह यह है कि वह गरीबी को दूर करे, जनता सरकार से सब से पहले इस बात की अपेक्षा करती है कि सरकार करोड़ों भूखों को खाना दे।

एक बात मैं राजकुमारी जी के नोटिस में ला देना चाहता हूं कि प्रान्तों में जो मेडिकल विभाग है वह देहाती जनता के उपचार की ठीक से व्यवस्था नहीं कर पा रहा है। मध्यभारत, जिस प्रान्त से कि मैं आ रहा हूँ, मैं वहां का चिकित्सा विभाग कोई ठीक व्यवस्था नहीं कर पा रहा है। एक उदाहरण देता हूँ। वहां के ६३ गांव वालों ने निर्णय किया कि एक एलोपैथी का अस्पताल चलायें। वहां जैसा खेड़ा खजूरिया में ६३ गांवों की केन्द्रीय ग्राम पंचायत है उसमें एलोपैथिक का अस्पताल चलाने का निर्णय किया गया। मैंने स्वयं वहां के हेल्थ मिनिस्टर से बातें कीं लेकिन वह खेड़ा खजूरिया में अस्पताल के लिये

मामूली दवाइयां भी नहीं दे सके। मैंने उनसे इस बारे में बहुत कहा तो उन्होंने कहा कि अगर आप ज्यादा कहते हैं तो मैं थोड़ी बहुत आयुर्वेदिक दवाइयां दे सकता हूँ, एलोपैथी दवाइयां नहीं दे सकता। तो यह हमारी आर्थिक स्थिति है कि हम जनता को साधारण दवाइयां भी नहीं दे सकते। ऐसी स्थिति में इस प्रकार के प्रस्ताव को ला कर हम देहातों के लिए ऐसी स्थिति का निर्माण करेंगे जिससे कि उनकी हालत और खराब होगी और उनकी स्थिति और बिगड़ेगी।

श्रीमती जी ने एक वाक्य कहा था कि डाइवोर्स बिल आने वाला है और इसमें इनसैनिटी (insanity) के कारण पत्नी को या किसी को तलाक का अधिकार होगा। बड़ी सुन्दर बात है, इससे कुछ दिमाग का पता चलता है। मैं अभी अभी दो घटनाएँ देख कर आया हूँ कि इस देश के अन्दर गरीबी में सुन्दरता भी अभिशाप है, गरीब आदमी सुन्दर स्त्री नहीं रख सकता। मैं अभी जिन दो घटनाओं को देख कर आया हूँ उनको विस्तार से नहीं कहूंगा, केवल संक्षेप में इतना कहूंगा कि गरीबी के कारण सुन्दरता भी अभिशाप हुई। एक रेगुलर गैंग ने उन विवाहित स्त्रियों को, उन विवाहित पत्नियों को उड़ा दिया, भगा दिया किन्तु इस देश के अन्दर ऐसा कानून है कि यदि विवाहित स्त्रियों को भगाया जाय तो वह कानून के सिकंजे में आयेंगे इसलिये एक मामले में कुछ लोग पकड़े गये और वे लोग जेल में बन्द हैं। तो मेरा कहना है कि डाइवोर्स के कानून में जो इनसैनिटी के कारण डाइवोर्स दिये जाने का प्राविजन होने वाला है उससे गरीबी में सुन्दरता अभिशाप बन जायेगी। जो गरीब घरों में सुन्दर बहने हैं वे बड़े आदमियों के यहां जो सैर सपाटे करण बाने हैं और गुलछरे उड़ाने वाले हैं उनके महलों में

[Shri Kanhaiyalal D. Vaidya.]

और घरों में बैठने वाली बना ली जायेंगी और डाक्टरों से इनसेनिटी का प्रमाण पत्र हासिल कर लिया जायेगा। अगर इस तरह से डाइवोर्स बिल की व्याख्यायें की जायेंगी या उपयोग किया जायगा। तो मैं समझता हूँ कि इस देश के अन्दर एक भयंकर स्थिति का निर्माण होगा। आप जिस देश में रहते हैं वहाँ की संस्कृति विदेशों की संस्कृति पर आधारित नहीं है, वह एक भारतीय संस्कृति है एक आध्यात्मिक संस्कृति है, वह एक पुरातन संस्कृति रही है और उस संस्कृति को निभाने वाले लोग आज भी इस देश के अन्दर हैं और पैदा होते रहते हैं। राम और कृष्ण के बाद, दयानन्द और फिर गांधी जी के रूप में महात्मा के रूप में और जवाहरलाल जी के रूप में इस देश के अन्दर उसी संस्कृति को निभाने वाले पैदा हुए हैं और उनसे इस देश ने बहुत प्रेरणा ली है और आज भी ले रहे हैं।

दूसरा आर्गुमेंट (argument) यह दिया गया कि हमारे यहाँ बर्थ कंट्रोल birth (control) की इस लिये आवश्यकता है कि आबादी ज्यादा हो गई है। राजकुमारी जी अभी रूस हो कर आई हैं और उन्होंने वहाँ देखा है कि रूस जैसे देश ने किस प्रकार स्वास्थ्य समस्या को हल किया है। मैं समझता हूँ कि अपना उत्तर देने के समय वह बताने की कृपा करेंगी कि रूस जैसा देश इस समस्या को हल करने के लिये क्या रास्ते अस्तित्व पर कर रहा है। हमें इस बात का भय करने की आवश्यकता नहीं है कि हमारे देश देश में अन्न की कमी है अतः उस कमी के कारण हमें बर्थ कंट्रोल की आवश्यकता है और बिना इसके जनता भूखों मर जायगी। मुझे विश्वास है कि जब तक जवाहरलाल जी की सरकार है, जब तक

राष्ट्रीय सरकार है, तब तक कोई ऐसी शक्ति नहीं है जो इस देश की जनता को भूखों मार सकें। इस देश की जनता कभी भूखों नहीं मर सकती। वह दिन गये, वह लोग गये, वह मिनिस्ट्रियाँ गई जो कि असफल हुईं और जिनके कारण देश में ऐसी स्थिति का निर्माण हुआ, इस तरह की देश में घटना हुई। आज हमारे खाद्य मंत्री ने एक विशेष प्रकार की स्थिति का निर्माण कर दिया है जो कि बहुत संतोषप्रद है। उन्होंने कभी नहीं कहा कि इस देश में आबादी को रोकने के लिये बर्थ कंट्रोल किया जाय। हमारे श्री पंजाब राव देशमुख कृषि मंत्री हैं, उन्होंने भी कभी नहीं बर्थ कंट्रोल का समर्थन किया। मैं अभी फेमिन एरिया में उनके साथ दौरे में गया था और उन्होंने वहाँ कहा था कि मैं अन्न की कमी के नाम पर बर्थ कंट्रोल के विचारों का विरोधी हूँ। मैं दावे के साथ कह सकता हूँ कि इस देश के अन्दर आज जितनी आबादी है उससे यदि १० या २० करोड़ आबादी और बढ़ जाय तो भी इस देश के अन्दर खाद्य समस्या को हम खेती के द्वारा हल कर के लोगों को अन्न देंगे और इस बात की कोशिश करेंगे कि इस देश का कोई भी आदमी भूखा न रहे। यहाँ बार बार यह हौवा सामने खड़ा किया जाता है कि इस देश की आबादी बढ़ी हुई है और यह हौवा ऐसा हो गया है कि लोग समझने लगे हैं कि बिना बर्थ कंट्रोल के हम जी नहीं सकते, बर्थ कंट्रोल के सिवाय और कोई दूसरा रास्ता हो नहीं सकता। मैं श्रीमती मुंशी से कहना चाहता हूँ, जिन्होंने कि महात्मा जी के जीवन से बहुत कुछ प्रेरणा ली है, कि महात्मा जी ने अपने जीवन में बर्थ कंट्रोल के सम्बन्ध में एक बड़ा आदर्श सिद्धांत हमारे सामने रखा और यदि हम इस देश की जनता को इस

आदर्श रास्ते पर ले जायें तो मैं नहीं समझता हूँ कि इस प्रस्ताव को लाने की आवश्यकता होगी। कोई समय आ सकता है कि जब इस तरह के प्रस्ताव पर विचार करना आवश्यक हो जाय लेकिन आज की परिस्थिति के अन्दर, आज जो जनता के सामने समस्याएँ हैं, जो सरकार के सामने समस्याएँ हैं जिससे कि सरकार भी चिंतित है और जनता भी चिंतित है, उस सब को देखते हुए मैं समझता हूँ कि आज का समय दूसरे प्रकार के प्रस्तावों पर चर्चा करने का है, अर्थात् लोगों की बेकारी किस प्रकार दूर की जाय, लोगों को ठीक तरह से रोजी किस प्रकार दी जाय और लोगों को आमदनी किस प्रकार से बढ़ाई जाय। आज जो करोड़ों आदिमी नर्क तुल्य घरों में रहते हैं और जो कि देहातों में पड़े हैं जहाँ कि हम कोई सुविधा पहुँचा ही नहीं पाते हैं उन सब को रहने लायक घर देने तथा स्वास्थ्य आदि के माधनों को पहुँचाने की जरूरत है।

अन्यथा मैं तो यह समझूंगा कि इस प्रकार का प्रस्ताव पास करके देश के अन्दर इस प्रकार की स्थिति का निर्माण करेंगे जिसका सरकार पूर्ण रूप से सामना कर नहीं सकती है। इस समय देश के अन्दर अपनी ही बहुत सी समस्याएँ हैं। अगर इस तरह का प्रस्ताव पास कर दिया गया तो सरकार के पास जो सीमित साधन हैं वह उममें और भी फँस जायगी और इस समय देश में जो बहुत ही आवश्यक काम करने हैं वह न हो पायेंगे। आज हमारे देश में जो तपेदिक के अस्पताल हैं वहाँ पर तपेदिक के बीमार पूरी तरह से फायदा नहीं उठा सकते हैं। इसका कारण यह है कि हमारे देश में इतने सीमित साधन सरकार के पास हैं कि वह ज्यादा साधन जनता को नहीं उपलब्ध करा सकती है।

मैं इस प्रस्ताव का सर्वथा विरोध करता हूँ और श्रीमती आलवा, श्रीमती मोना हेन्समन तथा और दूसरे सदस्यों ने इस प्रस्ताव के विरोध में जो अपने अपने विचार प्रकट किये हैं, उनका समर्थन करता हूँ। मैं आशा करता हूँ कि श्रीमती मुन्शी बुद्धिमत्तापूर्वक इस प्रस्ताव को वापस ले लेगी और विवेक में आकर इसको आगे न बढ़ायेगी।

[For English translation, see Appendix V, Annexure No. 20.]

DR W. S. BARLINGAY (Madhya Pradesh):

डा० वा० शि० बारलिंगे (मध्य प्रदेश): अध्यक्ष महोदय, मैं इस प्रस्ताव का विरोध करने के लिए खड़ा हुआ हूँ, इसलिए नहीं कि जिस उद्देश्य से श्रीमती मुन्शी ने यह प्रस्ताव रखा है उस उद्देश्य में सहमत नहीं हूँ। मैं यह मानता हूँ कि श्रीमती मुन्शी का जो उद्देश्य प्रस्ताव लाने में है वह सराहनीय है और समर्थन किये जाने योग्य है। लेकिन जो सवाल पैदा होता है वह यह है कि क्या इस प्रस्ताव से हमारे देश का कल्याण होगा। मुझे तो ऐसा लगता है कि मौजूदा हालतों में इससे कोई फायदा होने वाला नहीं है।

पहली बात जो मैं आपके सामने रखना चाहता हूँ वह यह है कि अगर आप उसके ड्राफ्ट (Draft) को ठीक तरह से देखें तो जिस तरह से प्रस्ताव को ड्राफ्ट किया गया है उसे तो हम किसी हालत में मंजूर नहीं कर सकते हैं। अगर इस प्रस्ताव में "इंक्यूरेबिल" (incurable) के बाद "and heritable" जैसे शब्द होत तो शायद यह प्रस्ताव कुछ लोग कम से कम मंजूर कर सकते हैं। लेकिन इस प्रस्ताव में "incurable and heritable"

[Dr. W. S. Barlingay.]

जैसे शब्द तो है नहीं। अब जो इनक्योरेबिल शब्द है उसके बारे में दो बातें हम कर सकते हैं। आज जो रोग इनक्योरेबिल है क्या वे कल क्योरेबिल नहीं हो सकते हैं? शायद कुछ दवाइयाँ निकल आये जिनकी वजह से जो बीमारी इनक्योरेबिल मालूम होती है वह इनक्योरेबिल न रहे।

दूसरी बात यह है कि अगर कुछ रोग इनक्योरेबिल है लेकिन हैरेडिटरी (hereditary) नहीं है तो ऐसे रोगियों पर अगर आप बच्चा पैदा करने के लिये प्रतिबन्ध लगायेंगे तो जो उनमें काबिल है और बहुत योग्य बच्चे उत्पन्न कर सकते हैं उन पर भी यह प्रतिबन्ध लग जायगा। इस चीज से मैं सहमत नहीं हूँ। इसके बारे में मैं एक उदाहरण आपके सामने रखना चाहता हूँ। आप कुष्ठ रोग का उदाहरण लीजिये। इस बीमारी के बारे में मुझे कुछ तजुर्बा है और उसके बारे में मेरे जो अपने आबजर्वेशन (observations) हैं, मैं उनको आपके सामने रख देना चाहता हूँ। कुष्ठ रोग के बारे में सामान्यतः यह माना गया है कि यह 'इनक्योरेबिल' है, ठीक नहीं हो सकता है। यही बात सब जगह सामान्यतः मानी जाती है। लेकिन आप जानते हैं कि कुछ दवाइयाँ ऐसी बन गई हैं जिनसे कि यह कुष्ठ रोग भी अच्छा हो सकता है। "सलफून" और दूसरे ऐसे "ट्रीटमेंट" (Treatment) हैं जिससे कि यह कुष्ठ रोग और लेपरोसी की बीमारी ठीक हो सकती है।

दूसरी बात यह है कि अब तक ऐसा माना जाना रहा है कि कुष्ठ रोग "हेरिडिटरी" है लेकिन वह "हेरिडिटरी" नहीं है बल्कि "कन्टेजियस" (contagious) डिजीज है। अगर पति

और पत्नी दोनों कुष्ठ रोग से पीड़ित हों तो सामान्यतः यह माना जाता है कि उनके जो बच्चे होंगे वह भी कुष्ठ रोग से ग्रसित होंगे मगर ऐसा कोई नियम नहीं है। उनके बच्चे केवल उसी हालत में कुष्ठ रोगी बन सकते हैं जबकि वे अपने मां बाप के साथ रहे। लेकिन आप इसका यह मतलब निकालें कि माता पिता को स्टेरिलाइज कर दे ताकि उनकी सन्तान न हो और इससे कुष्ठ रोग न फैलने पाये, तो यह कोई उचित उपाय नहीं है। इसका उपाय तो सचमुच यह है कि जैसे ही उनके बच्चे हों उन बच्चों को उनसे दूर रख दिया जाय। इस तरह का प्रबन्ध आजकल गवर्नमेंट इंस्टीट्यूटो (Institutes) में किया जा रहा है और यही इसका उचित उपाय है।

इस चीज का जो एक दूसरा पहलू है वह भी मैं आपके सामने रख देना चाहता हूँ। मान लीजिये कि आपने यह प्रस्ताव पास कर दिया और इसके लिए कुछ कानून भी बना दिये तो इसका क्या नतीजा होगा। इस कानून का कितने लोगों के ऊपर असर होगा, कितने लोगों को फायदा होगा और कितने लोगों को नुकसान होगा, यह बात आपको सोचनी चाहिये। जब जब हम इस सभा में कोई प्रस्ताव रखते हैं तो सामान्यतः हमारे सामने शहर के लोग ही रहते हैं, देहात के लोगों की तरफ हम ध्यान नहीं करते हैं। अगर देहात वालों को ध्यान में रखते हुए हम इस प्रस्ताव को मंजूर करते हैं तो यह सोचने का विषय है कि वह कौन से लोग हैं जिनको इस प्रस्ताव के द्वारा फायदा पहुंचेगा। जिन लोगों के कुष्ठ रोग का इलाज किसी इंस्टीट्यूशन में हो रहा हो उनका ही तो आप उस स्टेज (stage) में स्टेरिलाइजेशन (sterilisation) करेंगे। क्यों आप

जानते हैं कि कुष्ठ रोग 'जब होता है तो उसकी भी स्टेज होती है। इसमें पहिली स्टेज 'लेप्रोमैटिक (lepromatic) स्टेज' होती है, जिसमें सामान्यतः आदमी को जो व्याधि होती है वह व्याधि दूसरे लोगों में फैलाई जा सकती है। जिस समय लेप्रोमैटिक स्टेज होती है उस समय बीमारी फलने का काफी भय रहता है। यही कारण है कि बहुधा देहातों में कुष्ठ रोग ज्यादा फला हुआ होता है। मगर यह देखा गया है कि इस तरह के लोग जो कि इस बीमारी से ग्रस्त हो जाते हैं वे उस स्टेज में किसी इन्स्टीट्यूशन में आने को तयार नहीं होते। मेरा खुद का बरार और मध्य प्रदेश का तजुर्बा है कि जब कभी किसी को यह मालूम हो जाता है कि यह आदमी कुष्ठ रोग से पीड़ित है तो उसको बिल्कुल गांव से बाहर कर देते हैं। इस तरह से लोगों के दिल में एक तरह का भय हो जाता है और इसलिए वे किसी भी इन्स्टीट्यूशन में जाने से डरते हैं और उनमें अपना रोग छिपाने की प्रवृत्ति बढ़ती है। इस प्रस्ताव का सचमुच यह उद्देश्य होना चाहिये कि देहातों में जो इस तरह के लेपरासी और कुष्ठ रोग से पीड़ित लोग हैं वे बच्चे पैदा न कर सकें। मगर उसका असर देहाती कुष्ठ-रोगियों के ऊपर कुछ भी नहीं होगा। केवल उन्हीं लोगों पर इसका असर हो सकता है जो कि किसी अस्पताल या इन्स्टीट्यूट में अपना इलाज कराने के लिये आ हों। मगर ऐसे लोगों का परसेन्टेज बहुत ही कम होगा। मैं समझता हूं आधा परसेन्ट से भी कम लोगों पर प्रस्ताव का असर होगा। दूसरी एक बात और मैं आपके सामने रखना चाहता हूं और वह कुष्ठरोग के बारे में ही है। कुछ रोगियों के बारे में एक बड़ी भारी गलतफहमी है। सामान्यतः ऐसे जो लोग होते हैं जिनकी

उंगलियां और हल जाती हैं वे कुष्ठ रोग नहीं फैलाते। बल्कि रोग फैलाने वाले वे लोग होते हैं जिनका कुष्ठ रोग इनिशियल स्टेजेस (initial stages) में होता है, लेप्रोमैटिक स्टेज में होता है। गलत-तांग लोगों का जो प्रश्न है वह स्टेरिलाइजेशन का प्रश्न नहीं है, वह सामाजिक प्रश्न है। इस दृष्टि से आप देखें तो मैं समझता हूं कि कुष्ठ रोगी के समान जो रोगी हैं उन रोगियों के बारे में इस प्रस्ताव से कोई विशेष फायदा नहीं होने वाला है। वैसे ही इन्सेनिटी (insanity) का प्रश्न लीजिये। इन्सेनिटी के यानी पागलपन के बहुत वर्ग या किस्म होते हैं। कोई एक आदमी इन्सेन (insane) हो गया इसलिये यह बात नहीं है कि उसके जो बच्चे हो जायगे वे भी इन्सेन होंगे। ऐसा कोई नियम नहीं है। आप जानते हैं कि आज-कल बहुत से लोग जो इन्सेन (पागल) हो जाते हैं उसका कारण यह नहीं है कि उन्होंने अपनी वह व्याधि अपने पिता और माता से ली है बल्कि इसलिये है कि आज का जो सोशल स्ट्रेस और स्ट्रेन (stress & strain) है वह उनको सहन नहीं होता। समाज का अधिकांश भाग आजकल ऐसा बना हुआ है कि मैं तो यह कहूंगा कि उसमें दुख की सीमा ही नहीं है और इसीलिये लोग पागल हो जाते हैं। सोशल स्ट्रेस के स्ट्रेन और टेन्शन (tension) की वजह से लोग पागल हो जाते हैं। अगर ऐसे लोगों को आप स्टेरिलाइज कर दें तो नतीजा क्या होगा? मैं तो आपको यहां तक कह दू कि वही आदमी पागल होता है जो ज्यादा में ज्यादा बुद्धिमान और सेन्सिटिव (sensitive) होता है। वह कभी कभी ओवर सेक्सड (over sexed) भी होता है और ज्यादा इन्टेलिजेंट भी सामान्यतः होता है। ऐसा कोई नियम

[Dr. W. S. Barlingay.]

नहीं है कि उसके जो बच्चे होंगे वे भी पागल होंगे। शायद उनके सोशल स्टेटस और सरकमस्टेंसेस (social status and circumstances) दूसरे रहेंगे। इसलिये मैं बहुत अदब से इस रिजोल्यूशन का विरोध करता हूँ।

[For English translation, see Appendix V, Annexure No. 21.]

SHRI KISHEN CHAND (Hyderabad): Mr. Deputy Chairman, this resolution consists of two parts; the first part is—"with a view to secure the development of a healthy and strong nation and also to check the growth of the family where desired". With this part of the Resolution, I am in full agreement but I am sorry to say that this resolution is a piece of bad logic. The object and aim is very good; nobody can possibly disagree with it, but the cause that has been enunciated is wrong. It is not correct to say that this nation can be made healthy and strong by sterilisation of such adults as are suffering from incurable diseases. We want to gain that object but it arises from various and many reasons and to single out a minor cause of it and to make it the principal cause is wrong from the social point of view. I do not agree with certain Members who have tried to enunciate that there is no over-population in this country. We are certainly over-populated. We cannot compare with Russia and America where they have at least six acres of land per head of the population. In our country, we have got only 11 lakhs of square miles out of which there are forests, hilly tracts, deserts etc., and if you eliminate all this, we are left with about eight lakhs of square miles for a population of 365 million. That means that the density of population is round about 450 people per square mile. As compared to that, the density of population in Russia is barely 50 persons per square mile, in that portion of Russia which is habitable and cultivable. I have not taken into account the portion of Siberia. Similar-

ly, in the case of America, the density of population is 150 persons per square mile. In China also the density of population is not more than 150 persons per square mile. These

12 Noon are the only four countries which have a population of over 150 million; but, out of these four countries, our country is the only one which has a density of population averaging nearly 400 persons per square mile. With all the technological advances, with all our intensive farming, with our manuring and better seeds, we cannot raise our standard of living if our population goes on increasing at the present rate which is really round about 12 per cent. per ten years. Therefore, steps have to be taken for family planning. We may or may not agree with the steps that should be taken for family planning by contraceptive or by other methods, but to connect it up with sterilisation of people who are suffering from incurable diseases is scientifically incorrect. There is no relation between the two. The total number of persons who are going to be affected by this legislation, if it ever becomes law, is going to be hardly about 5,000 or ten thousand and, out of that ten thousand persons probably 500 or a thousand children will be born. Are we going to solve the problem of over-population or are we going to build up a strong and healthy nation by this type of resolution? I am afraid, Sir, that putting up laudable objectives is a way of trying to mislead the House into assuming that these objectives can be gained by these methods.

Then, Sir, it has been pointed out that we want a super race. Examples have been quoted where such legislation exists in foreign countries. I do hope, Sir, that we do not take the example of Germany which tried to create a super race, with what consequences is well known to everybody. They converted human beings into human guinea-pigs. They tried all sorts of experiments in their desire for the Super Nordic race. I do hope, Sir, we will not inflict the same

sort of injury on our countrymen with the idea of producing a super race. An hon. Member has rightly pointed out that it may at some stage lead to 'human stud bulls' and various other things of that type. I should like to know from the hon. mover of the resolution if it is a known fact that these incurable diseases are hereditary and that they are passed on from generation to generation. The human being has a unique capacity of intelligence and there is no relationship between human intelligence and human strength. The Father of the Nation, Mahatma Gandhi, would not have passed any physical test, the test of a physically strong man, and yet his intelligence and his intellectual power were beyond comprehension. Do we want to produce only strong people 6 feet in height and weighing about 200 lbs. with little intellectual powers? Even in this House I am sure many hon. Members will not pass that test. They are here on account of their intellectual value and intellectual superiority. Does the hon. Member proposing this resolution think that we are going to attain intellectual superiority by sterilisation of these poor people? The real reason is the utter poverty of this country and instead of tackling that bigger problem we are diverting our attention to these minor things. The real problem is how we can remove the poverty of 80 per cent. of the people of this country and how we can carry the fruits of medical relief and full nourishment to them and improve their sanitary conditions and environments.

But we do not pay any attention to that. We are just enamoured of catchwords in the resolutions and of puerile cures suggested therein. I would like the resolution to read like this. "This Council is of opinion that with a view to secure the development of a healthy and strong nation and also to check the growth of the population where desired, Government should take early steps to remove poverty from this country." That should be the resolution. If you bring a resolution of that type

I think the entire House will support it. Do not single out those persons suffering from incurable diseases or hereditary diseases, specially when these diseases have not been defined in detail. I was rather surprised an hon. doctor Member of this House asserted that this was a very good resolution.

Medical science only says that so far they have no specific for any particular disease and by 'specific' they mean that a particular medicine if administered to 100 persons will cure say 70 persons. That is the definition of an incurable disease. Actually there is no incurable disease. Because we do not possess a specific medicine it does not make any disease an incurable disease. Therefore if any steps are taken on such a resolution we should very carefully define the incurable diseases, stressing those diseases which affect the mental capabilities. We should be careful that we do not lay as great stress on physical disabilities of the person as on his mental disabilities and therefore, Sir, I oppose this resolution.

SHRI BASAPPA SHETTY (Mysore): Mr. Deputy Chairman, Sir, first of all I should like to congratulate Mrs. Munshi who has so ably tabled this resolution in the interest of the nation and placed the same before this House for the consideration of the hon. Members.

Sir, while according my full support to the resolution I should like to say a few words on this vital and important question.

This is an all-India problem engaging the attention of all the foremost leaders of the country and it is not a small matter to be laughed at or treated lightly. Several projects and schemes are under consideration of the Government and some works are already under progress to meet the several demands of the increasing population of the country. The bad effects or the result of the increasing population are scarcity of food, un-

[Shri Basappa Shetty.]
employment, low standard of life, illiteracy, disease and low vitality. How to control and check these evils prevailing in the society is the burning problem of the day. If we compare the population figures.....

SHRI M. S. RANAWAT (Rajasthan): Are you reading a paper?

MR. DEPUTY CHAIRMAN: He is speaking by reference to his notes most probably.

SHRI BASAPPA SHETTY: If we compare the population figure of today with that ten years back, it has become double and it has been going on increasing year to year. Today more than ever our people require sound advice and practical guidance on this very important matter of controlling the growth of population. It is the inescapable duty of every parent to give their children good and nourishing food, sufficient clothing and sound education. For a healthy couple it is necessary to have some children and in my opinion, three or four is an ideal set to enhance the joys of home life. I know, Sir, there are some parents who have more than a dozen children and to add to their misery sometimes twins are born. Under the circumstances can we expect the parents to maintain their children properly and to keep up the required standard of life? Deterioration in the mother's health may be the consequence of too many child births. It may prove even fatal in the case of weak and anaemic mothers. Mothers are builders of nations. Also the economic aspect cannot be overlooked. In these times of high costs and ever increasing prices a battalion of children is nothing short of a curse.

The economic condition of the country has so changed that nobody wants to have many children. So methods of birth control, both internal and external, have been generally felt a necessity of the day; planned parenthood is very important and

necessary; to have a check on increasing population is our moral duty. Sexology is a specialized subject and very few are well informed in it.

Sir, it is a sorry state of affairs that in our hospitals and dispensaries no instructions and advice are given to those who are willing to seek advice and instructions in regard to birth control methods and the doctors themselves are not willing or sometimes hesitant to advise them in this regard. I doubt very much, Sir, if they themselves have the knowledge of birth control and experience. This knowledge should be imparted to the women by women doctors. Common people also should be benefited by the birth control clinics. There are some appliances and medicines within the reach of poor and common people and imparting of knowledge and propaganda are very much needed at present. This can be done by local doctors firstly by giving proper education in sex and secondly by asking him to use reliable and effective instruments and appliances. Ignorance in the matter of sex may prove disastrous to the country. So a number of birth control clinics all over India should be started and necessary advice given to such people as are desirous of receiving instructions.

Sir, sterilisation has failed in some cases. Perfection is yet to be achieved in this direction. So I suggest that adequate provision should be made in the Budget to carry out further research in this direction. I am sure, Sir, the Government of India would seriously undertake to attack the national problem connected with over-population and see that our country prospers by imparting knowledge of family planning to every son and daughter of the soil.

With these few words I resume my seat.

SHRI O. SOBHANI (Hyderabad): Mr. Deputy Chairman, Sir, while

congratulating the mover for bringing forward this Resolution before the House, I would support the amendment of my hon. friend Mr. Govinda Reddy (Amendment No. 4) and that of Mr. Rajagopal Naidu (Amendment No. 7).

I support Mr. Govinda Reddy's amendment because I feel that in the original Resolution the words "also to check the growth of the family where desired" is a contradiction, because the Resolution demands that early steps should be taken to enforce sterilisation. The words 'where desired' indicate voluntary sterilisation. Therefore I would appeal to the hon. the mover to accept this amendment. I would also appeal to her to accept Mr. Rajagopal Naidu's amendment to ensure that this sterilisation does not make such adults decrepit. It would remove any kind of apprehension, on the part of the people who are to be sterilised, that it is going to affect their health in any way.

Some friends have referred to religion. My own religion allows matrimony for purposes of procreation, but nowhere have I come across any injunction that a person should procreate unhealthy or diseased children. Therefore there is nothing in the argument that this interferes with the religious beliefs of any community whatsoever. Our learned friend who is not here, explained the viewpoint of the Hindu religion on the subject. Another hon. friend who is also not here talked about not adopting the methods or practices which were prevalent in the United States, because their income level was very high. Personally I feel that the argument that we are such a poor country makes it all the more necessary that we should exercise control over, at any rate, the birth of unhealthy and imbecile children.

DR. P. C. MITRA: In the United States, Sir, there are test-tube children.

MR. DEPUTY CHAIRMAN: Order, Order.

SHRI O. SOBHANI: As far as Mrs. Violet Alva is concerned, she talked about infanticide and *sati* as measures for the control of population. When both those methods are now forbidden by law, there is no reason why we should not adopt humane methods which would, at any rate, prevent people from breeding unhealthy and insane children. As to what exactly are infectious diseases, whether hereditary diseases are infectious or not, these are details, and I would appeal to the hon. Minister in charge of Health—whether this resolution is passed or not, personally I am rather afraid, having regard to the speeches that have been delivered on the floor of the House, this resolution is not likely to be adopted, but whatever be the fate of the resolution, I would certainly appeal to the hon. Minister in charge of Health—to convene a conference of medical men and to seek their advice as to the exact form in which legislation has to be introduced.

I am afraid I cannot agree with my hon. friend Mr. Sundarayya's amendment because there also there is a certain amount of contradiction. He wants that the word 'voluntary' should be added after the word 'enforced'. Well, you cannot have a voluntary enforcement.

We had full four hours discussion on this subject and I do not want to waste the time of the House. I resume my seat hoping that the mover will accept the amendment and I would appeal to the House to vote in favour of the resolution subject to these amendments.

KHWAJA INAIT ULLAH (Bihar):

خواجہ عذایت اللہ بہار : جناب

ڈپٹی چیئرمین صاحب - میں اس ریپوزیشن کو آنریبل ریڈی صاحب کے امپلیمینٹ کے ساتھ سپورٹ کرنے کے لئے کھڑا ہوا ہوں - مجھے تعجب ہے کہ ہمارے آنریبل ممبران نے اس (principle) ریپوزیشن کے پرنسپل

[Khwaja Inait Ullah.]

کو چھوڑ کر اس طرح کی بحث شروع کر دی ہے جس طرح کہ شاید وہ کسی بل پر بحث کر رہے ہوں۔ میں نے سنا ہے کہ چائے بھی اس ریزولیشن کے ورودہ کرنے والے بھڑے ہوئے ہیں ان سب نے یہ مان لیا ہے کہ اس ریزولیشن کے پرنسپل تو تھیک ہیں لیکن ابھی شاید ملک میں اس کی ضرورت نہیں ہے۔ کسی نے تو یہ کہا ہے کہ اس ریزولیشن کے بجائے کیوں نہ پہلے ملک کی غریبی کو دور کیا جائے؟ کہوں نہ ملک میں اسپتال زیادہ کھولا جائیں، کہوں نہ ایسی بیماریاں دور کر دی جائیں جن کی وجہ سے یہ ریزولیشن لایا جا رہا ہے۔ تو مجھے تعجب ہوتا ہے کہ یہ ریزولیشن ایک الگ چیز ہے اور ملک کی غریبی کو دور کرنا اور بیماریوں کو دور کرنا یہ الگ بات ہے۔ یہ تو بالکل تھیک ایسی ہی بات ہو سکتی ہے۔ جذبات والا اگر میں یہ کہوں کہ گھر میں جھاڑو دینے کی کیا ضرورت ہے۔ ابھی تو ہمارے پاس دری بھی نہیں ہے ابھی ہمارے پاس اچھا فرنیچر بھی نہیں۔ یہ تھیک ہے کہ ہمارے پاس اچھا فرنیچر ہونا ضروری ہے اور دری بھی ہو جائے تو اچھا ہے لیکن اسکے معنی یہ نہیں کہ ہم ان کے بغیر جھاڑو ہی نہ دیں یا یہ سمجھا جائے کہ ایک بچہ بہتہ گندا ہے اس کا منہ بھی پانی سے

کیوں دھو دیں اس کے تو اچھے کپڑے ہی نہیں ہیں۔ اسلئے ایسا ریزولیشن جسکا پرنسپل یہ ہے کہ ہندوستان کی جگہ میں ایسے بچے نہیں پیدا ہونے چاہئیں جن سے ہندوستان کو کوئی فائدہ تو پہنچتا نہیں بلکہ ان سے الٹا نقصان ہی ہوتا ہے میں سمجھتا ہوں کہ بالکل صحیح ہے۔ بعض لوگوں نے ایک بات پر بہت زور دیا اور یہ ثابت کرنے کی کوشش کی ہے کہ فلاں بیماری انکیور ایبل (incurable) ناقابل علاج نہیں ہے۔ لپروسی (leprosy) انکیور ایبل نہیں ہے۔ تی بی (T. B.) انکیور ایبل نہیں ہے وغیرہ وغیرہ اور یہ سب کیور (cure) ہو سکتی ہیں۔ اگر وہ اس ریزولیشن کو ذرا غور سے پڑھتے تو ان کو معلوم ہو جاتا کہ اگر ایسی بیماریاں انکیور ایبل (incurable) نہیں ہیں تو اس ریزولیشن کے ماتحت وہ آتی ہی نہیں ہیں۔ یہاں تو صاف لکھا ہے "incurable diseases or insanity" اگر کوئی ایسی بیماری ہے جسکو عام لوگ کہتے ہیں کہ ناقابل علاج ہے اور اگر ہم یہ سمجھتے ہیں کہ انکیور ایبل ناقابل علاج نہیں ہے اور اس کو دور کرنے کے لئے ہمارے پاس سامان بھی ہے سادھن بھی ہیں اور روپیہ پیسہ بھی ہے اور اس ناقابل علاج مرض کا ہم علاج کر سکتے ہیں تو یہ

ایک الگ بحث ہے - اس بات پر بحث کرنا کہ کون بیماری قابل علاج ہے اور کون ناقابل علاج ہے اس وقت ٹھیک نہیں ہے - یہ تو شاید جب ہماری گورنمنٹ اسکے لئے الگ سے کوئی بل لائے تو اسوقت ہم اس پر بحث کر سکتے ہیں اور طے کر سکتے ہیں کہ اس بیماری کو ان ان بیماریوں میں شامل نہ کیا جائے جن کا علاج ہو سکتا ہے - جیسے کوڑھ کا علاج ہو سکتا ہے - تپدق کا مریض تندرست ہو سکتا ہے وغیرہ وغیرہ - فلاں جگہ ایسا ہوا کہ فلاں آدمی اس بیماری کا مریض تھا اور اچھا ہو گیا اسی طرح سے اور بھی مثالیں دی جا سکتی ہیں - ہمارے ایک دوست نے کہا کہ اگر مرد اور عورت دونوں کوڑھی ہیں اور اگر ان کے بچے ہو جائے اور بچے کو الگ رکھا جائے تو بچے کو کوڑھ نہیں ہوگا - میں ایسا ضروری نہیں سمجھتا ہوں - مگر میں ماننا بھی ہوں کہ ان کی میڈیکل (medical) تحقیقات یہاں صحیح ہو - مگر سوال تو یہ ہے کہ ایک ملین (million) سے زیادہ ہمارے ملک میں کوڑھی ہیں - اگر ایک ملین کوڑھیوں کو ہم اجازت دے دیں کہ وہ بچے پیدا کرتے جائیں تو ان بچوں کو رکھنے کے لئے اور ان کی پرورش کرنے کے لئے ان کے پائلن یوشن کے لئے ہم کو کوئی خاص

انسٹی ٹیوشن (institution) یا کوئی خاص گھر یا ایسے آدمی اور ایسے سوشل ورکروں (social workers) کی ضرورت پڑے گی جو ان کی دیکھ بھال کر سکے - اس لئے جب تک ہم یہ کام نہیں کرتے ہیں کہ ہم ان لاکھوں کوڑھیوں کے بچوں کی جنکی دن بدن ہمارے ملک میں بیشمار تعداد بڑھ رہی ہے اسکو روک سکیں تو یہ کوئی جرم کی بات نہیں ہے - میں جانتا ہوں کہ ہر آدمی کو یہ خواہش ہوتی ہے کہ ہمارے گھر میں اولاد پیدا ہو لیکن ایسے غریب کوڑھی اور ایسے لوگ جو اس لائق نہیں ہیں کہ اپنی بیماری کی وجہ سے چاہے وہ تھی بھی (T. B.) کے بھار ہوں یا اور کسی ایسے مرض کے مریض ہوں جو اپنے بچوں کو پال نہیں سکتے ہیں اور نہ ہی ان کو مرض سے چھٹکارا پانے کی امید ہو ان کے لئے کیا انتظام کیا جا سکتا ہے - میں تو یہ کہتا ہوں کہ گورنمنٹ کا ان لوگوں پر یہ احسان ہوگا کہ ان کا کم از کم اتنا علاج کر دیا جائے کہ ان کے بچے پیدا نہ ہوں - جو لوگ اس ریزولیشن کی مخالفت کر رہے ہیں شاید ان کے دماغ میں ابھی تک سرمایہ داری نظام ہے اور وہ سمجھتے ہیں کہ اگر امیر آدمی اپنے بچوں کو پالنے کے لئے کام نہیں بھی کر سکتا ہے تو بھی اس کا بچہ پل سکتا ہے اس کو پرواہ نہیں ہو سکتی کیونکہ اس

[Khawaja Inait Ullah.]

کی ذمہ داری ہے اسکی جائیداد ہے
اسکی آمدنی کے ذریعے ہوں۔

DR. R. B. GOUR (Hyderabad):
Excuse me Sir, the hon. Member
seems not to have understood the
problem.

डा० आर० बी० गौड़ (हैदराबाद):
कोड़ बच्चों को ही नहीं आपको भी
हो सकता है। अगर आप कोंड़ियों के
साथ रहें।

KHWAJA INAIT ULLAH:

خواجہ عنایت اللہ : میں اپنے آپ
کو کوزھی سے الگ رکھ سکتا ہوں
لیکن دودھ پینے والا بچہ اگرچہ باپ
سے الگ رہ سکتا ہے لیکن دودھ
پلانے والی ماں سے الگ نہیں رہ
سکتا۔ اور جب تک کہ دودھ
پلانے والی ماں کو کوزھ نہ ہو بچے
کو کوزھ نہیں ہو سکتی۔ اور اگر ماں
کو کوزھ ہے اور ہم اسکی بچے کے لئے
دوسرا کوئی دودھ پلانے کا انتظام
نہیں کر سکتے تو ایسی حالت میں
اسے کوزھ ہو کر ہی رہیگا۔

سوال یہ ہے کہ غریب کوزھیوں کے
بچوں کے لئے یہ سخت مشکل ہے کہ
وہ اپنی غریب کوزھی ماں سے یا
غریب کوزھی باپ سے الگ رہ سکیں
اگر آپ گڑوں اور دیہاتوں میں گھوم کر
دیکھیں تو آپ کو معلوم ہوگا کہ جو
لوگ کوزھی غریب ہوتے ہیں نہ ان
کے پاس کھانے کو ہوتا ہے نہ پہنے کا
کھڑ ہوتا ہے بھیک مانگتے پھرتے ہیں
تو ان نے ساتھ بچے بھی گھومتے پھرتے

ہیں۔ مگر آپ کے پاس کوئی
انسٹی ٹیوشن نہیں ہے کوئی بنگلہ
نہیں ہے کہ جہاں ان بچوں کو
کوزھی ماں سے الگ رکھا جائے اور
ان کی پرورش کی جائے۔

DR. P. C. MITRA:

डा० पी० सी० मित्रा : बच्चा होने-
के बाद उसका स्टेरिलाइजेशन किया
जायगा ?

KHWAJA INAIT ULLAH:

خواجہ عنایت اللہ : میرا مطلب
یہ نہیں تھا۔ میں سمجھتا ہوں کہ
جو بچے ہو گئے ہیں انہیں تو دھلمے
دیا جائے آئندہ کوشش کی جائے کہ
ایسے بچے نہ پیدا ہوں جو ایسی
بیماریاں دیں جن میں پھیلاؤں اور جن
کی وجہ سے دیس کو نقصان پہنچ
رہا ہو۔ ریوزائیشن میں لکھا ہے

“with a view to secure the
development of a healthy and
strong nation”.

اس غرض کے لئے کون ایسا ہندوستانی
ہو سکتا ہے جو اسکی مخالفت
کریگا کہ ہمارے ملک میں ہماری
قوم طاقتور اور تندرست نہ ہو۔
بہت سے مخالفت کرنے والے لوگوں
کی عادت ہی ہے کہ جب بھی
کوئی اچھا کام ہماری حکومت کرنا
چاہتی ہے تو وہ دوسرے ملک سے
اسکا مقابلہ کرتے ہوئے کہ اس ملک
کے برابر نہیں ہے مخالفت کرتے
ہیں۔ ہماری حکومت اگر کوئی
ایسا قدم اٹھاتی ہے جس سے ہماری
قوم تندرست پیدا ہو تو۔۔۔

AN HON. MEMBER:

ایک آنریبل ممبر : ان کے علاج کا بندوبست کیجئے ۔

KHWAJA INAIT ULLAH:

خواجہ عنایت اللہ - یہ تو میں نے

پہلے ہی کہا تھا کہ علاج کا بندوبست کریں اور ضرور کریں گے ۔ اس بات سے کسی کو بھی انکار نہیں ہو سکتا ہے کہ ہم غریبوں کی غریبی کو دور کرنے کا بندوبست کریں ۔ ہم ہندوستان میں سب انسانوں کو علاج کا سامان بہم پہنچائیں اس سے کسی کو انکار نہیں ہے ۔ مگر اس کام کو پورا کرنے تک ہمیں کچھ دیر لگے گی اس لئے اس درمیانی وقفہ میں اگر کوئی ملک کی بہتری کا کام ہمارے سامنے آ جائے تو یقیناً اس کام کو بھی کرنے سے ہمیں ہچکچانا نہیں چاہئے ۔ تو پھر یہ کہاں لکھا ہے کہ اس کے لئے آج ہی قانون بنا دو اور آج ہی عمل کر دو ۔ اس میں تو صاف لکھا ہے "should take early steps" اس کے معنی یہ ہیں کہ گورنمنٹ اس کے لئے جلدی قدم اٹھائے یعنی پروویڈنڈا کرے ۔ لوگوں سے رائے مانگے اور سارے ہندوستان میں اس ریزولیشن کا پرچار کرے اور اس کے بعد لوگوں کی رائے لیکر ایسا قانون بنائے ۔

"early steps" میں تو دہمورا قانون ہے نہیں آنا ہے ۔ اس لئے

یہ ریزولیشن بالکل بے ضرر ہے بلکہ اس ریزولیشن کے پاس کرنے سے میں سمجھتا ہوں کہ دنیا میں اور پورے ہندوستان میں اس ہاؤس کے ممبروں کی سوچہ بوجھ اور ان کی نقل کی تعریف کی جائے گی کہ ہمارے بڑے بڑے لوگ ، ہمارے نمایندے ، ہمارے دیس کے رہنما ہماری ہر برائی پر غور کرتے ہیں اور ہر بات کو صحیح سوچتے ہیں ۔ اس لئے میں زوردار لفظوں میں اس ریزولیشن کی تائید کرتا ہوں ۔ میں سمجھتا ہوں کہ یہ ریزولیشن اگر پاس نہیں ہوا تو ہم لوگوں کے سامنے چٹھوں نے ہم کو چن کر یہاں بھیجا ہے شرم سار ہونگے ۔ اس لئے میں چاہتا ہوں کہ آپ اونچے نظریہ سے اس بات پر غور کیجئے ۔ اگر ہماری سرکار اس ریزولیشن کو پاس کرنا چاہتی ہے تو اس کو یہ نہ سوچنا چاہئے کہ اس بارے میں باہر کی جلتا کیا کہیگی ۔ اگر وہ اس بات کا خیال کرتے ہیں تو کسی کام میں کامیابی حاصل نہیں کر سکتی ہے ۔ ہماری سرکار نے ذمہ داری ختم کرنے کا بہت بڑا کام کیا ہے ۔ ہماری سرکار ٹیکس بڑھانے جا رہی ہے ۔ ہندو کوہ بل پاس کرنے جا رہی ہے اور یہی اسی طرح کے بہت سے دیس کو اونچا کرنے والے سدھار کرنے جا رہی ہے لہذا ان سب مخالفتوں کے ہوتے ہوئے بھی ہماری کانگریس سرکار برابر آگے بڑھتی چلی

جا رہی ہے - ہماری گورنمنٹ اس طرح کے پروپیگنڈا کی کوئی پرواہ نہیں کرتی ہے جبکہ وہ یہ دیکھتی ہے کہ جو کام کرنے جا رہی ہے اس سے دیپس کی جلتا کا فائدہ ہونے والا ہے تو ہماری سرکار کو اس طرح کی باتوں سے نہیں ڈرا چاہئے۔ آپ کو جلتا کے جذبات کا خیال کرنا چاہئے اور جلتا کو اپنے ساتھ لیکر چالما چاہئے - اگر آپ ایسی کوشش نہیں کریں گے تو آپ یہاں پر ان کی لیدری نہیں کر سکتے -

میں ان الفاظ کے ساتھ اس ریزولیشن کو مسٹر ریڈی کے امینڈمنٹ کے ساتھ سپورٹ کرنا ہوں اور اس پر کرتا ہوں کہ آپ اسے پاس کریں گے -

[For English translation, see Appendix V, Annexure No. 22.]

MR. DEPUTY CHAIRMAN: The hon. Minister.

SHRI TAJAMUL HUSAIN (Bihar): Sir, I want to speak.....

MR. DEPUTY CHAIRMAN: I have called upon the hon. Minister to speak.

SHRI TAJAMUL HUSAIN: I will sit down if you say so, but I wanted to take only two minutes.

MR. DEPUTY CHAIRMAN: The debate will not be closed. You can speak later on.

THE MINISTER FOR HEALTH (RAJ-KUMARI AMRIT KAUR): Mr. Deputy Chairman, I have listened with the greatest interest to all that has been said this morning on the Resolution that has been put before the House

by my friend, and old co-worker, Mrs. Lilavati Munshi. I am sorry to find that those who have supported the Resolution have not studied this question, or gone into it with that amount of understanding regarding the conditions obtaining here today, which I had expected from them. Last session, a Bill trying to secure the same object as this Resolution is trying to secure, was moved in the House of the People. I opposed it with all the emphasis at my command because I looked upon it from the point of view of science as wholly unscientific, from the point of view of ethics as wholly unethical and from the point of view of practicability as wholly impracticable. There has been in the minds of those who have supported this Resolution a certain amount of confusion of ideas and therefore confusion of arguments. The hon. the mover started off by saying that this country was suffering from an enormous amount of over-population, and the Resolution is worded in such a way as to make the average person understand that this Resolution is going to stop the evil which she is very anxious to combat. One would be inclined to imagine from the speeches which have been made in favour of the Resolution that this country was suffering from millions of insane babies, millions of babies with congenital diseases which we are unable to cure, and that, therefore, those people who are supposed to be suffering from such diseases, if they are still alive, should be sterilised and we should thus stop this enormous production of babies who are suffering from insanity, from leprosy, from T.B., from V. D.—these are diseases which have been mentioned. I would very much like to know from where those Members have got their statistics. Furthermore, I would also like to know whether those who have talked about this subject have really studied the science of eugenics in any way. I am no less anxious than anybody in this House, living as I do in the midst of suffering, to avoid any more suffering, but I have to think of proper ways and means of eradicating this suffering,

and therefore I study medical science as far as I can. I am at a loss to understand how people can say that those who suffer from insanity or those who suffer from leprosy or those who suffer from tuberculosis or those who suffer from V D are either incapable of being cured or that they pass on the diseases that they suffer from to their progeny. That being so, and that being the evidence of medical science, how then can this Resolution hold water? There is no doctor who would say that a particular individual who is suffering from insanity is wholly incurable. There is no doctor in the world who would say to you, *except perhaps in the last stages of T B*, that the patient is not going to recover.

KHWAJA INAIT ULLAH There are no means of curing them.

RAJKUMARI AMRIT KAUR I have listened very patiently and I would have no interruptions. I am coming to the point raised by my hon friend. There is no doctor in the world today who will say to you—all experts agree in this—that leprosy is always infectious and is always transmitted to the progeny. Having said that much, I would like to ask even those who have put forward amendments and who have talked about congenital diseases, whether they know that there may even be congenital blindness. Would they like people with congenital blindness to be sterilised? As I said, these are things that require a very scientific mind to be brought to bear on them. Please remember that the growth of population will not be stopped by a Resolution of this kind or by sterilising those who are suffering from these diseases or those who are insane, because if you take the census figures, probably you will find that not more than 5 million in this country in a population of 360 millions are suffering from these diseases. What about the children born of very poor people who are unable to support them, who are unable to feed them? Are you going to sterilise the parents? In many cases, children born of persons

suffering from leprosy, for example, might be quite healthy and, if allowed to develop in surroundings where they may not get infected, might become extremely healthy members of society, whereas a child born of people who are too poor to earn their livelihood, too poor to maintain their progeny, might be a child who would be sickly throughout its life. Therefore, no superficial study of the question is really going to do any good in order to solve the problem of the growth of population, I understand from the hon the mover of the Resolution and the other Members who supported it that their main object is to try to stem the tide of the growth of population rather than to help those people and also help me and my other colleagues who are Health Ministers in the various States to stem the tide of the growth of infection. To me that is much more important. A woman suffering from T B or a man suffering from leprosy, you do not want to stop from living with her husband or his wife who may not have the disease, thus spreading the disease in the house. I ask you, 'Is this fair?' Is this the only way to stop disease? Is sterilising people the only way? I want to look at the whole thing from the scientific angle and have tried to put before you what the medical opinion throughout the world is, what expert medical opinion is.

Now, I wonder whether we can do here everything that is done in other countries, in the USA, for example, in Switzerland, in Denmark, because we have to see the conditions in our own country as they appear to us here in relation to the means that we have got to combat our problems. I would also request the Members of this hon House to remember that sterilisation has got a great psychological effect, especially if it is compulsory on the victim. What are you going to do if a leper refuses to get sterilised? Are you going to prosecute him? I say to you that I would be very sorry to be a part and parcel of a Govern-

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ment that indulges in violence of this nature. I am sorry that the name of the Father of the Nation has been mentioned today. It has been said that he held very impracticable ideas. I have to say that I stand by every ideal of his today and that, if he were alive today, he would have opposed a Resolution of this nature. I believe him to be right in the matter of checking the growth of population also. God has given to man that self-restraint which it is his duty and his right to use, if he wishes to serve his country and it is no good saying to me that you cannot do it. If you cannot do it, you are little men and little women. There is a certain sense of mutilation also in general in those who have undergone the process of sterilisation and I have discussed this with Dr. Gamble who came here last year to the Conference that was held in Bombay and also with Dr. Helena Wright and other men and women who were protagonists of the use of mechanical contraceptives and everyone of them said "Now having come to your country and seen the conditions that obtain in India, we are going back convinced that they are not practicable in India." Now take the practicability of the question. Are Members of the House who support this Resolution aware of the enormous administrative machinery that would be required to maintain any legislation of this nature? Even in the United Kingdom, the hon. Member who moved the Resolution said, the Departmental Committee on Sterilisation recommended legislation for legalising voluntary sterilisation—and she is perfectly correct when she said that. But is she aware or are Members of the House aware that sterilisation was not implemented on account of several difficulties, one of the reasons being not having sufficient qualified medical authorities? If this was the position in England, what would happen in this country you can well imagine. In the United Kingdom they have one doctor to about 300 or 400 of the population. I can only boast of one doctor to about six to seven thousand of the population and

these doctors are all living in the cities. What about the villages where our people are living. Who is going to diagnose leprosy or insanity? Who is going to diagnose even tuberculosis? It is a most dangerous proposition—this Resolution—because it is wholly impracticable. Even in countries like America where the quoted laws were passed long before medical science had progressed to the stage at which it is today, if you were to ask how many people have been sterilized in that country today, the reply would probably be that the number is next to nil.

Therefore, Mr. Deputy Chairman, I don't think that we should, today, in the state of our country—and I personally go further and say never—agree to solve any problem by what may appear to be the easiest way. Time and again I am approached to solve the problem of over-population by what our so-called educated women call, mechanical contraceptives. It sounds so simple but it is wholly impracticable and in the same way this question of sterilisation of those supposed to be suffering from these diseases is most impracticable. Who is going to diagnose that a particular type of insanity is hereditary. A number of children born to healthy parents have lost their balance of mind. I have heard the sad example of two today whose parents are occupying high positions in Government whose sons have lost the balance of their mind. Are you going to sterilise those parents for having such children born to them? No doctor is going to say that insanity is always hereditary, and what is more, the children of lunatics are very often not lunatics. We were quoted an instance of a man who had an insane son to maintain and that son had seven children and the man had therefore to look after the son as well as the seven grandchildren. But it was not said that these seven children were lunatics. I am quite sure, they are not. So this House should view questions like this with sanity and with the right appraisalment and right mental attitude that I expect from Members of

this House. How are we to deal with this section of poor humanity?

As I have said, from the point of view of practicability the expense involved to Government is beyond its means. And not only expense, we have not got the experts and I cannot give you the experts—to say whether a person is insane and whether he is curable or not. Also imagine the amount of litigation that will take place where the inheritance of property or anything like that is concerned. Imagine the abuse that might take place also. A man or woman may be quite anxious to have A, B or C sterilised in order to have personal advantage. I have every sympathy with the object of having a healthy nation brought into being but I say to you that there are other ways of doing it.

Now I am told by the House that 'You cannot treat the tuberculosis patients properly and therefore it is better to sterilise them'. I entirely agree with them. I am unable to cater to all the tuberculosis patients that there are in this country. It is a tragedy but we have to mitigate that tragedy. How can we do that? We must spend more and more on health. We must have homes for those suffering from leprosy. We must have isolation wards for those suffering from tuberculosis. I think the example of a child having been born to a tubercular patient in a Sanatorium must be viewed as a grave exception because I don't think there is a single tuberculosis sanatorium in India that I have not visited and I am not aware of children being born in tuberculosis sanatoria. I am aware of children being born to lepers. My heart has ached to see a baby in the arms of a leper woman just as the hon. mover's heart has ached; my heart has ached; though, in a different way. She would have the woman sterilised whereas I would like to take that child from her and bring it up as a healthy citizen of India. We need to have better treatment of those suffering from leprosy. I would have the hon.

Members remember that in spite of the grave limitations that we have of finance and otherwise, there has been a great deal of progress made in the matter of ministering to the sufferers from tuberculosis. Whereas we started when we first got Independence with only 5,000 beds for tuberculosis, that number has been quadrupled. There have been T.B. clinics opened in very many of our big towns that are now catering to the needs of T.B. patients. There are so many T.B. cases that are diagnosed in time and that are getting timely treatment in this country. They come voluntarily. During the last three years statistics also are being collected. We know it is a drop in the ocean, but we know little drops make the ocean. I will not despair. I think we shall be able in time to bring down the incidence of T.B. And if we have enough money we would even be able to eliminate leprosy. That would be a far better way of dealing with this question than making people impotent against their wish. I assure you, Sir, that if this House were to accept this Resolution, it would merely be treading on very dangerous ground. How many Members of this House go in for educating our people? I think if we appealed to our people, if we went to those suffering from leprosy and asked them to disclose that they have leprosy, that would be better. One hon. Member of this House rightly said that if a Resolution of this kind was passed, all that I am doing to educate the people, to ask them to come early to the hospitals so that T.B. may be diagnosed, to come early to hospital so that V. D. may be diagnosed and may be cured, to come early to hospital so that leprosy may be recognised and then cured, or arrested—all that would cease. Leprosy will be hidden, T.B. will be hidden and V.D. will be hidden till the last stage is reached and those who have been living with those patients would have been getting the infection. The risk of getting infection would be worse then than now.

I know quite well, and I understand that many Members of this

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House, especially women Members and others, are keen on legislation which would make it compulsory on people who are suffering from active T.B. not to marry until the active T.B. ceases so that there may be reasonable chances of expecting the disease not to recur. I would be perfectly willing to support even legislation that would say that all those suffering from leprosy may not marry or their wives may even live separately or the husband and wife may live separately until such time as the disease was declared to be non-infectious. I would have the same thing in regard to those suffering from V.D. But is even that practicable in our country? Our country does not consist of cities. We in Delhi do not really represent the real India. The real India is in our villages and that is the tragedy of so many of these Resolutions. When they are brought forward, they are brought forward with the idea of dealing with the problem, without any conception of what means the Government has to cater to the needs of the real India that is in the villages. After all, our people are intelligent people. They also have ideas of their own. You go to the poorest in the villages and they will certainly have ideas on the subject of this Resolution. This Resolution will have countrywide opposition. We have to think in terms of all the people. We have to educate them to our way of thinking. This is being done but much more ought to be done. And what is more, you cannot ask anybody to turn round and think as you do, unless what you think and what you propose to do, can be put into action in a practicable manner.

1 P.M.

But, what is happening in the matter of leprosy today? I know case after case of women who are suffering from leprosy and men who are suffering from leprosy, who have been turned out of their homes as out-castes. They are begging in our streets daily. You will find many of

them here. Some of them have to beg as a profession in order to feed their stomachs. The other day, when I visited a leper home, there were two women there who were completely cured, absolutely noninfective. They had been made literate but they could not go back to their husbands because their husbands refused to have them. Those are the social evils that the women Members of this House should seek to combat and not talk of sterilising the woman or making her impotent. It was fortunately possible to find employment for the two women, they are earning members of society. I wish they may never get infected again. Therefore, I say it would be almost cruel to sterilise people as this Resolution would have us do.

Mr. Deputy Chairman, with all the emphasis at my command, I say that I am perfectly willing to meet the Members of the House and find out ways and means of combating these problems but I cannot possibly give my support to a resolution which, as I said, on the basis of science is unscientific, on the basis of ethics is unethical and, on the basis of practicability, is quite impracticable.

In regard to the amendments that have been moved, well, there is no ban on anybody from undergoing voluntary sterilisation. Numbers of our people are doing it every day in the towns. When they come to me, I warn them about the consequences and, if they are willing to do it, I do not stand in their way.

Shri Sundarayya's amendment to the Resolution just makes no sense in the sense that if the hon. Members of this House will persuade any man suffering from leprosy to be sterilised, I have got nothing to say. Everywhere in all the countries mentioned, there is only a permissive legislation, so far as I know.

As for the amendment which says that the adults should not be made decrepit, I do not know what meaning the mover of this amendment

attaches to the word decrepit, whether he means man becoming impotent or physical unbalance or mental unbalance, I do not think the amendments really make any advance on the Resolution or make any real sense. Therefore, I do hope that this House will throw out the Resolution and the amendments because of the explanations that I have given.

Thank you.

SHRI K. S. HEGDE: Mr. Deputy Chairman, Sir, I lend my whole-hearted support to the object behind this resolution though I feel that it is incapable of legislative implementation. This resolution places before the House two objects, one, that there should be increased family planning so as to restrict the population of this country and two, that people who cannot be cured must be sterilised so that the disease might not pass on to others.

Now coming to the question of over-population, here again it has got two aspects, the national aspect and the family aspect. It has been well accepted in all knowledgeable quarters that India is heavily over-populated. It is no good comparing country and country. It is true that countries like England and mainly France are under-populated and efforts are being made to see that more children are born in those countries, but that is not the case here. If one analyses the population figures of this country he will find that the population is increasing in this country. It has been said in some quarters that it is not a question of controlling the population but it is a question of increasing our food production. Mr. Sundarayya and his able colleague Mr. Rath asked us to follow their leadership so that we would be taken to the promised land. They told us that any amount of food can be produced if only we tried to do it and that science was there to help us in this. But to the extent that I have been able to understand science it has been always said by experts that there is an optimum limit to production and that the soil cannot produce more than 60 C.S.D.

a particular amount of foodgrains. Now so far as Mr. Sundarayya and Mr. Rath are concerned they are examining things from the point of view of Russia and Russians and say that in Russia there is under-population and so the Russians are not anxious about birth-control. But the promised land is not always there even if you follow them. If only you have followed the recent events that have been taking place in East Germany regarding the food shortage and the rioting, etc. you will find that my friends' leadership is at a terrible discount. So we have got to think of other ways also in addition to trying to produce more food, and that is the way of reducing the population on the land. This principle has been well accepted although the hon. Minister for Health did not refer to this matter in detail and we are not helped by her views on this subject. The Planning Commission has placed before the country the question of family planning and it has been almost made compulsory in the Community Project centres that we must open a large number of centres where they would give the necessary advice and assistance for purposes of limiting the family. It will be in a lotus-eaters' world to say that we need not restrict the population.

Now coming to the question of family, Sir, I know even well placed people like us cannot bear the burden of a very heavy family. It has been almost impossible for the head of such large families to give the assistance that is necessary to be given to his children. There is a limit to it, which is conditioned by our economic conditions, which is conditioned by our financial resources. If we transgress that limit we do it at our peril. If you want to bring up a good future generation, if you want children whom you cherish to have and whom you would love and whom you want to develop as best citizens you cannot do it if you have them in dozens. Such people who are lucky in having one or two children cannot think of the difficulties of the parents who are having children in dozens and half

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dozens. I belong to the class of family which could claim to consist of a fairly good number. So I can tell you from my personal experience that it is not quite an easy matter even for a man who earns a thousand or even two per month to look properly to the comforts of all. It is well accepted now that a degree of limitation on begetting children is an absolute necessity. Then the question comes, whether it should be voluntary or artificial. Several of our people who are fairly religious-minded are shocked when we think of mechanical methods to control the population. They are still living in the days of the past. Even though they are in the 20th century their ideas still seem to be in the 15th century. They accuse us in the name of Dharma. They quote from Manu and Yajñavalkya and tell us, "Well, birth control was not preached by Manu and Yajñavalkya." Birth control was not adopted even in England. After all, Dharma is conditioned by the conditions that are prevailing at the moment. Dharma is not something divorced from the conditions of man. Dharma is something correlative to the conditions prevailing in the country. If Manu and Yajñavalkya did not preach to us to have birth control, the conditions then never warranted it. Anybody who thinks of Dharma in isolation is doing a great injustice to the country. We are spoiling the name of Dharma by quoting it for purposes for which it should not be quoted. I am not a disbeliever in religion; I have great faith in religion, but I protest against the misuse of religion for purposes for which it is not intended to be used. My friend said there is no authority. Well, Vedas do not object to our having limited families. If limitation is allowed, artificial limitations or mechanical contraceptions are certainly welcome. Often times for good and for bad Mahatmaji is quoted, as Satan quotes the Bible many times. For convenient purposes we quote Mahatmaji, but we do not follow him. It is more a question of following him

than quoting him off and on. His prescriptions are not for an average man; not for a small man or a small woman. They are for an idealistically well-developed man. It is not possible for all of us to be Mahatmas. That is merely an ideal. An ideal is something which it is good to have. It is dangerous to think that we can act up to it. It is a thing which is always receding like the horizon before us. Mahatmaji's words must often-times be taken in the context in which they were made, the object with which they were made.

Coming to the question of sterilisation of the individual suffering from incurable diseases, the whole debate, in many respects, is lost in the middle of details. Our doctor friends entered into a controversy whether a particular disease is curable or not. Doctors differ as lawyers do and there is no finality in this matter. All that the Resolution says is if a disease is incurable and if a disease is hereditary in concept, then it is but proper that we must have to sterilise the man. Not always; it is only in that context that you must take it. The moment the disease becomes curable, the Resolution does not apply to the facts of the case. Only so long as the disease is not curable and is capable of being passed on to the children, the operation of the Resolution comes into effect. This much is in support of the Resolution.

But I am afraid the Resolution can only be taken as an objective one and not one capable of implementation. The conditions prevailing in the land—the large amount of ignorance prevailing in the country—are great handicaps in the implementation of the Resolution. I do not think we have either sufficient doctors or enough financial resources to implement the Resolution. If this Resolution is to be enacted into law and put into the hands of the Executive for implementation, it is likely more evil may come out of it rather than good. Everyone of us loves individual liberty. We are prepared to sacrifice only a small amount of our individual

liberty for the sake of social good. It is really dangerous for society to encroach upon our individual liberty. Of course for the good of society, sometimes you may have to encroach upon it.

MR. DEPUTY CHAIRMAN: Are you likely to take more time?

SHRI K. S. HEGDE: I will require about ten minutes more.

MR. DEPUTY CHAIRMAN: Then you continue on the next non-official day.

SHRI K. S. HEGDE: All right, Sir.

MR. DEPUTY CHAIRMAN: The debate will continue on the next non-official day. The House stands adjourned till 8-15 A.M. on Tuesday.

The Council then adjourned till a quarter past eight of the clock on Tuesday, the 1st September 1953.

*Editor of Debates,
Rajya Sabha Secretariat.*

COUNCIL OF STATES

Tuesday, 1st September 1953

The Council met at a quarter past eight of the clock, MR. CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

RECOVERY OF LOANS FROM AIR TRANSPORT COMPANIES

*91. SHRI M. VALIULLA: Will the Minister for COMMUNICATIONS be pleased to state:

(a) whether the Air Companies which took loans from Government have repaid them;

(b) if not, what are the amounts due from them; and

(c) what steps Government have taken to recover the amounts due?

THE DEPUTY MINISTER FOR COMMUNICATIONS (SHRI RAJ BAHADUR): (a), (b) and (c). I lay on the Table a Statement giving the information asked for.

Statement

Loans were granted to the following air companies:—

Deccan Airways Ltd.—Rs. 17·70 lakhs in March 1952.

Air India International Ltd.—Rs. 25 lakhs in March 1953.

The loan to Deccan Airways Ltd. was repayable in 10 equated annual instalments; the first instalment falling due a year after the drawal of the advance. A sum of Rs. 3,19,032 as the first instalment towards the repayment of the capital was paid by the company on the due date and the balance of Rs. 14,50,968 will now be payable by the Indian Airlines Corporation which has taken over, with effect from the 1st August 1953, the undertakings of the Deccan Airways Ltd., along with those

of other air companies operating scheduled services.

The loan granted to Air India International Ltd. was repayable in 8 equated annual instalments, the first instalment being due in March 1954. As the undertakings of Air India International Ltd. have been taken over by the Air India International Corporation, the amount is now repayable by the latter.

SHRI M. VALIULLA: What was the rate of interest?

SHRI RAJ BAHADUR: $4\frac{1}{2}$ per cent.

SHRI M. VALIULLA: Did any other company ask for loans during those periods?

SHRI RAJ BAHADUR: The question did not arise.

SHRI M. VALIULLA: Did they ask or not ask?

SHRI RAJ BAHADUR: I am not aware.

SHRI M. VALIULLA: Have the new Corporations asked for any loans?

SHRI RAJ BAHADUR: For their working expenses, we have advanced Rs. 30 lakhs to the Indian Airlines Corporation and Rs. 5 lakhs to the Air India International.

SHRI M. VALIULLA: What is the rate of interest?

SHRI RAJ BAHADUR: $3\frac{1}{2}$ per cent. in case they pay within the course of one year, in four instalments.

MANUFACTURE AND IMPORT OF LOCOMOTIVES

*92. SHRI M. VALIULLA: Will the Minister for RAILWAYS be pleased to state:

(a) the total number of locomotives manufactured in India since the year 1950-51;