

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Hon. Members, we will take now up Bills for consideration. The time allotted is two hours.

### THE PROPERTY RIGHTS OF WOMEN AND GIRLS BILL, 2002

श्रीमती कुमकुम राय (बिहार) महोदय, मैं प्रस्ताव करती हूँ कि महिलाओं और बालिकाओं को उनके पैतृक ससुराल में भी उनके संपत्ति अधिकारों की रक्षा करने और तत्संसक्त और आनुषंगिक मामलों का उपबंध करने वाले विधेयक पर विचार किया जाए।

उपसभाध्यक्ष महोदय, गैर सरकारी विधेयक के रूप में महिलाओं के सम्पत्ति में अधिकार के लिए संविधान में संशोधन करने के लिए मैंने यह विधेयक लाने का काम किया है। महोदय, किसी भी देश के सामाजिक इतिहास की दृष्टि से यह अत्यंत महत्वपूर्ण तथ्य होता है कि उस समाज अथवा समुदाय का स्त्री के प्रति क्या दृष्टिकोण रहा है। भारतीय समाज में स्त्री का सम्मान और प्राचीन काल से आदर्शात्मक और मर्यादायुक्त रहा है। भारतीय चिंतन में स्त्री के बिना अकेला पुरुष अपूर्ण माना गया है। नारी के साम्पत्तिक अधिकारों के विश्लेषण के दृष्टिकोण से नारी की सामाजिक स्थितियाँ स्थूल रूप से तीन रूपों में देखी जा सकती हैं। जैसे विवाह के पूर्व कन्या के रूप में, विवाह के पश्चात् पत्नी के रूप में और पति की मृत्यु के बाद उसकी विधवा के रूप में या वृद्धावस्था में वृद्धा के रूप में। वैदिक युग में पैतृक सम्पत्ति में सामान्यतया पुत्री को कोई अधिकार नहीं था क्योंकि पुत्र सत्तात्मक समाज था और पिंड दान देने का अधिकार पुत्रों को हुआ करता था। पत्नी के रूप में अर्धांगिनी का इसे विशेषण तो मिला। ऋग्वेद के अनुसार स्त्री ही गृह होती है। वेदों में दम्पति का प्रायः द्विवचन में प्रयोग हुआ करता था जिसमें यह निष्कर्ष निरूपित किया गया कि पत्नी पति की जीवनसंगिनी होने के साथ ही गृह की स्वामिनी समझी जाती थी। पति की मृत्यु के पश्चात् विधवा के रूप में भी नारी समाहित रही। महाभारत काल में पांडु पत्नी के रूप में कुन्ती जैसी अनेक महिलाओं के उदाहरण हैं, जिनका वृद्धावस्था तक समाज में, परिवार में बहुत ही मर्यादापूर्वक और सम्मानजनक स्थान रहा। लेकिन परवर्ती काल में समाज में कई कुरीतियाँ, कई कुप्रथाएँ, कई कुपरंपराएँ धीरे-धीरे प्रविष्ट हुईं और इसके अनेक कारण हैं। इनका कुप्रभाव नारी पर पड़ा जिसके फलस्वरूप समाज में नारी की बीच पर्दा प्रथा, अशिक्षा, बाल विवाह, सती प्रथा दहेज प्रथा आदि अनेक ऐसी कुरीतियाँ घुसती चली गयीं जिनके कारण नारी का सम्मान घटता चला गया, नारी पर बंधन लगते चले गए। पिछली शताब्दी में ही हमने पुनर्जागरण काल में देखा कि राजा राममोहन राय जैसे समाज सुधारकों के अथक प्रयास से सती प्रथा जैसी कुप्रथा पर प्रतिबंध लगाया जा सका और बीच बीच में भी ऐसी कुप्रथाओं से जड़मुक्त करने के लिए कई कोशिशें हुईं और कानून के माध्यम से ऐसी कुप्रथाओं पर प्रतिबंध लगा। लेकिन दहेज प्रथा कानून बनने के बाद आज भी हमारे समाज में और भी उग्र रूप में अस्तित्व में है, बल्कि और भी बलवती होती चली जा रही है।

सामाजिक स्टेटस के रूप में दहेज को आज भी मान्यता मिली हुई है। भले ही हमारे समाज में आज बाल विवाह नहीं है, शिक्षा की दर बढ़ी है लेकिन आज भी हमारे यहां महिलाओं में शिक्षा और साक्षरता की दर कम है। दहेज प्रथा के कारण हमारे परिवारों में लड़कियों के जन्म के समय से ही माता-पिता के चेहरे पर चिंताओं की लकीरें खिंच जाती हैं क्योंकि वे जानते हैं कि लड़कियों की शादी करने में उन्हें एक लम्बे-चौड़े दहेज का प्रबंध करना पड़ेगा और इसका कुप्रभाव उस बच्ची के गर्भ में आने के साथ ही पड़ता हुआ देखा गया।

विज्ञान ने बड़ी उन्नति की लेकिन इसका दुरुपयोग हमारे समाज में इस रूप में देखा गया कि अब वैज्ञानिक पद्धति से मां के गर्भ में पलने वाले भ्रूण के लिंग का पता लगाया जाने लगा और कन्या भ्रूण का पता लगते ही उसे मां के गर्भ में ही खत्म किया जाने लगा, जिसका कुप्रभाव, आपने देखा कि अब हमारे यहां स्त्री-पुरुष का जो अनुपात है, उस पर पड़ा है। अब प्रति हजार पुरुषों पर 927 या 930 महिलाएं की शेष बची हैं। बहुत से राज्यों में ऐसे इलाके हैं जहां पर बारातें नहीं आती। यह आज की, इक्कीसवीं शताब्दी की सच्चाई है। तो इस प्रकार हमारे समाज में महिलाओं के प्रति जो भेदभाव का नज़रिया रहा है कुल या परिवार पुरुष ही चलाता है, पुत्र से ही वंश चलता है—इसके कारण हमारे यहां कन्या भ्रूणों की हत्या होनी शुरू हुई। इस पर भी प्रतिबंध लगाने के लिए हमारे यहां कड़े से कड़े कानून बने। महोदय, कानून तो अनेक बने हैं लेकिन उनका पालन और उनका कार्यान्वयन उतनी मज़बूती से नहीं हो पा रहा है जिसके कारण आज भी यह समस्या हर स्टेट में, हर क्षेत्र में है—चाहे अगंडा राज्य हो, चाहे पिछड़ा राज्य हो, पढ़े-लिखे परिवार के लोग हों या बिना पढ़े-लिखे परिवार के लोग हों, लेकिन इस समस्या से हम आज भी जूझ रहे हैं। अगर बच्ची पैदा हो भी जाती है तो इस दहेज के कारण उसके पालन-पोषण पर भी वह भेदभाव शुरू से ही परिलक्षित होने लगता है। हमारे समाज में जो लड़का होता है, पालन-पोषण के स्तर पर उस पर ज्यादा पैसे खर्च किए जाते हैं। उसकी शिक्षा और दीक्षा, उसके रहन-सहन पर ज्यादा पैसे खर्च किए जाते हैं और लड़की पर खर्च करना मुनासिब नहीं समझा जाता। लड़की को पढ़ा-लिखा कर उस पर पैसे खर्च करना इसलिए व्यर्थ माना जाता है क्योंकि वह पराए घर का पेड़ समझी जाती है, मानो किसी पराए आंगन में उगे हुए पेड़ को पानी देकर सींचना — इस प्रकार परवरिश करने में लड़की के ऊपर खर्च करने को माना जाता है। इस कारण हमारे समाज में आज भी लड़कियों की उच्च शिक्षा पर ज्यादा खर्च नहीं किया जाता क्योंकि उन्हें पराया धन माना जाता है और जैसे-तैसे कर उन्हें विवाह योग्य होते ही उनका विवाह दहेज के साथ कर दिया जाता है। लेकिन फिर भी ऐसे अनेक उदाहरण रोजाना आप अखबारों में देखते होंगे कि माता-पिता अपने कर्तव्य की इतिश्री तो समझ लेते हैं लेकिन जिम्मेदारियों से मुक्त नहीं हो पाते। यदि दहेज देकर भी वे पढ़े-लिखे परिवार में अपनी लड़की की शादी करते हैं, अपने हिसाब से योग्य घर खोजते हैं और अपनी लड़की का कन्या-दान करके गंगा नहाने जैसी भावना का अनुभव करते हैं, तब समस्याओं का सिलसिला फिर शुरू होता

है जब उसके परिवार वालों की तरफ से दहेज के रूप में मांग, और मांग की जाती है। यदि वह मांग पूरी नहीं होती है तो शुरू होता है उत्पीड़न का अंतहीन सिलसिला, जिसकी परिणति में लड़की कभी-कभी आत्महत्या तक कर लेती है। जो लड़की आत्महत्या नहीं कर पाती है, उसे पेट्रोल या मिट्टी तेल छालकर जला दिया जाता है। जिस लड़की को सुयोग्य कहने में, सुयोग्य बनाने में, माता-पिता कोई संकोच नहीं करते, वही लड़की ससुराल में जाकर इतनी अयोग्य हो जाती है कि उसे ठीक से स्टोव जलाना भी नहीं आता है और यह साबित किया जाता है कि स्टोव पर खाना बनाते समय उसके कपड़ों में आग लग गई और वह आग से जलकर मर गई।

महोदय, लड़की को विदा करते समय हमारे घर की बड़ी-बूढ़ियां, घर की दादी, घर की नानी, घर की चाचियां यह सीख देती हैं कि बेटी, आज यहां से तुम्हारी डोली जा रही है और जिस घर में तुम जा रही हो, वहां से तुम्हारी अर्थी ही निकलनी चाहिए। यानी एक तरह से उसे अलविदा कह दिया जाता है और उसके संस्कारों में यह कूट-कूट कर भर दिया जाता है कि तुम पराया धन हो, अब तुम उसी परिवार का अंग हो और तुम्हें वहीं रहना है। सुख-दुख जो भी हो वहीं भुगतना है। इस कारण अधिकांश लड़कियां सारा सुख-दुख वहीं भुगतती हैं और बहुत सी लड़कियां उस दुख में अपने मायके वालों को शामिल नहीं करती हैं, घुट-घुट कर दम तोड़ती हैं या फिर किसी प्रकार के गलत कार्यों में वे उतर जाती हैं। मेरा यह मानना है कि महिलाओं की इस अवस्था के पीछे कहीं न कहीं उनका आर्थिक रूप से कमजोर होना अवश्य है। आपने अभी कुछ दिन पहले सुना होगा कि इस प्रकार की औरतों के शोषण में यह पुरुष वर्ग, क्षमा कीजिए हमारा आज का समाज, इक्कीसवीं शताब्दी का समाज पुरुष प्रधान समाज है। और उस विवाहिता का तरह-तरह से शोषण करने में यह समाज चारों तरफ से सहयोग करता है। मैं इसका प्रमाण देना चाहती हूँ। अभी हाल ही में तहलका डॉट कॉम में इलैक्ट्रॉनिक मीडिया के माध्यम से एक घोटाले का भंडाफोड़ किया गया कि आगरा के पागलखाने से, मानसिक आरोग्यशाला से, अच्छी महिलाओं को वहां का चिकित्सक पागल होने का प्रमाणपत्र देता था। उस प्रमाणपत्र को लेकर उस औरत का पति कोर्ट में जाकर अपनी स्वस्थ पत्नी को पागल करार देकर उससे तलाक ले लेता था। ऐसी अवस्था में वह स्त्री कहीं की नहीं रह जाती है। उसका बाकी का स्वस्थ जीवन किस प्रकार से बीता करता है या बीतेगा, इस पर किसी की निगाह नहीं जाती है। ऐसे एक नहीं, अनेक प्रमाण उस इलैक्ट्रॉनिक मीडिया ने देश की एक अरब आबादी के सामने रखने का काम किया है। उसने ऐसे पतियों के भी इन्टरव्यू दिखाए कि हां, उसने उस डाक्टर को दस हजार या पांच हजार रूपए दिए और उसके एवज में उसने वह सर्टिफिकेट बनाया। वह डाक्टर उस गुप्त कमरे के सामने यह कहने में कतई नहीं हिचकिचाया कि मैं गवाही देने के लिए तैयार हूँ, कोर्ट में उपस्थित होकर मैं अपने इस प्रमाणपत्र को प्रमाणित करने के लिए तैयार हूँ कि इनकी पत्नी मानसिक आरोग्यशाला में पागल है। ऐसा करके ऐसी निरीह अभागी औरतों को उनके स्वार्थी पतियों ने तलाक दे दिया। निश्चित रूप से उन्होंने विवाह में दहेज लिया होगा। उस

औरत से निजात पाकर फिर उसने दूसरा विवाह किया होगा। उसमें भी वे दहेज लेंगे। यह सिलसिला पता नहीं वे कितनी औरतों के साथ करेंगे, इसका कोई ठिकाना नहीं है। जो रांची में मानसिक आरोग्यशाला है, उसके विषय में बहुत सी शिकयतें मिली हैं कि औरत को घर में सम्पत्ति न मिले, इसके लिए उसको जबरदस्ती पागलखाने में भर्ती करा दिया जाता है। वह औरत निरीह है, अशिक्षित है, अशक्त है इसलिए जब वह पागलखाने में भर्ती हो जाती है तो परिवार में उसके हिस्से की जायदाद का बंटवारा कर लिया जाता है। वह औरत जिंदगी भर एड़िया रगड़-रगड़कर उसी पागलखाने में दम तोड़ती है। ऐसे अनके उदाहरण हैं, जो सामान्य रूप से स्त्रियों को अधिकार भी है और अप्रत्यक्ष रूप से भी अधिकार दिया गया है कि पत्नी को उसके पति की सम्पत्ति में अधिकार मिलेगा। उस अधिकार से भी वंचित करने के लिए ये हथकंडे ये षड्यंत्र, इस पुरुष प्रधान समाज में आज की तारीख में भी लोग अपना रहे हैं। हिन्दुस्तान एक गणराज्य है इसलिए हमारे यहां अनेक राज्य हैं। यहां पर सर्वधर्म के लोग रहते हैं और हर एक धर्म में उनका पर्सनल लां अलग है। संविधान में इसकी मान्यता दी गई है। हिन्दू पैत्रिक सम्पत्ति का लां अलग है। मुस्लिम पर्सनल कोर्ट अलग है, क्रिश्चियन्स के लिए अलग है। लेकिन यह सामान्य रूप से देखा जाता है कि हर धर्म में वंचित वर्ग कि जो महिलाएं हैं उनको कानूनी संरक्षण भी नहीं मिल पाता। उनका धार्मिक कानून भी उनको संरक्षण नहीं दे पाता। अभी हाल ही में एक राज्य में ऐसा कानून बनने की प्रक्रिया में था। उन पर यह शर्त लादी गई कि इस राज्य की लड़कियां यदि इस राज्य से बाहर शादी करेंगी तो न सिर्फ उनकी नागरिकता खत्म हो जाएगी बल्कि वे अपनी पैत्रिक सम्पत्ति से सदा-सदा के लिए वंचित हो जाएंगी। यह कहां का न्याय है कि लड़की को शादी करने के लिए बाध्य किया जाए कि इस सीमा के अंदर आपको शादी करनी है। उनके लिए योग्य वर खोजने की जिम्मेदारी मां-बाप की है। लेकिन लड़की अपने लिए सुयोग्य वर का चयन खुद भी कर सकती है। इसका उसे कानूनी अधिकार भी प्राप्त है। एक तरह से हम उसे संवैधानिक अधिकारों से भी वंचित करते हैं। दूसरी तरफ अनेक ऐसी शर्तें थोपते हैं ताकि महिलाओं को किसी न किसी तरह से उत्पीड़न का शिकार बनाया जाए और उन्हें सम्पत्ति से बेदखल करके समाज में सबसे कमजोर अवस्था में रखा जाए। इसलिए मेरा यह मानना है कि आज हिन्दुस्तान में जो भी स्त्रियों के सम्पत्ति के अधिकार हैं, उनकी समीक्षा की जाए। पिता की सम्पत्ति में उसे अधिकार मिले हुए हैं सामान्यतः यह होता है कि यदि पिता की दो पुत्रियां और दो पुत्र हैं,.... यदि पिता वसीयत नहीं करता है तो वसीयत न करने की स्थिति में उसकी संपत्ति में उसकी विधवा पत्नी, उसकी दोनों पुत्रियां और उसके दोनों पुत्रों को बराबर का अधिकार मिलता है। लेकिन सामान्यतः व्यवहार यह है कि हमारे यहां जब लड़कियां ससुराल जाती हैं तो उसके बाद वे मायके की संपत्ति में दखल नहीं देती और वे सामान्य भावनावश अपने मायके वालों को ही सारी संपत्ति दे देती हैं उनके भाई भी यह जरूरी नहीं समझते कि उस संपत्ति में उन्हें जबरदस्ती अधिकार दिया जाए। हमारे संबंध खराब न हों, हमारे भाइयों से अच्छे संबंध बने रहें, हमारा मायके में आना-जाना बना रहे, इस कारण जब कोई ऐसी समस्या आती भी है तो लड़कियां

स्वेच्छा से सिग्नेचर करके अपने भाइयों को दे देती हैं कि पिता की संपत्ति तुम्हारी हुई, मेरा या मेरे बच्चों का उस पर कोई अधिकार नहीं है। लेकिन उपसभाध्यक्ष जी, कल्पना कीजिए कि सिग्नेचर करने के बाद यदि वह लड़की विधवा हो जाती है या यदि वह लड़की किसी तरह से पति के गृह में शोषण की शिकार होती है और किसी कारणवश उसे अलग रहना पड़ता है तो ऐसी स्थिति में उसे अपने मायके में भी उचित तवज्जो नहीं मिलती, वह सम्मान नहीं मिलता और उसे भारस्वरूप समझा जाता है। इसलिए हिंदू सक्सेशन एक्ट की धारा (8) की भी समीक्षा करने की जरूरत है, एक बार फिर से देखने की जरूरत है क्योंकि हमारे यहां जो पंद्रहवां विधि आयोग गठित हुआ था उसके अध्यक्ष जस्टिस वीण्णी जीवन रेड्डी ने अपना सुझाव दिया था कि हिंदू उत्तराधिकार अधिनियम, 1956 में मूलभूत परिवर्तन होने चाहिए। परिवर्तन इसलिए होने चाहिए ताकि महिला अपनी पैतृक संपत्ति में बराबर का हिस्सा हर स्थिति में प्राप्त कर सके। हिंदू उत्तराधिकार संशोधन बिल, 2000 के अनुसार तो महिलाओं को कोपार्सनरी संपत्ति में पुत्रियों को बराबर का अधिकार तो दिया गया है लेकिन पंद्रहवें विधि आयोग की अनुशंसा यह भी थी कि पुत्रियां जन्म से ही कोपर्सनर्स बनें, इसके लिए मैं इस विधेयक को इस सदन में चर्चा के लिए लाई हूं ताकि यह सदन इस विधेयक पर चर्चा करे और यह पाए कि क्या कारण हैं कि आज भी महिलाएं, महिलाओं की स्थिति क्यों कमजोर है? क्यों महिलाओं के उत्पीड़न की संख्या बढ़ रही है? यदि महिलाएं आर्थिक रूप से अपने पिता के यहां जन्म से ही मजबूत होंगी, जैसा कि पुरुष होते हैं, जैसा कि पुत्र होते हैं, वैसे ही पुत्रियां भी यदि जन्म के साथ ही मजबूत होंगी तो निश्चित रूप से दहेज की प्रथा कम होगी, क्योंकि यह माना जाएगा कि इस लड़की का उस संपत्ति में अधिकार हमेशा बना रहेगा, विवाह के बाद भी बना रहेगा, इसे सिग्नेचर करने की सामाजिक बाध्यता नहीं होगी तो ऐसी स्थिति में ऐसी साधन संपन्न महिला को दहेज देकर विवाह करने की बाध्यता भी नहीं होगी और उसका विवाह अच्छे से अच्छे घर में इस आधार पर भी हो सकता है। साथ ही साथ महिला उत्पीड़न, दहेज उत्पीड़न और दहेज की बलिवेदी में जिंदा जला देने की भी जो घटनाएं हैं, उन घटनाओं में भी कमी अवश्य आएगी। इन तमाम सामाजिक कुरीतियों को देखते हुए, इन तमाम सामाजिक समस्याओं को देखते हुए समाज की इस आधी आबादी, जो कि वर्चुअली अब आधी आबादी नहीं रह गई है, अगर इस आधी आबादी को यदि आर्थिक रूप से, जन्म से ही मजबूत बनाया जाएगा, तो निश्चित रूप से समाज की उन्नति होगी, समाज का सर्वांगीण विकास होगा और महिलाएं भावनात्मक और मानसिक रूप से अपने आपको, अपने आत्मबल को मजबूत स्थिति में पाकर, इस समाज के सर्वांगीण विकास में अपनी प्रतिभा, अपनी शक्ति और मेधा का इस्तेमाल कर सकेंगी। इसीलिए मैं यह विधेयक चर्चा के लिए लाई हूं। इन्हीं शब्दों के साथ मैं चाहूंगी कि हमारे माननीय सदस्य इस पर अपने विचार रखें और इसमें कुछ आवश्यक संशोधन हों। धन्यवाद।

*The question was proposed.*

[9 July, 2004]

RAJYA SABHA

**SHRI E.M. SUDARSANA NATCHIAPPAN (TAMIL NADU):** Thank you, Mr. Vice-Chairman, Sir, for giving me this opportunity.

Sir, hon. Member, Shrimati Kum Kum Rai, has brought forward the Property Rights of Women and Girls Bill, 2002 which is a very well-intentioned and a timely piece of legislation. She has taken a very good initiative. The time is very ripe for this purpose, and we are very proud of telling the world that during the freedom movement, Mahatma Gandhi had first initiated it when he asked women to be part of the freedom movement.

For that purpose, they must have every right, equal right, just like men. The Hindu culture has given a lot of importance to female deities such as goddess Lakshmi, Goddess Mahashakti—most of the deities are addressed in the names of females; we worship them. At the same time, the rights of the females are being taken away by the male-dominated society.

The Britishers, when they came to India, brought in legislations for giving equal rights to women, but they were opposed at that time, since the culture at that time was not very accommodating. Raja Ram Mohan Roy and other social reformists put in lots of efforts, throughout the country, to provide equal rights to women.

We, the people of Tamil Nadu, are proud to say that we were involved in initiating movements for the rights of women from as early as the 1920. At that time, the people who were there in the Congress, especially *Thanthai* Periyar, who was then called E.V. Ramaswamy Naicker, and who was the President of the Tamil Nadu Congress Committee, fought for the rights of women.

**SHRI N. JOTHI (Tamil Nadu):** It was *Thanthai* Periyar. Don't give credit to yourself for that.

**SHRI E.M. SUDARSANA NATCHIAPPAN:** Kindly keep quiet ....(Interruptions).... I am not yielding to anybody. Please, keep quiet. Listen to me and then you can speak when your turn comes. *Thanthai* Periyar, as the President of the Tamil Nadu unit of the Indian National Congress, has fought for the rights of women.

In the same way, when the Constitution and subsequent enactments came into being, Pandit Jawaharlal Nehru initiated for the first time, the Hindu Marriages Act, which was opposed by the so-called allies of my

learned friend, hon. Member, Shri Jothi's BJP party, at that time the Jan Sangh, and the rudiments of RSS. They were opposing it ...*(Interruptions)*.... That was the first time when both the Sabhas—the Rajya Sabha and Lok Sabha—met for the first time under the Constitution, only to annul Shri Jothi's intention of not giving the rights to women! The BJP at that time, as the Jan Sangh and the RSS, opposed the move Hindutva was at the forefront at that time. Pandit Jawaharlal Nehru was verbally abused. But Pandit Nehru initiated the first revolutionary Act for the rights of women by enacting the Hindu Marriges Act, and also, subsequently, by the Hindu Adoption Act. That is the history. It was only subsequently that women could get their rights; also, in marriages, women were given equal rights.

No doubt, the Indian Succession Act was there, but the women did not benefit very much from that Act. Subsequently, the Congress took the initiative, and gradually, women were given their rights. Women's rights were initiated by Smt. Indira Gandh; lots of amendments were brought to the enactments, especially, the Criminal Procedure Code, Section 125, gave women the right to maintenance, even by using coercive methods, from their husbands. Many enactments were brought in the same way before the Parliament. For instance, the Dowry Prohibition Act and many other enactments were brought in the Parliament for ensuring equal rights to women. In spite of this, the right to inheritance is not given to women even today. It is time that that right was given to women.

In Tamil Nadu, Dr. Kalaignar M. Karunanidhi took the first step in this direction. He brought in a law by means of which equal rights were given to men and women. That Act came into force from 1989 onwards in Tamil Nadu, and men and women are not differentiated in the matter of their rights. Both are being given the right to inheritance; the female members of the family enjoy the same rights as the male members do. Hence, the initiative taken by the Tamil Nadu government should be brought in this Parliament also. If that happens here, women's rights and women's empowerment will be real.

Now, we are asking for it through our leader, Sonia Gandhiji. She is for giving right just like Rajiv Gandhiji, who has brought the political right for the women living in the villages through the Panchayat Raj enactments by which people were empowered, women were empowered and 33.33 per cent reservation was given for them from the grass-root level to the

[9 July, 2004]

RAJYA SABHA

district level administration. But we need the legislative empowerment for the women in the legislature and also in the Parliament. Sonia Gandhiji is for it; the UPA Government is for it. They have mentioned in the Common Minimum programme that we are... *(Interruptions)*.

SHRI N. JOTHI: I have a point of order. ...*(Interruptions)*.

SHRI E.M. SUDARSANA NATCHIAPPAN: I am not yielding. ...*(Interruptions)*.. He always interrupts. ...*(Interruptions)*.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Please let him speak. ...*(Interruptions)*.

SHRI E.M. SUDARSANA NATCHIAPPAN: I am not yielding. ...*(Interruptions)*.. The United Progressive Alliance has given the assurance by way of this proclamation that during the five year period of this Government they will bring back the right to women by giving 33.33 per cent reservation just like Rajiv Gandhiji who has done for the people of the grass-root level. The same thing will happen in the Parliament and also in the Legislature. The same thing has to happen in Government employment also. We are giving right of 33.33 per cent of women. At the same time, are we giving more opportunities for women? Why are we giving 33.33 per cent only? We have to give fifty-fifty. It is an equal part of it. The ancient Hindu mythology says, "Umai Oru Bhagan". We call it, 'Ardha Narishwara' - a part of our body itself. One part is male and another part is female. This is our Hindu mythology. That should be there. When one part is not working, then we are having a handicapped person. In our society, there are a hundred a people. Out of this, 51 crore people are women. They are handicapped. They are not getting the right which they are entitled to by birth. At the same time, a legislative piece should be there; legislative support should be there. By supporting legislative pieces, we can bring back the same right which were given for the women by the society of India. Therefore, I support it fully. At the same time, there are ...*(Interruptions)*.

SHRI N. JOTHI: I have a point of order ...*(Interruptions)*.

SHRI E.M. SUDARSANA NATCHIAPPAN: Why is he interfering?..*(Interruptions)*..

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): There is no point of order ...*(Interruptions)*.. There is no point of order. ...*(Interruptions)*.. Shri Jothi is not yielding. ...*(Interruptions)*.



SHRI E.M. SUDARSANA NATCHIAPPAN: I will report this matter... ..(Interruptions).. Ms. Jayalalitha should be intimated immediately that Mr. Jothi is always interfering . ..(Interruptions).. By opposing women's right, he is opposing Jayalalitha. That is a thing, he is doing it here.. ..(Interruptions).. Kindly don't oppose Jayalalitha. ..(Interruptions).. He will keep it in mind . ..(Interruptions).. Don't interfere.

Therefore, this initiation by our hon. Member, Shrimati Rai, is very much appreciated. We feel that there should be a women's movement. When they are asking for the right of political stature, for political opportunities, the first thing should be right in the property. If there is a property right for women, the husband will respect the wife. Now people are demanding bride who can earn. The bridegrooms are now having so much of cowardice as to ask for a bride who is earning, who can give the maintenance to husband. This is the society that we are facing. Therefore, the right by birth should be given equally both to male and female. There should not be any differentiation between the male and female. Now, in the modern societies, we cannot find even the difference in thier nature of dressing and everything. In the colleges and universities, we cannot differentiate who is the male or who is the female. But, at the same time, in the property right we are differentiating. when they are empowered through the political means, and have jobs in the Government, in the private sector and in any research institute, when the toppers are only women have got the world now. But, they have got no legislative support to have the right of inheritance from their father or mother. This should be given. Pandit Jawaharlal Nehruji and other leaders have given the right by way of inheritance through the mother, but not through the father. It should be properly amended so that the Tamil Nadu legislative piece, which was given by Dravida Munnetra Kazhagam President, Dr. Kalaignar Karunanidhi, may be made a piece of legislation throughout India. That day will come soon. Thank you.

SHRIMATI PREMA CARIAPPA (Karnataka): Sir, I rise to support the Property Rights of Women and Girls Bill, 2003, moved by my colleague Shrimati Kum Kum Rai, Sir, the objective of the Bill is laudable and must be appreciated by each one of us in this House irrespective of our party affiliations. Sir, in our male dominated society, the woman is discriminated right from her birth. I can say that she is discriminated before she takes birth and before she comes to this earth. There are so many sex-determining

[9 July, 2004]

RAJYA SABHA

4.00 PM

ultrasound clinics, which are functioning in our country, to determine the sex and when people come to know that the foetus is that of a female child, they abort before she could come to the earth. Sir, in case of male child, they celebrate with pomp and show. And, when the girl is born, she is considered as a curse and a burden on the society. And the girl child is treated very badly. She is not sent to good school and not given a good education. And, sometimes, even if she is sent to school, she is forcibly discontinued to look after the younger children or to cook in the house. Sir, the male child is treated differently, sent to good school, given good food and given all the comforts of life. So, in such cases the girl is considered as a burden and she is married very early. And, she becomes dependent. For each rupee, she has to depend on her husband. And, if she happens to be a working woman, then the condition would be different.

Suppose, she becomes a widow at a young age with children to look after, she will have a more problematic life and she will be thrown out of the house. Her in-laws will treat her very badly. She will have no place to go. She will be sent out of the in-laws' place and even her parents will also not accept her in her own house. And, as far as the property is concerned, it is beyond imagination for her to get her due share in parental property, and from husband's side also, she does not get anything. She will become a destitute at the end. Sir, it is a good thing that Shrimati Kum Kum Rai thought of bringing this Bill to protect the women and girls from such harassment. Sir, I support this Bill brought by Shrimati Kum Kum Rai. Thank you, Sir.

SHRI N. JOTHI: Thank you, hon. Vice-Chairman, Sir. I wish you all success in your seat. Already, you have handled well a turbulent situation.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Thank You, it is a great privilege and honour for me.

SHRI N. JOTHI: Sir, this Bill, I generally feel, should be brought as a Government Bill, not as a Private Members' Bill, especially in view of the proximity of Mover of the Bill with the Government and now having a lot of say in the Government. Definitely, there cannot be any problem in bringing this as a Government Bill. This can be brought as a Government Bill with certain amendments, which I genuinely feel have been overlooked while framing the Bill. First of all, if the framer of the Bill may look into the

section 2, sub-clause (b), it is indicated-hon. Minister of State for Law, Mr. Venkatapathy, can take note of it, he himself is a practising lawyer, — that a 'girl' means 'an unmarried female'. Suppose, there is a woman of 50 years of age who is not married, can we call her a 'girl'? If we accept this definition, it will only lead to that. She will get annoyed. If I call an unmarried woman of 50 years, "Hello," girl, how are you?", what will be the reaction?

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): In the western countries, they may like it.

SHRI N. JOTHI: Maybe, But, here we cannot. A girl, once she reaches beyond the age of adolescence, is no longer a girl. She is called only a woman. So, I think this definition may not be correct. I do not want to repeat it again, but, if a woman is unmarried for obvious reasons, and is fifty years of age, can we call her a girl? So, it is an inbuilt infirmity in this definition which the framers may kindly take note of. This can be deleted, if he feels so. Already, there is General Clauses Act, which says who are all men are men, who are all not men are women. The General Clauses Act has already taken care of that. We can have that definition as it is, and there is no need to make any separate definition for this. When a person majors in age, she is sufficient enough to take care of, and, there is no definition needed for a girl.

Then coming to yet another provision, where the position is already taken care of, namely, property rights of a married woman. It is already covered by, as indicated in the Bill itself, the Married Womens' Propoerties Act, 1874. It is not 1874; it is 1974. So, it is already there, and, there is no need to go further in this matter. Already that Act is complete, homogenous and takes care of the entire situation. So, the entire section, therefore, can be deleted as it is already taken care of. If I am right, it is framed in a better manner than what it is framed here.

Coming to the fifth clause, namely, Right of Maintenance and Custody of Children. Already, there is an enactment called, the Guardians and Wards Act. The Guardians and Wards Act is already there to take care of as to who should be the guardian to the minor children during the separation, or ,misunderstanding between a husband and a wife. There is a leading Supreme Court Judgement, a Constitution-based judgement, in the matter of Rosy Jacob Chakramakal vs. Jacob Chakramakal, emanating from Tamil Nadu, that says, a finality of the situation, neither

the father nor the mother can be the guardian of a child because the paramount interest of the child is the paramount consideration in holding as to who could be the guardian. So, now, what is stated here is that the mother should have the first right over the minor child.

Suppose, the mother goes astray, Let the women Members need not mistake me. There are some mothers who go astray, there are some mothers who marry another man, and, husband will be so loyal remembering her in his memories, and, will be willing to bring-up the child. We cannot deprive him, So, as of right, this Bill indicates....*(interruptions)*...

SHRIMATI VANGA GEETHA (Andhra Pradesh): It is very rare.

SHRI N. JOTHI: It is not rare. It is all happening...*(interruptions)*.. it is not that all men—are bad. It gives a picture as if all men are so bad that they beget their children, they throw their women out, or, they go away. This does not convey a good message, I do not know why such thinking is there about men, and, we are all very loyal to our wives, respective wives, we have been very kind to our mother, we have been a boy, and we know our responsibilities. We are upbringing our children in a better manner.

It appears as if some war is declared between men and women, some speeches are now being made like this. So it is a society. It is rare that there is an enmity between a husband and a wife. Now, the relationships are getting stranged day by day. Let us prevent it. Let us not accelerate it. Here, the first option to have the custody of children as guardian and to claim the maintenance for children is already taken care of by the Acts available. There are sufficient Statutes available on this score. So, no separate Act is necessary. Already, there is a provision for protection of women under Section 125 of Criminal Procedure Code under which up to thousand rupees can immediately be given to women and children. Also, permanent alimony can be obtained. Even for a divorced woman, permanent alimony can be obtained. There are enough provisions under the Hindu Marriage Act also. So, there is no need to have a separate provision as indicated here either for maintenance or for guardianship. Already, there are provisions available for this. Then comes the clause 6. Again, an important enactment is there. I think that is not taken note of. The hon. Minister can take note of it. There is an Act called the Partition Act. The Partition Act already provides sufficient safeguard to a widow to live continuously in the house where her husband and she used to live together. So, this Clause is not necessary. The Partition Act already

takes care of it. So, I think, there is no need of the Clause 6(a). The Partition Act covers it. Then comes the Clause 6(b) which allows the woman "to participate in the family business of the deceased husband on the same footing as her husband would have been". Sir, this is all covered in Mercantile Law. These all issues should further be probed into by the Contract Act. This Bill cannot be brought in such a way to deprive the benefits already available under other cognate Acts. So, it also needs a certain review. Then, there is clause 7, which says, "It shall be the duty of the appropriate Government to ensure strict compliance of provisions of this Act". Sir, another misgiving has been given, because every State Government or Central Government should ensure that any statute created by the Parliament is being implemented correctly. The Acts are not passed as a pastime affair. It is not like that one is to be given strict compliance and another is not to be given strict compliance. All the enactments should be given strict compliance. The only problem is if one implements it, hue and cry is made. For example, POTA. POTA was made to implement certain issues. If it is invoked, people say it is misused or abused. So, if one was to get a certificate from...*(interruptions)*...

SHRI R. SHUNMUGASUNDARAM (Tamil Nadu): Sir, it is not just to... *(interruptions)*... when they were in Government they have passed notification saying that the Act is being misused...*(interruptions)*...

SHRI N. JOTHI: Your were not satisfied. That is why you left them. That is your culture... *(interruptions)*... Sir, any enactment being made by Parliament is for implementation. There is no separate provision need be stated that it should be implemented without any hesitation. There is no need. Any enactment shall be implemented automatically. So, Clause 7 is not necessary and the Mover can consider over it. Then, overriding effect of the Act. I would not say anything about it. The Central Government may make rules in furtherance of the Act. Sir, the majority of the Bill has already been taken care of by sufficient enactments. So, this particular Bill is totally unnecessary. It is my view and, as I have already mentioned, with the close proximity, the Mover of the Bill has got with the present Government, they can think of bringing it as a Government Bill, instead of a private Members' Bill so that the significance of it may be more. Sir, I have got a strong objection to the 'Statement of Objects and Reasons'. My friend may kindly consider. The hon. Member has said, "In our patriarchal set-up and male-dominated society". Sir, this is very unfair. This is not the

[9 July, 2004]

RAJYA SABHA

correct comment which I could expect from a Member. Where is the question of male domination? There was a discussion at one place on "How to make woman equal to man". One person said that whatever women had in excess, if it is given to men, both will be equal. So, that is the situation today. Sir, to give an autobiographical touch on the matter, I would say that I respect my wife much more than what I could respect myself. That is the situation, I think, with everybody, including the hon. Minister of Law. Sir, this is the society where we live in. I do not understand why the hon. Member said 'male-dominated'. I do not think so. I only see woman-dominated household. 'Our patricarchal set-up and male-dominated society', Sir, I object to these words. And, Parliament cannot be a party to this kind of comments on woman or man. I am opposing this and the words can be deleted.

The mover of the Bill may kindly reconsider the words "patriarchal set-up" and "male-dominated society". Kindly give respect to us.

SHRIMATI PREMA CARIAPPA: It is male-dominated ...*(interruptions)*...

श्रीमती कुमकुम राय: उपसभाध्यक्ष महोदय, मेरा किसी भी पुरुष सदस्य के मन को दुखाने का कोई उद्देश्य नहीं था लेकिन आज समाज की इस हकीकत से प्रिंट मीडिया और इलेक्ट्रॉनिक मीडिया भरे रहते हैं। मैंने सिर्फ आपको इसका आइना दिखाया है। संसद के ऊपरी सदन में हमारे तमाम रिप्रेजेंटेटिव्स इसको नकार नहीं सकते हैं। मैंने किसी के ऊपर कोई पर्सनल आक्षेप नहीं किया है इसलिए मेरा माननीय सदस्य से अनुरोध है कि वे इसका बुरा न मानें।

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): At least, at this particular moment, in the House, there are more men than women, Please carry on.

SHRI V. NARAYANASAMY: Mr. Jothi has got a bitter experience!

SHRI N. JOTHI: I am not dominating in my house, Sir! Please understand this.

SHRI V. NARAYANASAMY: You are hapless!

SHRI N. JOTHI: We have got mutual understanding; we know each other very well. ...*(interruptions)*... "The girls and women traditionally have little or no property rights and on this count they are the most exploited lot!" My friend may kindly consider the language; in Parliament, while referring to the other gender, we should not offend any gender.

That is only what I appeal. Mr. Prema might have dominated over Mrs. Prema! That does not mean.....(*interruptions*)...

SHRIMATI PREMA CARIAPPA: I said 'male-dominated' because you know how few women are here. Even 33 per cent reservation, you people did not agree to! So, it is male-dominated.

SHRI N. JOTHI: Madam, that is because...(*interruptions*)...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Jothi, you don't have to answer it.

SHRI N. JOTHI: She is putting question after question. What am I to do, Sir? You are preventing me from answering them.

THE VICE-CHAIRMAN (SHRI DINESH TREVEDI): Please carry on.

SHRI N. JOTHI: "All immovable properties are inherited, transferred and possessed by the men and they exploit..." Again, I am objecting to these words. They are mentioned in the Preamble, in the Statement of Objects & Reasons. It can not be used like this, "enjoy and dispose off the properties", as if men rob the properties of women and enjoy themselves by throwing them out on the streets! This does not convey a good message to the public. We are in the House of Elders; the Bill is moved in the Rajya Sabha. So, we should convey a correct message to the public. With this object, I don't think it will be proper to pass the Bill, "enjoy and dispose off the properties!" It is very unfair on men. "The women and girls have no say in the property matters and for that matter they have no status of their own. Even our epics declare that so far as a woman is concerned, in her childhood she is wholly dependent on her parents..." We are not living in an epic world; we are living in a world where the rule of law is supreme. Our epics are not controlling our activities. Law is controlling our activities. Law is not against you. There is no need to mention about epics. An epic does not have any say in matters of law. These words need to be withdrawn..."after marriage dependent on her husband and as widow on her children..." That means women are thrown out, women are not taken care of. If someone visits my house, he will find that the first portrait is of my mother. I have not forgotten my mother. And to be very frank, the leader of my party, AIADMK, is a woman, and she is.....(*interruptions*)... It may be because you are all not in a position to say anything against her. She is ruling the State very well. So, you are not interested. This is the position. ...(*interruptions*)...

[9 July, 2004]

RAJYA SABHA

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Narayanasamy, you are the next speaker. ...*(interruptions)*...

SHRI N. JOTHI: You are not in my State; don't worry ...*(interruptions)*... You are not in my State. ...*(interruptions)*... You are not in my State; don't worry about it. ...*(interruptions)*...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Narayanasamy, you are the next speaker. ...*(interruptions)*...

SHRI N. JOTHI: You are a foreigner to my State. ...*(interruptions)*... Sir, if it be so, I throw a challenge; let one Member from Lok Sabha, belonging to either DMK or any other party, resign and face the elections now; even today. You will know the result. I throw that challenge, if you accept it. ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Jothi, please don't digress. ...*(Interruptions)*... Thank you. Thank you. ...*(Interruptions)*...

SHRI E.M. SUDARSANA NATCHIAPPAN: We are ready to face elections tomorrow. ....*(Interruptions)*.....

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Jothi, don't get into that argument. Carry on.

SHRI N. JOTHI: "Our epics declare that so far as a woman is concerned, in her childhood she depends on..." Which epics they are referring to, I do not know. Only two epics are known to me. One is Ramayana and another is Mahabharata. Both are for women's greatness only.

Draupadi is being respected in Mahabharata and Sita is worshiped as Goddess in Ramayana. These are the two epics, to my knowledge, in the Hindu mythology. I don't know why Shrimati Kumkum Rai has written this. Sita is respected and Draupadi is respected. I don't know why she has written this. It is because of Draupadi's vow that the whole Mahabharat took place. Why has she forgotten that? Men fought to fulfil the vow of Draupadi and her trust got tied up again. That is the vow taken. Anyway, the epic is not fully understood and appreciated.

Then the Statement of Objects and Reasons says, "after marriage dependent on her husband and as widow on her children or become



destitute. The position of women and girls in this regard is worst amongst the minorities." I don't want to say anything about the minorities. It is for them to raise this issue. As regards tribal and rural masses, I am from a rural area. I know very well the rural culture. The culture is to respect women first. Whenever women travel in buses, we get up and offer seats. Whenever women are not comfortable in a train, we get up and give seats.

**THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI):** Now, they want you to get up from the Parliament so that they can get the seat.

**SHRI N. JOTHI:** If Mr. Natchiappan does not mistake me, that seat is reserved for a woman. He robbed it. He could have set an example. He is talking too much about women now, after robbing the seat from a women candidate. I know that. He may not agree with me. But I know the secrecy behind that.

**SHRI E. M. SUDARSANA NATCHIAPPAN:** Sir, I don't want to interfere. But he has mentioned my name. Now, a copy of his speech should be sent to Miss Jayalalitha. ...*(Interruptions)*...

**SHRI N. JOTHI:** Sir, it is already there. ...*(Interruptions)*...

**THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI):** It is going to be sent there, in any case. ...*(Interruptions)*...

**AN HON. MEMBER:** A Rajya Sabha Member cannot be dismissed. ...*(Interruptions)*.... But it will also happen. ...*(Interruptions)*...

**SHRI N. JOTHI:** My friend seems to be not following the day-to-day activities in Tamil Nadu. I think, he has descended from somewhere. In Tamil Nadu, the greatest thrust to women empowerment comes from my leader. He does not understand it. What am I to do? Some time ago, he was with us. He had all praise for her. ...*(Interruptions)*...

**मौलाना अबुलक़ादिर खान आज़मी (मध्य प्रदेश):** एक ही महिला शक्तिशाली है वहां, बाकी कोई महिला शक्तिशाली नहीं है तमिलनाडु में।

† مولانا عبید اللہ خان اعظمی: ایک ہی مہیلا شکتی شالی ہے وہاں، باقی کوئی مہیلا شکتی شالی نہیں ہے تامل ناڈو میں۔

†



SHRI N. JOTHI: This is one way of preventing the Bill. I know the tactics behind it.

میلانا اوبیدللاھ خان آجملی: اس بات کو کلیئر کرنا ضروری تھا ورنہ لالو جی کی پارٹی پر سیدھا الزام لگتا۔

† مولانا عبید اللہ خان اعظمی : اس بات کو کلیئر کرنا ضروری تھا ورنہ لالو جی کی پارٹی پر سیدھا الزام لگتا۔

SHRI N. JOTHI: We are aware of this. This is one way of preventing the Bill.

میلانا اوبیدللاھ خان آجملی: यदि आप जानते हैं तो वही बोलिए जो सही है। गलत आरोप मत लगाइए।

† مولانا عبید اللہ خان اعظمی : اگر آپ جانتے ہیں وہ وہی بولنے کو صحیح ہے۔ غلط آروپ مت لگائیے۔

SHRI R. SHUNMUGASUNDARAM: He is ignorant.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Jothi, you please carry on.

SHRI N. JOTHI: Now, I appeal to my friend to withdraw this Bill. The Government is very much there. Let it bring a Bill, if necessary, because it clashes with many existing provisions. So many Acts should be amended. If the Bill is to be passed, minimum 5 or 6 Acts should be amended. Let us have rethinking on this entire Bill. The Minister of Law is there. Let him look into these provisions. Whatever amendments have to be brought to the enactments which already exist, let him bring. According to me, women have to be respected. There is no difficulty about it. There can't be two opinions about it. The only question is whether the Bill has to be further processed, which the mover may reconsider. She may say, "You are a male, that is why you are saying this". Though I am a male, I am a practising lawyer and I know the difficulties. I hope Mr. Venkatapathy will agree with this. Sir, before I conclude. I would like to say one more thing. Now we are discussing the Property Rights of Women and Girls Bill which says that the women should be respected. You will remember, Sir, a few days ago, a Bill was passed in the Kashmir Assembly. That Bill says that if a Kashmiri woman marries a person outside Kashmir, she will

[9 July, 2004]

RAJYA SABHA

be deprived of her property rights. Such a Bill has been passed in Kashmir. What does the mover of the Bill say about it? Dr. Karan Singh is also sitting here. I know that he might have been weeping within his heart when he came to know that such a Bill has been passed in the Kashmir Assembly. Now we are talking about national integrity. If such a Bill has already been passed in the Kashmir Assembly, what is the purpose behind this Bill? The purpose is well known to everybody. They are also women. They are entitled to marry any person they want. Why should they be deprived of the property rights on the pretext of marriage alone? The Kashmir Assembly has already passed such a Bill. Kindly reconsider this issue. I hope the Law Minister would take this point into consideration and react on it. This is the situation. I would also request the mover of this Bill to look into this matter. Thank you.

**SHRI R. SHUNMUGASUNDARAM:** Mr. Vice-Chairman, sir, thank you for giving me this opportunity to speak on this very important Bill. This Bill which seeks to give equal rights for women in property rights has got a forerunner and that forerunner, I am proud to say, was from the Tamil Nadu Assembly and it was brought when our leader, Dr. Kalaignar Karunanidhi was the Chief Minister in 1989.

**SHRI N. JOTHI:** At that time we all were together.

**SHRI R. SHUNMUGASUNDARAM:** Sir, he does not know the history. Let me tell him some history. When the Justice Party held its Conference in Chengalpattu 75 years ago, a decision was taken to give property rights to women. But that decision was implemented only in 1989 when Dr. Kalaignar Karunanidhi was the Chief Minister of Tamil Nadu. Not only that. The DMK Government made a provision of 30 per cent reservation for women in Government jobs. That was done during 1989-91 when the DMK Party was in power in Tamil Nadu. The DMK Government also made a provision that only woman teachers would be appointed in schools to teach the students up to 5th standard. This was done considering the important role that women play in the society.

In the same way, the DMK Government in 1989...

**SHRI N. JOTHI:** Sir, he is only talking about the DMK Government. He is not speaking on the Bill.

**SHRI R. SHUNMUGASUNDARAM:** That was done by the DMK Government. My friend does not know the history.

SHRI N. JOTHI: Why should I know it? ...*(Interruptions)*... You come to the subject.

SHRI R. SHUNMUGASUNDARAM: Sir, DMK Government under the leadership of Shri Karunanidhi ...*(Interruptions)*...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Let him speak.

SHRI N. JOTHI: Sir, he is not speaking on the Bill.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Please don't digress. Please speak on the subject.

SHRI R. SHUNMUGASUNDARAM: If Mr. Jothi wants to get some position in his party, then he can do it. ...*(Interruptions)*...

The DMK Government, under the leadership of Kalaignar Karunanidhi gave Rs. 10,000 as grant for women, who had studied up to VIII standard, at the time of their weddings. The DMK Government, under the leadership of Kalaignar Karunanidhi, revised this grant in 1996 to those women who have studied up to 10th standard. Not only this; pregnant ladies were given a grant of Rs. 500 each for three months at the last stage of their pregnancy. This was also done by the DMK Government. My friend, Mr. Jothi, is naturally agitated because most of the schemes were withdrawn by their Government... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Shunmugasundaram, please address the Chair.

SHRI R. SHUNMUGASUNDARAM: These are not the only achievements of the DMK Government. There are plenty; but, I would only, in short, say why the DMK party and I, representing the DMK party, support this Bill.

The Tamil-speaking people give a lot of importance to women. Our literature and history born out of these details show as to how women were given a lot of importance. Sir, the Tamil literature which has wealth of knowledge, which is ancient, has now shown that there were poetesses, at least, about 2,000 years back. The hon. Member has said something about epics. Mr. Jothi also commented about epics. But it is prior to these periods of legends of epics, that is, during the time of Purananooru, there were poetesses; I could say, there were not less than 15 poetesses. And one important poetess, Avvaiyar, was the first woman emissary, an

[9 July, 2004]

RAJYA SABHA

ambassador. She was going between kings. And, she was also considered as one of the greatest Tamil Poetess of the Tamil literature.

I am also very proud of and I can boastly tell this august House that one epic was written by a king glorifying a woman. This is not available in any of the world literature. This is the epic of Silappathikaram, and this was written by Elangovadigal, who was an erstwhile king, glorifying Kannagi...*(Interruptions)*

SHRI N. JOTHI: He was not a king. He was a prince.

SHRI R. SHUNMUGASUNDARAM: He was a king and the king's brother. If you don't know that, please keep quiet. Silappathikaram was written by Elangovadigal glorifying Kannagi. I don't know why the hon. Member opposes whenever I say the name 'Kannagi'. Kannagi was glorified in the Tamil literature...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): He is agreeing with you. He is saying, 'correct'.

SHRI R. SHUNMUGASUNDARAM: Let him please agree. Otherwise, he will be in difficulty.

SHRI N. JOTHI: They are selling Kannagi. We are worshipping Kannagi...*(Interruptions)*

SHRI R. SHUNMUGASUNDARAM: Sir, my friend, Mr. Narayanasamy, says that Kannagi is in jail. Maybe, true.

Silappathikaram glorified Kannagi. And, therefore, in the Second World Tamil Conference which was held in Chennai 36 years back, there were deliberations on the role of Kannagi. And, then, the Kannagi's statue was installed at Marina. This is history...*(Interruptions)*

SHRI N. JOTHI: This is too much. I am sorry, I want your protection on this... *(Interruptions)*

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Let him speak. You had your say...*(Interruptions)*

SHRI N. JOTHI: How can removal of a statue be a subject-matter here?

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Shunmugasundaram, please do not digress. Please speak to the subject...

SHRI R. SHUNMUGASUNDARAM: I did not say anything about statue removal...

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Please keep to the subject. You are speaking very well. Please keep to your subject... *(Interruptions)* Mr. Jothi, I have dealt with that. Please, Mr. Jothi, thank you very much *(Interruptions)* Please,...*(Interruptions)*

SHRI N. JOTHI: He cannot speak about statues...*(Interruptions)*

SHRI R. SHUNMUGASUNDARAM: Sir Kannagi was glorified. Sir, I am only repeating.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Yes, you have been repeating it for a long time. Please carry on. *(Interruptions)* Mr. Shumugasundaram, your train is stuck. Please carry on.

SHRI R. SHUNMUGASUNDARAM: Sir, as I was saying, Silappathikaram glorified Kannagi, and the world Tamil Conference decided to install her statue.

SHRI N. JOTHI: Sir, the hon. Member is speaking nothing on the Bill. He has spoken not a single word on the Bill. I don't know why he is doing this. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Shunmugasundaram, please stick to the subject.

SHRI N. JOTHI: Sir, let him go to the clauses of the Bill. *(Interruptions)*

SHRI V. NARAYANASAMY: Why are you doing injustice to him?

THE VICE-CHAIRMAN : Mr. Shunmugasundaram, I appeal to you to please concentrate on the subject *(Interruptions)* Please carry on. *(Interruptions)*

SHRI N. JOTHI: Sir, it is not his habit. He will not do it. *(Interruptions)*

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Shunmugasundaram, there are many speakers who have to speak on this Bill, and we have to finish it by 5.30 *(Interruptions)* There cannot be any point of order. *(Interruptions)* Mr. Shunmugasundaram, please continue.

SHRI N. JOTHI: Sir, he is using this forum to abuse my party. *(Interruptions)*

[9 July, 2004]

RAJYA SABHA

SHRI R. SHUNMUGASUNDARAM: Sir, I am not abusing Mr. Jothi.  
(Interruptions)

SHRI E.M. NATCHIAPPAN: Sir, I am not interfering.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): At the moment, you are interfering. (Interruptions)

SHRI E.M. SUDARSANA NATCHIAPPAN: Sir, Kannagi was a widow. She fought for the rights... That has relevance. Her statue was taken away by them.

SHRI N. JOTHI: I am objecting on this point. He is saying nothing about the Bill. (Interruptions)

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Nothing is going on record. (Interruptions) Nothing is going on record. (Interruptions)

SHRI N. JOTHI: \*

SHRI R. SHUNMUGASUNDARAM: Sir, I was telling the House that Avvaiyar was the first woman ambassador. She was sent as an emissary from one king to another king.

Likewise, as Mr. Natchiappan just now said, Kannagi was the first woman advocate which we got from the Tamil literature. She fought for the rights of her husband. Now, I only conclude my speech with the fervent request and appeal to the hon. Minister present here to at least install the statue of Kannagi in Madurai High Court which is going to be inaugurated shortly. With these words, I support the Bill.

SHRI N. JOTHI: I have no objection to that. (Interruptions) Sir, Shri Shunmugasundaram has not spoken a single word on the Bill. Kindly go through his speech. Except his name, everything can be expunged. (Interruptions)

SHRI V. NARAYANASAMY: Sir, I rise to support the Property Rights of Woman and Girls Bill, 2004, moved by Shrimati Kum Kum Rai. Sir, I have heard the views expressed by the hon. Members of the House. One of the hon. Members was totally opposing the Bill, while other Members have been supporting the Bill. The basic idea of bringing this Bill is that there is exploitation of woman and their rights are being taken away by the male members, even though women are entitled to those rights. This

---

\*Not recorded.



is the basic issue. Sir, many Members were saying that there are so many Acts, and there is no need to bring forward this Bill. That is not the way we should look at an issue. Sir, a girl child in a family is considered as a burden by her family. Though she has got property rights, in practice, property rights are not being given to her. The parents think that the girl should be married early so that their burden gets over. The property to which the girl is entitled to is not being given to her at the time of her marriage. This is being done by her parents, her brothers. This is happening in this country. I want to know from the hon. Minister as to how the existing laws are protecting the rights of the girl child of this country. We have so many legislations on the subject. When the hon. Member was saying that we have a male-dominated society, Mr. Jothi was objecting to it.

He is only going through the provisions of the Bill but not in practical terms. I entirely agree with the hon. Members, Smt. Prema Cariappa when she said that it is a male chauvinistic society. They oppress the women folk in this country. Practically it is happening in this country. Let us not camouflage things. Now they need freedom; they need liberty. We talk about it but we are not doing it. Even in this Parliament, we are responsible for not giving 33 per cent reservation to them. We are not giving it to them. All political parties are responsible for it.

SHRI N. JOTHI: Not my party.

SHRI V. NARAYANASAMY: I am not saying about XYZ. I am saying that all the political, in some way or the other, are opposing women's reservation. They are opposing women getting equal rights in the society.

Sir, now I come to the issues of married women. The husband dominates in the family, They may say so many things. But when it comes to the question of rights for women in property, they are being curbed. They are not allowed to take their property. They are being treated as slaves. Let us go to the villages and see how ladies are being treated by their in-laws. That being the case, where is the question of their getting property rights? Therefore, the hon. Member wants provision in the Constitution so that women get their rights--as a girl-child, as a married woman, and as a widow.

Sir, the Supreme Court had to intervene when it came to the rights of widows. When the husband dies leaving the property, by writing a will, giving the property for lifetime of the wife, after the death of her husband,

[9 July, 2004]

RAJYA SABHA

the Supreme Court said, "It enlarges into absolute interest". That is the judgement by the Supreme Court. Thereafter, an amendment was brought in the Hindu Succession Act, in section 14 of the Act. Therefore, the widows' right, the women's right and the girl-child's right, as the hon. Member said, though it was brought in different forms, needs to be ensured. The objects and reasons are severely criticised by some of the Members here. I don't agree with those Members. Whatever the hon. Member has mentioned in the Statement of Objects and Reasons is absolutely right. Let us talk about the Members who say that the women and girls have no say in the properties. If a daughter is entitled to have a share in the property, after the demise of her father, it is very difficult for the sister to get her property from her brothers. These sisters have to go to courts. How many of them have got the knowledge to go to courts in rural areas? It is very difficult for them. After the demise of parents, the brothers think that their sister is an alien. This is the practical thing. After the death of the husband, the in-laws think that she is not entitled to live in the house itself. Therefore, the hon. Member wants that the lady member, who is a widow, after the death of her husband, is entitled to live in the house she used to live. That is what she wants. The husband's properties have to be inherited by her. There are so many legislations.

I would like the hon. Minister to bring in a comprehensive legislation. In Kerala, there is a peculiar enactment, which is called *Marumakkattayam*. The female member gets the rights by birth. Therefore, let us not talk as if we have given every right for women by way of Constitutional provisions, by bringing out several legislations. It is not the case.

We can argue like Mr. Jothi argues. We can argue the case in a very technical way, but it is not so in practicality. Women's rights are not given to them. For every inch of their property, they have to fight; even to dwell in the House they have to fight. To get maintenance, how many years does it take for a widow from the court?

SHRI N. JOTHI: Mr. Narayanasamy, you are a lawyer. You know it very well. It will be given in the next hearing itself. In the next hearing itself the amount is being given. Don't you know that?

SHRI V. NARAYANASAMY: Even a criminal case takes fifteen year... (*Interruptions*)... These are all matters which the hon. Member may say in the name of maintenance. Even for getting the maintenance, they

have to go to a court, they have to claim. Even after an order is passed, the in-laws would be absconding, and they are not able to execute the order. There are so many things which are there. Let us be very practical about it.

Mr. Ahluwalia will never agree with me when I speak about women's rights because he has got a different connotation in his mind. I know that also.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Mr. Narayanasamy, you seem to know his mind so well!

SHRI S.S. AHLUWALIA (Jharkhand): do not carry this impression. ...*(Interruptions)*... I am a changed person. ...*(Interruptions)*...

SHRI V. NARAYANASAMY: If you admit that you are a changed person, then it is all right. ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: I was carrying different impression about women.

SHRI V. NARAYANASAMY: I am saying this because we discussed the rights of women in different forms. Mr. Ahluwalia and I differed. Therefore, I have mentioned this in that context. Now he is a changed person. I am very happy about it. ...*(Interruptions)*...

SHRI. S.S. AHLUWALIA: Because you are also a changed person.

SHRI V. NARAYANASAMY: Sir, it is very difficult for the hon. Minister to accept this Bill. Let us be very practical about it. Let the hon. Minister give an assurance to this House in this regard. This Bill has three connotations, namely, rights of female child, woman, that is, a wife in a family and thereafter a widowed lady. I think the hon. Minister will consider the suggestions given by the hon. Member in the Bill and bring a comprehensive legislation covering all communities and religions. There are certain religions, which prevent the property rights of women. Therefore, I request the hon. Minister to bring a comprehensive legislation. With these words, I support the Bill. Thank you.

SHRIMATI VANGA GEETHA (Andhra Pradesh): Mr. Vice-Chairman, Sir, I thank you for giving me this opportunity to speak on the Property Rights of Women and Girls Bill, 2002, moved by hon. Member, Shrimati Kum Kum Rai. Sir, I can proudly say that in Andhra Pradesh we have equal property rights. A Bill to this effect was brought by Shri N.T.

[9 July, 2004]

RAJYA SABHA

Rama Rao in 1985. So many provisions have been incorporated in this Bill. Sir, from birth to death, from olden days to modern days, women have been facing so many problems at different stages in their lives. Sir, nowadays birth of a girl child is also a problem. As a result of the advancement of science, the girl child birth is also in danger. Nowadays we are finding that in old age homes most of the women inmates belong to well-settled families because they are neglected by their children. That is why women from birth to death are facing so many problems at different stages because they do not have property rights. If women are given property rights, they can lead their lives with confidence and without dependence. It is for this reason, I am supporting this Bill moved by Shrimati Kum Kum Rai, Thank you.

श्री मूल चन्द मीणा (राजस्थान): उपसभाध्यक्ष महोदय, डा० कुमकुम राय जी ने The Property Rights of Womens and Girls Bill, 2002 नामक प्राइवेट मेंबर बिल पेश किया है। यह बिल अच्छी भावना के साथ लाया गया है और यह बात सही भी है। वेदों और पुराणों में वर्णन आता है कि नारी और नर, दोनों से मिलकर समाज बनता है और बिना नारी के पुरुष अपूर्ण है। हम वेदों में सुनते आए हैं कि शिव और पार्वती, विष्णु और लक्ष्मी, ब्रह्मा और सरस्वती, राम और सीता तथा राधा और कृष्ण का जो हमारा इतिहास है तथा जो रचना हुई है, वह भी नारी के ऊपर ही है। चाहे हम महाभारत की बात करें, राम रावण युद्ध की बात करें। इसलिए किसी भी धर्म में, किसी भी धर्म को मानने में नर और नारी में कोई भेद नहीं है। लेकिन आज दो प्रकार से समाज का वर्गीकरण किया गया है—पुरुष प्रधान और स्त्री प्रधान। हमारे यहां पर पुरुष की प्रधानता को महत्व दिया गया है, स्त्री का महत्व सेकेंड गिना गया है।

मौलाना अब्दुल्ला खान आज़मी: स्त्री को प्रधान मंत्री बनने से रोका गया।

श्री मूल चन्द मीणा: देश में चाहे आजादी की लड़ाई लड़ी गई हो, उसमें भी महात्मा गांधी की आवाज पर नारियों ने पुरुषों के साथ मिलकर आजादी की लड़ाई के आंदोलन में भाग लिया। आज जो अधिकार संविधान के अंदर स्त्रियों को दिए गए हैं, वास्तविक रूप से उन अधिकारों का स्त्रियों को ज्ञान ही नहीं है, उनको इसकी जानकारी ही नहीं है। जैसे कुमकुम राय जी कह रही थी कि बिना पढ़े-लिखे ही साइन कर दिए जाते हैं कि हमारे अधिकार हमारे भाईयों को दे दिए जाएं, यह बात सही नहीं है। आज स्थिति सुधरी है। लेकिन ऐसा नहीं कह सकते कि वही स्थिति है जो पहले थी। यहां पहले गांवों के अंदर देखने को मिलता था कि बच्चियों को घरों में दूध नहीं दिया जाता था। घर में दूध होता तो था लेकिन वह दूध लड़कों को दिया जाता था, लड़कियों को दूध नहीं दिया जाता था। यह भावना होती थी एक माता की। यह एक स्त्री की भावना होती थी। जो मदर थी वह लड़के को ज्यादा महत्व देती थी। बेचारी बच्ची को दूध की जगह छाछ दी

जाती थी। तो महिलाओं को यह भावना पैदा करनी पड़ेगी, महिलाओं को शिक्षित करना पड़ेगा कि लड़कों के समान ही ये लड़कियां हैं, पुरुषों के समान ही ये स्त्रियां हैं। यह भावना आपको जागृत करनी पड़ेगी, आपको इस प्रकार की शिक्षा महिलाओं को देनी पड़ेगी तब जाकर वे अपने अधिकारों के प्रति शिक्षित हो सकेंगी, जागृत हो सकेंगी कि हमारा भी कोई अधिकार है। यह बात सही भी है, जो पुरुष प्रधान समाज है उसमें महिलाओं को अबला समझा गया है जबकि महिला अबला नहीं होनी चाहिए। महारानी लक्ष्मीबाई ने अंग्रेजों से संघर्ष किया था। तो महिलाओं को आगे आना चाहिए अपने अधिकारों के लिए। लेकिन आगे आने से महिलाओं को कतराना नहीं चाहिए। आप आगे आइए, संघर्ष करिए तभी जागृति आएगी, जब ही लोगों को जानकारी मिलेगी। यदि आप पुरुषों की तरफ या किसी अधिकार देने वाले से ऐसे ही शिक्षा मांगती रहेंगी तो आपको जो अधिकार दिया गया है तथा जिसका आप सदुपयोग भी नहीं कर पाती हैं तो फिर आपको कोई अधिकार देने वाला नहीं है। इसलिए कुमकुम राय जी आपके इस विधेयक के साथ, मैं भी एक सुझाव देना चाहता हूँ कि महिलाओं को भी उनके अधिकारों के प्रति सचेत किया जाए, उन्हें जागृत किया जाए, उनमें यह जागृति पैदा की जाए कि जो अधिकार उन्हें दिए गए हैं, उनका वे उपयोग करें। आज घर में बच्ची पैदा होती है, मां-बाप उसको पढ़ा देते हैं, वह शिक्षा भी प्राप्त कर लेती है, फिर भी उसके मन में काफी दया की भावना होती है। उसका मन काफी विस्तृत होता है। वह अपने मां-बाप को छोड़कर रहती है, वह चाहे किसी प्रकार के घर में पैदा हुई हो, लेकिन वह सभी प्रकार के दुखदर्द को सहन करती है। पति के घर में रहते हुए उस पर चाहे कितने ही दुख-दर्द आएँ, संकट आएँ, उनको वह कभी अपने मन से, कभी अपने दिल से जग-जाहिर नहीं करती है कि वह कोई कष्ट भोग रही है। इसलिए महिला महान है। लेकिन महानता का मतलब यह नहीं है कि वह कष्ट सहती रहे। समाज में कुछ ऐसे भी लोग हाते हैं जो पैसे के लालच में, दहेज नहीं मिलने के कारण महिलाओं को जला दिया जाता है। ऐसी घटनाएं देखने को मिल जाती हैं। इस तरह की जो घटनाएं हो रही हैं, जलने की जो घटनाएं हो रही हैं, उसमें महिला भी शामिल होती है, कहीं सास, शामिल है, कहीं जेठानी शामिल है। महिलाओं को अपने आप ठीक करना पड़ेगा। यदि महिलाएं अपने आप ठीक हो जाती हैं, यदि महिलाएं यह समझ जाती हैं तब किसी महिला पर अत्याचार नहीं हो सकेगा। हम कहते हैं कि महिलाओं पर अत्याचार हो रहे हैं। यदि महिला की भावना महिला के प्रति अच्छी हो, तो अत्याचार करने वाले को भी सोचना पड़ेगा। इसलिए इस बिल के माध्यम से महिलाओं को कुछ राहत मिल सके, कुछ सुधार हो सके, कुछ ज्ञान हो सके, इसके लिए मंत्री जी आप एक संशोधन बिल लेकर आएँ। वैसे महिलाओं को अपने मां-बाप की संपत्ति में अधिकार तो मिला हुआ है, लेकिन उसका उपयोग नहीं हो पाता है। महिला की स्थिति कब दयनीय होती है? जब वह भावना में बहकर अपनी संपत्ति के अधिकार को अपने भाईयों को दे देती है। महिला का जब पति मर जाता है, जब वह विधवा हो जाती है तब उसकी स्थिति बहुत दयनीय हो जाती है। विधवा होने पर ससुराल पक्ष के लोग उसका पूरा सम्मान नहीं करते हैं, वह जब अपने घर मां-बाप के

पास आती है, तो उसके भाई उसे बोझ समझते हैं, उस बेचारी की दुर्गति हो जाती है, उसका सम्मान नहीं हो पाता है। इसलिए उसे यह भी अधिकार होना चाहिए कि संपत्ति में से जो अधिकार उसने अपने भाईयों को दिया है, यदि विधवा होने पर वह फिर से मां-बाप के घर आती है तो उसको उसके अधिकार वापस मिल जाने चाहिए। यदि उसको अधिकार वापस मिल जाएंगे तो वह समाज में फिर से सम्मान के साथ अपना जीवन-यापन कर सकती है। ऐसा कोई रास्ता हो, ऐसा कोई संशोधन आप कानून में कर सकें तो इससे महिलाओं की रक्षा हो सकेगी।

**5.00 PM**

आज भारत के गांवों में अल्पसंख्यकों में, जन-जातियों में महिलाओं की स्थिति ठीक नहीं है। महिलाओं को आर्थिक रूप से मजबूत करने के लिए, उनको जीवन-यापन में आर्थिक रूप से सहयोग मिल सके, इसके लिए इन समाजों के अंदर महिलाओं को ऐसे अधिकार दिए जाएं जिससे कि पुरुष के समान वे भी अपना जीवन-यापन कर सकें, सम्मान से जी सकें। वैसे महिलाओं के विकास के लिए, महिलाओं की उन्नति के लिए कई कार्यक्रम इस देश के अंदर चले हैं।

समाज में कई कुरीतियां महिलाओं के प्रति थीं। अभी कुछ दिन पहले, मैं जिस राज्य से आता हूँ, वहां महिलाओं में एक ऐसी भावना पैदा की जाती थी कि पति के मरने पर उसे उसकी चिता में जला दिया जाए और बता दिया जाए कि वह सती हो गयी। राजस्थान में कुछ दिन पहले बिवराला गांव में एक महिला का पति मर गया। उसका दाह-संस्कार किया गया और उस महिला को जबर्दस्ती चिता पर बिठाकर सती बना दिया गया। हमारे सामने बैठने वाले लोगों द्वारा चढ़ा-चढ़ाकर उस महिला को महिमामंडित किया गया। जुलूस निकाले गए और जब सरकार ने ऐसे लोगों के खिलाफ कार्यवाही करने की कोशिश की तो सरकार के खिलाफ आंदोलन किया गया। तब यह सब कैसे संभव हो सकता है? अभी जोती जी महिलाओं के अधिकारों की बात कर रहे थे। मैं उन्हें कहना चाहूंगा कि जिनके साथ वे बैठे हैं उस पार्टी का तो मूल उद्देश्य है कि महिलाएं सेकेंडरी रहें, महिलाओं को कोई अधिकार न मिले। पांच साल तक सरकार में बैठे हुए लोग महिलाओं के अधिकार के जुमले गाते रहे कि 33 प्रतिशत रिजर्वेशन महिलाओं को दिया जाएगा। लगातार पांच साल तक जुमले गाते रहे लेकिन महिलाओं के अधिकार का कोई सौल्यूशन नहीं निकला। इसलिए जब तक समाज के अंदर ऐसी भावना के लोग रहेंगे, ऐसी विचारधारा की पार्टियां रहेंगी जो महिलाओं की बात करे लेकिन महिलाओं की बात करे लेकिन महिलाओं के अधिकारों के प्रति सचेत नहीं हो तो कैसे यह संभव हो सकता है? जो हिन्दुत्व की बात करते हैं, वे महिला को अबला मानकर चलें, उसे अबला रखना चाहते हों, ऐसे लोगों से इस देश की महिलाओं का भला नहीं होने वाला। अब समय आया है इसलिए महिलाओं पर अत्याचार करने वालों के खिलाफ कुछ कठोर कानून बनाने चाहिए। बिना कठोर कानून के महिलाओं के साथ बलात्कार होते रहेंगे, महिलाओं को दहेज नहीं लाने पर जलाया जाता रहेगा। इसलिए एक कानून बना देना चाहिए जिसके अनुसार लड़कियों को पढ़ाना

जरूरी कर दिया जाए। यह भी कानून बना देना चाहिए कि मां-बाप की सम्पत्ति में लड़कियों की हिस्सेदारी कायम रहेगी। लड़कियों द्वारा अपने अधिकार को विद्वों करने के बाद भी मां-बाप की सम्पत्ति से वह अधिकार विद्वों नहीं होगा। अगर गारंटी के साथ सरकार ऐसा कर देती है तो महिलाओं को काफी राहत मिल सकती है, वे सुरक्षित रह सकती हैं। डा० कुमकुम राय जी, आप बिल लायी हैं और यह सरकार भी महिलाओं के प्रति संवेदनशील है इसलिए मैं आपसे निवेदन करना चाहूंगा कि जब सरकार संवेदनशील है तो निश्चित रूप से आपके इस बिल के आधार पर अपनी ओर से महिलाओं की सम्पत्ति की रक्षा के लिए कोई न कोई अच्छा रास्ता निकालकर वह कानून बनाएगी इसलिए आप सरकार पर भरोसा करके चलें, यही मैं आपसे निवेदन करना चाहता हूँ। धन्यवाद।

THE VICE CHAIRMAN (SHRI DINESH TRIVEDI): Thank you, Mr. Meenaji. Hon. Members, we are nearing 5 O'clock; we started the discussion at 3 O'clock, so, I would like to take the sense of the House. Do you want to continue up to 5.30 p.m.?.....(Interruptions)...

श्री मूल चन्द मीणा: इसको आज खत्म करो।

SHRI N. JOTHI: Sir, we can finish this Bill now...(Interruptions)...

THE VICE CHAIRMAN (SHRI DINESH TRIVEDI): What is the sense of the House? ...(Interruptions)...

प्रो० राम देव भंडारी: महोदय, आज छुट्टी कर दीजिए।

....THE VICE CHAIRMAN (SHRI DINESH TRIVEDI): Further discussion on this Private Members' Bill will continue on Friday, the 23rd July, 2004, the second day allocated for the transaction of Private Members' Legislative Business. The House is adjourned till 11.00 A.M. on Monday, the 12th July, 2004.

The House then adjourned at five of the clock till eleven of the clock on Monday, the 12th July, 2004.