

[19 December, 2003] RAJYA SABHA

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) BILL, 2003

SHRI LALIT SURI (Uttar Pradesh): Sir, I beg to move for leave to introduce a Bill further to amend the Salaries and Allowances of Officers of Parliament Act, 1953.

*The question was put and the motion was adopted.*

SHRI LALIT SURI: Sir, I introduce the Bill.

THE EX-SERVICEMEN (COMPULSORY INDUCTION INTO PARAMILITARY FORCES AFTER RETIRING AT AN EARLY AGE AND MISCELLANEOUS PROVISIONS) BILL, 2003

**श्री कृपाल परमार (हिमाचल प्रदेश):** उपसभाध्यक्ष जी, मैं प्रस्ताव करता हूँ कि युवा सेवानिवृत्त भूतपूर्व सैनिकों को अर्द्ध-सैनिक बलों में अनिवार्यतः भर्ती करने, ताकि भूतपूर्व सैनिकों को पेंशन की मद में संघ सरकार के बोझ को कम किया जा सके, और उनके समुचित पुर्नवास और तत्संसक्त और उसके आनुषंगिक विषयों का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए।

*The question was put and the motion was adopted*

**श्री कृपाल परमार :** उपसभाध्यक्ष जी, मैं विधेयक को पुरःस्थापित करता हूँ।

THE WOMEN AND GIRLS (PREVENTION OF STRIPPING, TEASING MOLESTATION, BRANDING AS WITCHES AND OFFERING AS DEVADASIS) BILL, 2003-CONTD.

THE VICE-CHAIRMAN (SHRI NILOTPAL BASU): So, hon. Members, we will, now, go back to the discussion on further consideration of the motion, moved by Shrimati Bimba Raikar on the 5th December, 2003 that the Bill to provide for the prevention and prohibition of stripping and parading the women or girls naked in public view, teasing, molestation, outraging modesty and branding and killing them as witches and offering as Devadassies and for deterrent punishment for such offences and making these offences and cognisable and non-bailable and for matters connected therewith, be taken into consideration.

When the House adjourned on 5th December, 2003, Dr. M.N. Das had not concluded his speech. So, Dr. Das may resume his speech.

DR. M.N. DAS (Orissa): Thank you, Mr. Vice-Chairman, Sir. I shall be very brief. If I recollect correctly, I was, perhaps, referring to the contradiction in our social culture. On the one hand, we showed our reverence and regard to womanhood by addressing them as devis or Goddesses; but, on the other hand, we perpetuated inhuman atrocities on them, beginning from female infanticide to widow burying-widow may be of any age and the husband may be of any age. But that is an old story. Let us come to today. Today, what is happening to our sisters any daughters? We are worried about the present time. We are talking of water pollution, air pollution, etc. But, today, the greatest threat to India is that of pollution of social environment. Our society is heading to some kind of perversion. Before we think of preventive and curative measures, we will have to go into the causes in these types of social maladies. In my opinion, if we trace the causes of the pervading social lack of moral values, we find there is some kind of Western invasion on Indian culture. At one time, there was a phrase "The West is West and the East is East, and the twain shall never meet". But that phrase has become outmoded and it does not hold any ground today. Because the whole earth is described today as 'global village' as cultures know no frontiers. So, the East is influenced by the Western culture, and the West is also influenced by the Eastern culture. But there is a wide difference between the two invasions. Suppose, Indian culture invades the West, but it is only in a subtle and indirect manner, touching the fringe of Western society, whether it is Swami Vivekanand's Vedantic Mission, or, Mahesh Yogi's meditation course, or, ISKON's devotional themes. Such Eastern influences touch only the fringe of the Western society. On the other hand, the Western culture invades us on a large scale; on a wider scale through the electronic media, television channels, Foreign Direct Investment in our Press; print media, advertisement, and the various serials that we see every evening or everyday on the electronic media. Indirectly, we are coming under the impact and influence of Western culture, leading to some kind of vulgarity, violence, disco dance, etc. And our adolescents or youth are susceptible to such kind of impact on their minds. And that leads to even murders in nightclubs, or rapes, -as it happened with a foreign diplomat- and various other types of crimes. But, greater than this is our own social apathy towards what happens in the society.

Sir, Police cannot be deployed everywhere to protect every individual.

We cannot depend on the State Force to detect the places or incidents of crime. But social apathy creates a greater problem.

Some two years back, one incident took place on the streets of Delhi at a crowded place. A lady was walking towards the market with a gold chain on her neck. Two ruffians pounced upon her to snatch the chain. She resisted, cried, screamed and shouted for help. Passers-by were walking on both sides of the street. They stopped and just observed the drama of the attack. She was stabbed by the ruffian and was rushed to the hospital. The next day, some journalists met her on the sick bed in the hospital. They asked her, "Do you feel sad about the stabbing?" Do you know what reply she gave? She said, "I don't feel sad for this stabbing or for my wounds or for my health. I feel sad that the passers-by stood there silently as spectators. I cried hoarse for their help. Some of them could have been brave enough to rescue me. Some could have shouted for the police. Some could have just threatened the hooligans to run away, and they might have disappeared at once. But, I feel sad for the indifference of the society." So, this new form of social menace has developed. We don't come to the rescue of innocent victims suffering from injustice or from crime.

My other point is this. We call ourselves progressive. Certainly, we are progressing. We are spreading education. But, have we been able to replace the social vices, social superstitions, blind beliefs, or incidents like innocent ladies being stoned to death somewhere in a remote place on suspicion of witchcraft? Have we created awareness against these kind of superstitions? Have we not replaced Sati Dahan system with Badhu Dahan, or, widow, burning with bride burning? Is the society conscious about such vices? Have we tried to create awareness? So, Sir, I would appeal to the House, or, appeal to the society, through the House, that let us create a new awareness against prevailing superstitions and crimes, so that our women workers feel safe.

At the same time, I request the Government to take stern action against the crimes and abuses that are perpetrated on our women. Both the State and the society have to collaborate in eradicating the present permissive social system, and the continuing violence against our women. Thank you.

**श्रीमती गुरचरण कौर (पंजाब):** धन्यवाद, उपसभाध्यक्ष महोदय। महोदय, मैं श्रीमती बिम्बा रायकर द्वारा प्रस्तुत “महिलाओं या लड़कियों को सार्वजनिक रूप से निर्वस्त्र करने और उन्हें नगनावस्था में घुमाने, उनसे छेड़खानी करने, उन्हें उत्पीड़ित करने, उनकी लज्जा भंग करने और उन्हें डायन के रूप में घोषित करके उनकी हत्या करने तथा उन्हें देववासी के रूप में अर्पित करने का निवारण और प्रतिषेध करने तथा ऐसे अपराधों के लिए भयप्रतिकारी दंड का प्रावधान करने और इन अपराधों को संज्ञेय तथा गैर-जमानती बनाने तथा तत्संबंधी विषयों का उपबंध करने वाले विधेयक” पर अपने विचार रखना चाहती हूँ।

मान्यवर, इन लड़कियों, महिलाओं के साथ कैसा व्यवहार किया जाता है सृष्टि की **सूजना** करने वाली, पालना करने वाली महिला की हम देवी के रूप में पूजा करते हैं और जिसे नाम देते हैं—“तू काली है, तू देवी है, तू रणचण्डी का अवतार है, तेनू दुर्गा आखदे ने, सिंह ते अवतार है तू। “मान्यवर गुरुनानक देव जी ने तो औरत के विषय में लिखा है कि, “ सो क्या मंदा आखिए, जित जमें राजाना” बलि योद्धाओं को जन्म देने वाली, राम और कृष्ण को अपनी गोदी में खिलाने वाली महिला को जब दुष्ट लोगों के हाथों बेइज्जत होते देखा जाता है तो हृदय विदारण हो जाता है, सीना लीरो-लीर हो जाता है। मान्यवर, किसी की बेटी को, किसी की मां को, किसी की बहिन को जब निर्वस्त्र कर गली-मोहल्ले में घुमाया जाता है तो क्या बीतती होगी उस बेचारी पर ? छीः नारी जाति का इतना अपमान ? क्या पुरुष का हृदय स्पंदनहीन हो चुका है। एक नहीं, ऐसे अनेक केस सामने आए हैं जब माता-पिता की उपस्थिति में ऐसा हुआ है। यह तो सचमुच ही बहुत लज्जा की बात है। क्या उन दुष्टों ने कभी सोचा होगा कि अगर यह लड़की हमारी बेटी होती, हमारी बहिन होती तो क्या हम उस समय पृथ्वी में दबने के लिए तैयार होते? मान्यवर मैं तो कहती हूँ लानत है उन लोगों पर जो गांव की बेटी को अपनी बेटी नहीं समझते और देश की बेटी को अपनी बहिन नहीं समझते। मान्यवर, यह सब हमारी भारतीय सभ्यता और संस्कृति के बिल्कुल विपरित है। हम किस ओर जा रहे हैं? हमारी संस्कृति तो राम, लक्ष्मण और शिवाजी की संस्कृति है। जब शूर्पणखा ने राम की बहादुरी की चर्चा सुनी तो वह राम के पास शादी की इच्छा से गयी। परंतु राम के शादी से इंकार करने पर वह लक्ष्मण जी के पास पहुंची, जो लक्ष्मण ने उसे मां कह कर पुकारा। शूर्पणखा ने पूछा, अरे मैं तेरी मां कैसे हुई ? तो लक्ष्मण जी ने उत्तर दिया, “सुन री निशाचरी मैं तुझ को बताऊँ, मात मेरी तू भई तब से, काम का भाव हिय में लिए रघुवीर के तीर गई तब से।” मान्यवर, यह हमारी संस्कृति हैं। इसी तरह जब कल्याण के राजे की पुत्रवधु को शिवाजी का सिपाहसालार आबाजी सोहन देव जीत का तोहफा कहता है तो शिवाजी क्रोधित हो जाते हैं और कहते हैं, काश से सुंदरी मेरी मां होती तो मैं बदसूरत न होकर एक खूबसूरत शख्स होता। फिर उन्होंने कहा, मां मैं तेरी पूजा हिंदू विधि से करूँ या तेरी इबादत मुस्लिम विधि से करूँ। और कहा कि इसे हिफाजत से इसके शौहर के पास भिजवा दो और आगे से किसी ने ऐसा कृत्य किया तो उसका सिर धड़ से अलग कर दिया जाएगा।

मान्यवर, आज हम लोग कहां खड़े हैं? आज छेड़खानी करना एक शगुल हो गया है। इससे लज्जा महसूस न करके फैशन समझा जाता है। धिक्कार है, ऐसे विचार के लोगों को। हर जगह आज महिलाओं का उत्पीड़न किया जाता है, शोषण किया जाता है गलियों में, बाजारों में, चौराहों पर, दफ्तरों में। अपने घरों में भी महिलाओं को शराबी पतियों से मार खानी पड़ती है। क्या जीवन है महिला का? कई बार तो बलात्कार से पिड़ित महिला अपनी खुदखुशी करके समाप्त कर लेती है। कई बार महिला को डायन डायन कहकर मार दिया जाता है। यह कोई पुरानी बात नहीं है। आज से एक सप्ताह पहले की बात मैं कह रही हूँ कि एक साठ साल की बुढ़िया को डायन करार देकर उसका गला काट दिया गया। यह समाचार टेलिविजन पर मैंने देखा था, आप सब ने भी देखा होगा। क्या महिला को इंसाफ नहीं मिल पाएगा। इस पुरुष प्रधान समाज में? उफ, इन मर्म-स्पशी से दिल दहल उठता है, मन कंपन करने लगता है।

3.00

मान्यवर, प्राचीन काल से चली आ रही देवदासी प्रथा, जिसमें मासूम लड़कियों को देवदासी के रूप में देव-मंदिरों में अर्पण करना और बड़े बाजारों में वेश्यावृत्ति के लिए प्रोत्साहित करना, ये परंपराएं सभ्य समाज के माथे पर एक कलंक है। ऐसी लड़कियों के माता-पिता को भी चुल्लु भर पानी में डूब कर मर जाना चाहिए, जो अपनी लड़कियों को चंद-टकों की खातिर ककर्मों में डाल देते हैं। उन्हें भी देह व्यापार करवाने वाले लोगों के समान ही सजा मिलनी चाहिए।

मान्यवर, हम सब लोगों का यह दायित्व है इन उत्पीड़ित महिलाओं की, लड़कियों की रक्षा करना। यह दायित्व हमारा भी है, आपका भी है और सभ्य समाज का भी है। हमारे देश में जो ऐसा हो रहा है, यह पश्चिमी सभ्यता के प्रभाव से हो रहा है और इसके मनुष्य की, समाज की मानसिकता बदलने की जरूरत है। जब तक यह मानसिकता नहीं बदलेगी, हमारे पुराने संस्कार या देवी पूजा करने के जो संस्कार थे या मां कहकर बुलाने के संस्कार थे, वे संस्कार लोगों में नहीं आएंगे, तब तक यह कुकर्म होते ही रहेगे।

मान्यवर, मैं अपनी बहन के लिए हुए इस धेयक से बिल्कुल सहमत हूँ और सरकार से भी यही कहूँगी कि इस प्रकार का बिल सरकार को पहले ही लाना चाहिए था, जैसे महिलाओं के लिए आप पहले से साक्षरता से संबंधित, भ्रुण हत्या से संबंधित और दूसरे इतने बिल लाए हैं। इस प्रकार का एक विधेयक भी सरकार को लाना चाहिए, इतना कहकर मैं अपनी बात खत्म करती हूँ। धन्यवाद।

THE VICE-CHAIRMAN (SHRI NILOTPAL BASU): Before I call the next speaker, I just want the sense of the House, because I have to leave and there is no empanelled Vice Chairman around. As per the sense of the House, Shri Lalitbhai Mehta, a senior Member of the House, can Chair the further proceedings.

SOME HON. MEMBERS: Yes, yes.

THE VICE-CHAIRMAN (SHRI NILOTPAL BASU): Shri Ram Chandra Khuntia.

THE VICE-CHAIRMAN (SHRI LALITBHAI MEHTA in the Chair)

SHRI RAMACHANDRA KHUNTIA (Orissa): Thank you, hon. Vice-Chairman Sir. I support the Private Member's Bill introduced by sister Bimba Raikar, that is the Women and Girls (Prevention of Stripping, Teasing, Molestation, Branding as Witches and Offering as Devadasis) Bill, 2003.

Sir, many things have already been said about the atrocities on women. I want to draw your kind attention to an incident that occurred in the Purulia district of Bihar. Sita Devi, who started as a trade union worker in Purulia district in the field of construction workers, and subsequently was elected unanimously as Ward No. 2 in Village Panchayat, Government Local Body elections in 2002, was murdered. She had been harassed, assaulted and branded as a witch. The village wanted her to make a dead child alive, and when she could not do it, she was killed. This case is registered in Phalka Police Station under the Indian Penal Code, Section 302, FIR No. 653, 2003.

This is not the single incident. In many places in the whole country, women are being killed naming them as witch and sometimes also in some other names. Mr. Vice-Chairman, Sir, that is one incident which happened in Bihar. One incident happened in my own State, Orissa, on Monday itself. In that incident, one woman was raped by people in Puri districts

In that incident, culprits tied the husband with a tree and before the husband the wife was raped. This was reported in a newspaper called 'Samwad'. Another incident occurred in Chowdwar. It was again an incident of rape. In the third case, a school-going child was raped in Chandrashekhar DAV School. Sir, as we all know, these things are happening all over the country. If you look at the records published by the Planning and Programme Implementation Department and also Bureau of Criminal Statistics, which are Government Reports, in 1997 the total atrocities against women were 1,21,265. In the year 1998, this figure went up to 1,31,475 and in 2001 it was 1,41,000. It means that atrocities

against women are gradually increasing. If you go to the details, you will find that rape figure in 1996-97 was 13,308 which increased to 15,151 in 1998. In 1997, sexual harassment cases were 5,796, which rose to 8,054 in 1998. In 1997, cases of cruelty by husband were 36,592, which rose to 41,376 in 1998. In 1997, molestation cases were 30,764, which also rose to 30,959 in 1998. Sir, this gives the impression that in spite of all out efforts of State Governments and the Central Government, the crime against women is rising day by day and as many as 1,31,475 crimes against women were reported in 1998, which rose to 1,41,373 in the year 2000. Uttar Pradesh reported highest number of crimes against women with 18,920 cases, followed by Madhya Pradesh with 17,902 cases, Andhra Pradesh with 14,299 cases. Tamil Nadu with 13,732 cases and Maharashtra with 13,170 cases. These crimes are gradually increasing. We all know what happened in Delhi-rape of a diplomat, students and other things-which is needless to repeat again and again. These things are also happening with workers-girl child labour and women labour-in unorganised and organised sectors. As you know, there were incidents when girls were taken by Middle-East *sheikhs*. There were incidents of sexual abuse of children in seashore puri. There were incident where girl child was being raped and used as prostitute. If you look at workers all over the country, why are these incidents happening? Dr. Das mentioned something about socio-economic conditions and the international scenario. As a layman, if you look at the structure of the working class whether it is in the Central Government, State Government, Corporation and private sector, you will find that the number of women workers working inside the office is less. If you go to cinema halls, eve-teasing happens there; it also happens in road sides, in buses, and sometimes even in flights. Why is it happening? It is happening because the number of women present in public places-whether as flight passenger, whether as a train passenger or a bus passenger, whether in cinema hall, bus stand or on the road-is less. Why is it so? It is because more men, be it as employers, employees, officers or workers, are working in comparison to women. Moreover, women are generally not the earning members. More numbers of women are housewives. Now, because they are housewives, because they are also physically weak, because they are not earning, they are not moving fast, and because they are not moving fast, they are not moving everywhere and, thus, everywhere, their presence is less in comparison to their male counterparts. And, because their number is

less, they are being sexually harassed and there is also some eve-teasing. Sometimes, there are also incidents where the women's number is more than 50 per cent, so their cannot be any situation where the women can be humiliated. But, in our social and administrative structure, their number is very, very less. Sir, if you look at the employment situation in our country, distribution from 1981 to 1991, the difference between the male workers and female workers, is in thousands. The total number of male workers is 2,85,932 thousands, whereas the number of women workers is only 64,274 thousand. So, if you look at the percentage also, till 1997, if the total number of employed workers is 279.1 lakhs, the percentage of women workers is only 16.2. And, because of the few number of women employed, whether in offices or in factories, there is always an apprehension of sexual harassment at workplace. As we know, in all our socio-economic groups, women still have relatively low status as compared to men, whereas the division is generally more obvious in the lower level where the non-entitlement from property and the lack of decision making worsens the situation. There are two important issues associated with the deprivation, exploitation of the girl children and women working in the unorganised sector. Sir, we have also one equal remuneration Act in our country, which provides for equal wages to woman workers. But, even this morning also, in the Question Hour, it has been stated that many times, the women workers are not getting equal wages. I do not say that it is happening in any particular State or place, but equal wages are not given to the women workers. So, the law provides for payment of equal remuneration, but it is not actually happening and the women are exploited more in construction, brick kiln, agriculture and mostly in unorganised sector. There are also incidents even in the organised sector. I do not want to take the name of the company. In the biggest software company not only in India, but in the world, a woman executive was harassed and the compensation was paid and that also came in the newspapers. So, such things are happening in the country. Sir, as we know, the hon. Supreme Court gave a decision, Supreme Court guidelines on the general cases of sexual harassment of women at their workplace, which were widely welcomed. I quote the news item published in the *Hindustan Times*. "In the case of State of Rajasthan seeking the court to intervene of harassment in three Judge Bench of Apex Court, headed by the Chief Justice, J.S. Verma, ruled on Wednesday that such instances impinge upon the fundamental rights and guarantee

provided in the Constitution. The Court also found that the existing law on the subject did not adequately provides for the specific protection of the women and all that." After the Judgement given by the Supreme Court, now the public sector and the Government have issued a guideline that the public sector should form a committee, that is, the Grievance Redressal Committee and also the notice should also be displayed about the action which could be taken in case of any sexual harassment. Now, two questions arise. One is, if the public sector have formed a committee and have also issued a circular, what will happen in the private sector? The means, the private sector has no obligation to abide by the rules. Hon. Minister is present here. I urge upon the Government to give similar instructions to all the private sector companies also to follow the same circular which has been given to the public sector companies, in case of woman workers' harassment. Then the second thing, Sir, I want to mention here is that till today there is no law in our country specifically to deal with the sexual harassment. Many times, many hon. Ministers and hon. Members have aired their views. Somebody has said that the person who is responsible for the rape would be given the capital punishment, or, anything else. But, as such, as we do not have any special laws to deal with this.

My question is that the Government can issue a circular for the public sector to view sexual harassment seriously, but not to the private sector. So, what about the other sectors? Now the question is whether the Government would like to bring a special legislation to deal with the sexual harassment, girl child abuses, and, all sorts of eve-teasing, or, whatever it may be. So, a special law is required to deal with such problems in our country, and, I think that can solve the problem to a greater extent.

The second thing is that—as we know, and, I have mentioned here also—the women are being harassed. The main cause is their earning capacity and physical capability. Unless and until, the physical capability of the women is increased, and, their earning capacity is increased, till that day it is very difficult to make them withstand the challenge which is coming from the male side.

Sir, as you know, our sister Mrs. Kaur mentioned about Ramayana, and, I am also a person who accept Rama as our ideal man, *Purshottam Ramachandra*. *Ram* is always the best ideal person for us. He is the

God, and, we accept him as Hindu, so, also is the *Krishna*. But if you go to that thing, we the people, inhabitants of *Ayodhya*, and, Hindus, asked with due apology and without any criticism, *Sitaji for agnipariksha* twice, but, nobody asked *Rama*, nobody questioned *Rama*. We urged upon Sitaji, two, times, that she would also give the *agni pariksha* because she was living in the kingdom of Ravana, but nobody asked Ram. Everybody questioned Radha. It has been said that the people of Gokulnagar, also blamed Radha, but nobody pointed out a finger towards Krishna. So, even in our religion also, while giving importance to the God, we have not given that much importance to the offence committed by the male in comparison to the offences of the women, though, I do not say that is an offence.

Sir, the mindset was always to project women as weaker in comparison to the male. Sir, I do not want to take much time, out would once again repeat that in order to deal with the situation of sexual harassment, molestation, eve-teasing, and for the sake of safe work place in the country, what is required is that the Government of India should agree to bring in a special legislation in the light of the judgement delivered by the hon. Supreme Court. Therefore, a special legislation could be brought forward, we can give more emphasis to recruit more people, and, give special reservation to women, at the time of recruitment in the organised sector, and, also ensure equal payment in the unorganised sector also, to make them economically independent and physically capable to face the situation. I think, some sort of relief could be given. With these words, I once again support the Bill introduced by Shrimati Bimba Raikar.

THE VICE-CHAIRMAN (SHRI LALITBHAI MEHTA): There are three more speakers. I would request all of them to be brief so that another Bill can also be taken up. Now, Shrimati Prema Cariappa.

SHRIMATI PREMA CARIAPPA (Karnataka): Thank you, Sir. Sir, I rise to support the Private Members' Bill of my friend, Smt. Bimba Raikar, namely the Women and Girls (Prevention of Stripping, Teasing, Molestation, branding as Witches and Offering as Devadasis) Bill, 2003. It has been brought forward at a very appropriate time when women are in the grip of fear psychosis; they feel insecure venturing out of their homes even in the national Capital, what to talk about the remote and rural areas. Molestation of women has increased menacingly, ending in brutal rapes of hapless girls and women, shattering the whole life of

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RAJYA SABHA

the victims. If we analyse the cases of national capital alone of the recent past, we may recall the molestation and rape of a medical student of the Maulana Azad Medical College, molestation, rape and blinding of a nurse in a nursing home, gang rape of a college student by Army jawans and molestation and rape of a Swiss diplomat in a moving car. Few days back, the media reported that on the election day, two personnel of Delhi Police, after completing their duty, were going back. They noticed a young girl in her balcony. To become fresh, they simply barged into her house, molested and brutally raped her in the presence of her relatives. This shocking news that protectors turned culprits has put a question mark on the very safety of women. More horrifying aspect of this case was the revelation of media that the higher authorities of Delhi Police tried their best to hush up the case. Thanks to some women organisation, a case has been made out against the policewallas. But apprehensions are still there that police will make the case very weak. When Army jawans and policemen will be on prowl for the girls and women, what will happen to their safety and security? Here, the question arises as to what action is taken against the rapist policewallas. Whether hon. Minister has any data of policemen involved in rape cases during the last one decade, and how many of them have been prosecuted and dismissed? I feel, deterrent punishment has to be awarded in such cases and wherever the higher-ups try to hush up the cases, they first be summarily dismissed. For this, the Government will have to muster courage and find out the black sheep in the uniform. For others or general public, the punishment must be stringent and law must be enforced in letter and spirit. But, unfortunately, when the question of enforcement of law in cases of women comes, the implementation is very, very poor for which the nation and our society and law -enforcers have to do introspection for giving justice to women.

Teasing is yet another kind of harassment the girls and women have to undergo. The girls and women cannot travel in public transport, cannot go to public places because they have to tolerate the obscene remarks, body gestures, whistling and many a time, physical annoyance. The teasers are of all kinds-ruffians and even gentlemen, of all age groups, be they young or old. They roam around girls' schools, women colleges, markets, cinemas, public transport, parks and almost everywhere. When the girls and women are teased in public transport or place, the general public reacts as mute spectators, which emboldens

the teasers. Here too, the law and its enforcement are very weak. I understand, a Bill to prevent eve-teasing was passed in this very House a decade ago which lapsed due to the dissolution of then Lok Sabha, but successive Governments did not bother to re-introduce the Bill and get it passed.

Then comes the issue of stripping of women in public places. Many a time, news percolates that woman was stripped naked and chased in public place. Many a time, this is the result of revenge against the women herself or with her family so as to teach a lesson. This happens generally in a village where feudalism prevails one way or the other who are not afraid of law. But, Sir, it happened even in Karnataka, when a dalit woman went to fetch water in a village well, she was stripped nude and taken in a procession. Such incidents have to be taken seriously by the Government by ensuring that culprits do get exemplary punishment.

Many a time, news comes that women have been killed after being branded as witches. Recently, such incidents were reported from Bihar, Jharkhand, Chhattisgarh, new, Mr. Khuntia has said, even in Orissa. This brutality is a result of superstitions and abetment due to the lust or grievance of some influential people in the villages. Such thing should also be noted and the Government should take stringent action against the people.

This is very unfortunate that despite the law, the system of Devadasi is still prevalent in various parts of the country, including my home-state, Karnataka. The Karnataka Legislature had enacted the Devadasi (Prohibition of Dedication) Act, 1982, to remove this social evil from the State, but stray cases still come to notice. This evil practice destroys the lives of innocent girls who ultimately end into flesh trade. Since the root cause of this evil practice is superstition, the Central and the State Governments will have to declare a war on this practice. The services of NGOs may also be taken in this regard.

Since the Bill aims to remove various atrocities against girls and women, I hope the Government will give a serious thought to the proposals of Mrs. Raikar and other speakers on the Bill. I once again support this Bill and hope the Government too will support it.

Thank you, for giving me time to speak on this important Bill.

THE VICE-CHAIRMAN (SHRI LALITBHAI MEHTA): Now, I call upon Shri Sangh Priya Gautamji.

कृषि और ग्रामीण उद्योग मंत्रालय के राज्य मंत्री (श्री संघ प्रिय गौतम) : उपसभाध्यक्ष महोदय, मंत्री बनने के बाद बोलना करीब- करीब बंद हो गया ... (व्यवधान)... मगर इस विषय पर मैं बोलना चाहता हूँ।

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Sir, my name is also there.

THE VICE-CHAIRMAN (SHRI LALIT BHAI MEHTA): Yes, your name is there.

SHRI SANGH PRIYA GAUTAM: I am intervening.

THE VICE-CHAIRMAN (SHRI LALIT BHAI MEHTA): He is intervening for a short while and then your turn will come. (*Interruptions*) The reply will be given by another Minister.

**श्री संघ प्रिय गौतम:** कभी कभी कोई विषय ऐसे होते हैं जो हमें उन पर अपने विचार रखने के लिए उद्बलित करते हैं, प्रोत्साहित करते हैं और यह विषय ऐसा ही है। लेकिन हमारे विद्वान वक्ता जो इस विषय पर अपनी चिंता व्यक्त करते हुए अपने सार्थक विचारों को रखकर बोले हैं, मैं उनसे बिल्कुल भिन्न अपनी बात कहूंगा। आखिर महिलाओं पर ये जुल्म और अत्याचार क्यों होते हैं? सबसे पहले तो हमारी सामाजिक मान्यताएं ऐसा करने के लिए बाध्य करती हैं। Woman is a weaker sex. इसे हम आदमी जानता है अनेक पुस्तकों में लिखा है धर्म ग्रंथों में लिखा है सभी धर्मों में हमारी सामाजिक मान्यता है कि कमजोर हैं दूसरी बात यह है कि हमारे समाज में जो सामाजिक दण्ड मिलता था उसकी समाप्त हो गई है जब से वोट का राज आया है सामाजिक दंड समाप्त हो गया है एक मुखिया होता था अगर गांव की किसी बेटे को किसी महिला को किसी अगर गांव को किसी अगर गांव की किसी महिला को किसी ने छेड़ दिया गांव कि पंचायत होती थी व व उसने अगर यह बता दिया तो सामाजिक दंड सबके सामने दिया जाता था। अब सामाजिक दंड समाप्त हो गया है क्योंकि वोट की राजनीति है। गांव में प्रधान और सबको वोट चाहिए। सब कुछ खोकर भी, नैतिकता का पतन करके वोट मिल जाए – आज यह टेंडेंसी है। मैं यह कहना चाहता हूँ कि कुछ प्रक्रियाएं ऐसी हैं जो रैस्टोर करनी पड़ेगी। तीसरी चीज यह है कि महिलाओं को राष्ट्र की मुख्य धारा से अलग रखा गया है। मुख्य धारा में सशक्तिकरण न उनका आर्थिक क्षेत्र में हुआ, न सामाजिक क्षेत्र में, न राजनैतिक क्षेत्र में, राजनैतिक क्षेत्र में अगर गांवों में गरीब महिलाओं का हुआ भी है तो महिला पंच, सरपंच, प्रधान, प्रमुख अकेले नहीं चलती, पति प्रधान उसके साथ जरूर रहता है, वहां पर जो साथ जाता है।

Are you aware of this fact, Mr. Khuntia? पंच पति-महिला-पति, प्रधान-पति,

सरपंच-पति-बाकायदा इस तरह से उनका इंट्रोडक्शन होता है। उसका सशक्तिकरण कहाँ है? आज भी नहीं है। एक प्रक्रिया थी। पुलिस के हाथ में पॉवर थी। आखिर अंग्रेज बेवकूफ नहीं थे। आज लोग यहाँ पर मृत्यु दंड की मांग कर रहे हैं? मृत्युदंड किसको मिलेगा? मंत्री जी, आप सुनना। आपके मतलब की बात है। आपको चीफ मिनिस्टर बनना है। बने हों। आपके मतलब की बात है। मैं बता रहा हूँ। एक एक्स मिनिस्टर थे, यूपी में एमपी थे। 90 हजार रूपए निकालकर ट्रक्टर खरीदने के लिए मेरठ में आए। हमारे मित्र वहाँ पर एसएसपी थे। उनके रूपए चोरी हो गए। उन्होंने एफआईआर में किसी मुल्जिम का नाम नहीं लिखा। फिर कैसे पकड़ें? तीन दिन हो गए, तब वे एमपी साहब, एसएसपी के पास गए और कहा कि मेरा फला-फलां पर शक है, आप उनको पकड़िएं एसएसपी ने कहा कि आप लिखकर दे दीजिए। उन्होंने लिखकर नहीं दिया किन्तु फिर भी उनको पकड़कर लाए, पूछताछ की। उन्होंने पैसे के बारे में कुछ नहीं बताया। इस पर एमपी साहब बिगड़ गए कि साहब आप ऐसे पूछ रहे हैं? आप थर्ड रेट मेथड इस्तेमाल करिए। उन्होंने कहा, एमपी साहब, परसों एक बदमाश के साथ हमने थर्ड रेट मैथड इस्तेमाल करिये उन्होंने कहा एमपी साहब परसों एक बदमाश के साथ हमने थर्ड रेट मैथड इस्तेमाल किया था तो आपने हमारे खिलाफ जलुस निकाला था इसके लिए रिसपासीबल ये नेता हैं है। आधा दंड उस ब्रिटिश पीरियड में अपराधी को हथकड़ी डालकर, डंडों से पीटकर, काला मुंह करके, बाल मुंडाकर और समाज के बीच में घुमाकर मिल जाया करता था। अब तो ऐसे ले जाते हैं जैसे किसी रिश्तेदार को पुलिस वाले जलेबी खिलोने के लिए ले जा रहे हों। क्या दंड मिलेगा? कोई छोड़ेगा अपराध को? बेकार घड़ियाली आंसू बहाते हैं यहाँ। कोई पहचानता नहीं है कि सच्चाई क्या है? **What is the reality behind it?** कौन याद दिलाएंगा? पहले थर्ड रेट मेथड इस्तेमाल होता था। मृत्युदंड तो मांग रहे हैं अब लेकिन थर्ड रेट मेथड इस्तेमाल करने की बात नहीं कर रहे हैं। आधा दंड मिल जाएगा अगर ऐसा करेंगे तो। आखिर ये अपराध कम कैसे होंगे? तंत्र, मंत्र, तांत्रिक भी बहकाते हैं आजकल। तो इसकी पढ़ाई और उसका प्रचार क्यों? जब एम.पी., एम.एल.ए और मिनिस्टर ही इसका प्रचार करें तो बुरी बात है। इसको रोकना चाहिए। तांत्रिक ने बच्चे की बलि चढ़वा दी महिला के द्वारा। अब महिला के साथ तो यह होगा ही होगा। यही दिल्ली में हुआ। **Do you know about it?**

महोदय, इसके बाद जो सामाजिक प्रचारक थे, आज वे कोई दिखाई नहीं देते। वे आज अंतर्ध्यान हो गए हैं। एक साइंटिफिक टर्म होती है, **हाइबरनेशन** यानि जाड़े में छिपकली मरती नहीं है लेकिन वह छिप जाती है, त्वचा से सांस लेती है। इसी तरह गरमी में बगैर पानी के मेंढक मरता है लेकिन वह छिप जाती है, त्वचा से सांस लेती है। इसी तरह गरमी में बगैर पानी के मेंढक मरता नहीं है, नीचे चला जाता है, त्वचा से सांस लेता है, दिखाई नहीं देता है। **That term is called hibernation**, पहले समाज-सुधारक, आर्यसमाजी प्रचारक, कबीरपंथी प्रचारक, ज्ञानी सिख प्रचारक, ईसाई मिशनरी प्रचारक होते थे, लेकिन अब कोई प्रचारक नहीं रहा। समाज को बिगाड़ने वाले बहुत हैं। लेकिन सुधारने वाला कोई नहीं रहा। चौथी चीज, माफ करना मेरी बहन-बेटियां महिला सदस्य यहाँ बैठी हैं। मैं बहुत सम्मान करता हूँ उनका यह जो घर-घर में टी.वी. आ गया है- “जब से आ गया घर में टी.वी. उसमें आधी बिगड़ गई बीबी” – चाहे चोरी हो जाए, चाहे ताला

टूट जाए लेकिन टी.वी.देखते रहेंगे, पीछे कोई सुनता ही नहीं है। टी.वी. में सिवाय शराब पीने के, नंगी तसवीरें दिखाने के अलावा और क्या होता है। मैं बहन-बेटियों से माफी क्यों चाह रहा हूँ, क्षमा करेंगे – यह जो अखबारों में आधी नंगी लड़कियां आधा सीना खोलकर जान-बुझकर दिखाई जा रही है, इसका क्या अर्थ है? It should be banned completely. **श्रीमती सविता शारदा (गुजरात) :** हम भी तो यही मांग कर रहे हैं।

**श्री संघ प्रिय गौतम :** आप क्या मांग कर रहे हैं? इन शब्दों में आप मांग नहीं करते। अब जब मैं इन शब्दों में कह रहा हूँ though I am a Minister, मेरे मन में पीड़ा है।

**उपसभाध्यक्ष (श्री ललितभाई मेहता) :** मंत्री जी, आप सरकार का हिस्सा है। आप सरकार की ओर से एक कानून लाने के लिए कहिए।

**श्री संघ प्रिय गौतम :** मैं सरकार की बात ही जो कह रहा हूँ। सरकार ने कानून बनाए हैं ....(व्यवधान)..... सरकार चिंतित है।

**DR. T. SUBBARAMI REDDY:** You represent the Government and you are saying so!

**SHRI SANGH PRIYA GAUTAM:** I am sincere about it. आप सुनिए ह्यूमन राइट्स की बात आप क्या कहते हैं? What do you mean by human rights? एक लड़की जिसके साथ बलात्कार होता है, क्या उसका ह्यूमन राइट खत्म नहीं होता? पहले उसका ह्यूमन राइट खत्म हुआ। क्या यह ह्यूमन राइट नहीं है? एक लड़की को नंगा घुमाया जाए, क्या उसका ह्यूमन राइट वॉयलेंट नहीं हुआ? पहले उसका ह्यूमन राइट वॉयलेंट हुआ। यह गलत इंटरप्रेटेशन है, I am alawyer also though I am in minority, इसलिए मैं अपनी बात को नहीं मनवा सकता लेकिन ह्यूमन राइट पहले किसका खत्म किया गया? किसका समाप्त किया गया, जिसके साथ अत्याचार हुआ। क्या ह्यूमन राइट नहीं है उसका? उनका हुमन राइट हो गया जिन्होंने अत्याचार किया। गवर्नमेंट बहुत चिंतित है, सरकार चिंतित है, महिलाओं पर जुल्म-अत्याचार समाप्त होने चाहिए और वे कानून से तो होंगे ही। मैं तो कानून के साथ-साथ इन बातों को ला रहा हूँ कि हमारे अंदर, राजनीतिज्ञों के अंदर समाज को फेस करने की इच्छाशक्ति भी होनी चाहिए। समाज में सुधार की बात भी करनी चाहिए, समाज में जो गांवों में और सब जगह लोग शराब पी रहे हैं, इसको रोकना चाहिए। नंगी तसवीरों को बैन करना चाहिए। टी.वी. पर ये जो आधी नंगी तसवीरें दिखाई जाती हैं, इनको बंद करना चाहिए आखिरी बात है। बहुत से प्रिंसिपल्स ने अपने-अपने कॉलेजों में आधी ड्रेस बैन कर दी है जिसे कहते हैं टी शर्ट और जीन्स। और वहां पर पूरी कमीजें और सलवार पहनाई जाती है। पूरे महाराष्ट्र के अंदर स्कूलों में बच्चे टोपी पहनते हैं। जब एक इंस्टीट्यूशन में यूनिफॉर्म ड्रेस होती है तो हम लड़कियों के लिए ऐसी ड्रेस कायम करें, निर्धारित करें जो उनके अंगों

का प्रदर्शन न करें। इस तरह का अवसर न दें और हम अपने बच्चों को समझाएं। उन्होंने कहा कि कम महिलाएं सफर करती हैं। यह बात सही है लेकिन, टाइम-बे-टाइम न आए और कारों से लिफ्ट भी न मांगें। कारों से लिफ्ट नहीं मांगनी चाहिए। हमें अपने बच्चों को समझाना चाहिए। हम समझाते हैं। जो सरकार इस बात को गंभीरता से लेती है। महिलाओं, बच्चों, माइनोरिटी, अनुसूचित जाति, जनजाति, इस सब के बारे में सरकार बहुत ही ज्यादा चिंतित है। उनके ऊपर जुल्म, अत्याचार कम हों और उनका उत्थान हो। वे सामाजिक राष्ट्रीय मुख्य धारा में आए। इस तरह का प्रयास हमेशा सरकार करती है और आगे भी करेगी।

DR. T. SUBBARAMI REDDY: Sir, I will be very brief. Before speaking on this Bill, I want to move a Bill mentioned against my name at serial number 15. I want to also introduce the Bill. Sir, at the time of introduction, my name was called, but I was not here.

THE VICE-CHAIRMAN (SHRI LALITBHAI MEHTA): You have to move the Bill first and then introduce it.

#### **THE CONSTITUTION (AMENDMENT) BILL, 2003 (TO AMEND ARTICLE 130)**

DR. T. SUBBARAMI REDDY: (Andhra Pradesh): Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

*The question was put and the motion was adopted.*

DR. T. SUBBARAMI REDDY: Sir, I introduce the Bill.

THE VICE-CHAIRMAN (SHRI LALITBHAI MEHTA): Dr. Reddy, you can now speak on the Bill moved by Smt. Bimba Raikar.

#### **THE WOMEN AND GIRLS (PREVENTION OF STRIPPING, TEASING, MOLESTATION, BRANDING AS WITCHES AND OFFER AS DEVADASIS) BILL, 2003-CONTD.**

DR. T. SUBBARAMI REDDY (Andhra Pradesh): Sir, I welcome and also fully support the Women and Girls (Prevention of Stripping, Teasing, Molestation, Branding as Witches and Devadasis) Bill, 2003, moved by Smt. Bimba Raikar. Sir, I want to draw the attention of Mr. Gautam. ...*(Interruptions)*... He is not listening to it.