

[श्रीमती सुषमा स्वराज]

कमीशन जब तक राज्य सरकारें भी नहीं बनाएंगी तब तक पूरे हिन्दुस्तान को कोई लाभ नहीं हो सकता है। राज्य सरकारों पर भी यह जिम्मेदारी डालनी चाहिए कि शाखा के तौर पर इसकी शाखायें राज्यों में बनें। दूसरी बात जो सबसे बड़ी ग्रहण है वह यह है कि आयोग का अध्यक्ष कौन होगा, इस पर आयोग की सफलता निर्भर करती है। आप जानते हैं, कोई भी संस्था कागजी दस्तावेजों से नहीं चलती दी गई शक्तियों से भी नहीं चलती है। अगर संस्थायें चलती हैं तो इस बात में चलती हैं कि उसके शिखर पर कौन बैठा है।

उपसभापति : क्या इस हाउस में भी यह बात लागू होती है ?

श्रीमती सुषमा स्वराज : तभी तो मैं आपके संरक्षण में बोल रही हूँ। आपके संरक्षण में बोलने में आनन्द आता है। आपके पीठासीन होने पर और शिखर पर होने पर हम बहुत गद्गद हैं।

मैं समाप्त करते हुए यह बात कहना चाहती हूँ कि इसकी सफलता इस बात पर निर्भर करेगी कि कौन व्यक्ति इसके शिखर पर बैठा है। एक बात मैं कहना चाहूंगी कि पूर्वाग्रहों से मुक्त होकर अध्यक्षा का चयन किया जाय। वह पोलिटिकल हो, नान-पोलिटिकल हो, किसी दल की हो, किसी क्षेत्र की हो, सारे के सारे पूर्वाग्रहों को छोड़ करके चयन होना चाहिए क्योंकि शिखर पर बैठा हुआ व्यक्ति यदि उस उद्देश्य के प्रति समर्पित होता है तो लाख बाधाओं के बावजूद वह संस्था चलती है और पैसे के अभाव में भी वह संस्था चलती है। लेकिन अगर शिखर पर बैठा हुआ व्यक्ति समर्पित नहीं है तो आप लाख पैसा दे दीजिये, लाख शक्तियाँ दे दीजिये, इस तरह की संस्थायें रस्मी और औपचारिक बन कर रह जाती हैं। इसलिए मैं माननीय मंत्री महोदयों से कहना चाहूंगी कि अध्यक्ष और सदस्यों का चयन करते समय थोड़ा पूर्वाग्रहों से मुक्त हों। ऐसे व्यक्ति को अध्यक्ष और सदस्य के रूप में चयन

करें जिनका महिलाओं के विकास और उत्थान में निष्ठा हो, समर्पण की भावना हो। यदि वह ऐसा करेगी तो निश्चित तौर पर यह विधेयक महिलाओं के विकास और उत्थान में एक मील का पत्थर साबित होगा और राष्ट्रीय मोर्चा की सरकार की यादगार उपलब्धि होगा, बहुत धन्यवाद।

THE DEPUTY CHAIRMAN: You spoke very well.

The House is adjourned till 2.30 for lunch.

The House then adjourned for lunch at forty minutes past one of the clock.

The House reassembled after lunch at thirtyfour minutes past two of the clock, **THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR)** in the Chair.

THE NATIONAL COMMISSION FOR WOMEN BILL, 1990—CONTD.

श्रीमती प्रतिभा सिंह (विहार) : उपसभाध्यक्ष महोदय, आज हम नेशनल कमीशन फार वीमन बिल, 1990 पर चर्चा कर रहे हैं और उस पर बात करने जा रहे हैं। इस विषय में मेरा कहना है कि हमारे जो राष्ट्रीयपिता महात्मा गांधी थे; उन्होंने ऐसा माना था कि महिलाओं की शक्ति और उनके सहयोग के बिना हमारी आजादी की लड़ाई और असहयोग की लड़ाई सफल नहीं हो सकती। महिलाओं के प्रति उस समय से ही कांग्रेस जागरूक है। 1857 में झांसी की रानी ने उत्तर भारत में अंग्रेजों को मात देने की कोशिश की। 1857 में महिलाओं का आजादी की लड़ाई के लिये इस तरह से युद्ध में शामिल होना बहुत बड़ी बात थी। आजादी की लड़ाई दक्षिण में चैनम्मा ने अंग्रेजों के खिलाफ लड़ी थी। ऐसी बहुत सारी महिलाओं के नाम हैं जो आजादी की लड़ाई लड़ी थी। सब का नाम मैं समय की

सीमा होने के कारण नहीं लेना चाहती हूँ। एक चीज मैं और कहना चाहती हूँ कि महात्मा गांधी ने औरतों के विषय में एक जगह पर लिखा है—

“Woman is the companion of man and is gifted with equal mental capacities. She has the right to participate in the minutest details of activities of man and has the same right of freedom and liberty as he. By sheer force of vicious customs even the most ignorant and worthless men have been enjoying a superiority over women which they do not deserve and ought not to have.”

सिर्फ महात्मा गांधी की ही बात नहीं है, आजादी की लड़ाई के समय उस समय के लेखकों ने भी ऐसा महसूस किया कि बिना औरतों के आगे आए यह आजादी की लड़ाई सफल नहीं होगी। इसलिए बंकिम चन्द्र ने दुर्गेश नंदिनी की कल्पना की और बंगाल में एक नया वानावरण पैदा हुआ। बंगाल की बम पार्टी जिसमें महिलाओं का सहयोग रहा और बहुत बहादुरी से लड़ी, प्राण गंवाए, जेल में गईं, लाठियां खाईं लेकिन उसी बंगाल में आज मूझे बड़ी तकलीफ होती है। कुछ साल पहले हम और हमारी माननीय सदस्या कुमारी सरोज खापड़ जी बंगलादेश के बोर्डर पर एक गांव में गये थे जिसका नाम है पटनी। वहां की दर्दनाक कथा खुद हम लोगों ने वहां की महिलाओं से सुनी। यह दर्दनाक कथा इसलिए हुई कि वह गांव पूरा का पूरा कांग्रेस का सपोर्ट था। सरोज खापड़ जी यहां मौजूद हैं। हम लोगों को वहां की हालत देखने के लिए भेजा गया था। विश्रामपुर की घटना है। जिस बंगाल में राजा राममोहनराय जैसे लोग हुए जिन्होंने सती प्रथा का विरोध किया, विद्या मागर जैसे लोग हुए जिन्होंने शिक्षा के लिए महिलाओं को आगे बढ़ाया आज उसी बंगाल में ममता बेनर्जी को पीटा जाता है और उसी बंगाल में वह डाक्टर की घटना होती है और रेप की भयानक घटनाएं होती हैं। इसके पीछे

कारण क्या हैं, यह सोचने की बात है। क्या आर्थिक कारण हैं, क्या सामाजिक कारण हैं, कौन से कारण हैं इनको समझने और डिमकम करने की आवश्यकता है। गांधी जी ने मही आंका कि आजादी की लड़ाई तभी सफल होगी जब महिलाएं इसमें भाग लेंगी। उनका कहना था कि धरती और स्त्री दोनों में अत्यधिक सहन शक्ति होती है। इसीलिए महिलाएं अंग्रेजों की गाली से नहीं डरीं, जेल जाना भी उनको भयभीत न कर सका। इसका उदाहरण है सरोजिनी नायडू, विजय लक्ष्मी पंडित, राजकुमारी अमृत कौर और इस तरह से हर गांव में आपको भी मालूम है बिहार तथा श्री प्रदेशों में लाखों औरतें जेलों में गईं। इसी ऐतिहासिक पृष्ठभूमि में जब आजादी मिली तो कांग्रेस ने, गांधी जी ने, नेहरू जी ने और सभी ने सोच कि महिलाओं को समान मनाधिकार दिया जाए। अगर एक पुरुष का वोट है तो महिला का भी एक वोट हो। श्रीमन्, कल कहा गया कि एक वोट होने से महिलाओं का क्या होगा मेरा यह कहना है (व्यवधान)

कुमारी सरोज खापड़ (महाराष्ट्र) : श्रीमन्, हम लोग इस सदन में राष्ट्रीय महिला आयोग की चर्चा कर रहे हैं और इस बिल को हम पाम करने जा रहे हैं। सरकार ने यह बिल यहां पर लाया है और ट्रेजरी बेंचेंज की तरफ जब हमारी नज़र जाती है तो हमको खाली बेंचेंज देखने के बाद पता चलता है कि सरकार कितनी गम्भीरता से राष्ट्रीय महिला आयोग की तरफ देख रही है। उनकी तरफ से एक हमारी महिला मंत्री यहां बैठी हुई है बाकी सारे ट्रेजरी बेंचेंज खाली हैं।

श्री मोहम्मद खलीलुर रहमान (आन्ध्र प्रदेश) : पीछे मुड़करके देखिये आपके कितने हैं ?

कुमारी सरोज खापड़ : हम तो अपोजीशन में हैं। आप सरकार में हैं, आप बताइये।

SHRIMATI MARGARET ALVA: Sir, this has been the convention in this House that there must always be at least one Cabinet Minister on roster duty in the House. (*Interruptions*) At least a Cabinet Minister should be present when the important Bills are discussed. (*Interruptions*) Not even the Minister of Parliamentary Affairs is there. (*Interruptions*) There is a convention that the Cabinet Minister should be present in the House. (*Interruptions*)

कुमारी सरोज खापड़ें : श्रीमन्, क्या इनकी सरकार एंटी वीमेन है ?

विपक्ष के नेता (श्री पी० शिव शंकर) : भारतीय जनता पार्टी की तरफ से सिर्फ वाजपेयी जी अकेले हैं ।

डा० रत्नाकर पाण्डेय (उत्तर प्रदेश) : रोस्टर मिनिस्टर की ड्यूटी रहती है । सदन जानना चाहता है कि कौन से मिनिस्टर ड्यूटी पर उपस्थित हैं और जब तक रोस्टर वाले मिनिस्टर्स यहां उपस्थित नहीं होते हैं तब तक सदन की कार्यवाही चलाना न्यायसंगत नहीं लगता ।

कुमारी सरोज खापड़ें : इससे जाहिर होता है कि विश्वनाथ प्रताप सिंह की सरकार महिलाओं की विरोधी है । अगर महिलाओं की विरोधी नहीं होती तो आज यहां आपके कोई कैबिनेट मिनिस्टर होते... (व्यवधान) कैबिनेट मिनिस्टर का यहां उपस्थित रहना बहुत जरूरी है । जो हमारी बहिनें उधर बैठी हुई हैं मेरा आपसे कोई झगड़ा या लड़ाई नहीं है । मेरा इतना ही निवेदन है कि कम से कम इतने गम्भीर विषय पर चर्चा होती है तो कैबिनेट रैंक का एक मिनिस्टर यहां अवश्य बंटे ।

डा० रत्नाकर पाण्डेय : रोस्टर ड्यूटी पर एक मिनिस्टर रहता है वह भी उपस्थित नहीं है । यह सदन का अपमान है ... (व्यवधान)

कुमारी सरोज खापड़ें : यह है आपके राष्ट्रीय महिला आयोग का स्वरूप जो आप बनाने जा रहे हैं ... (व्यवधान)

एक माननीय सदस्य : हम निकल जायेंगे तो कोरम की भी समस्या उठ खड़ी होगी ।

कन्याण मंत्रालय में स्त्री एवं बाल विकास विभाग में उप मंत्री (श्रीमती उषा सिंह) : आज रोस्टर ड्यूटी भी हमारी ही पड़ी हुई है ।

कुमारी सरोज खापड़ें : रोस्टर ड्यूटी के नाते आप उपस्थित हैं ... (व्यवधान)

श्रीमती उषा सिंह : नहीं नहीं ... (व्यवधान)

कुमारी सरोज खापड़ें : हमारा कहना है कि आपको कैबिनेट मिनिस्टर को बुलाना चाहिए ।

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Let me clarify. I think this is very clear. We are discussing the Bill. Technically, the Deputy Minister is here and she is not here on roster duty. She is piloting the Bill. But let us be fair to the woman Minister. Let her not suffer. (*Interruptions*).

SHRI P. SHIV SHANKER: We welcome her. We congratulate her. She is sitting there and she is doing wonderfully well. That is not the point. (*Interruptions*).

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): If she is feeling lonely, her colleagues might join her. (*Interruptions*).

SHRIMATI MARGARET ALVA: Sir, from the Chair, you have to protect the convention of the House. The convention has been that there must also be a Cabinet Minister. (*Interruptions*).

SHRIMATI JAYANTHI NATA-RAJAN: She is the only Minister left in this Government. They have thrown Shrimati Maneka Gandhi out already. This is the attitude they have towards women. (Interruptions) Sir, I want to place it on record. You will appreciate that she is the only woman in the entire Council of Ministers. We wish her well. we want her to be promoted. Let her become a Cabinet Minister. (Interruptions).

श्री अटल बिहारी वाजपेयी (मध्य प्रदेश): सभापति जी, एक महिला सदस्या बोल रही थीं और महिलाएं ही उनको टोक रही हैं।

कुमारी सरोज खापर्डे : सदन की एक सीनियर महिला अपने विचारों को सदन में जब व्यक्त करने जा रही है तो हमारा निवेदन आपके द्वारा सरकार से है कि इस सरकार का एक कैबिनेट रैंक का मिनिस्टर उन महिलाओं और हम सबके विचार सुनने के लिए कम से कम यहां आकर बैठे।

उपसभाध्यक्ष (प्रो० चंद्रशेखरी ठाकुर): इतने जोर से आवाज उठायी गयी है, शायद पहुंच रही होगी। इसलिए प्रतिभा जी को बोलने दें।

Let the work proceed. Let us listen to the House. Please go ahead. (Interruptions).

श्री मोहम्मद खलीलुर रहमान : वाइस चेरमैन साहब, उन्होंने "राष्ट्र विरोधी" एक लफ्ज कहा है। वह रिकार्ड से खारिज कर दिया जाए।

उपसभाध्यक्ष (प्रो० चंद्रशेखरी ठाकुर) : देखा जाएगा। आप बैठिए।

कुमारी सरोज खापर्डे : मैंने कभी नहीं कहा। आप रिकार्ड चेक करियेगा। अगर मैंने "राष्ट्र विरोधी" शब्द कहा होगा तो आप डिलीट कर दीजिएगा... (व्यवधान) आपका कहना है कि मैंने "राष्ट्र विरोधी" शब्द प्रयोग किया है।

उपसभाध्यक्ष (प्रो० चंद्रशेखरी ठाकुर) : नहीं किया है तो ठीक है।

श्रीमती प्रतिभा सिंह : मैं कह रही थी कि इस तरह लाखों लाख औरतें जेल गयीं। उनके त्याग और बलिदान के फलस्वरूप हमें वोट का राइट मिला। कल एक सदस्या ने कहा कि वोट मिलने में हमें क्या मिला वोट मिलने से मेरा यह कहना है कि हमें सब कुछ मिला आज जो कुछ भी हो रहा है वह वोट के हिसाब से हो रहा है चाहे हम करें, चाहे वे करें, जो भी करें। लेकिन वोट आवश्यक है। जब आप विदेश में जाइय तो विदेश की जो जागृत महिलाएं हैं वे कहती हैं कि आप भारतवासी महिलाएं कितनी सौभाग्यशालिनी हैं कि जो आपको बिना लड़ाई के वॉटिंग राइट, जिसे ही भारत सरकार कांग्रेस की बर्ना, वैसे ही आपको वॉटिंग राइट मिल गये। उस वॉटिंग राइट की वजह से ही मैं आज यहां हूँ, या उस तरफ की बहिर्न वहां हैं। अगर हमें वॉटिंग राइट नहीं होता, तो ना हम होते, न वह होतीं। हमारी आवाज तूती की आवाज होती, सुनता कौन।

वोट की वजह से, चाहे वह नेशनल कमिशन बिल आये, चाहे कोई भी बिल आये, जवाहरलाल जी, बाबा साहब अम्बेडकर और सभी ने महिलाओं के अधिकारों को लड़ाई दोनों सदनों में लड़ी यहां तक कि लॉहिया जी, जो बैकवर्ड्स के लिए इतना लड़े, उन्होंने कहा कि महिलाएं जो हैं, उनको बैकवर्ड की श्रेणी में रखा जाये क्योंकि वह पिछड़ी हुई हैं, उन्हें हमें आगे बढ़ाना है। जो भी लोग इस देश में, आजादी के बाद नेता हुए हैं, सभी ने महिलाओं को आगे बढ़ाने की चेष्टा की है। किसी ने भी यह कोशिश नहीं की कि महिलाएं आगे न बढ़ें। यह अलग बात है कि हमारी कुरीतियां हैं, आर्थिक व्यवधान, बहुत सी बातें जो थी, जो कि मिडल एज्ज में हम लोगों के देश में जब दूसरे लोग शासन में थे, उस समय यह कुरीतियां ज्यादा आई थीं। यह मनु के समय भी नहीं थीं, जिस समय हिंदू राज था, उस समय भी नहीं थीं, लेकिन ये कुरीतियां बीच मध्यकाल में आईं।

[श्रीमती प्रतिभा सिंह]

इसलिए मैं सवाल पूछना चाहती हूँ कि हिंदू कोड बिल किसने पास किया ? इसका जवाब हमको मिलना चाहिए। महिलाओं को सम्पत्ति में चाहे थोड़ा ही अधिकार मिला, यह किसने किया ? आज क्या अधिकार के बिना महिला को आगे बढ़ा सकते हैं ? केवल भाषणों से पेट नहीं भरता एडाप्शन राईट विधवाओं को कैसे मिला ? विधवाओं को जब एडाप्शन राईट मिला, बड़ी चीज थी उसके पहले विधवाओं को घर में कोई सम्मान नहीं मिलता था। लेकिन जब उनको एडाप्शन राईट मिला, तो उसके बाद उनका भी सम्मान हुआ क्योंकि जवाहरलाल जी का मानना था कि—

“The justness of a society is measured by the status of women in that society.”

वह इसमें पक्की आस्था रखते थे, इसका विचार रखते थे और इसलिए उन्होंने हमेशा चेष्टा की कि महिलाओं को हर समय सम्मान का दर्जा प्राप्त हो।

इन्दिरा जी ने जब से वह शासन में आई उन्होंने हमेशा महिलाओं को आगे बढ़ाने की कोशिश की। 1971 में स्टेट्स आफ विमन की एक कमेटी, बनी जिसकी फूलगुणा गुहा चैयरमैन थी। उसके बाद वह कमेटी चार साल चली और उसने अपनी बहुत बड़ी रिपोर्ट दी, जिसमें औरतों के प्रति जो अत्याचार होते हैं, उसको क्या हो, औरतों के कानून कैसे हों, औरतों के सम्पत्ति अधिकार का क्या प्रावधान हो, इस तरह से औरतों की नौकरी का क्या हो, कोई भी ऐसा क्षेत्र नहीं है, जिसके विषय में उस कमेटी ने टिप्पणियाँ की हैं। यहाँ तक कि इन्दिरा जी के टाइम में तलाक के विषय में भी पहले एक कानून बना, फिर उसमें जो गलतियाँ देखी गईं, उसका दुबारा अमेंडमेंट आया था।

औरतों के लिए समान वेतन किसके समय में हुआ था ? इन्दिरा जी के समय में ही हुआ था। यह उस पक्ष के लोग भी जब बोल रहे थे, तो उन्होंने भी कहा कि हाँ, समान वेतन उस समय में हुआ था।

राजीव गांधी ने अपने समय में 30 प्रतिशत आरक्षण महिलाओं को पंचायत अधिकार में दिया उस पंचायत बिल को किसने डिफेंड किया ? मैं यह सवाल आपके द्वारा पूछना चाहती हूँ। क्या हमने डिफेंड किया ? हम तो लाय थे, लेकिन यहाँ पर तो वही पालिटिक्स आएगी, जिसका जिक्र किया गया है क्योंकि कई माननीय सदस्यों ने कहा कि कांग्रेस सिर्फ औरतों के लिए यह सब करती रही है। उपसभाध्यक्ष महोदय, कांग्रेस ने औरतों के सम्मान के लिए लेबर लाज में महिलाओं को सुविधाएँ दी गईं। मैटर्निटी बेंनिफिट जो है उसके लिए कानून लाया गया। कांग्रेस महिलाओं के अधिकार के विषय में, समस्याओं के विषय में सदैव चिंतित और जागृत रही है। समाज कल्याण बोर्ड किसने बनाया उसकी कौन पहली चैयरमैन थी ? दुर्गाबाई देशमुख जैसी जागृत महिला थीं जिसने इस देश के कानून-कानून में औरतों की कांशस को उभारा, उनको उनके अधिकारों की बात कही और उन्हें आगे बढ़ाने की चेष्टा की अब मौजूदा सरकार इसे महिलाओं के प्रति बढ़ते हुए कदम को और ठोस करने के लिए अगर यह बिल लाई है तो मैं सचमुच उन लोगों को भी साधुवाद देती हूँ, धन्यवाद देती हूँ।

कृपा करके आप घंटी मत बजाइयेगा क्योंकि मैं पूरे सेशन में एक बार बोलती हूँ। मेरा काफी समय दूसरे लोगों के व्यवधान और चर्चा में गया है। आपने कहा कि उस समय को काटेगे नहीं।

जब कमीशन बना रहे हैं तो इसको सबसे पहले मेरा कहना है कि संवैधानिक दर्जा मिलना चाहिए और भी सदस्यों ने इसके विषय में कहा है। जो शैड्यूल्ड कास्ट्स शैड्यूल्ड ट्राइब्स जैसे कमीशन हैं उनके जैसा ही संवैधानिक दर्जा मिला है वैसा ही होना चाहिए ताकि जिस मकसद के लिए इस बिल को ला रहे हैं वह मकसद इसका पूरा हो। चैयरमैन को अधिक अधिकार और निडर होकर काम करने की स्वतंत्रता होनी चाहिए। जो कुछ अर्थिक परिस्थिति है, ईवन जो रिवाइज्ड बिल है अमेंडमेंट के साथ, जो लोक सभा से पास हो करके आया है उसमें भी बहुत स्पष्ट नहीं है, उसमें भी

जो मुझे समझ में आया है कि चेयरमैन के मन में हमेशा डर रहेगा कि मैं कौन सा काम करूँ और कौन सा न करूँ। सरकार का मुह न देखकर चेयरमैन को काम भी करना पड़ेगा। यह कमीशन महिलाओं के लिए जो कानून है और जो नीतियाँ हैं उसका विश्लेषण करेगा, निरूपण करेगा, उपबंध बनायेगा, किन्तु यदि किसी निर्णय पर आयेगा तो सिफारिश कहां करेगा, उस पर एक्शन कहां से लेगा? इसके विषय में बहुत कुछ स्पष्ट नहीं है, क्योंकि जुडीशियल पावर तो कुछ भी नहीं है। केन्द्र में जो कमेटी होगी वह तो सही है कि केन्द्र वह बनायेगी। अब उसमें आप 5 सदस्य रखते हैं या 10 रखते हैं या 15 रखते हैं? आज की महिलाओं की समस्याएं इतनी बड़ी हैं कि मेरी तो समझ में नहीं आता कि 5 लोक काम करेंगे कैसे इतने बड़े देश में? इसलिए वह संख्या तो आपको बढ़ानी ही पड़ेगी। लेकिन मेरा पूछना है कि राज्य में कमेटी कौन बनायेगा? यहां तो सेंटर बनाएगा। जिला स्तर पर किस प्रकार की कमेटी होगी? यदि केन्द्र में एक दल की सरकार है और राज्य में दूसरे दल की सरकार है, तो कमीशन के चेयरमैन और सदस्यों को कौन मनोनीत करेगा? यह ठीक है कि हमारी वहन सुषमा जी प्रेस विमन की घात उठाई है मैं भी उसका समर्थन करती हूँ। कोई भी जो अच्छे विचार आए तो चाहे वह किसी दल की महिला के विचार हों मैं तो उसका समर्थन करती हूँ, क्योंकि मेरा एक विश्वास है कि महिलाओं के सुख एक हैं, दुख एक हैं। उनके यहां न जाति भेद है, न वर्ग भेद है न बैकवर्ड-फारवर्ड है और न हिन्दू मुसलमान है। उनके सुख एक हैं, उनके दुख एक हैं। मेरा कहना है कि कमीशन की पावर्ज को आप और अधिक स्पष्ट करें। उनको एक्शन लेने का अधिकार दे। जैसे औरतों पर रोज ही एट्रोसिटीज की खबरें होती हैं। .. (व्यवधान)। रेप की खबरें होती हैं गैंग रेप की खबरें होती हैं, क्या होता है? सरकार क्या कर पाती है? यह अधिकार तो देने पड़ेंगे। इसका निराकरण कैसे हो?

एक बात और कहें कि जब से कोई भी सरकार जब कुछ कमजोर हो जाती है तो यह एट्रोसिटीज की घटनाएं महिलाओं पर बढ़ जाती हैं। अगर एक्शन लेने का अधिकार

नहीं होगा तो यह कमीशन भी सिर्फ नाम का रह जाएगा।

इस को पुलिस का सपोर्ट होना चाहिए। इसको कोर्ट में जाने की इजाजत होनी चाहिए और इसीलिए बाकी सदस्यों के साथ मुझे भी कहना है कि इस को आंटोनामी होनी चाहिए, स्टेटुटरी पावर्स होनी चाहिए।

उपसभाध्यक्ष महोदय, यह वर्ष बालिका वर्ष (year of girl child) है चाइल्ड का वर्ष है, महिलाओं के लिए बहुत महत्व का वर्ष है, महिलाओं की समस्याओं के समाधान करने की चाह का है। तो उनकी प्रत्येक क्षेत्र की समस्या को समझना होगा। चाहे दक्षिण में देवदासी की समस्या हो, चाहे दहेज की समस्या हो, चाहे गर्ल चाइल्ड के फीटेस डिस्ट्राय करने की समस्या हो या हरिजन आदिवासि महिलाओं पर अत्याचार की बात हो—इस कमीशन के सामने ये सारी समस्याएं होंगी तो केवल 5 मेंबरस कैसे इन सबका निराकरण करेंगे। उसके लिए मानिटिंग चाहिए।

उपाध्यक्ष महोदय, मेरे एक दो सुझाव हैं कि गांव-गांव तक महिलाओं को उनके अधिकारों की जानकारी पहुंचाएं। यह हम प्रचार के द्वारा, क्षेत्रीय भाषाओं में पम्पलेट्स द्वारा पहुंचा सकते हैं। प्रण्टी राइट्स उनके क्या हैं, माननीय मंत्री, महोदय को मालूम है कि उनके क्षेत्र में गांव की महिलाओं को नहीं मालूम है। समान वेतन है, खेत में जो महिलाएं मजदूरी करती हैं, उनको मालूम नहीं है कि लेबर लांज क्या है? तो इस सब के लिए आप पंचायतों में, उनके क्या अधिकार हैं, छोटे-छोटे उद्योग धंधों में कौन-सी सुविधाएं मिली हैं इत्यादि आप उनके पास पहुंचाने के लिए कोशिश करें। किसी कानून को लागू करने में कहां बाधा है, यह पता लगाएं। जब तक कि छोटे गांव या कस्बे में रहने वाली महिला अपने अधिकारों को नहीं जानें, तब तक वह

[श्रीमती प्रतिभा सिंह]

कैसे सक्षम और मजबूत होंगे। हमारे यह स्वप्न देखने से कि हम यह बिल पास कर रहे हैं, इसलिए महिलाएं मजबूत हो जाएंगी, तो ऐसा तो नहीं होगा। इसके अलावा कमीशन में जब कोई दिक्कत आएगी, तो उस कर्म को दूर करने के लिए सरकार क्या संसद में एमेंडमेंट लाएगी? आप भारत के 50 प्रतिशत जीवन का सुधार करने के लिए कमीशन बना रहे हैं तो इन सब बातों पर आप को सोचना होगा। उपाध्यक्ष महोदय, मेरा कहना यह है कि जिस तरह से महिलाओं के शोषण का, दुख का, उसी तरह महिलाओं का एक हिस्सा है कि कभी वह अपने पति और पुत्र के जीवन में प्रेरणा होती है। अंतः वह पुरुष के पीछे नहीं होती तो क्या पुरुष सफल होता। वह नीच में नहीं होता तो पुरुष कभी सफल नहीं होता। जो जगन्नाथ अगर शिवाजी की मां नहीं होती तो शिवाजी का इतिहास कभी स्वर्ण अक्षरों में नहीं लिखा जाता। इसलिए स्कूलों में वारंगनाओं की कहानियां कोर्स में हों ताकि महिलाओं को शोषण और अपमान न झेलना पड़े। बच्चों के भविष्य संवारने में या देश के बनाने में, उसकी प्रगति में महिलाओं का भाग रहा है। जैसा मैंने पहले भी कहा राजा राम मोहन राय सती प्रथा को रोकने में सबसे आगे थे। किन्तु यह प्रथा आज भी राजस्थान में क्यों है? क्या कोई आर्थिक कारण हैं, सामाजिक कारण हैं, क्यों है? इसका विश्लेषण इस कमीशन को करना चाहिए। उपाध्यक्ष महोदय, आज संसार में औरतें 65 प्रतिशत काम करती हैं। चाहे घर का काम हो या बाहर का हो, हर जगह वे काम करती हैं और घर के काम का भी एक तरह से वेतन होना चाहिए। किन्तु उनको इनकम में सिर्फ 10 परसेंट मिलता है और प्रापटी राइट्स तो आज एक या दो परसेंट लीगल वे में हैं। तो क्या यह कमीशन महिलाओं के जीवन में जो ये सारो विश्र्वलाएं हैं, उन को श्रृंखलाबद्ध कर सकेगा। महोदय, मैं इसमें क्लोज-बाय क्लोज नहीं जा रही हूँ, इसलिए कि यती जी उस पर काफी बोल चुकी हैं,

सुषमा जी काफी बोल चुकी हैं। मैं उन बातों को दोहराकर सदन का समय नष्ट नहीं करना चाहती इसलिए कुछ दूसरे सुझाव मैं दे रही हूँ। अगर ये और किया जा सके तो इसकी सफलता मानी जाएगी। उपाध्यक्ष महोदय, हर स्टेट की अपनी अलग समस्या है, अलग प्रायोरिटीज हैं। ता स्टेट कमेटीज में भी ऐसा प्रावधान रखें कि वह भी मजबूतती से काम कर सकें, निडर होकर काम कर सकें। कोई भा. हो, मुख्य मंत्रा हो, उन्हें उससे भय करने की जरूरत न हो क्योंकि आप जो कमेटी का चेयरमैन दे रहे हैं, उस बीच में मान लीजिए एक सरकार बदल 3.00 P.M. गयी, दूसरी सरकार आ गयी तो यह आपने कहा है, उन्हें बहुत जल्दी हटा देगे, जो इस प्रावधान को इससे निकाल दें। जब तक वे निडर नहीं होंगी, काम नहीं कर सकेंगी। दूसरी चीज यह है कि अलग-अलग धर्म के अलग-अलग कानून हैं, जैसे डायवोर्स आदि के लिए हैं, लेकिन महिलाओं की समस्या तो एक ही है। तो क्या इससे समाधान हो सकेगा? मैं चाहूंगी कि सभी धर्मों को महिलाओं को मयादा दे सके, ऐसा यूनिफार्म सिविल कंड होना चाहिए।

उपसभाध्यक्ष महोदय, ये कुछ बातें मेरे दिमाग में आयीं, जो मैंने आपके माध्यम से मंत्री महोदय से कहीं। साथ ही कहूंगी कि मंत्री महोदय, राट स्तर पर एक मशीनरी की आवश्यकता है, जो देख सके कि लां प्रापरली इम्प्लीमेंट हुए, वाच-डोग की तरह देख सके, पूरी स्वायत्तता हो और शक्ति के साथ काम कर सके। आपने यह जो कमीशन बनाया, इसके लिये तो आपको बहुत-बहुत साधुवाद और धन्यवाद। लेकिन जो सब्जेक्ट आपने लिए हैं, उन पर आपको ध्यान देना होगा। इसमें आपने लिया है—एट्रिस्टि ल ओन वीमेन, इसके लिये जब तक आप जुडिशियल पावर नहीं देंगे, तो कैसे काम चलेगा? फिर—इक्विटी आफ वीमेन फेमिली एण्ड सोसायटी का आपने कहा, इसके लिए जब तक आप गांव-गांव में विचारधारा पुरुषों की नहीं बदलते

या महिलाओं की नहीं बदलते, तो कैसे काम चलेगा ? अपने एम्प्लायमेंट अपारच्युनिटी की बात कही है, इसके लिये आपको दोनों बातें देखनी होंगी, एक तो उनको नौकरी की सुविधा हो और दूसरा जो व्यापार करना चाहें तो उन्हें उसके लिये हर प्रकार की सुविधा हो। आज जो महिलाएं ऑफिस जाती हैं, उसका आपको मालूम है कि उन्हें क्या दिक्कतें पेश आती हैं। पोलिटिक्स में भी उनका पार्टिसिपेशन हो, जो गांधी जी, नेहरू जी, इन्दिरा जी और राजीव जी ने कहा था, . . . (व्यवधान) . . . आप लोग भी कह रहे हैं, तो बड़ा अच्छी बात है, लेकिन आपके यहां से टिकिट बहुत कम मिले, इसलिये थोड़ा मुझे दुःख है। शिक्षा में भी आप परिवर्तन चाहिये, क्योंकि महिलाओं के स्कूल अभी बहुत कम हैं, जिसमें उनका एजुकेशनल परसेंटेज बहुत कम है। इसको भी आपको देखना होगा।

उपसभाध्यक्ष महोदय, स्वास्थ्य के संबंध में भी कहा गया है। मेटरनिटी और चाइल्ड वेलफेयर की फोल्ड में आप देख, तो पाएंगे कि गांवों में जितनी मिडवाइफ या नर्स होंगी, चाहिए उतनी नहीं हैं और फिर कहीं मिडवाइफ है, तो उसके लिये मकान नहीं है, दवाइयां नहीं है। इस पर भी आपको विचार करना होगा कि इसको आप कैसे करेंगे ? इम्प्रूवमेंट एण्ड इम्प्लीमेंटेशन आफ लॉ रिलैटिंग टू वॉमेन जब तक आप नहीं करते, जब तक आप यह नहीं देखते कि कानून का फायदा महिलाओं को पहुंच रहा है या नहीं ? तो कैसे स्थिति का पता चलेगा ? मान लीजिये शारदा एक्ट को हम आज भी पूरी तरह लागू नहीं कर पाये हैं, गांवों में, तो आपको देखना होगा कि हम ऐसा क्या करें, जिससे वह लागू हो। इसी तरह दहेज का कानून अगर हम लागू नहीं कर पाये हैं, तो वह क्यों नहीं ? हम चाहते हैं कि लागू हो। यों विषय तो बहुत हैं, मैं उनकी डिटेल् में नहीं जाना चाहती, क्योंकि खुद मंत्री महोदयों को और उनकी सरकार को उन सब

विषयों की जानकारी होगी। उनका यह देखना होगा कि कितना परसेंटेज एचीवमेंट हुआ है और उसके मुताबिक जहां भी कानून में बदलने की आवश्यकता हो, तो उसमें बदलने की चेष्टा आप करें।

अन्त में, उपसभाध्यक्ष महोदय, मैं यह कहूंगी कि जब तक कस्टीट्यूशनल अधिकार नहीं दोगे, तब तक यह सब कुछ संभव नहीं होगा। आप जो कमीशन का चेंबरमैन बनायें, तो बहुत सोच-समझ कर बनायें। जैसे हमारे यहां कुर्बाई हुई है, उसी तरह की कोई महिला आप खोजिये। हमारा देश इतना बड़ा भारतवर्ष है, जिसकी 80 करोड़ जनता है और उसमें करीब-करीब 40 करोड़ महिलायें हैं। एक से एक विद्वान, एक से एक कमिटेड, जो औरतों के लिये काम करती हैं, उनमें आप खोजेंगे, तो आपको जरूर मिलेंगी। यह जो राष्ट्रीय मोर्चे की सरकार ने जो यह कमीशन का विधेयक लाया है, वह तो लॉया है, लेकिन मैं यह भी कहना चाहती हूँ कि जो महिलाओं के लिये कांग्रेस कर चुकी है, उसके लिये भी कम से कम आप यह न कहें कि कांग्रेस ने कुछ नहीं किया। अगर कुछ न किया होता, तो मंत्री महोदयों, आप यहां मंत्री नहीं होतीं। इसीलिये मेरा यह कहना है कि कांग्रेस की दी हुई यह उपलब्धि है कि आज हमें इस हाउस में बैठ कर जोरदार शब्दों में बोलने का अधिकार है, अपनी मांगों के लिये लड़ने का अधिकार है, अपने लिये काम मांगने का अधिकार है।

उपसभाध्यक्ष महोदय, अन्तिम बात मैं आपके द्वारा मंत्री महोदयों और उस दल के लोगों से कहूंगी, कि स्त्रियों की जो समस्याएँ हैं, उसके जो दुःख हैं उन पर जो एट्रिब्यूटिव होती हैं, उन पर विचार करें, गांधी जी ने जैसा कहा था उसी तरह मिस सेयों की तरह

[श्रीमती प्रतिमा सिंह]

आप ट्रेन इन्स्पेक्टर न बनें। इसमें कांग्रेस आपके साथ है, आपको समर्थन दे रही है और चाहती है कि आप इसमें सफल हों और कांग्रेस जितने कदम आगे बढ़ चुका है, जितनी सीढ़ियाँ तय कर चुकी थी, उन सीढ़ियों से ऊपर चढ़कर आप आसमान में पहुँचे। धन्यवाद।

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Dr. Thulasi Reddy. You do not have to speak too long, because you are not one of... (*Interruptions*).

SHRIMATI MARGARET ALVA (Karnataka): Don't take this as a women's issue. (*Interruptions*).

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): I am not. Party-wise also his share of time is limited.

DR. NARREDDY THULASI REDDY (Andhra Pradesh): Sir, I need your protection. So far the Members who have spoken on this Bill all lady Members. I am the first male Member speaking on this subject. (*Interruptions*) My approach may be slightly different from them. I need your protection. (*Interruptions*).

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Dr. Reddy, you are in a very enjoyable company! Go ahead.

†DR. N. THULASI REDDY (Andhra Pradesh): Mr. Vice-Chairman Sir, I welcome this National Commission for Women Bill, 1990. Women enjoyed an important role during vedic period, but lost their position in the Medieval etc. Now, in this modern age while Woman is trying again to secure her original position of the vedic period, it is a good gesture of the National Front Government to

†English translation of the original delivered in Telugu.

introduce this Bill, I consider it a historical and revolutionary event. Woman is a noble creature. She sacrifices a lot. She parts with her parents and goes to her husband's house. She bears the labour point to give birth to children. Our Indian culture gives lot of respect to woman and adores her as a goddess, house wife mother and as a lady. As per our mythology—the country which disrespects the woman and indulges in molesting her, will be destroyed. Vidur in Mahabharata said if a woman sheds tears that home will be deprived of wealth. Manu in Manu-charithra said that where women are respected gods and goddesses live there. Women like Ghosha, Roshara, Lopamudra, Visrawara observed Upanayana ceremony and studied the vedas and the vedangas in the ancient days. There were many women scholars, well-versed women and architects during that age. Bharat after whom our country was named was reared, brought up and was made a scholar all by a woman, Shakuntala. In ancient days women enjoyed the freedom of selecting their husbands. Even in our scriptures, woman is given more importance. In this way women enjoyed an important role in the ancient age.

Unfortunately from Mohammad Ghori's period to the end of 18th century, women's position in the society deteriorated. It is during this period that pardha system, prostitution polygamy, Sati, child marriages etc. cropped up. But even during that period many social reformers did their best. There were great emperors like Chatrapati Shivaji who honoured his subedar's daughter-in-law who was imprisoned and sent her back with some gifts.

SHRI H. HANUMANTHAPPA (Karnataka): Mr. Vice-Chairman, Sir, you can listen to the translation. I know all the three languages i.e. Telugu, Hindi and English. The trans-

lation is totally bad. Many sentences of his speech are not covered. In Hindi, it is not even 10 to 15 per cent. In English, it goes up to 30 to 40 per cent. Most of his speech is not translated at all. I think, the translation position should be improved. Since yesterday the Lok Sabha and the Rajya Sabha are witnessing the language problem. If at all we have to understand his language, the translation efficiency should be improved and good interpreters should be appointed.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): This is a new policy. His speech is being edited.
(Interruptions)

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): The Secretariat will take note of it. Incidentally, the translation is also by a lady.

SHRI SUBRAMANIAN SWAMY: She may be a lady. But, unfortunately, she cannot cope up with the speed.

SHRI SUKOMAL SEN (West Bengal): He is speaking too fast.

SHRI H. HANUMANTHAPPA: That is the versatility of the language. The language is like that. It is not that he is speaking fast.

SHRI V. NARAYANASAMY: My submission is that more Interpreters should be there in all the recognised languages in this House. The problem is that they have only one Interpreter for regional languages. It is not possible for him to cope with the work. I will request you to convey it. It is very important. The language issue is hotting up. We raised it in the morning also. Therefore, it should be considered.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): At the moment, it is a translation issue. It is not a language issue.

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SHRI M. A. BABY (Kerala): I fully associate myself with Mr. Narayanasamy. At times we face this problem with the Secretariat.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): With what are you associating? He says that the language issue is hotting up. At the moment it is the translation issue.

SHRI M. A. BABY: That will be clear if you kindly permit me to complete my sentence. Many times we are directed that we should speak after some time so that they are in a position to arrange the Interpreters from the other House. We are told that he has gone to the Lok Sabha for translation and things like that. There should be sufficient number of people who know all these languages. This is the feeling of the House.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): I think you have made the point that the translation arrangement should be better and the quality of translation should also improve.

SHRI M. A. BABY: The number of Translators should be improved. Both the quantity of Interpreters and the quality of interpretation should be improved. (Interruptions).

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Let him speak.

SHRI M. A. BABY: The beauty of language should not be missed in interpretation.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): How beautiful it is partly in the hands of the Interpreter

श्री ईश दत्त यादव (उत्तर प्रदेश) :
उपसभाध्यक्ष जी,

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर):
वह बोल रहे हैं।

श्री ईश दत्त यादव : एक मिनट का केवल
निवेदन कर रहा हूँ।

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर):
यादव जी, आपका नाम है लक्ष दत्त आप
बोलियोगा, अभी बैठिये आप।

श्री ईश दत्त यादव : इस संबंध में आधा
मिनट कहना चाहता था कि हिंदी और
अंग्रेजी तो हम समझ लेते हैं, जानते हैं,
तेलगू नहीं जानते हैं। लेकिन यह हनुमन्त-
तप्पा जी और नारायणसामी का औब्जक्शन
सही हो सकता है, लेकिन जो महिला इंटरप्रेट
कर रही है हम हिंदी में उसको अच्छी
तरह से समझ पा रहे हैं कि तुलसी रेडडी जी
क्या बोल रहे हैं। हमको समझने में कोई
कठिनाई नहीं हो रही है, भावना समझ में
आ रही है। लेकिन इनको तो धन्यवाद देना
चाहिये उस इंटरप्रेटर को जो वहाँ बैठ करके
हिंदी का अंग्रेजी और वहाँ बैठ करके अंग्रेजी
का हिंदी बहुत अच्छी तरह से इंटरप्रेट करती
हैं और तेलगू की कर रही हैं, वह हम
लोगों के समझ में आ रहा है और आप तो
तेलगू जानते ही हैं।

श्री हेच० हनुमन्ततप्पा : जितना ट्रांसलेट
हो रहा है वह ठीक हो रहा है। जितना छोड़ा
जा रहा है उतना ट्रांसलेट नहीं। जितना
ट्रांसलेट हो रहा है वह सही है उसके लिए
धन्यवाद।

श्री ईश दत्त यादव : मैं तेलगू नहीं
जानता हूँ लेकिन बात समझ ले पा रहा हूँ।

श्री हेच० हनुमन्ततप्पा : सुनिये एक पूरे
वाक्य में चौथाई ही ट्रांसलेट हो रहा है वह
ठीक हो रहा है। तीन चौथाई जो ट्रांसलेशन
नहीं हो रहा है आपको क्या मालूम होता
है।

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर) :
अब यह बात समाप्त कीजिये।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : उप-
सभाध्यक्ष महोदय, इसी संदर्भ में मैं यह
कहना चाहता हूँ कि हनुमन्ततप्पा जी कुछ हद
तक सच्चे हैं। निस्संदेह डा० तुलसी
रेडडी बहुत अच्छी बातें कह रहे हैं। जिनको
तेलगू समझ आती है उनके लिए बड़ी अच्छी
बातें हैं लेकिन अधूरी बातें अगर जाएं तो
अच्छा नहीं है। मुश्किल यह है कि यह
सिर्फ भाषा का ही सवाल नहीं है बल्कि
ऊपर बैठे प्रैक्टिस के पत्रकार बंधुगणों के लिए
भी गड़बड़ हो जाती है और उसका एक
नमूना मैं आपको बताना चाहता हूँ। कल मैं
इस सदन में हिंदी में बरोनी में पैट्रोकेमिकल
कॉम्प्लैक्स की मांग कर रहा था और दूरदर्शन
की पार्लियामेन्टरी न्यूज में कहा गया कि मैंने
मांग की है कि बिहार में कोयले की रॉयल्टी
बढ़ा दी जाए। तो मेरे कहने का मतलब
यह है कि जो चीज जाए, वह अच्छी तरह से
जाए और लोगों को पता लगे। तुलसी रेडडी
एक अच्छे सदस्य हैं और उनकी बातें अच्छी हैं
पर पूरी बात पता लगनी चाहिए।

THE VICE-CHAIRMAN (PROF.
CHANDRESH P. THAKUR): thing,
the matter ends there. Let Mr.
Thulasi Reddy finish his speech.
(Interruptions)

श्री शम्बीर अहमद सलारिया (जम्मू और
कश्मीर) : महोदय, जब हिंदुस्तान की
बात हो रही है तो मैं यह अर्ज करूंगा कि
अगर हिंदुस्तान की जुबानों के लिए इंतजाम
किया जाना है तो हमारे जम्मू-कश्मीर
के लिए भी इंतजाम होना चाहिए
हमें नेग्लैक्ट न किया जाए और फरमान
दिया जाए कि अन्य जुबानों के साथ-साथ
कश्मीरी जुबान को नजरअंदाज नहीं किया
जाएगा।

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर) :
सलारिया साहब, बैठ जाइए। अभी कोई
भाषा का झगड़ा सदन के सामने नहीं है।
जो विषय-वस्तु है उसकी गंभीरता को हम
लोगों को ध्यान में रखना चाहिए और इस पर
आगे चर्चा चलती रहे, इसमें आप सहयोग
दीजिए।

श्री शम्बीर अहमद सलारिया : भाषा
समझ नहीं आ रही है, यह मुश्किल है।

SHRIMATI MARGARET ALVA (Karnataka): Sir, the seriousness of the discussion is being ruined by bringing in all sorts of extraneous issues. (*Interruptions*).

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Mr. Thulai Reddy, please continue.

*DR. N. THULASI REDDY: During 19th and 20th centuries great social reformers like Raja Ram Mohan Ray, Kandukuri Veeresalingam, Gurajada Apparao etc. sacrificed their lives for the development of women. As a result of their hard work child marriages, polygamy, Sati etc. have almost vanished. Widow-remarriages have taken place. Today women are participating in every field. Our country, second largest populated, after China was ruled by a woman for more than a decade. There is none who do not know the Indian athlete P. T. Usha who brought great honour to our country. In this way women are coming forward in every field. But there is yet more to be done. Still problems like illiteracy, dowry deaths, dishouring women etc. are existing. It is true that women are facing many problems. We should all participate in the crusade of solving these problems. The efforts of women's organisations in solving the problems is noteworthy. But here I would like to mention one thing. Though the Women's Organisations claim that they are working for the development of women they are essentially provoking feelings of hatred among men. They are propagating that women are treated as slaves by men. This is a wrong attitude. Man does not treat woman as his slave. He adores her and respects her. However much he has to struggle, he always wishes to keep his wife happy. Is this slavery? Never. But can we disagree with the fact that women are raped? No, But then what is the reason? It is all due

to the growing business mindedness with which obscene scenes are shown on Television, Cinemas, Videos etc. and obscene language used in all kinds of books. These are the main causes for the occurrence of molestations and rapes. This obscenity provokes the suppressed desire in men, kills the reasoning in him and forces him to behave like an animal. Adding to it is the problem of alcoholism. Alcohol intoxicates the man and he loses his senses. With the intention of earning more income State Governments are avoiding prohibition and are indirectly encouraging the atrocities on women. The statistics says that 90 per cent of atrocities on women are caused due to alcoholism and obscene films. So if atrocities on women are to be prevented obscenity in films and posters and alcoholism should be stopped.

Another problem that worries women is the dowry problem. Is man the cause of this problem? He is not, in many cases. Who else? It is a woman who wishes that her daughter-in-law should bring large amount of dowry. The mother-in-law tortures her daughter-in-law for not bringing the expected dowry. She is but a woman. A mother who wishes that her daughter should go to a rich family and wants to please them by giving handsome dowry is again a woman. One who is sad at the birth of a girl baby is a woman. So woman is the enemy of a woman. It is not man. This fact should be realised and women's organisations should stop propagating that man is the cause of all the problems of women. This attitude should change. Similarly, participation, of women in Politics itself seen as an indicator of the development of women. It is not proper to think so. How many women in western countries are participating in Politics where there is enough freedom for women? In the United States of America for the last 200 years not a single woman held the Presidents' post. Same is the case with Russia. 8 per cent of women in India are participating in Politics while only 2

*English translation of the original speech delivered in Telugu.

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per cent of them do so in Japan. Do you consider Japan an underdeveloped country? So, development of women has got nothing to do with their participation in Politics.

Another point I would like to mention is, here in Parliament whenever women's problems are discussed only women Members are given a chance to speak. It has somehow become a convention and tradition of the house. This should be changed. Only with the help of men. Women's problems can be solved. All those reformers who tried to solve the problems of women are all men. This fact is to be accepted. It is just against nature to see man and a woman as two separate entities. So my suggestion is that in this National Commission men should also be given membership. In conclusion I thank you Sir for giving me this opportunity and I give my full support to this bill.

Thank you.

SHRIMATI MARGARET ALVA: Mr. Vice-Chairman, Sir, I have been listening to the many speeches which have been made since yesterday and I rise today perhaps to answer some of the charges—if I may use the word—which have been made about the failure of everything done in the past. But listening to the lone male Member of the House, who has stood up to speak so far, I must repeat what we women have been saying for a long time—that we do not want to be turned into deities, made into stone statutes, put into temples and worshipped. We want to be treated as equal human beings in a free country. The general trend among men is to treat the whole question of women in this way where they say:

हम तो आपको यह कहते हैं, वह कहते हैं, आप तो यह है, वह है, आप तो सरस्वती हैं और आप तो लक्ष्मी हैं।”

Our only plea is, look at the issue with a great deal of seriousness. We are

here discussing something which is perhaps going to determine how and to what extent the rights of women will really be protected as far as this Commission is concerned. (Interruptions). That you need worry about. Once the women are given their place the women will look after the country as well.

The National Committee on Status of Women submitted its report which coincided with the UN Decade for Women and I heard speaker after speaker on the other side saying:

यह तो रिपोर्ट आयी थी पर तुम्हारी सरकार ने कुछ नहीं किया।

Now I have got extracts of the report of the Committee. I won't take time reading them but I want to point out that as a follow up of the recommendations in 1975 itself, Shrimati Indira Gandhi appointed or rather announced the National Committee for women. This Committee has continued since 1975. When the Janata Government came in 1977, Morarjibhai, after a great deal of persuasion agreed to become the Chairman of that Committee because the Prime Minister was supposed to be the head of that National Committee on women. He was a bit embarrassed in the beginning but he agreed in the end. Though there had been some gap for some time, it was reappointed and even today we have a constituted a committee of 29 members headed by the Prime Minister. I just want, in comparison to the aims and objectives of the present Commission for Women, quote this. I am quoting the powers of the Committee:

“The main task before the National Committee for Women will be to advise the Central and State Governments on how the constitutional provisions regarding the status of women can be effectively implemented. The Committee will also review the implementation of programmes which have already been

taken up to remove the social and economic inequalities affecting women.'

The Minister must be aware or at least must have been briefed by those who are involved in this Committee in her Department about the work done by this Committee, and composition of this Committee. We have had members from all political parties, from trade unions, writers, teachers, professors, Ministers of various State Governments. We have had Members of Parliament, social workers from every field all over the country. The Committee has been meeting regularly, with the Prime Minister chairing and reviewing and advising on what needs to be done. Sir, this National Committee on Women has not been dissolved. It is still constituted and its term I presume has not expired except, of course, the former Prime Minister has to be replaced by the present Prime Minister and the present Minister come in place of the ex-officio former Minister. I would like to point out that this Committee has at times worked in sub-committees to look at particular issues or particular problems which had to be studied in detail. Even the National Perspective Plan—I will come to it because a lot was said about it—was considered a vote-catching exercise. And I will quote from the introduction to show what was really meant by that Plan. But Sir, even when the Plan was drafted after one year of consultation at various levels—more than 35 meetings with various groups all over the country were held before the draft was finally accepted—that National Perspective Plan was taken to the National Committee on Women and the Prime Minister at that time suggested that eight heads under which the Plan was drafted should be studied by sub-groups of the National Committee on Women and so a special three-day consultation was organised. The National Committee met in specialised groups and studied the various aspects of the Perspective Plan and made recommendations back

to the Committee. This National Committee is very important but Members here have not mentioned it, perhaps because they do not know about it. This National Committee has been performing almost what has been referred to now in the aims and objects of the present Bill as the reason why the National Commission is being brought into being. I have the aims and objects with me here and I would like to just mention here that according to the Statement of Objects and Reasons, the main task of the Commission which will have a Chairperson and so on "will be to study and monitor all matters relating to the constitutional and legal safeguards provided for women, to review the existing legislations and suggest amendments, wherever necessary. It will also look into the complaints and take *suo motu* notice of the cases involving deprivation of the rights of women in order to provide support, legal or otherwise, to helpless women".

This is where I come to my first point. One part of what the Commission is supposed to be doing now has already been done since 1975 by the National Committee on Women. How effective that National Committee could be or should be is for the Prime Minister who is the Chairman to decide. Please don't interrupt me because it affects anybody's thinking.

SHRI K. G. MAHESWARAPPA (Karnataka): You want to equate that Committee to this Commission?

SHRIMATI MARGARET ALVA: You can speak in your turn and contradict me; I have no problem. I am just saying that this Committee and what has been allotted as its tasks are almost the repetition of what you are today mentioning in the aims and objects of the present Commission. And I am admitting here, there is something more which has been added to this. And here I come to my second point. Knowing that the general aspects were being looked after by the National Committee, the previous Government had announced in Parliament after a great deal of

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consultation, after a great deal of thought, a Commissioner for Women's Rights. The announcement was made in Parliament that Government would appoint a Commissioner for Women's Rights... Please don't interrupt me. I never interrupt anybody.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Kindly let her continue.

SHRIMATI MARGARET ALVA: Sir, I have not yielded... Sir, I seek your protection... I am not going into that. (Interruptions)

SHRI K. G. MAHESWARAPPA: There were committees and committees with laudable objectives, but did they give the desired results? (Interruptions) ..

SHRIMATI MARGARET ALVA: Sir, I am not yielding. I have got my time. Let there be no point of order in my speech. Please let me have my time.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Madam, let her continue. You can speak when your turn comes.

SHRIMATI MARGARET ALVA: Sir, I am not yielding.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): She is not yielding.

SHRIMATI KAMLA SINHA (Bihar): The National Committee on women was formed by a Resolution of Parliament. The Commission of women is going to be enacted by Parliament.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): She understands that.

SHRIMATI MARGARET ALVA: I therefore do say that the idea was that we should have a Commissioner and we had studied the legislations of various countries, even of Britain and the United States. In Britain today they have, what is known as, the

Equal Rights Commission. But my point is that we wanted to have a Commissioner for Women's Rights who would be able to deal with the legal side when necessary, of enforcement, of legal aid, of para-legal training and/or even legal relief for the problems faced by women.

Sir, it is easy to talk about implementation of legislation. You know the problem of Centre-State relations. Let me remind you today that Parliament has passed, in 1984, the Family Courts Bill. It was welcomed by all sections. I have for five years been trying to get all the State Governments—Congress or non-Congress makes no difference when it comes to implementation—to start the Family Courts. Every time the reply is:

पैसा नहीं है, जी, कोई जज नहीं मिला
अभी दिव्लिडग नहीं मिली जी।

I won't mention which Governments did this, but if you want I can give the names.

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर) :
सारे उत्तर हिन्दी में ही आये थे ?

श्रीमती मारग्रेट आल्वा : नहीं दूसरी
भाषा में भी थे। But the point is, there is an excuse for every State Government when it comes to implementing anything concerning women. And, therefore, I am saying, even today, six years after that legislation was passed, we have many States in the country who, in spite of letters from the Prime Minister, have not yet set up Family Courts as they should have been set up. I am, therefore, saying that it is easy to say that every State will have a State Commission. The first question they will ask is, "Where is the budget?" Therefore, I am asking the question: Are you funding the State Commission, are you going to put it into your budget and say that each

State will get so much for the purpose of running the Commission in the State? I, therefore, say that the idea was to leave these general supervisory monitoring, research and such other things to the National Committee for Women and to have a Commissioner for Women's Rights who would follow up, where necessary, through courts of law, enforcement of legislation, enforcement of legal rights and, may be at times insist that some public litigation be started in order that the courts might take cognizance of matters which it has failed to take cognizance of. That is why I say that having a Commission, whether it is of five or six or even 20 people is not sufficient. In fact, one of the amendments says that the Commission should have 20 people; there are various suggestions. But my point is, how effective can a Commission like this be? I am not opposing the Commission but I am saying that you should have first come out and made an announcement that the National Committee for Women stands abolished and will not function. Here you have one National Committee headed by the Prime Minister and now you have a Commission also.

Sir, I now come to an important point and, that is, what will be the status of the Chairman of this Commission? We had the Department of Women at the level of a Minister of State. The new Government has downgraded it—I am sorry to use this term—to that of a Deputy Minister. We are 50 per cent of the population of this country, and women are not even given representation of a Minister of State for their department in the Union Cabinet?

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): You want her promoted?

SHRIMATI MARGARET ALVA: We had a Cabinet Minister, Sir. ... (*Interruptions*)...

MISS SAROJ KHAPARDE: Vishwanath Pratap Singh's Government is anti-women... (*Interruptions*)...

SHRI MOTURU HANUMANTHA RAO (Andhra Pradesh): That cannot be the criterion... (*Interruptions*)...

SHRIMATI MARGARET ALVA: Sir, I am also making the point that this is the first Government since Independence which does not have a woman of Cabinet rank in the Government. This is the first Government since 1947 where you do not have a woman of Cabinet rank in the Government. The last Government had seven women—one of Cabinet rank, one with independent charge and five Ministers of State. What have you brought it down to today? To one Minister of State and one Deputy Minister—and the poor Minister of State today, with her hands and legs tied, has to sit and function. Is this the way to encourage women to function in decision-making positions? And then you talk about enforcing women's rights there!

Sir, the Commission will be set up, and I am not opposing the Commission. I am just pointing out what is going to be the ultimate impact.

Here I come to the general clauses of the Bill which have been gone into in detail, but I do want to make one or two very important observations on these. We have moved some amendments which, I hope, the honourable Minister will give some thought to, because there are important points which have been brought up. This is clause 5:

“The Central Government shall provide the Commission with such officers and employees as may be necessary for the efficient performance of the functions....”

The Central Government is going to decide what is necessary for the Commission. Why should the Commission not have the right to decide what it

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needs for it to function effectively? You have to go to a Joint Secretary or to a Deputy Secretary. The file moves. Then somebody asks, "Why?" Then it goes to Finance. And somebody says, "No". Even after the Chairman has said something, some Financial Advisor sitting somewhere says:

इसकी जरूरत नहीं है, इनको काट लो।

They say, "you manage with one-and-a-half people in this Department and another one in that Department." I have seen it happen. Therefore, I am saying that if you are talking of an autonomous Commission, let it have the right to decide what staff it needs. If you do not give it the right to decide what staff it needs, how can that Commission function?

This is where I would answer my hon. friend, Maheshwariji because yesterday she said that there has been no consultation in the past and we are glad that there is so much consultation now. I would like to say that the Bill was introduced in the Lok Sabha with such a hurry.

श्रीमती सरला महेश्वरी (पश्चिम बंगाल): प्रारंभ जी, मुझे आप गवना उद्धृत न करें। मैंने ऐसा कहीं नहीं कहा कि बातों नहीं की गई, बातचीत नहीं की गई।

श्रीमती मारग्रेट अलवा : जी, मैं माफी मांगती हूँ।

I am just saying that in this case this Bill was introduced on the 20th of May in the Lok Sabha, and immediately there was such a row from women's wings of many of the supporting parties that the Government had to review the whole Bill and call every Member for consultation. We were also called. In fact, I had raised this question in this House as a special mention. Then the Minis-

ter, Mr. Paswan at that time, called a meeting of those involved. Even women MPs, irrespective of political parties, had not been called for consultations until I raised it in the House and asked why we were left out. Unfortunately, the notice was so short that I was not in Delhi when the final consultation took place. But I am glad that after that consultation, a certain number of amendments had to be introduced by the Government itself in the lower House. But, Madam, in the name of amendments, I have been studying the Bill as introduced and as passed in the Lok Sabha.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): I am not "Madam".

SHRIMATI MARGARET ALVA: I am sorry, Sir. I was looking at the Minister.

I do not see very much of a change except that which originally the Chairman could be sacked with three months' notice like an employee of the Government. Even that you cannot do with the Government employees these days. I am glad that it has gone because I had also pointed out about this three months' notice as if she is some kind of a Government servant. This has been removed.

But, Sir, there is one more thing that I am pointing out. Originally the funds for the Commission were to come from the Consolidated Fund of India. In the new, amended draft that has gone, and the money is to be provided as the Government thinks fit. Sir, a point was raised yesterday. My colleague, Mrs. Jayanthi Natarajan, is not here. She asked, "What can you do with Rs. 2 crores". There was a reply, and I was quoted from the Introduction to the Perspective Plan. We are not asking for more money. I repeat that statement, and I quote here for the first time what the Prime Minister, Mr. Vishwanath Pratap Singh, said in the Lok Sabha

I am quoting here what he himself said:

"Mere allocation of funds was not sufficient to uplift the status of women. There should be a powerful institutional framework to solve their particular problems."

This is exactly what I had said in my introduction. He probably also had a look at the Plan where we said, "We do not ask only for some money. We are asking that the due share of budgets of every Ministry and every Department should go to women". If you are talking about sports, if you have an event for women, do you say that the Government should give me extra money for organising the event of sports in the Ministry of Sports, for women? If you are talking of education, do you take any extra budget because women have to be educated? We are simply saying that every Ministry's allocations must be made which will go into a common fund for women's developmental work. We do not want to be on charity or on special allotment. We want that 50 per cent of the budget, if necessary, must be allocated by each Ministry to see that women are brought into the main stream of the developmental process. That was the crux of the national Plan. But nothing has succeeded.

We have admitted and this is the first document from the Government which says that over 40 years in spite of all that we have done, women are still facing problems,....because they are not being brought into the mainstream of the developmental process. In fact, this is the only answer to solve the problem. That is why I repeat that just giving more money to the Commission by itself is not going to guarantee rights for women. What is important is what are the powers and functions you are giving to the Commission.

I am surprised to see one of the clauses. I come here to Clause 9. It says:

"The Commission or a committee thereof shall meet as and when necessary and shall meet at such time and place as the Chairperson may think fit".

That means if the Chairperson decides that they won't meet for one year, the Commission would not meet. We have moved an amendment to that saying at least once in six months the Commission should meet and that it should not be left to the Chairperson. Otherwise the Committee will not function. Why when she thinks fit?

Again I may submit in regard to reports to Parliament, we have moved an amendment also. In the amendment we have said reports must come to Parliament within a time frame. They cannot be at any time they wish. We have moved an amendment that they must be submitted within 90 days. I think Mr. Ahluwalia will move that amendment where we have asked that there must be a time frame for submission of reports to the Parliament.

There are just one or two more things which I do want to mention. What is really needed if the Commission is to be effective is to have the powers to institute legal proceedings and other actions to enforce the rights of women and to secure appropriate relief from courts, if necessary. It is only said in this that you will recommend, you will report, you will monitor, you will discuss, you will fund research. I request you just look at the research studies and reports which are available in each Ministry. Any number of studies have been made.

श्रीमती सत्या उद्दिन (उत्तर प्रदेश)
उपसभाध्यक्ष महोदय, यहाँ कोई दरिष्ठ मंत्री नहीं है। दरिष्ठ मंत्री होना चाहिए।

उपसभाध्यक्ष (प्रो० चंद्रशेखर वी० आहुर)
इसकी चर्चा हो चुकी है आप बैठिए।

श्रीमती सत्या बहिन: क्या यह सरकार की ईमानदारी है? मान्यवर, यह सबन का और इहिलाओं का अपमान है।

उपसभाध्यक्ष (प्रो० चन्द्रेश पी० ठाकुर): सत्या जी इस पर चर्चा हो चुकी है आप बैठ जाइये। सरकार की दृष्टि से निसैज सिंह बहुत सबल महिला हैं। उनको रिप्रेजेंट कर रही हैं।

SHRIMATI MARGARET ALVA: I was saying there are any number of research studies available. There is hardly any need to waste time, money and energy on this. All of us can quote statistics. All of us in the country, including men, who want to close their eyes, are aware of the status of women in the country. One of the Commissions, Kaka Kalelkar Commission, has classified women as the single largest group of backward citizens in the country which needs to be brought forward. What I am saying is that recommendations and reports are submitted to Parliament. Let us all with all honesty ask ourselves how many reports which come to us as Members of Parliament, we really read from its first page to the last page and really try to study? I have been here for the last 17 years and I know how well we read these reports. Yes, Action Taken Reports must come. The State Governments must do something. I am asking what happens if the State Government does not follow up your recommendations? Do you have any powers? Does the Commission have any powers to ensure that it will be enforced. It will be another report laid on the Table and passed on to each Member to take home and that will be the end of it.

We had the Scheduled Castes and Scheduled Tribes Commissioner. You have converted it into a Commission on Scheduled Castes and Scheduled Tribes. The announcement we had made was of having a Commissioner for women's rights. It has been con-

verted into a commission. Why? When it came to the Commissioner for Scheduled Castes and Scheduled Tribes, which was there all these years, you said it is not effective. So, we want a Commission for Scheduled Castes and Scheduled Tribes. When it comes to women, we have announced a Commissioner for women rights. You said "No, we wanted a Commission for Women". Why?

THE VICE-CHAIRMAN (PROF. CHANDESH P. THAKUR): Are you suggesting both for women?

SHRIMATI MARGARET ALVA: No, Sir. I am saying what is the criteria for deciding because there was an announcement. After a great deal of thought there was a feeling that this was much better because it would give much more legal teeth to the Commissioner for women's rights but that has been changed.

I am just saying that a lot has been done. I have to say this even if I am going to be interrupted because a number of speakers said

"कि कुछ हुआ नहीं था इस देश में महिलाओं के लिए इंदिरा जी ने एक उंगली नहीं उठाई। मैं आज बोलना चाहती हूँ कि हमारे इस देश में 40 साल से क्या नहीं किया था?"

Laws were introduced through the seventies by the Congress Govt. whether it was amending the Dowry Prohibition Act, whether it was the question of Equal Pay for Equal Work, Maternity Benefits etc. We had what was then known as SITA. It was amended and later converted into Immoral Traffic Prevention Act. The loopholes that were there in the laws were closed the Criminal Procedure Code, the Criminal Law (Amendment) Bill, family violence which was totally behind closed doors was brought under the purview of the courts to protect women who are tortured behind closed doors in the name of protection within the family.

In every field women were given an opportunity to come and to participate. But I would like to ask the hon. Members: who defeated the Bill which gave 30 per cent reservation of seats in local bodies in the last session? We wanted women to come into the grass-roots. We appealed to you to support us but you defeated it and what would have been the starting point for women in the local bodies was denied to them by the defeat of the Bill on Panchayati Raj and then you say that we did nothing. Whenever we came to you had something also in mind.

SHRI MOTURU HANUMANTHA RAO: It was first introduced in Andhra Pradesh.

SHRIMATI MARGARET ALVA: We are talking not of Andhra Pradesh. We are talking of making it compulsory, in all the States where it does not exist. Karnataka also has it. That is not the answer. We wanted it to come uniformly throughout the country but you did not allow it to happen.

We have the Ordinance which was converted into law for banning Sati. I would like to ask the Government, will the Commission for Women be able to ensure that Sati prevention laws will be enforced in Rajasthan and all those who had publicly, including Rajmata, supported and defended the practice of Sati as the right of any Hindu women, will such people under that Act be brought before the Commission on a complaint and what will be your powers to deal with such violation of laws protecting womens' rights?

Will you then be able to prosecute such people? Once the Commission is set up and we are happy to support the Commission with all its shortcomings, there are two cases, I will take up before the Commission perhaps myself concerning discrimination and political harassment against

women. One is the case of the Chairman of the Central Social Welfare Board. Since the Board was first set up we have kept the Central Social Welfare Board Chairmanship out of the purview of political interference. In 1977 the Chairman was nominated by the Janata Government and when the new Government came the Chairman was not changed. She was allowed to complete her term. She was an outstanding woman of this country and nobody touched her. Then, throughout we have never ever sacked the Chairman of the Central Social Welfare Board because of change of the Government because we believed that it must be outside the purview of political interference. The Government has changed within months, files are moved for legal opinion to sack the Chairman of the Central Social Welfare Board simply because she was nominated by the previous Government.

The same thing has happened in Bal Bhavan. Here I say a lady who was nominated by the Janata Government in 1977 not by us—we never tampered. She continued throughout because she was the director and we did not want any political interference in this institution created by Pandit Jawaharlal Nehru. What have they done the moment the Government changed? She is sacked and a male Joint Secretary becomes the Chairman of Bal Bhawan, which was never heard of since that institution was created. Is this your respect for women who are working in different institutions? In these two cases, I would be appearing before the National Commission for women and demanding justice for women in public life as well. What crime have they committed except that they did not belong to your political party? They did not belong to us. Either way, if we in Government treat women in this manner do we expect that others are going to treat them better? Anyway, it was we who got a Judge on the Supreme Court for the first time, a woman Judge in the

[Shrimati Margaret Alva]

Supreme Court. We did everything possible. It was our announcement in this House that the Planning Commission would have a woman; that the UGC would have more women and it was made two out of eight; that the UPSC would have more women, that women would come into every field of decision-making and that every recruitment board in this country of the public sector and the Government, would have a woman on it to ensure that justice was done. Husband and wife will be posted together in the Government sector and in the public sector to ensure that women did not have to give up their job when they get married. These were measures which were meant to bring women into positions of decision making as we call them. What is happening today? Are you today sitting back and telling us that nothing was done in the last forty years? I want to go on record today, Sir, that specially during the last five years, never was more done than by the Rajiv Gandhi Government for women in this country; and I say, you may call it vote catching, you may call it anything you want. And I want to know if all the measures you are rushing through are not a preparation for a mid-term poll because you know, you have to go back to the people very soon. You have set the country burning just in the name of catching votes for a mid-term poll. You will pay the price for that. That is a different question. But let us not bring women's issues into such political differences. We are glad that you are setting up the Commission. But I tell you and I would like to tell the hon. Minister for whom we have great affection and respect that with all her good intentions and all that may say and the Prime Minister may say, this Commission is ineffective. It cannot deliver the goods. It will be another paper document which will go on producing reports, which will tour around the country, which will form sub-groups, research groups and

bring out documents but which will not be able to move anywhere as far as actual enforcement of women's rights and legislation affecting women is concerned. By this Commission do you expect that dowry deaths will end, that everything else will stop and that women will come out as equal partners? I hope at least there will be more women in the Council of Ministers after that. I hope that that will be the first step that the Commission will recommend and that there will be more women in positions of authority within their own Government. With these words, Sir, I support the Bill but as I said I hope and I pray that something concrete will emerge with experience, for the future of this Commission, that something more concrete will emerge in the coming years because this, as we all know, cannot be the answer to the problems which we face today. It has no teeth. It has no autonomy and I can tell you very very honestly that it will only be another paper tiger which will not be able to deliver the goods. Thank you.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): I am sure you are wishing her well with the State Governments. You want her cooperation from the State Governments in this particularly, apart from her own promotion.

SHRI PASUMPON THA. KIRUT-TIANAN (Tamil Nadu): Mr. Vice-Chairman while I rise to support... (Interruptions)

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR) You know, your party has 10 minutes. (Interruptions)

SHRI PASUMPON THA. KIRUT-TIANAN: Be benevolent, Sir. I am very happy that I used to speak only.. (Interruptions)

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Com on the subject.

SHRI PASUMPON THA. KIRUT-TINAN: While I support this Bill to constitute the National Commission for Women, I want to quote a Tamil poem coined by the revolutionary poet, Bharathidasan.

“PENNUKKU PECHURIMAI
ILLAI ENKINDREERO;

MANNUKKUM KEDAI MATHI-
THEERO PENNINATHAI;

PENNADIMAI THEERUMATHUM
PESUM THIRUNATTU;

NANNADIMAI THEERUDHUAR-
UTHAL MUYAR KOBHE

Though I cannot give the true translation, I can translate it shortly.
4 P.M. No country can enjoy freedom if the slavery of women is eradicated.

SOME HON. MEMBERS: 'is not eradicated'.

SHRI PASUMPON THA. KIRUT-TINAN: No country can enjoy freedom if the slavery of women is not eradicated.

THE VICE-CHAIRMAN (SHRI CHANDRESH P. THAKUR): What is your original position?

SHRI PASUMPON THA. KIRUT-TINAN: ... is 'not' eradicated. It is correct. I am thankful for the correction.

This is the poem of our revolutionary poet Bharathidasan who was an ardent follower of Thanthai Periyar and Arignar Anna. Sir, the inferior status of women is established right at the birth. The birth of the girl child is unwelcome as she is considered to be an economic burden. Female infanticide was very common in our country, most particularly in Rajasthan. Women have, through the centuries, remained cloistered and confined within the four walls of the home. In the western countries, due to factors like education, urban status and changing social norms, women are

marginally better off than their counterparts in the under-developed and developing countries like India. The famous dictum of "Manu," the law-giver, which equates drum-rustics, shudras, animals and women, advocates occasional physical punishment. You can see from the age of Vedas women have been used, abused and exploited and the scenario has not changed much as we move into the 21st Century. Since a woman's traditional role is considered to be one of child-bearing and child-rearing, education is not considered essential. Women thus fail to achieve economic independence. If the nation is to develop, it is essential that the basic standard of living of people is elevated. This cannot be achieved unless women who constitute half of the nation's population get elevated.

Sir, Raja Rammohan Roy, modern India's first great social reformer, propagated the abolition of 'sati' and advocated widow marriage in the early 19th Century. In the early parts of this Century, Mahatma Gandhi, the Father of the Nation, took a step on a wider scale for emancipation of women. He tried to bring them above the abyss in which they were lying for centuries. In Tamil Nadu, Sir, our great leader, the mentor of our late Anna, the revolutionary reformist Thanthai Periyar, started the Self-Respect Movement and propagated the upliftment of the downtrodden and the women. He organised the first conference of the Self-Respect Movement in the year 1927 at Chengalpattu in Tamil Nadu in which several measures were taken for the welfare and upliftment of women. Thereafter, a number of processions and agitations were taken out to release the women folk from the clutches of age-old practices and from "Varnashrama" principles.

Sir, no doubt, after attaining the freedom of our country, the Constitution of India provides equality and justice to women under Articles 14, 15 and 16. But what is the outcome in

[Shri Pasumpon Tha. Kiruttinan] all these 43 years? It is an indisputable fact that out of the more than 370 million women in the country, almost 150 million are below the poverty-line. Seventy-eight per cent of our women stay in the villages where they are denied the basic facilities of health and education. Their life follows a vicious circle of unwelcome birth, neglected childhood, early marriage, frequent pregnancies and early death. *(Interruption)*. *(Interruption)*.

MISS SAROJ KHAPARDE: I am on a point order.

MISS SAROJ KHAPARDE: *

SHRI T. A. MOHAMMED SAQHY (Tamil Nadu):*

SHRI TINDIVANAM G. VENKATRAMAN (Tamil Nadu):* *(Interruptions)*...

SHRI T. A. MOHAMMED SAQHY *(Interruptions)*...

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): Please sit down. All of you, please take your seats.

SHRI S. S. AHLUWALIA : *

DR. RATNAKAR PANDEY: *

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR). No, these things will not go on record.

SHRI V. GOPALSAMY (Tamil Nadu): *

MISS SAROJ KHAPARDE: *

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): No, these things will not go on record. She is not a Member of this House. The matter is over. Please continue, Mr. Kiruttinan. Let us forget that We are discussing the National Commission for Women Bill, 1990 and not any political controversy.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): While

*Not recorded.

we are discussing this Bill, let the House recall that neither *chirharan* nor *sati* is legal. It is an irrelevant discussion. Now, Mr. Pasumpon, have you finished?

SHRI PASUMPON THA. KIRUTTINAN: No, Sir. My time was taken away by them.

For all these 43 years the Congress Party ruled this country for 40 years.

THE VICE-CHAIRMAN (PROF. CHANDRESH P. THAKUR): That is your last point.

SHRI PASUMPON THA. KIRUTTINAN: No, Sir. My time was consumed by their interruptions.

In all these 43 years in the field of education the picture is bleak. Seventy-five per cent of the women are illiterate. Female literacy is 18% in the rural areas and 47.8% in the urban areas. The drop-out rate for girls is estimated at 55.5% at the nursery stage. Enrolment of girls in higher education has been almost static for the years 1975-85. The Committee on the Status of Women in India (1971) expressed its concern about "the absence of adequate enforcement mechanisms that have made many of the laws ineffective" as also the inadequate efforts of Social organisations to educate women about their legal rights. Today, more than 18 years after the publication of this report, the situation has not improved. Perhaps, it has deteriorated further as evidenced by the increasing incidence of sexual harassment of women, bride burning, dowry deaths, disparities in male-female wages and remuneration, etc. The reality regarding the enforcement of law relating to women in India is very complex.

The National Committee for implementation of legal aid schemes recognised women as "a class who have been subjected to deprivation, brutality and extortion" and initiated programmes for training women social workers in the use of law in various subjects.

Enforcement of various enactments by the Governmental agencies, particularly in the sphere of crime against women, has been ineffective due to multifarious reasons; more particularly, the failure of the police to attach due importance to checking criminality against women.

Crime against women can broadly be classified into three categories, namely:

(i) Sexual offences such as rape, immoral trafficking, molestation, eve-teasing and treating them as sexual objects;

(ii) Offences of gangs; and

(iii) Dowry cases and atrocities perpetuated in the name of customs.

Statistics, whatever little are available, indicate that the major offences against women are molestation and immoral trafficking. There seems to be an urban bias with such instances being recorded more in cities than in the rural areas. This could be because the people in the cities are generally more aware and they tend to report such cases.

Awareness of rights, however, is not always accompanied by faith. Women do not wish to approach the police for help for fear of harassment. The social stigma that is attached to rape compounds their problems. Public trial where very intimate and personal questions are asked deters women from reporting the various offences.

[THE VICE-CHAIRMAN (SHRI MATI JAYANTHI NATARAJAN) in the Chair].

The enforcement of law depends on its lack of complexity and smoothness of the legal machinery. Whatever laws are framed in regard to dowry deaths, their enforcement suffers from serious handicaps.

The scene of crime is most important in the investigation of an offence. Here it is entirely in the hands of the accused and as the police are called in at his will; witnesses are generally related to the husband and do not depose against him. The post-mortem report is never clear. They write that the cause of death could be suicide; homicide just cannot be clearly ascertained. The FIR is distorted or the case is first not reported. It is also very difficult to prove that the case pertains to dowry unless incriminating papers and letters can be produced.

As a welfare State it becomes imperative for the Government to safeguard the fundamental rights of its women and make provisions in law for upgrading their status in order to establish equality in all respects and in the distribution of work and wages. Making necessary changes means recognising women not only as wives and mothers, but also as vital and valuable members of society. It means that women themselves must take power in their own hands to shape the direction of their life and for the development of their community. It means a rethinking on the development plans for them so that women's abilities, rights and needs are taken into account at every stage so that women's status and security are derived from their entire contribution to society rather than only through child-bearing and child-rearing. Unless we introduce certain measures to uplift women socially, educationally and economically, these Acts and Boards and Commissions will do nothing for them. The Government of India should send a team to Tamil Nadu.

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Please conclude now. (*Interruptions*).

SHRI PASUMPON THA, KIRUTTINAN: ...to see the drastic measures taken by our Chief Minister, Dr. Kalaignar Karunanidhi. ... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Please conclude now.

SHRI PASUMPON THA. KIRUTTINAN: I am concluding, Madam, with my last point. ... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): But there is not time.

SHRI PASUMPON THA. KIRUTTINAN: Madam, I am a male Member advocating the cause of women. ... (*Interruptions*)...

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Yes. But there is no time now. Please conclude now. Otherwise I will have to call the next speaker. You have already exhausted your time.

SHRI PASUMPON THA. KIRUTTINAN: I am concluding now, Madam.

The DMK Government is committed to the uplift of the poor and the down-trodden and also women. The Tamil Nadu Government has drawn a scheme called the Muvalur Ramamirthamayar Benefit Scheme for the marriage of poor women through which a sum of five thousand rupees is given to women who have studied up to the eighth standard.

SOME HON. MEMBERS: Free.

SHRI PASUMPON THA. KIRUTTINAN: Yes, free.

Then there is the Dr. Muthulakshmi Reddy Welfare Scheme under which every pregnant woman is getting Rs. 200].

Another welfare scheme is there called the Dr. Dharmambal Memorial Assistance Scheme for widow remarriage under which a sum of five thousand rupees is given to such a wedded couple. We have pre-education for all girl students up to the graduate level and there is a provision that only women teachers will be appointed up to the third class, we have equal

right for women in property. We have 30 per cent reservation in jobs and we have 30 per cent reservation for women in municipal and panchayat bodies. These are all the measures taken by the Tamil Nadu Government. Such drastic measures should be taken by the other State Governments also through which only the status of women can be improved. Thank you, Madam.

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Now, Shri Kulabidhu Singh.

SHRI W. KULABIDHU SINGH (Manipal): Madam, I take this opportunity of wholeheartedly supporting this very important Bill which the Lok Sabha has already passed last week. The enactment of such a measure for women is long overdue.

Madam, if we have a glance at the status of women in ancient India, since the days of the epics of the Ramayana and the Mahabharata, we would be delighted to find that women in ancient India enjoyed a very high status in society. We hear the names of outstanding ladies like Gargi, Khona, etc., not to speak of Sita or Draupati.

Madam, I should not be misunderstood when I say that during the medieval period, what is commonly known as the Muslim Period in the Indian history, a change was effected in the status of women, a change not for the better, but for the worse. The *purdah* system crept in Central, North, East and South India. After centuries of such indigenation of women Nationalist leaders and social reformers like Raja Rammohan Roy and others raised revolutionary slogans for abolition of socially very evil customs like 'Sati' etc. Madam, may I mention here a significant enactment of 1939 viz., The Hindu Women's Right to Property Act, 1939? Prior to this enactment Hindu Widows had only a life interest in their husband's estates or immovable properties. This singular enactment enlarged the rights

of inheritance of Hindu widows to a great extent, and along with it enlarged the rights of women in general. But the evils of the dowry system, and atrocities on women continue.

Madam, with the enforcement of the Constitution of India since 26.1.50, certain safe guards are provided for women under it, viz.

Art. 14 speaks of Equality before the law (men or women).

Art. 15(1) speaks of no discrimination against any citizen (men or women).

Art. 15(3) speaks of making special provision for women and children.

Madam, may I refer to Art. 30(d) of the Constitution? It provides for "equal pay for equal work for both men and women". But this provision is more breached than applied practically. So the "Equal Remuneration Act" 76 had to be enacted. But the question is whether these benign provisions of the law are applied really, is a matter for strict scrutiny by the National Commission For Women.

Madam, for more than 4 decades we have been talking for a uniform Civil Code for all citizens, as also enjoined under Art. 44 of our Constitution. More or less the women of the majority community are enjoying certain rights and freedom, which the women folk of some minority community are not enjoying. A divorced Muslim women is deprived of her right of maintenance from her husband after 3 months of the divorce. The Muslim Women's Protection of Rights on Divorce Act provides for payment of maintenance to a divorced Muslim wife by the State Wakf Board. But there are several States where no State Wakf Boards are constituted. It is for the National Commission For Women to look into these contingencies.

I do not cast any reaction on the Personal Law or religion of any com-

munity. But in advanced countries like Turkey or Egypt Muslim Personal law has been modified and modernised. Monogamy has been adopted in those countries. The Hindu Marriage Act, 1955 has also adopted monogamy in the Hindu Society also. Madam, I would, therefore, like the National Commission For Women to take up measures to renounce practices derogatory to the dignity of women. Be it *sati* or dowry system or causing Foetus-deaths or would be female child by pre-birth sex determination.

It may not be out of place to mention here that in my part of the country, viz. Manipur, the women are free. They move freely even to choose their life's partner, and their own avocations of life. Re-marriage of widows and divorced ladies has been a long standing and age-old custom. No system of *purdah* in its orthodox sense is in vogue. Women's market ('Ema keithel in the local language') is a 'sine qua non' of every main markets in Manipur. "Mira-Paibi" and 'Nisha-Bandi' are women's organisations doing yeoman's work.

Similarly, in the North-East region of Meghalaya the women folk enjoy fullest freedom and liberty. So also in Mizoram. Madam, the present enactment will go a long way to achieve the objective of equality and development, to undertake promotional and educational research so as to suggest ways of ensuring due representation of women in all spheres of life. Thank you.

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Mrs. Satva Bahin. You can speak for five minutes and then continue because the statement is coming after that.

श्रीमती मत्या - द्विन : उपसभाध्यक्ष महोदया, मैं समय के अंदर थू प्रती करूंगी ।

महोदया, मैं आपको धन्यवाद देती हूँ और साथ ही अपनी बहिन उषाजी का

[श्रीमती सत्या बहिन]

भी हादिक धन्यवाद करती हूँ। राष्ट्रीय मोर्चा सरकार को नहीं, ऊषा जी को अकेले ही धन्यवाद देती हूँ कि शायद इनके प्रयास कुछ कामयाब हो।

महोदया, वैसे तो हमारे सत्ता पक्ष के लोगों ने इस चर्चा के दौरान यह ऐहसान जताने की कोशिश की है कि महिलाओं के ऊपर बड़ा ऐहसान किया जा रहा है। महोदया, मैं बताना चाहती हूँ कि आज महिलाओं ने जो कुछ हासिल किया और जो कुछ हासिल करने का प्रयास करने की उनके अंदर प्रेरणा हुई, जागृति हुई, उसका श्रेय कांग्रेस संचार के प्रयास और उनकी व्यावहारिक नीतियों को है। महात्मा गांधी ने शुरु से ही जब से हिन्दुस्तान की आजादी की लड़ाई आरंभ की तभी से महिलाओं को बराबर के अधिकार देने के लिए उन्होंने अपने जीवन में बहुत प्रयास किया। बाबा साहब ने कानून बनाकर उनको संवैधानिक बराबरी देने का प्रयास किया और उसके लिए संविधान में व्यवस्था की। इंदिरा जी, नेहरु जी और राजीव जी ने व्यावहारिक कदम उठाए। तो कांग्रेस सरकार की व्यावहारिक उपलब्धियाँ रहीं।

महोदया, महिलाओं का जीवन स्तर उठाने के लिए कांग्रेस सरकार में बहुत से कानून बनाए गए। बहुत से व्यावहारिक कदम उठाए गए, उन पर अमल किया गया है हालांकि जो स्तर उठना चाहिए था, जो स्थिति, होनी चाहिए थी, उसमें कमी रही है, मैं इस बात को मानती हूँ। लेकिन राष्ट्रीय मोर्चा सरकार की उपलब्धियाँ क्या हैं? राष्ट्रीय मोर्चा सरकार के शासन में देश के कोने कोने में हर रोज हर राज्य में, हर गाँव शहर में, हर कस्बे में दुःशासन पैदा हुए हैं महिलाओं पर अत्याचार करने वाले, महिलाओं का बलात्कार करने वाले दुःशासन। मैं पूरी जिम्मेदारी से कह रही हूँ और सत्य कह रही हूँ। कांग्रेस सरकार ने सती निरोधक कानून पास किया इसी संसद थे अगर मैं आपके द्वारा इस सदन

में बताना चाहती हूँ कि अभी ज्यादा दिन की बात नहीं है, कल ही के समाचार पत्रों में निकला है कि 20 अगस्त 1990 की तारीख को झुनझुन के अंदर सती भेले का आयोजन किया गया और उसमें भा0ज0 प0 के नेताओं व सरकार का पूरा सहयोग रहा। राजस्थान सरकार का पूरा सहयोग रहा। यह कितने शर्म की बात है, कितनी घृणा की बात है, कितनी निन्दा की बात है। महोदय इसकी जितनी निन्दा की जा सकती है उतनी निन्दा की जानी चाहिए क्योंकि इसी सदन में सती निरोधक कानून पास हुआ था।

महोदया, अत्याचारों की तो इतनी बाढ़ आ गई है कि प्रायः हर रोज इस बालिका वर्ष में जब कि आप यह विधेयक ला रहे हैं, महिलाओं पर जितने बलात्कार हुए हैं, जितने अत्याचार हुए हैं, उतने पहले कभी नहीं हुए।

दूसरी बात यह है कि हम लोग जितने मामले यहाँ पर महिलाओं के अत्याचारों के बारे में उठाते हैं सत्ता पक्ष के लोग भी उठाते हैं, विरोधी पक्ष के लोग भी उठाते हैं, लेकिन सरकार के टी0वी0 समाचारों में उनका विवरण नहीं दिया जाता है। केवल यह कह दिया जाता है कि फ़लां फ़लां व्यक्ति ने एक मामला उठाया और योजनाबद्ध रूप से महिलाओं पर होने वाले अत्याचारों की घटनाओं की जानकारी को दबाया जाता है और इस प्रकार अप्रत्यक्ष में पूरी तरह से अपराधियों को प्रोत्साहित किया जाता है। महोदया, अभी मध्य प्रदेश में एक शर्मनाक घटना घटी जहाँ पर महिलाओं को नंगा नचाया गया। यह मामला इसी सदन में हम सब ने उठाया था...

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Please continue later. Now, let the statement be made.

श्रीमती सत्या बहिन : आपकी इजाजत से मैं बैठ जाती हूँ। बहुत-बहुत धन्यवाद।

THE VICE-CHAIRMAN (SHRIMATI JAYANTHI NATARAJAN): Yes, Mr. Minister.

SHRI SUBRAMANIAN SWAMY: Is it in response to my statement yesterday about the petroleum stocks?

STATEMENT BY MINISTER

Restriction on use of Government Vehicles and Certain Other Measure

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Madam. As the Hon'ble Members are aware, the situation in the Middle East is likely to affect availability of petroleum products. International prices are also likely to be adversely affected. This will put pressure on our Balance of Payments. Fortunately, even before the Middle East crisis, the Government had already initiated action to reduce the rate of growth of oil consumption and create awareness in the country regarding the need to conserve petroleum. Thus, certain measures were announced in the Budget, and also later by the Ministry of Petroleum. After unbridled growth in oil consumption and imports in the past 3/4 years, it was expected that actual success in reducing the consumption would take some time.

2 The situation in the Middle East, however, makes it imperative that we now re-inforce our determination to reduce consumption of oil products, and do so immediately.

3. We can cope with the present situation if all of us together agree to make a small sacrifice. As part of a programme for curbing the demand for oil, it has been decided that Central Government staff cars/vehicles will not be used on Sundays. Public Sector units will follow the same rule on

Sundays. State Governments are also being requested to adopt this rule. The quota of petrol for cars of Ministers in the Central Government is also being reduced by 20 per cent.

4. Greater emphasis has to be given to the development of the public transport as against use of personal cars. I propose to increase the excise duty on motor cars by 10 per cent *ad valorem* (from the existing level of 40 per cent to 50 per cent). Notification to give effect to this proposal with effect from today will be laid on the Table of the House in due course. The rate of depreciation is also being reduced from the present rate of 33.33 per cent to 20 per cent in respect of motor cars, purchased on or after 1-4-1990, other than taxis.

5. At the same time, I would like to ask the general public, business, industrial and all other establishments to voluntarily give up the use of their cars for one day of the week. They can choose any fixed day of the week. Government will urge families, schools, colleges and communities to make a public resolve that the country is willing to make his small sacrifice. Public efforts in this direction are much better than a directive from the top. Our people have coped with several severe droughts, such as, in 1965-66, 1979 and 1987. We have also met wars and other challenges voluntarily. We can manage the present situation also and turn it around with small effort by every one individually and collectively.

SHRI JAGESH DESAI (Maharashtra): Madam, before you call upon hon. Members to seek clarifications, I would like to point out just one thing. We were informed at 2.30 p.m., that the Finance Minister was going to make a statement. We got the information at 2.30 p.m. I was the first person to give my name. But I was surprised to find that some names were already given at 1 pm., itself when we were informed only at 2.30 p.m. that the Minister was going to make.