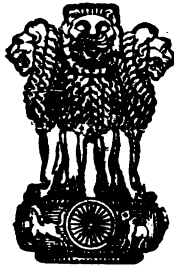


# COMMITTEE ON PETITIONS

## THIRD REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT**  
**NEW DELHI**  
*May, 1954*

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## MEMBERS OF THE COMMITTEE ON PETITIONS

1. Shri Kotha Raghuramaiah—*Chairman*.
2. Shri Asim Krishna Dutt
3. Shri C. P. Mathew
4. Shri Sohan Lal Dhusiya
5. Shri Beli Ram Das
6. Shri Liladhar Joshi
7. Shri U. R. Bogawat
8. Shri Jethalal Harikrishna Joshi
9. Shri Bhola Raut
10. Shri Resham Lal Jangde
11. Shrimati Renu Chakravartty
12. Shri Ramji Verma
13. Shri P. Subba Rao
14. Shri Anandchand
15. Shri P. N. Rajabhoj

### SECRETARIAT

Shri S. L. Shakdher—*Joint Secretary*.

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# **REPORT**

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I, the Chairman of the Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Third Report of the Committee.

2. The Committee held a meeting on Tuesday the 18th May, 1954 and considered the following petitions:—

- (i) Petition from Shri K. V. Appunny Menon relating to the prevailing food situation in the country (Petition No. 7—Appendix I);
- (ii) Petition from Dr. (Mrs.) Bharadwaj and Mrs. Khosla relating to the Hindu Marriage and Divorce Bill, 1952 (Petition No. 9—Appendix II);
- (iii) Petition from the inhabitants of Delhi State (1490 signatories) relating to the Hindu Marriage and Divorce Bill, 1952 (Petition No. 10—Appendix III);
- (iv) Petition from the inhabitants of Tripura State relating to the Government of Part C States (Amendment) Bill by Shri Dasaratha Deb, M.P. (Petition Nos. 11 to 24—Appendix IV to XVII);
- (v) Petition from Shri J. P. Chaturvedi, Secretary-General of the Indian Federation of Working Journalists, New Delhi, relating to the Code of Criminal Procedure (Amendment) Bill, 1954 (Petition No. 25—Appendix XVIII).

3. The Committee have examined petition No. 7 referred to in paragraph 2 above which desires that export of fine rice should be stopped and more rice should be imported into India.

4. The petition was also referred to the Ministry of Food and Agriculture for their comments and the main points of their reply are as under:—

- (i) What is actually exported is a small quantity of fine rice with a view to regaining the foreign market and to re-establishing the foreign trade.
- (ii) The imported rice (9 lakh tons) from Burma is for building up a reserve in order to offset any calamity, famine or distress in the country.
- (iii) Side by side with the free market, there exists full scale Government distribution of rice as well. Free market

prices have, of late, shown encouraging downward trend when compared to the corresponding prices of the last two years.

- (iv) Traders in India are permitted to import any quantity of rice from *Soft Currency Areas* for sale in the open market.

5. In view of the fact that the food position in the country had greatly improved as stated by the Ministry of Food and Agriculture and also only a small quantity of rice is exported, the Committee consider that no further action is necessary on the petition.

6. The Committee have also considered petition Nos. 9 and 10 relating to the Hindu Marriage and Divorce Bill, 1952 which were in conformity with the Rules of Procedure.

7. The petitioners contend that the provision in the Bill regarding divorce would weaken the cause of monogamy and reduce the status and security of women. Hence they have desired that:—

(i) provision should be kept in the Bill only to have monogamy;  
and

(ii) provisions relating to divorce should be removed or postponed for a period of ten years to see as to what benefit accrues by the monogamy system.

8. Apart from the above common points, many amendments have been suggested to various other clauses to the Bill by the petitioner in petition No. 9, with a view to improving the Bill.

9. The Committee recommend that the petitions should be examined by the Joint Committee on Hindu Marriage and Divorce Bill, the motion for the constitution of which was adopted in the Council of States on the 16th March, 1954 and concurred in by the Lok Sabha on the 13th May, 1954.

10. The petitions Nos. 11 to 24 relating to the Government of Part C States (Amendment) Bill, by Shri Dasaratha Deb, M.P. supported the claim for establishment of a Legislative Assembly in lieu of the existing Chief Commissioner's rule in the State of Tripura.

11. In their Second report, the Committee recommended that the two petitions from the inhabitants of Patharkandi and Karimganj P.S. (Parts) and Lakhipur, Cachar District, (both in Tripura State) on the same subject should be circulated *in extenso* as a Paper to the Government of Part C States (Amendment) Bill.

12. The Committee recommended that the 14 petitions referred to in paragraph 10 above be also circulated.

13. As regards petition No. 25 which suggested the deletion of clause 112 of the Code of Criminal Procedure (Amendment) Bill, 1954, the Committee recommend that the petition should be examined by the Joint Committee on the Code of Criminal Procedure (Amendment) Bill, 1954, the motion for the constitution of which was adopted in the Lok Sabha on the 8th May, 1954 and concurred in by the Council of States on the 15th May, 1954.

14. The Committee has noted the principles regarding admission of petitions laid down by the Speaker (*vide* Memorandum No. 11).

15. The Committee recommend that:—

(i) a copy of the relevant report of the Committee should be sent to the petitioner concerned for his information and in case of more than one signatory to the petition, to the first signatory, and also to the member concerned if the petition is presented by the latter.

(ii) A petition on a Bill, even after the latter has been passed or enacted into law, shall be considered by the Committee and necessary recommendations made thereto.

NEW DELHI;  
The 21st May, 1954.

K. RAGHURAMAIAH,  
Chairman,  
Committee on Petitions.

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## **APPENDICES**

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## APPENDIX I

Petition No. 7

To

LOK SABHA.

The humble petition of Shri K. V. Appunny Menon, Trikkatiri village, South Malabar respectfully sheweth:—

1. That the recent statement of the Deputy Minister of Food and Agriculture, regarding the export of rice to foreign countries at a time when the country is still famine-stricken and when there is dearth of food grains, is most unfortunate and the said proposal to export rice to meet the demands of foreigners, be very kindly dropped forthwith.

2. That the food position, in Malabar especially, has not improved and that exorbitant rates prevail in the local rice markets.

3. That the efforts of the Government to improve the food position in the country are fully appreciated by the inhabitants,

and accordingly your petitioner prays that—

(i) the newly purchased rice from Burma, be very kindly made available to Malabar at cheaper and lower rates than the current high rates at which rice is sold in the open market,

(ii) rice be purchased in sufficient quantities from wherever and whenever it is available and apart from Government purchases, local traders be encouraged and given full facilities to purchase rice from wherever they can at their own risk so as to virtually flood the local rice market which alone is the remedy to check the alarming rise in prices of rice and paddy in South India and save the poor hungry souls from starvation and death.

And the petitioner, as in duty bound, will ever pray.

## APPENDIX II

Petition No. 9

To

LOK SABHA.

The humble petition of Dr. (Mrs.) Gopa Bharadwaj and Mrs. D. L. Khosla sheweth

That the following amendments in the Hindu Marriage and Divorce Bill, 1952 be made:—

(1) Clause 3 f (i).—The “Sapinda relationship” should extend as far as the sixth generation in the ascent through mother and should not belong to father’s lineage (“GOTRA”). The principle behind this sapinda relation is to improve the race by blending as distant and different relationship as possible. The same is widely seen in nature even in plants where this is carried out through the mechanism of Cross Pollination.

(2) Clause 3 (g).—*Degrees of Prohibited relationship*.—This should include “or the children of brother and sister” to be inserted after— or two sisters.

(3) Clause 5 (ii).—Instead of the word “idiot” some stronger word like “imbecile” be used.

(4) Clause 5 (iii).—If the bride’s age is to be 15 years, then bridegroom’s age should be 24 not 18. The bridegroom is far less mature at this age of 18, than the bride at 15. The consummation of such a marriage, where there is so much of disparity in physical maturity will lead to subnormal, sickly and intellectually poor children. Therefore the bridegroom’s age should be raised to 24 years. Reversely a girl of 15 or 16 is not to be married to a man of 40—50 years or more.

(5) Clause 5(IV) and (V), dealing with the sapinda and the prohibited relationship should be amended as petitioned under 3(f) and (g) and from 5 (IV) and 5 (V) “Unless the custom or usage governing each of them permits of a marriage between the two” should be deleted. The principle of blending distant relationships should not be weaned by old usages.

(6) Clause 5 (VI).—Under this clause a bride of 16 is sanctioned the liberty to marry whenever and whomever she desired and the consent

of a guardian is not essential. A girl of 16 years is too young and inexperienced to rightly decide her future happiness in the present complex social set up. So it is prayed that this age of 16 years should be raised to 21 years.

(7) Clause 10(d).—“Unsound Mind” is a weak and vague phraseology. It should be specifically mentioned as lunacy.

(8) Clause 10(e).—Adultery should be treated a serious offence and instead of asking for a judicial separation, the person committing adultery should be penalized with severe punishment including rigorous imprisonment.

(9) Clause 11 (1) (b) and 11 (2) should be improved as requested under clause 5.

(10) Clause 12 (1) (a).—Impotence is usually (90 per cent.) a psychological case. It should be no cause of invalidity of marriage.

(11) Clause 12 (1) (a) and (12) (2) (a) (B) should be improved as requested above.

(12) Clause 13.—*Petition for decree of Divorce*.—We are absolutely against Divorce. We are of this opinion that Monogamy under clause 5(i) will immediately raise the status of women in society and we are sure if divorce is introduced with 5(i), it will weaken the cause of monogamy and the lot of women shall once more be gloomy. Divorce has not been sanctioned by the holy Bible (cf. St. Mathews Book, Chapter 5, hymn 32), Divorce has been, therefore, banned in Italy and in Philippines etc.

Divorce is being fought over in U.S.A., by Institutions like “DIVORCEES’ Anonymous” with great success (70 per cent.) and such other institutions are becoming popular and have formed a network all over the States. In the words of Mr. Starr, one of the founders, Presidents of such institutions, “Divorce is like cancer, catch it early and cure it; neglect it and the end is inevitable”. This reveals the bitter experience of a country like America. Divorce is strongly being discouraged today even in Russia to preserve the home-unit for the sake of the children.

We, therefore, pray that this clause 13 (*Petition for decree of Divorce*) be deleted from this Act, or at least be postponed for 10 years, so as to see the effect of monogamy. In incompatible couples the clause 10 (*Judicial Separation*) is there,

and accordingly your petitioners pray that

1. Clause dealing with Sapinda, and prohibited relationship be amended as prayed above.

2. Sections under Clause 5 be modified as petitioned above.
3. Monogamy under Clause 5(i) be established.
4. Divorce should be deleted from the Act, or postponed for at least ten years;  
and your petitioners as in duty bound will ever pray.

## **APPENDIX III**

*Petition No. 10*

To

**LOK SABHA.**

The humble petition of 1490 petitioners of Delhi sheweth

The petitioners welcome Clause 5(i) of the Hindu Marriage and Divorce Bill, 1952 whereby one cannot remarry, so long as the husband or wife is living. The petitioners welcome monogamy. The petitioners fully trust that this will raise the status of women.

But the petitioners regret that the provision for divorce has also been introduced in clause 13 of the Act. The petitioners are certain that this will again reduce the status and security of women. The petitioners strongly trust that this divorce will lead to greater harm than good done by monogamy.

And accordingly your petitioners pray that—

- (i) provision should be kept in the Bill only to have monogamy; and
- (ii) provisions relating to divorce should be removed or postpone the provision for divorce for a period of ten years and see what benefit accrues by the monogamy system;

and your petitioners as in duty bound will ever pray.

## APPENDIX IV

Petition No. 11

To

LOK SABHA

The humble petition of Shri Rabindra Narayan Chatterjee, Secretary, Janamangal Parishad, Khowai, Tripura sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the Petitioner	Address	Signature
Rabindra Narayan Chatterjee, Pleader, Secretary, Janamangal Parishad, Khowai.	Khowai, Tripura.	Sd./- Rabindra Narayan Chatter- jee.

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**APPENDIX V**

*Petition No. 12*

To

**LOK SABHA.**

The humble petition of Shri Satish Chakravarty, member of Electoral College, Khowai-Asharambari Constituency sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with

and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Satish Chakravarty, Member, Electoral College, Khowai-Asharambari Constituency (Tripura)	Khowai, Tripura	Sd./- Satish Chakravarty.

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## APPENDIX VI

### Petition No. 13

To

LOK SABHA.

The humble petition of Shrimati Saila Prabha Chakravarty, President, Khowai Ganatantrik Mahila Samiti sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with

and your petitioner as in duty bound will ever pray.

Name of the petitioner	Address	Signature
Saila Prabha Chakravarty, President, Khowai Ganatantrik Mahila Samiti.	Khowai	Sd./- Saila Prabha Chakravarty.



## APPENDIX VII

### Petition No. 14

To

LOK SABHA,

The humble petition of Shri Nikunja Bihari Chakrabarty, Secretary, Khowai Peace Committee, Khowai sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Nikunja Bihari Chakrabarty, Secretary, Khowai Peace Committee, Khowai.	Khowai	Sd./- Nikunja Bihari Chakrabarty.

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## APPENDIX VIII

*Petition No. 15*

To

LOK SABHA.

The humble petition of Shri Prafulla Chandra Deb, President, Daridra Bebasayee Samiti, Khowai, sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Prafulla Chandra Deb, President, Daridra Bebasayee Samiti, Khowai.	Khowai	Sd./- Prafulla Ch. Deb.

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**APPENDIX IX**

*Petition No. 16*

To

LOK SABHA.

The humble petition of Shri Bipin Behari Mazumdar, Pleader, President, Bar Association, Khowai sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Bipin Behari Mazumdar, Pleader, President, Bar Association, Khowai.	Khowai	Sd./- Bipin Behari Mazumdar.

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**APPENDIX X**

*Petition No. 17*

To

**LOK SABHA.**

The humble petition of Shri Naradhvaj Sinha, President, Udbostu Samiti, Khowai sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Naradhvaj Sinha, President, Udbostu Samiti, Khowai.	Khowai	Sd./- Naradhvaj Sinha.

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## APPENDIX XI

Petition No. 18

To

LOK SABHA.

The humble petition of Shri Kalicharan Bhowmik, Secretary, Ganamukti Parishad Singichora, Khowai sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with

and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Kalicharan Bhowmik, Secretary, Singichora Ganamukti Parishad.	Khowai	Sd./- Kali Charan Bhowmik.

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## APPENDIX XII

Petition No. 19

To

LOK SABHA.

The humble petition of Shri Pizush Kanti Roy Chowdhury, Member of Communist Party, India sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Pizush Kanti Roy Chowdhury, Member of Communist Party, India.	Khowai	Sd./- Pizush Kanti Roy Chowdhury.

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## APPENDIX XIII

Petition No. 20

To

LOK SABHA.

The humble petition of Shri Satyendra Kumar Chowdhury, President, Khowai Merchant Association sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with

and your petitioner as in duty bound will ever pray.

Name of the petitioner	Address	Signature
Satyendra Kumar Chowdhury, President, Khowai Merchant Association.	Khowai	Sd./- Satyendra Kumar Chom dhury.

## APPENDIX XIV

### Petition No. 21

To

LOK SABHA.

The humble petition of Dr. Nalini Ranjan Das, Secretary, Khowai Divisional Udbastu Samiti sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Dr. Nalini Ranjan Das, Secretary, Khowai Divisional Udbastu Samiti.	Khowai	Sd./- Nalini Ranjan Das.

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## **APPENDIX XV**

*Petition No. 22*

**To**

**LOK SABHA.**

The humble petition of Shri Sukha Ranjan Das, Secretary, Student Association, Khowai sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Sukha Ranjan Das, Secretary, Khowai Student Association.	Khowai	Sd./- Sukha Ranjan Das.

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## APPENDIX XVI

### Petition No. 23

To

LOK SABHA.

The humble petition of Shri Jiten Roy, President, Khowai Ganatantrik Juba Samiti sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be priceeded with

and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Jiten Roy, President, Khowai Ganatantrik Juba Samiti.	Khowai	Sd./- Jiten Roy.

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## APPENDIX XVII

### Petition No. 24

To

LOK SABHA.

The humble petition of Shri Amulya Roy, President, Khowai Bazar Juba Samiti sheweth

People of Tripura have always demanded a Legislative Assembly for the State;

and accordingly your petitioner prays that the Bill further to amend the Government of Part C States Act, 1951 as introduced by Shri Dasaratha Deb on the 11th December, 1953 be proceeded with and your petitioner as in duty bound will ever pray.

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Name of the petitioner	Address	Signature
Amulya Roy, President, Khowai Bazar Juba Samiti.	Khowai	Sd./- Amulya Roy.

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## APPENDIX XVIII

### Petition No. 25

To

LOK SABHA.

The humble petition of Shri J. P. Chaturvedi, Secretary-General of the Indian Federation of Working Journalists Curzon Road Barracks, New Delhi, on behalf of the Federation sheweth

Clause 112 of the Code of Criminal Procedure (Amendment) Bill 1954 at present pending before the House is opposed to public interest.

The provision is a violation of the equal protection of Laws and equality of treatment guaranteed to citizens under Article 14, inasmuch as it introduces discrimination between citizen and citizen in respect of the right to sue, based upon possession of political and executive power.

The provision, if enacted into law,

- (i) May prevent public discussion in the forum of the press in respect of exposure of abuses in administration.
- (ii) Ultimately it may lead to lessening of people's faith in democratic institutions.
- (iii) It will tend to take away the unquestioned right at present enjoyed by journalists in all democratic countries not to disclose sources of information.
- (iv) Thus it will make practice of the Journalistic profession difficult.
- (v) It may place undue power in the hands of the Police which may lead to harassment and intimidation of citizens and accordingly your petitioner prays that—  
the said Clause 112 of the Bill be deleted  
and your petitioner as in duty bound will ever pray.

## MEMORANDUM NO. 11

### Principles of Admission of Petitions

Under the new rule 171 regarding Petitions, the scope of petitions which can be presented or submitted to the House, has been enlarged to cover the following:—

- (i) Petitions on the Bill pending before the House;
- (ii) Petitions on any matter connected with the business pending before the House;
- (iii) Petitions on any matter of general public interest with certain limitations.

Rule 171 is sufficiently wide to cover any matter of general public interest and it is therefore necessary to evolve by experience some principles for admitting petitions.

The petitions serve two principal objects; one is to state the merits of the public matter to which the petitioner wishes to invite the attention of the House, *i.e.*, all the members including the Minister and the second object is to show and stress the quantum of importance which the public outside are giving to the matter. Petitions relating to the latter category have to be admitted if the matter is of such a type that it is considered necessary by the public to place the matter again and again for the attention of members. The function of such petitions is to intensify and focus the opinion so that the Government may be moved to quick action.

The petition thus is also a means to urge Government to quick action on any particular problem.

The petition also gives an opportunity to Members to state the subject and not only to know the public opinion and feeling but also to suggest drawbacks in what the Government has been doing.

The petitioners have the right to come before the House as much as they have a right to go to the Committee on Petitions and encouraging the people to go to the House will also create a kind of public opinion about the administration which it will have to count. This will engender a feeling in the public that Parliament is their own.