

Verma, Shrimati Usha

NOES

Vijayaraghavan, Shri A.

—NIL—

Viswanatham, Dr.

MR. DEPUTY SPEAKER: Subject to  
\*correction, the result of the division is:Wadiyar, Shri Srikanta Datta Narasimha  
Raja

Ayes : 385

Yadav, Shri Chun Chun Prasad

Noes : 0

Yadav, Shri Devendra Prasad

The motion is carried by a majority of the  
total membership of the House and by a  
majority of not less than two-thirds of the  
Members present and voting.

Yadav, Shri Hukumdeo Narayan

Yadav, Shri Janardan

The Bill, as amended, is passed by the  
requisite majority, in accordance with the  
provisions of Article 368 of the Constitution.

Yadav, Shri Kailash Nath Singh

Yadav, Shri Mitra Sen

*The motion was adopted*

Yadav, Shri Ram Krishan

Yadav, Shri Ramendra Kumar Ravi

17.29 hrs.

Yadav, Dr. S.P.

NATIONAL COMMISSION FOR WOMEN  
BILL

Yadav, Shri Satyapal Singh

[English]

Yadav, Shri Sharad

MR. DEPUTY SPEAKER: Now, we take  
up the next item, that is, National Commis-  
sion for Women Bill.

Yadav, Shri Surya Narayan

Yadava, Shri Ramjilal

[Translation]

Yadvendra Datt, Shri

Yazdani, Dr. Golam

Yuvraj, Shri

Zainal Abedin, Shri

THE DEPUTY MINISTER IN THE  
DEPARTMENT OF WOMEN AND CHILD  
DEVELOPMENT IN THE MINISTRY OF  
WELFARE (SHRIMATI USHA SINHA): Mr.  
Deputy Speaker, Sir, the 'National Commis-  
sion for Women Bill, 1990', has already been  
introduced in the House. Women play an

\*The following Members also recorded their votes for Ayes:

Dr. Shakeelur Rehman, Shri Anwar Ahmed, Shri Ram Singh, Shri Chhotey Singh Yadav, Shri  
Radha Mohan Singh, Shri K. Ramamohan Rao, Shri Lokanath Choudhury, Shri Rudra Sen  
Chaudhary, Shri Tarit Baran Topdar, Shri Mohammad Shafi, Shri Jagdish Singh Kushwaha,  
Prof. P. Kunen, Shri Jai Prakash.

important role in the economic and social development of any country and it is more important in a developing country like ours. But even after the forty years of independence, the condition of women has been an issue of concern in the country. Though there has been some definite improvement in the situation, yet there are some negative aspects, which have been a matter of concern for the Government and the policy-makers. The high death-rate of girl child and young women, lack of education in women and little opportunities available for them at decision making level and in gainful employments are some of the important problems faced by them. These are the indicators which prove that they do not still enjoy equal status in the society. Women belonging to all class, castes and creed are still discriminated and fewer employment opportunities are available for them and discrimination is done to them in matter of wages also. They are exploited. They do not get permanent employment.

In the election-manifesto of the National Front, it has been promised that a National Commission for Women will be set up. This commission will work for removing discrimination of women and redressing their grievances as also it will strive for providing due representation to them in all spheres of life. This Department was directed to prepare a draft proposal with consultation of various women organisations. Accordingly, on 5.2.90 a conference was held. It was attended by various women-organisations, eminent persons and women activists. The matter was discussed with them and a draft note in this regard was sent to the Prime Minister for approval by the Minister for Human Resource Development. Thereafter the note was circulated to different Ministries, Departments and State Government for their comments and approval. Wherever it was considered appropriate, their recommendations and comments were included in the Cabinet note which was approved by the Cabinet on 18.4.90. The incidents of crime and atrocities on women are not limited to any particular class or community. They raise a question mark on our values and they

raise a fundamental question of status of women in the society as a whole. Despite constitutional provisions for equality of status and opportunity and social justice and safeguard of the interests of women, they are still exploited be it their father's home or in-laws home or the society or places of their working. In our Constitution, justice, freedom, equality and fraternity has been assured for all the citizens, but women don't get any benefit from those constitutional provisions. Discrimination in any form has been abolished under the Constitution and a number of other legislations were also made to safeguard the interests of women and special provisions have been made for women in labour laws. After independence, many laws were made and administrative steps were taken to ensure the rights of women. This Commission has been set up to look into the complaints of women. This is an important Commission. The successive Commissions on Women have also made recommendations in respect of condition of women. They have also noted the unequal status of women obtaining in different sphere of life and had suggested the setting up an agency to fulfil the surveillance functions as well as redressal of their grievances. In deference to the persistent demands of several women voluntary organisations and women activists to set up Commission for women, the Government decided to set up the National Commission for women, consisting of six members and a Chairperson. The main task of the Commission shall 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 moto notice of the cases involving deprivation of the rights of women in order to provide support legal or otherwise, to hapless women. The Commission shall monitor the proper implementation of all the legislations made to protect the rights of women so as to enable them to achieve equality in all sphere of life and equal participation in the development of nation. The Commission will consist of a Chairperson and six Members including the Secretary. The Commission may appoint

[Smt. Usha Sinha]

such committees as may be necessary for dealing such special issues as may be taken up by the Commission from time to time. Rules have also been made to implement the provisions of the Bill. With these words, I beg to move :—

"That the Bill to constitute a National Commission for women and to provide for matters connected therewith or incidental thereto, be taken into considerations".

MR. DEPUTY SPEAKER: The question is :

"That the Bill to constitute a National Commission for women and to provide for matters connected therewith or incidental thereto, be taken into consideration".

[*English*]

MR. DEPUTY SPEAKER: There is an amendment given by Shri Girdhari Lal Bhargava.

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA: I beg to move:

"That the Bill, be circulated for eliciting opinion thereon by 24th August, 1990".  
(2)

SHRIMATI JAYAWANTINAVINCHANDRA MEHTA (Bombay North-East): Mr. Deputy Speaker, Sir, on the maiden session after the formation of the new Government a reference regarding the formation of women's commission was made in the President's Address here and the new government has moved this bill on the floor of the House as per its commitment and I welcome and extend my support to the said bill. After forty years of attaining independence we are talking about the establishment of this National Women's Commission. This clearly indicates

that in the last 40 years even if there had been some developments certain fields regarding women it has contributed in aggravating their miseries as adequate progress has not been made where it was required.

17.37 hrs.

[DR. THAMBI DURAI *in the Chair*]

In the women's year of 1975 a Parliamentary report was published under the caption "Status of Women". As per the facts published in the said report it has become certain that the literacy rate of women went on decreasing day-by-day. Not only this, the number of women representatives have also gradually decreased. Before this, during the regime of the Congress Government the number of women representative was more but even being a woman they did not voice their support against the atrocities committed on women on all occasions they voted in favour of the party and even today not even a single women representative of congress party is present here.

SHRI KAMAL CHAUDHRY (Hoshiarpur): Shrimati Basava Rajeshwari is present here. Please do not humiliate her.

(*Interruptions*)

SHRIMATI JAYAWANTINAVINCHANDRA MEHTA: There is no need to get excited on this. Out of the entire elected women members only one is present. You need not speak in between. Only one women member is present here. During the last elections tall claims and declarations were made and it was said that women would get 30 per cent representation but Mr. Speaker, Sir, I would like to ask them as to why they did not fulfil what they had said? They gave only 5.5 per cent tickets to women and so far as Maharashtra was concerned tickets were given to three women only and even those tickets were withdrawn. Congress Party has always democratised the power of women.

Otherwise, there was absolutely no need to say so much regarding the presence of

one woman. Even then, I do not wish to involve myself much in that discussion. The formation of women's commission was extremely necessary in the present circumstances because in this country nobody had paid any attention towards the problems of women whether they are the poor or rich women all are in misery. Both are encountering different problems. It is a matter of great shame that even after forty years of independence the women do not find themselves in a secured position. In this country, Smt. Indira Gandhi has remained Prime Minister for quite some time but Mr. Speaker, Sir in her regime also you must have seen overwhelming increase in the atrocities committed on women. None the Government has changed and the people belonging to every community of the society are having many expectations. This government wants to take certain steps for the fulfilment of the hopes and aspirations of everybody in the direction of Social transformation. Keeping this objective in view this bill for the formation of a National Women's Commission has been presented before this august House, which will certainly prove to be very appropriate. It has been said in the objectives of this Commission that various groups and committees will be formulated for solving the problems of women. They would individually consider the problems. Mr. Speaker, Sir, I support this proposal whole heartily: Separate groups for women and Employment, women and industries, women and law, women and Education, Women and health etc. will be formed, and all the problems of women would be taken into consideration. In order to extend justice to women it has become extremely necessary under the present circumstances to constitute such committees. I would like to draw the attention of the hon. Minister towards some important issues which should be kept in mind while constituting the National women's commission. It should have two wings: One should attend the developmental activities of the women living in the rural areas for solving their problems. The second should study the problems related to women belonging to the urban areas and finding solution for the same. In our country the problems of

women living in the rural areas are also multifaceted. Some are labourers, whether they do the work of stone locating or work in the fields as farmers or do other physical work they have their own problems. On the other hand the women living in urban areas and serving as teachers, nurses and office employees have distinct problems. In order to solve their problems it is essential to take into consideration both the aspects and keeping this in view the committees should be constituted Mr. Speaker, Sir I would like to say in very clear terms that our society has become male dominated and in this kind of a society the rights of women to live as a women has been seized. They are the victims of different kinds of atrocities and considered as items of luxury, which is great injustice towards women. We hear many things in the country and at times voice for women liberation is raised. My submission is this that women can never be absolved of her duties. In the name of women liberation if we talk do-away with our culture, no one can tolerate it. Every woman wants to have her right to live with pride. Simultaneously she never backs out from her role as a mother. She wants to play her role after achieving the rights equal to their menfolk and at many places women have exhibited this feeling. You are all aware of the progress being made in the field of science in the world today, but simultaneously we are also aware of the increasable misuse of science. The example of Maharashtra is before us. The law relating to sex determination text was passed there and thereby steps to prevent abortion of female foetus were taken. I would like to make an appeal to the Government to consider that this law should be introduced at Central Government level and to enforce the same should the country. So that no injustice is done against women folk.

There is no doubt regarding this fact that a woman is first of all a women irrespective of her religion. There may be different personal laws applicable to them in different religions. I do not want to express my disbelief or disrespect towards any religion here, but I want to say one thing very clearly that our Muslim sisters are also women after all.

[Smt. Jayawanti Navindhandra Mehta]

They are driven out of their homes merely by the utterance of word Talaq, thrice. Mr. Chairman, Sir I would like to mention here that she too is a woman and has certain problems of her own. In Maharashtra and in many other parts of India their opinions were obtained and surveys were conducted on the basis of groups. The survey report has revealed that no muslim woman wants this sort of a treatment since they are also women after all and have their own problems. They have problems related to the education of their children and their livelihood. If we to solve all these problems then it is very essential to make universal laws for women irrespective of their religious as only then we can give her a place in the society. The government should consider it, this is my request. I also want to say that 50% of the population comprises of women and one fourth is believed to be that of children. As such the development of the nation solely depends on the development of the mother and child. Efforts should be made to increase the status of woman in the society. But different types of atrocities are being committed on them. Today we come across many incidents in which women become the victim of divorce if she is unable to cope with her husband within a few days of her marriage. Why does this happen? There is a very important reason behind it. Man has become very selfish and the rate of forbearance in man has decreased. Due to lack of forbearance in man, divorce cases are increasing day by day. If we think about the problems faced by the married women we come across many such problems which prevents them from leading their lives with self respect. The laws in this respect do not give them full justice. I would like to remind you that there is a law regarding dowry. In 1985 the Parliamentary Committee made efforts to improve the laws by giving various suggestions. But even now that law is there to harm the women. Even after forty years of independence, brides are burnt for not begging adequate dowry from the women. Apart from social reasons this fact is also clear that the laws framed in the interest of women are

not being implemented in the right manner. My submission is this that the rights given to women under the law should be uniformly observed by the government. When a girl is born in a family she is treated in a different manner after five-six years. It is said that since she is to be married off there is no need to give her higher education. As such, in order to increase the literacy rate it was said that women should be given free education. But women cannot be educated merely by framing laws. It is essential to bring a social enlightenment to this effect that women cannot progress without education. Unless this fact is taken into consideration women cannot be educated. In the recent times, women are facing many sufferings. You must have seen and read that small girls in South India are married to Arabs of the age group of 50-55 years and thereafter they are sent outside the country as their wives. They do not think about her future. Small girls are sent abroad for the simple reason that they are poverty stricken and they are on the verge of starvation. This is a not a good thing, in fact it is something disgraceful. Keeping this in view, a law should be framed under which such marriages should be banned till the girl is self reliant and has the power of reasoning and is ripe in age.

We should see to it that they are not sent there forcibly. I would like to say that Devdasi practice has become a grave problem in Maharashtra. Likewise Yellamma practice has assumed serious proportions in South India. As per an ancient belief small girls are dedicated or offered to Gods and afterwards they are subjected to misuse and immoral acts. Thus the dream of these girls to get themselves married, have their own home and children are shattered and they are forced to indulge in various immoral acts.

I would like to tell you about an incident which took place in the Bhandup region of my own constituency. There the police conducted a raid to arrest 1500 girls hailing from Tamilnadu. In a bid to hide those girls they were forced to stand in a pit and soil was put over them. Had they not been searched out by the Police within 10 minutes they would



have died of suffocation. This is the way in which they are tyrannized. The sale and purchase of women has been encouraged by middlemen. I would like to assure you that this "National Commission of Woman" would be supported by all the sections of society if this commission intends to work for a glorious and honoured place for women in the existing social set up. Again, I would like to appeal all the parties that they should rise above their petty party politics as far as National Commission for woman is concerned. In this context, I would like to add that if this commission is supported and co-operated by all the parties and kept above politics and the women come forward then our coming generation would be so strong that there could be no danger to our country in future.

Mr. Chairman, Sir, I have already stated that dowry as well as Sati-practice are bad if they are forced upon the women. It is very bad if one uses force in these cases. There are legislations against dowry and Sati. But these legislations are never implemented. Strict actions should be taken in such cases and this Commission should also be empowered to give protection to women against the persons who try to force them for such acts. This is my suggestion.

Mr. Chairman, Sir, the few programmes telecast about health are of not much use. Most of the women are ignorant about the achievements of medical science. I would like to request that the poor Harijan and Girijan women, who are pregnant, should be provided nutritious diet and also adequate medicare so that they may give birth to healthy babies. The Commission should be given the right to look into such matters also.

Mr. Chairman, Sir, again as far as employment is concerned the principle of equal pay for equal work does not operate at many places. A women labourer is given Rs. 5 while her male counterpart receives Rs. 7. This is a great injustice to woman. Therefore, this National Commission would be successful in its objective only if it is provided with separate wings to look after the women's

problem in the field of education, medicine, employment and law. I would like to add that this commission must accommodate the people's representatives. It should accommodate members of Parliament in its Central Committee, members of State Legislatures in its State Committees, and village representatives in village committees. Only with such provision the National Commission for Women will be able to work with greater success. I would like to exhort my sisters in cities to go to rural areas and work for their upliftment. Therefore, the people's representatives and voluntary organisations like Mahila Mandal, Bhagine Samaj and other women organisations should also be asked for suggestions in this regard.

Mr. Chairman, Sir, two or three days ago a seminar was organised on Anti-prostitution which stressed the need of rehabilitating their children and giving them the facilities so that they may become honourable citizens. One thing is quite clear that country's development is possible only if women are defended and allowed to progress. If women remain undeveloped then there would be several hurdles in the development of the nation. Therefore, I think that we should work for the accomplishment of this task by giving representation to the women of every section in this proposed National Commission for Women so that the women are able to achieve distinctions in every field. In the end I would like to say:

"Abala Nahin Kaha ja Sakta Ab Bharat ki Nari ko,  
Rakh Samajhna bhul bahut hai, chhiphui chinagri ko".

SHRI HARISH RAWAT (Almora): Mr. Chairman, Sir, yesterday my party's honourable women member ..... (*Interruptions*).....

[*English*]

MR. CHAIRMAN: Yet the male members also support you. Why are you discriminating now? (*Interruptions*)

[Translation]

SHRI HARISH RAWAT: I would like to emphasize that this Bill has been introduced here with an objective to oversee and monitor the implementation of the programmes meant for the Welfare of Women, but it does not confer adequate powers on the Commission to enable it to ensure that the programmes are properly implemented and even if some powers have been given, there is no provision for a proper machinery, in the absence of which the Commission will not be in a position to ensure the proper implementation to Women Welfare programmes. The functions enumerated in the Bill are too meagre and the machinery provided is too meagre. The Commission is supposed to safeguard almost all the interests of the women under various laws. But no provision has been made for creating proper machinery for the Commission to discharge its functions properly. It has been introduced to seek only political mileage and I can understand the difficulty of my sister belonging to Bhartiya Janata Party as she is obliged to support the bill. But we are in a difficult predicament. We have been forced to attract the attention of the House towards the loopholes of this Bill. You can see it yourself. The commission has been provided with just Rs. 2 crores for one financial year and assigned to alleviate and abolish almost all the ills that beset the entire women folk. Is it not a cruel joke? It is a joke with our women as well. These people have belied the hopes of the countrymen. While introducing this bill it has been said that this was one of the promises in the manifesto. But if this bill is the result of your promise, I thank your wisdom. If we are supporting your this so called gift to women which is in fact a joke then it is only due to the fact that women are involved in it. Try to think on our line and ask these women sitting on that side like hon. Subhasiniji. and Geetaji. They are all happy inwardly as they think that at least their brother on this side is raising

these issue which could not be raised by them. They are also happy at that fact that a Congressman is voicing their resentment to the bill and criticising the Government.

I agree with Satheji that not only provision should be made for more funds in the Bill, but more powers should also be conferred on the commission in order to enable it to discharge its functions properly. Priority must be fixed as to what immediate steps should be taken for the welfare of women.

[English]

MR. CHAIRMAN: You may please continue tomorrow.

17.59 hrs.

#### PAPERS LAID ON THE TABLE

[English]

#### Inter-State Council Order, 1990

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): On behalf of Shri Mufti Mahammad Sayeed, I beg to lay on the Table a copy of the Inter-State Council Order, 1990 (Hindi and English versions) published in Notification No. G.S.R. 512(E) in Gazette of India dated the 28th May, 1990 issued under article 263 of the Constitution. [Placed in Library. See No LT-1107/90]

18.00 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Thursday, May 31, 1990/  
Jyaistha 10, 1912 (Saka)*