

[Shri Dinen Bhattacharya]

of the Government to see that the judiciary is separated from the executive?

Mr. Speaker: What does he want to know from the hon. Minister? Of course, the constitutional provision is there.

Shri Dinen Bhattacharya: When there is a specific constitutional provision, why is there so much delay in the separation of judiciary from the executive in this State alone especially when it has been implemented in other States?

Mr. Speaker: That question should be addressed to the State Government.

Shri Dinen Bhattacharya: It is the duty and responsibility of the Central Government to see that constitutional obligations are properly discharged by the State Governments.

Mr. Speaker: The Central Government can see whether they can do anything in the matter.

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12.17 hrs.

CHRISTIAN MARRIAGE AND MATRIMONIAL CAUSES BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF JOINT COMMITTEE

Shrimati Renu Chakravartty (Barackpore): I beg to move:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and codify the law relating to marriage and matrimonial causes among Christians be further extended upto the last day of the next session."

Mr. Speaker: Motion moved:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and codify the law

relating to marriage and matrimonial causes among Christians be further extended upto the last day of the next session."

Shri S. M. Banerjee: Sir, I have to make a submission in this respect. The extension of time requested for is not only up to the first day of the next session but up to the last day of the next session. Now, this extension has been going on for one year. I would like to know from the Chairman of the Committee as to what is happening in the Joint Committee, whether the Committee is serious about this business, what are the difficulties encountered by it and whether all the Christian organisations have given evidence before it.

Shri Kapur Singh (Ludhiana): May I enquire whether any specific inconvenience is caused to the hon. Member because of the delay in the passage of this Bill?

Dr. L. M. Singhvi (Jodhpur): Mr. Speaker, I also want to express my concern regarding the request for extension of time.

Mr. Speaker: I do realise that there has been extraordinary delay in this matter; nobody doubts it. The mover of this motion is also quite aware of it. At the same time, she has also conveyed to me the difficulties experienced by the Committee in the consideration of this question. It is a delicate matter because a section of our community is involved. Now, it seems, a certain section of the community has objected to certain provisions in the Bill. That has to be considered. I hope the house would accommodate them. Though there has been long delay, then too, the Committee, I am assured, has been doing its best to expedite matters. There is delay because there were certain difficulties which could not be surmounted. Therefore, a request is being made for further extension of time.

Shri Tyagi (Dehra Dun): For thousands of years the community has

lived happily without this enactment. Could it not wait for some more time? I do not think there is any necessity for urgency in this matter.

Mr. Speaker: That is quite a different matter.

Dr. L. M. Singhvi: Mr. Speaker, my brief submission is this. We may not grudge the extension of time; in fact, we may gladly agree to it. But, in such matters, as a matter of procedure it would be desirable that a statement of the reasons leading to the delay should follow every request for extension of time for presentation of report of committees. It should not be taken as a matter of course.

Shrimati Renu Chakravarty: The first meeting of the Joint Committee was held round about July or August last year. After that we did meet at that time. Immediately after that we had the emergency and then, unfortunately, the Chairman of the Joint Committee passed away. Then there was quite a bit of delay and for a time it was almost being talked of that it will not be taken up at all and that it will be dropped.

Shri S. M. Banerjee: Who is the Chairman now?

Shrimati Renu Chakravarty: I am the Chairman. I was selected round about the beginning of this year. We have been meeting since then. We have met on three occasions or so and we have had to take a large volume of evidence because an objection was raised by certain Members that the Law Commission had not visited Kerala, and that Kerala being the State which has the largest number of Christians, there was quite a vocal demand that the Committee should go to Kerala. But our Rules did not permit that. The hon. Speaker also said that the Rules did not permit us to undertake a tour to take evidence. Therefore we had to say that anybody who wanted to come to give evidence

should be asked to come to Delhi. We had asked for evidence and have taken evidence from a very large number of people. Unfortunately, no women's organisation or woman in the community has come forward to give evidence. We have also laid it open that if anybody else, specially women, would like to come and give evidence, we would again hear them; otherwise, more or less the evidence is over.

There is a feeling among certain hon. Members that this Bill which deals with a minority community should not be hustled. Several members of that community in the Joint Committee felt that we should not hustle matters. Therefore in deference to their wishes so that they do not feel at any stage that we are really trying to hurry them into taking decisions we have extended our work upto the last day of the next session. But I may assure this House that we shall try our best to finish our work earlier so that we might be able to present the report as early as possible. I may assure the House of that.

Mr. Speaker: The question is:

"That the time appointed for the presentation of the Report of the Joint Committee on the Bill to amend and codify the law relating to marriage and matrimonial causes among Christians, be further extended upto the last day of the next session."

The motion was adopted.

12.23 hrs.

MOTION RE:
REPORTS OF COMMISSIONER FOR
SCHEDULED CASTES AND SCHEDULED TRIBES—Contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shrimati M. Chandrasekhar on the 2nd September, 1963, namely:—