श्री सिंहासन सिंह : (जिला गोरखपुर—दक्षिण) : सभापति जी, इस सदन में कोई मंत्रिगण मौजूद नहीं हैं । गवर्नमेंट बेंचेज पर कोई नहीं हैं ।

Some Hon. Members: Government Benches are empty.

Mr. Chairman: If the Government Benches are empty, we cannot help it, but at the same time we are all responsible Members of Parliament. It is our duty and business to go on with the work of Parliament.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I am back in my seat.

Mr. Chairman: Mr. C. R. Narasimhan. Absent. Shrimati Maniben Patel.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL

Shrimati Maniben Patel (Kaira South): I beg to move:

> "That the Bill to regulate and licence institutions caring for women and children, be taken into consideration."

चेयरमैन साहब, अभी थोड़ी देर पहले जो एक बिल एडजार्न किया गया था उसके साथ इस बिल का भी काफी सम्बन्ध हैं । उसमें बतलाया गया था कि किस तरह से स्त्रियों और बच्चों से नाजायज काम करा रहे हैं और मेरा बिल जो हैं वह उन संस्थाओं को ठीक से रंगुलेट करना चाहता हैं और लाइसेंस करना चाहता हैं जो बच्चों और स्त्रियों की देखभाल करते हैं । मैं जानती हूं कि आज यह संस्थाएं अनाथालय और विधवा आश्रम किस प्रकार चल रहे हैं और मैं आपको बतलाऊं कि कुछ अनाथालयों में बच्चों को बेचने का पेशा चलता हैं । विधवा आश्रमों में भी यह गड़बड़ चलती हैं । किसी बेचारे भले आदमी ने विधवा आश्रम के हेतु ताकि बाल विधवाओं की रक्षा भली प्रकार की जाय इस अच्छे काम के लिये रूपया दान में दिया, परन्तु उस संस्था के संचालक महाराज बड़े उस्ताद थे उन्होंने बाल विधवा की शादी जिससे करवाई उससे पैसा ले लिया और थोड़े दिन बाद उस लड़की को उस आदमी के पास से भगा कर ले आए, तो मेरे कहने का मतलब यह हैं कि इस तरह की जो सामाजिक संस्थाएं चलती हैं उन पर सरकार की निगाह रहनी चाहिये और हर कोई आदमी इस तरह से इन संस्थाओं को मनमाने ढंग से न चला सके, जो संस्था इस तरह की चलावे, उसको सरकार से कुछ लाइसेंस लेना पड़े और उसके ऊपर कुछ रूकावट हो और जो संस्थाएं ठीक से नहीं काम करती हैं उन पर सरकार इस कानून के मातहत कुछ रोक लगा सके । आज के दिन इन बाल अनाथालय और विधवा आश्रमों की दशा बड़ी दयाजनक हैं और बजाय उनकी रक्षा करने और ठीक से देखभाल करने के ये संस्थाएं उनका अनुचित लाभ उठा रही हैं और उनको एक व्यापार का साधन बना रक्खा हैं । इसीलिये हम लोग इसे बहुत आवश्यक समझते हैं कि सरकार इन संस्थाओं पर कुछ नियंत्रण रक्खे और लाइसेंस आदि देने की व्यवस्था करे तो हम आज जो यह बच्चों और स्त्रियों को लेकर ये संस्थाएं व्यापार कर रही हैं और लाभ उठा रही हैं उसको रोकने में कामयाब हो सकेंगे । इसी मंशा से मैं यह बिल इस हाउस के सामने पेश करती हूं और आशा करती हूं कि सरकार इस पर सोचेगी और अगर उसके द्वारा एक केन्द्रीय लेजिस्लेशन आता हैं तो यह जो एक स्टेट से दूसरी स्टेट में बच्चों और हमारी बहिनों को उठा कर ले जाते हैं, उसको हम रोक सकने में समर्थ हो सकेंगे । इसलिये मैं यह बिल हाउस के सामने रखती हूं ।

Mr. Chairman: Motion moved:

> "That the Bill to regulate and licence institutions caring for women and children, be taken into consideration."

पंडित डी० एन० मालवीय (रायसेन): सभापति जी, अभी जो बिल इस हाउस के सामने पेश किया गया हैं, मुझे हैरत हैं कि आजादी के इतने दिन गुजर जाने के बाद भी आज हमारी बहिनों को इस बात का अन्दोलन करना पड़ रहा हैं कि हिन्दुस्तान से इस किस्म की लानत

[पंडित सी० एन० मालवीय]

को खत्म किया जाय। इससे हम क्या वाकिफ नहीं हैं और हमारे लिये क्या यह शर्म की बात नहीं है कि आजादी के इतने दिन गुजर जाने के बाद आज तक हम हिन्दुस्तान में न तो इस किस्म का कानून बना सके और न जो कानून आज तक मौजूद हैं उन कानूनों का हम इस तरीके से इस्तेमाल कर सके कि जिससे हम इस लानत को अपने देश से खत्म कर सकते। मुझे मालूम है कि आज भी हमारे पास ऐसे कानून मौजूद हैं कि जिनसे हम इन चीजों को खत्म कर सकते हैं, लेकिन मुश्किल यह है कि हमारी समाज के अन्दर जिस तबके जिस वर्ग और जिस किस्म के लोगों का असर है खुद वह लोग इस चीज में सने हैं और उन का दिल इसके साथ हमदर्दी रखता है और वह इसमें खुशी मनाते हैं और इस वजह से हम समाज में से उस बुराई को नहीं निकाल पाते। मैं सिर्फ इसी चीज को उचित और काफी नहीं समझता कि इस किस्म की जो संस्थाएं चल रही हैं उनको लाइसेंस दिया जाय और बिना लाइसेंस उन को न चलने दिया जाय, बल्कि मैं तो यह चाहता हूं कि इस बिल में अमेंडमेंट करने के बाद इस बिल को इतना सख्त बनाया जाय या फिर गवर्नमेंट खुद इस मकसद का कोई बिल लाये कि जिसमें इस बुराई को बिल्कुल खत्म कर दिया जाय और इसको गैरकानूनी करार दिया जाय। गवर्नमेंट इस बात की जिम्मेदारी ले कि जितने भी इस किस्म के अनाथ बच्चे हैं, जितने भी इस किस्म के हमारे भाई बहिन हैं उनके लिये खुद गवर्नमेंट इंस्टीट्यूशन्स चलाये, और ऐसी बहिनों और बच्चों की जिम्मेदारी गवर्नमेंट पर हो ताकि वह उनकी रोजी का इन्तजाम कर सके, उनकी शिक्षा का समुचित प्रबन्ध कर सके और पूरे तरीके से उनके जीवन यापन का इन्तजाम कर सके। हम अपने देश और समाज को जिस ऊंचे दर्जे पर ले जाना चाहते हैं, हमने अपने देश का जो नकशा अपने सामने रक्खा है, हम उस तक पहुंचने में समर्थ नहीं हो सकेंगे जब तक यह धुन और बबा हमारे बीच में से हमेशा के लिये नष्ट नहीं कर दी जाती। इस बुराई के जारी रहते हम हरगिज आगे नहीं बढ़ सकते। आज कई तरह की बुराइयां हमारी माताओं और बहिनों के साथ लगी हुई हैं और जब तक ये बुराइयां हमारे मातृ जगत में रहती हैं तो हम अपने आगे आने वाले बच्चों को भी उस बुराई से सुरक्षित नहीं रख सकेंगे और उस हालत में हम जो नकशा बनाना चाहते हैं उसको पूरी तरह नहीं बना पायेंगे। मुझे तो हैरत होती है कि हमारी स्त्रियों और बच्चों की यह दशा होते हुए भी हमारे अधिकारियों तक उनकी आवाज नहीं पहुंचती और वे इस दिशा में अभी तक सोये पड़े हैं। हमारे अधिकारी लोग आज दूसरी समस्याओं में उलझे पड़े हैं और इधर उनका ध्यान नहीं जाता। इसलिये मेरा सुझाव यह है कि अब इस मामले में और आगे पीछे और टालमटोल नहीं करनी चाहिये और सरकार को इस मामले को अपने हाथ में ले लेना चाहिये। मैं श्रीमती मणिबेन पटेल का पूर्णतया समर्थन करता हूं कि आज धर्म के नाम पर और समाज सुधार के नाम पर स्त्रियों और बच्चों की रक्षा के नाम पर बहुत सी संस्थाएं जो काम कर रही हैं, वे बड़ा ही अनुचित काम कर रही हैं और स्त्रियों और बच्चों का व्यापार कर रही हैं और पैसा कमा रही हैं और मैं तो यहां तक कहूंगा कि इस किस्म की सोसाइटियां अधिकारियों की छत्रछाया में चलती हैं और वह अधिकारियों को मिला कर इस तरह का व्यापार करती रहती हैं।

इस लिये मेरा सुझाव यह है, हाउस से मेरी अपील है कि इस मसले को टालने की इजाजत न दें, बल्कि इस के ऊपर सख्ती से कदम उठायें। हम को इसी वक्त चाहिये कि इस बिल के सिलसिले में जो कुछ खराबी हो, उस को सुधार कर इस बिल को पूरी तौर से स्वीकार करें इस बिल को पास कर के, इस के मार्ग में जो बाधायें हों, उन को दूर करने के बाद इस को अमल में लायें।

इस के साथ साथ मैं गवर्नमेन्ट से यह अपील करना चाहता हूं कि वह इस किस्म का कानून लायें जिस के जरिये से वह ऐसी माओं, बहनों और बच्चों की जिम्मेदारी खुद अपने ऊपर ले ताकि भविष्य में उन का जीवन सुखमय हो सके ।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूं ।

Shri Tek Chand (Ambala-Simla): Mr. Chairman, if I offer my felicitations to the Mover of the Bill, I feel that this Bill has not come even one day too late. As a matter of fact, a measure within the contemplation of this Bill has been long overdue. It is a notorious and painful fact that there are a very large number of institutions masquerading under the names of Orphanages, schools, widows homes, *Abala* homes and so on. Their real objective is either to employ child labour to their own advantage or to pander to their base tastes and of the likes of those who are the worst pests of society whereby innocent children, boys and girls are being taken away from their homes and the worst types of crimes are being perpetrated not only on those children but also on society. So far as I have been able to notice, apart from the serious immorality they lead to, they also lead to very violent crimes. In order that the boys may be able to go about and evoke pity, it is a fact that sometimes they have been maimed and their limbs mutilated; this is done so that they may be able to induce charitably-minded people to part with some coins for those who employ them. Maiming and mutilation and other physical damage is practised underground and yet those children are helpless and they have no voice in the matter.

Ordinarily the recruiting ground are the orphan children, waifs and strays or those grown-up children who have run away from their homes and whose traces cannot be found. There are cases where children of well-placed families are stolen either in connivance with the servants or in league with others and they are spirited away. The hopeless and helpless parents are left behind wringing their hands in helplessness, never to see the faces of their children.

The lot of the children is much worse. They are either schooled in crime or brought up on drugs or otherwise mishandled. Their education is neglected, their health is neglected and they become a tremendous drain and a burden on society.

One thing which I have noticed in my part of the country—and I dare say similar must have been the experience of other friends also—is that somebody comes along with a story that there is a school, there is a *goshala*, there is a orphanage or other in some remote part, thousands of miles away, hundreds of miles away and he expects that somebody should give him something in charity. The usual excuse is that he wants to have a trip to the hills, he wants to make a little money, there are a couple of children and there are some subscription books and there are one or two printed papers. So far as the kind-hearted and gullible members of the public are concerned, they usually manage to get a letter or two saying, please help this organisation, please assist that institution. They thrive on the credulous nature of the people; they thrive on the charitable-mindedness of others but they who pay hardly realise that the money they are giving away in contributions, in charity is being utilised for crimes and sins. This is an aspect which I have had occasion to notice about those institutions styling themselves as orphanages.

There are other institutions called widows' home or *abala* homes. I regret to say that they are the plague spots where immorality of the worst type is indulged in and where women are trafficked and they become a transferable commodity. Either they have to sell their chastity and become for the rest of their days slaves to those people and society will not

[Shri Tek Chand]

revive them back or they have got no relations living or, if living, they are too remote to be interested in them. In a country whose population is tremendous, it is very difficult to get trace of the persons who have been abducted or who have been kidnapped, and who are being exploited for nefarious purposes. Therefore, it is a matter of imperative urgency that steps should be taken to license all institutions where people are kept for seemingly philanthropic purposes, either of education or of culture or of protection and it is extremely desirable that stringent laws should be passed for their protection. As a matter of fact, the burden of proof should be on the other person to show why he has kept under his supervision or control a minor who is related to him. Therefore, if you have the example of Dr. Bernado's Homes in England, you will find that unwanted children are being nourished, being brought up, being educated, all under the supervision of the Government. Female children cannot be married away; male and female children cannot be adopted away unless a rigorous and strict procedure is gone into and the adoptive parents offer certain guarantees that the children to be adopted are going to be looked after. I wish we had in our country a composite piece of legislation whereby such crimes could not be committed and unwanted children could be protected. It is high time that the Government should devote its attention to bringing on the statute-book a comprehensive measure.

However, I do not agree fully with the remarks of the hon. Member who has just preceded me. My reason is that if it becomes the exclusive headache of the Government that all such institutions must exclusively be controlled and managed by the Government, I am afraid it will be a too big a task. There are people genuinely philanthropic, honestly charitable-minded.....

श्रीमती मणिबेन पटेल : मैं ने तो ऐसा कहा था ।

Shri Tek Chand: I said the last speaker, the speaker who preceded me and not the Mover—I meant my friend sitting behind me. The suggestion to which I cannot subscribe is this. All private charitable institutions of such a nature should be under the exclusive control of the Government; if not so, they should be declared to be unlawful institutions. It is only that aspect of the suggestion with which I do not see eye to eye. People are philanthropic; they are charitably-minded, and it should also be the desire of the State to see that people of their own should take the initiative, but those who do so, it should be assured, are really charitably-minded. Therefore, it is necessary that such institutions ought to be encourage, but so far as their working is concerned, it should be supervised under the vigilant control of the governmental authorities.

With these words, I offer my wholehearted support to the measure.

श्रीमती उमा नेहरू (जिला सीतापुर व जिला खेरी—पश्चिम) : जनाब चेयरमैन साहब, देश की आजादी के बाद, राजनीतिक आजादी के बाद, सामाजिक और आर्थिक आजादी की जरूरत होती है । जबतक सामाजिक और आर्थिक आजादी नहीं होती तबतक देश की आजादी भी पूरी नहीं होती है । हम स्त्रियां इस समय सामाजिक आजादी की फिक्र में लगी हुई हैं । और जब से हम यहां आयी हैं तब से हमने तरह तरह के सामाजिक बिल इस हाउस के सामने पेश किये हैं । लेकिन हमारे ऊपर जो असर पड़ता है वह बड़ा दुःखदायी असर है और वह यह कि उनसे कुछ लाभ नहीं होता । मैं खुद दहेज का बिल लायी थी । उस पर बहस के बाद खुद हमारी सरकार ने कहा कि हम इस बिल को लायेंगे और मेरे आगे पीछे मिनिस्टर साहब खड़े हो गये और यह यकीन दिलाया कि यह बिल बहुत जल्द आयेगा ।

हमारी हालत यह है कि हम बहुमत में हैं। जब हमारे आगे पीछे मंत्री आते हैं तो हमको आपसे आप उनकी बात मानकर कहना पड़ता है कि बहुत अच्छा जो आप चाहते हैं वही हो जायगा। लेकिन मुझे दुःख होता है कि न मालूम हमारे मंत्रियों के रास्ते में क्या अड़चनें आ जाती हैं कि इस तरह के जो बिल आते हैं वह ऐसा मालूम होता है कि खटाई में पड़ जाते हैं और उनका नामोनिशान बाद को नहीं दिखायी पड़ता जब से बिल मेरे हाथ से गया है न मालूम कितनी दफा मैंने ला मिनिस्टर की सलामी की है और उस सलामी में हुजूर से यही कहा कि हुजूर उस बिल का क्या हुआ और वह बिल कबतक आयेगा तो हर दफा हुजूर कह देते हैं कि "आई एम टेकिंग परसनल इंटरेस्ट इन इट"। तो इस दवा से हमारा इलाज नहीं हो सकता। आज भी मैंने देखा कि एक सोशल बिल आया। उसका भी वही हश्र हुआ। उसमें इतनी गड़बड़ी हुई कि मेरी समझ में ही नहीं आ रहा था कि हम किधर जा रहे हैं। हमारे होम मिनिस्टर साहब इधर आये और न मालूम उन्होंने मुझ से क्या क्या कहा मेरी समझ में नहीं आया। मैं कहती हूं कि जब हम को यह निश्चय हो गया है कि जबतक हमारी सामाजिक उन्नति नहीं हो सकती हमारी गाड़ी आगे नहीं बढ़ेगी, तो हमारी सरकार का यह फर्ज होना चाहिए कि वह इस तरह के बिल खुद लाये। हम तो यह बिल लाते हैं लेकिन सरकार का यह फर्ज है वह ऐसे बिल लावे जिनसे समाज की वह कमजोरियां दूर हों जिनकी वजह से देश की गाड़ी आगे नहीं जा सकती। मैं देखती हूं कि खास काम हम ही करते हैं जब कि नान आफिशियल डे आता है। लेकिन जब नान आफिशियल डे आता है तो मुझे ऐसा मालूम होता है कि हमारा कोई सिरधरा नहीं है और इससे मुझे बड़ा दुःख होता है। नान आफिशियल डे को हम बिल लाते हैं लेकिन वह बेकार जाते हैं और उनका कोई नतीजा नहीं निकलता है। तो उस वक्त मुझे याद आता है कि यूनीवरसिटी में भी एक इसी तरह की यूनियन हुआ करती थीं और उसमें हम "मिस्टर प्रेसीडेंट" कह कर बोलते थे लेकिन वहां जो डिबेट होती थी उसका कोई नतीजा नहीं हुआ करता था।

आज हमने यह निश्चय किया है कि देश में जो सामाजिक कमजोरियां हैं उनको हमें कानून बनाकर हटाना लाजमी है।

पहले तो मेरा यह कहना है कि जब कोई स्त्रियों का ऐसा मामला आवे तो चूंकि यहां मुट्ठी भर स्त्रियां हैं, हर स्त्री को बोलने का मौका मिलना चाहिए क्योंकि उसको इसमें बोलने का हक है।

मैं ने विधवा आश्रमों के किस्से सुने हैं। खुद मैं भी कुछ किस्से जानती हूं। मेरे जो पुरूष भाई हैं मैं ने उनकी मैनेजिंग कमेटियों को देखा है और मैं ने उनके अत्याचार देखे हैं और मुझे दुःख से कहना पड़ता है कि हमारी गवर्नमेंट को सबसे पहली चीज . . . .

Pandit K. C. Sharma (Meerut Distt.—South): I rise on a point of order. May I request the Chair not to permit the House to be divided into *Sthri* Members and *Purush* Members?

Mr. Chairman: What is the point of order here? It is casting a reflection on the Chair. I have called two or three men and two ladies to speak on the Bill.

Pandit K. C. Sharma: I am extremely sorry that the Chair has misunderstood me. What I meant to say was that the hon. Lady Member, while discussing the Bill, was stating that, in matters such as this concerning women, only Lady Members should be called to speak.

Mr. Chairman: This is no point of order.

Pandit K. C. Sharma: It may or may not be...

Mr. Chairman: I cannot understand why the hon. Member persists in speaking like this.

श्रीमती उमा नेहरू: लेकिन मैं अपने भाई को यकीन दिलाती हूं कि हम लेडी मेम्बर,

[श्रीमती उमा नेहरू]

जिनको मैं विमेन मेम्बर कहती हूं, आपके सामने माओं की हैसियत से आती हैं आप हमारे बेटे हैं। हम अपने बेटों से कैसे अपने आपको जुदा कर सकती हैं। यह तो बेटों की कम अक्ली है कि वह हमको अपने से जुदा समझे हुए हैं; जब हम अपने लड़कों को और भाइयों को, जो कि इन विधवा आश्रमों की मैनेजिंग कमेटियों के मेम्बर हैं, गलत कदम उठाते देखती हैं, उनके गलत चरित्र देखती हैं और उनको पाप करते देखती हैं तो हम उनको रोकने की कोशिश करती हैं और अपनी सरकार से कहती हैं कि जल्दी से जल्दी इन विधवा आश्रमों को बन्द करें।

मैं अपने उन भाइयों से जो अभी बोले थे बिल्कुल सहमत हूं। मेरी खुद की यह राय है कि इन विधवा आश्रमों को और बनिता आश्रमों को गवर्नमेंट को खुद चलाना चाहिए और अगर गवर्नमेंट इनको चलायेगी तो उसको इतने आश्रमों की जरूरत नहीं होगी। जो इतने आश्रम खुले हैं इनका मकसद विधवाओं की खैरख्वाही नहीं है बल्कि इनका मकसद कुछ और ही है। लेकिन अगर गवर्नमेंट इस काम को चलायेगी तो वह ठीक तरह से चलेगा।

यह चीज पबलिक एंटरप्राइज के अन्दर होनी चाहिए लेकिन अभी थोड़े दिन के लिए जबतक हम अपने पैरों पर ठीक तरह से खड़े नहीं हो पाते सरकार को इस जिम्मेदारी को लेना चाहिए और सारे मुल्क की एक दफा शुद्धि करनी चाहिए। जबतक यह नहीं होगा तबतक देश का आगे बढ़ना मुश्किल है।

मैं गवर्नमेंट से यही कहने खड़ी हुई हूं कि अगर वह मेहरबानी फरमायें और यह पास होजाय तो बहुत अच्छा है लेकिन मुझे तो इस बिल का भी वही हश्र होता दिखता है जैसे कि अभी एक बिल विदड्रा होगया। मुमकिन है कि सरकार की तरफ से कोई बिल आवे और इस कारण यह बिल विदड्रा होजाय। मालूम नहीं कि उसका क्या हश्र होगा लेकिन मुझे तो इसका भी वही हश्र होते जान पड़ता है जैसे पहले बिल का हुआ और वह विदड्रा होगया। यह जो हमारे भाई श्री झुनझुनवाला का खाद्य पदार्थों में मिलावट के सम्बन्ध में प्रस्ताव था तो मैं उसके सम्बन्ध में बतलाऊं कि मैं खुद उसकी सेलेक्ट कमेटी में थी, उसको एक अर्सा होगया और आप जानिये कि हालत हमारी यह है कि हम जो खाते हैं वह शुद्ध न होने के कारण हम बीमार पड़ते हैं और कितने ही उस कारण मरते हैं। आज न हमें ठीक घी मिलता है, न मसाला मिलता है और न अनाज मिलता है, यह हमारी हालत है और हमारे मुल्क के रहने वालों की सेहत दिन पर दिन खराब होती जा रही है लेकिन सरकार के दरबार में अभी फुरसत नहीं है कि वह हमारे स्वास्थ्य के ऊपर विचार करें और इस बिल को पास करें . . . .

Mr. Chairman: May I just enquire how is the Govenment to blame? The House cannot find time for it?

श्रीमती उमा नेहरू : सरकार तो सभी है, मैं कोई उसके अलग २ टुकड़े नहीं करना चाहती। मैं तो इस बिल के लिये कह रही थी कि इस बिल पर हमने खूब सोच विचार किया और मैं खुद इस बिल की सेलेक्ट कमेटी में थी और यहां इस बिल को अच्छी तरह सोच विचार कर चुके हैं और कम्पलीट कर चुके हैं और तब उसके बाद इस हाउस में मंजूरी के लिये लाये हैं लेकिन पार्लियामेंटरी अफेयर्स के जो मिनस्टर हैं उन्होंने अभी फरमाया कि कुछ मोस्ट इम्पार्टेंट बिल्स उनके पास हैं जिनको कि पहले हाउस के सामने लाना है इसलिये वह उसको आयन्दा सेशन में लायेंगे, यह बात तो समझ में आती है मगर हो सकता है कि अगले सेशन में जो इससे और ज्यादा इम्पार्टेंट बिल होगा वह पहले आयेगा और यह फिर आगे के लिये टल सकता है तो इस बारे में मेरा कहना यह है कि यह स्वास्थ्य सम्बन्धी बिल मोस्ट इम्पार्टेन्ट चीज है, देश के लोगों की सेहत और हेल्थ ठीक रहे, यह सबसे ज्यादा जरूरी है और हमें इसकी तरफ सब से पहले ध्यान देना चाहिये

और उसके बाद हमारे देश में और समाज में ये जितने पापघर फैले हुए हैं उनको मिटाना है। और ज्यादा समय न लेते हुए मैं श्रीमती मणिबेन पटेल का जो बिल है उसका पूर्ण समर्थन करती हूं और मुझे पूरा विश्वास है कि सरकार उसको कबूल करेगी और उनका बिल एब्जोर्ब नहीं होगा और मेरे बिल का जो नतीजा हुआ वह इसके साथ नहीं होगा और यह आगे जायेगा और मुल्क इससे फायदा उठायेगा।

Shri D. C. Sharma (Hoshiarpur) *rose—*

Mr. Chairman: What is the point? What has the hon. Member to say? I have not heard him.

Shri D. C. Sharma: I have stood so many times. How am I not able to catch your eye?

Mr. Chairman: His standing so many times does not entitle him to ask an explanation from the Chair. After all, the Chair has got a discretion in the matter. Every day, I have seen, it happens. Every time, several Members stand up, including myself, but the Chair does not find time to call the names of these Members. The Members should not make a grouse of it after all the rights of all the Members must be equally protected and respected.

Shri D. C. Sharma: I do not make any grouse of it. I thought you had seen me.

Mr. Chairman: I have already seen; the hon. Member is higher than the bench on which he sits; the Chair certainly sees him specially when he is standing.

Shri D. C. Sharma: *rose—*

Mr. Chairman: Order, order.

Shri Raghuramaiah (Tenali): I have very great pleasure in supporting the present Bill and I think it is one of those Bills which are long overdue. In this country, our experience with some of the institutions which are carried on in the name of women and children is not really very encouraging. I do not say every institution is not run on sound lines; there are some institutions which are run on very sound lines run by people with very high ideals. They are bringing up destitute children and women in a very commendable manner. But there are, I think, a good number of institutions which are being exploited for the private benefit of the promoters, whose inmates are grossly ill-treated. The institutions are gravely abused. It is within the experience of some of us that the institutions are maintained solely as a means of livelihood for some individual. Sometimes the manager draws rations in the name of the institution which is supposed to have on record so many children and so many women and all the rations are utilised by the person in charge of the institutions. It is only one of the misuses to which it is put to and the most innocent.

There are a hundred others. I do not want to go into any discussion about these in greater detail. Government should step in and take care of the institutions of this nature and see that they are utilised for the purpose for which they have been promoted. I consider it one of the primary duties of the Government. There are ofcourse two ways of doing it: Government taking it over and directly running the institutions or Government taking over the responsibility of supervising the institutions.

Great as this country is, enormous as our problems are with our limited financial resources, it will not be possible for the Government to undertake this work directly and do it. But it should not be difficult for the Government to devise some measure whereby every one of these institutions is properly supervised and to make it a definite certainty that the institutions are utilised for the purpose for which they are being promoted. It is a strange thing that a duty like this which we owe to the destitute women and children of this country is not being taken

[Shri Raghuramaiah]

up with the same amount of seriousness as it deserves and in the event of the Government not coming forward to give an assurance that they will themselves come forward with such a bill, I think we should strain every nerve to see that the present Bill is adopted.

Of course, I do not say that the Bill is absolutely perfect from the drafting point of view. It does require some changes. For instance in the matter of definition of the word 'institution' itself, I am afraid it covers a larger number of institutions than those what the Mover of the Bill has in mind. Probably, the intention, as I conceive, behind the Bill is to confine it to those institutions which are established for the receipt, care and maintenance of women and children till they reach the age of 18 or till they are rehabilitated.

But the definition of the word 'institution', given in the Bill is very much wider. As I read it, I feel it is possible to include in it even hostels attached to recognised girls colleges or again it may include in its scope so many very well known women's educational or other institutions. It is not certainly the intention that the Government inspector should poke his nose into every one of these institutions and in no event it should be the duty of every institution to teach, train, lodge, clothe and feed every woman or child admitted in the institution till she is rehabilitated or the child attains the age of 18 years.

It is not the intention of the Mover and it should not be that every institution irrespective of the scope or purpose for which it is established should support and maintain all the inmates. I, therefore, suggest that the Mover should see that the Bill is confined only to those institutions whose specific object is to receive, to take care, to feed, clothe and maintain women and children so that the objection that this Bill is too vague may be removed.

I would only say one thing more in general and that is a general request to the Government. I think a time has come when we should take stock of what exactly are the various measures that we should undertake on the social side; it is no use to leave it merely to private legislation. Concerted and definite action must be taken by the Government to re-examine the whole field of our social activity and see in what respect legislation is necessary. It was a different matter in the olden days when we left these to the whims and fancies of the foreign Government; we have our own Government and we have to set our house in order. We have to take care of so many things which are not in the Fundamental Rights of the Constitution; it may be that some of them are in the Directive Principles and some are left to the conscience of the people. I would, therefore, appeal—I shall make a special appeal—that apart from this, Government should undertake the work of reviewing the whole social aspect and say in what directions legislation is necessary. On this particular matter I would again earnestly urge upon the Government to say that they will come forward with a comprehensive legislation, or in the alternative. I would request the Mover to so amend the Bill as to confine it to the purposes for which it is intended.

Shri D. C. Sharma: At the very outset I beg to submit that there was no intention on my part to question your discretion.

Mr. Chairman: Order, order. As a a matter of fact I had him in mind. I had seen the hon. Member standing up twice. But at the same time if he insists that he should be called at a particular time or even called at all, it is very difficult for the Chair to satisfy his wishes.

Shri D. C. Sharma: I was submitting that there was no intention on my part to question your discretion.

And now I come to the Bill. On the floor of this House this afternoon three Bills have been presented, two by Shrimati Maniben Patel and one by my friend Shri Jhunjhunwala. After seeing the fate of those Bills and after listening to the speeches made on those Bills I have asked myself one question: Have we developed any social conscience? Have we understood the challenge of the time? Have we seen the writing on the social wall of India? I have asked myself these questions, and I must say that the answer to all these questions has been in the negative.

I entirely agree with my friend Shri Raghuramaiah that our Government should not be only a law and order government, our Government should not only be a government which gathers taxes, but our Government should be a real welfare government. (*An hon. Member*: Hell-fare government). I do not know what my friend is talking about and I do not know what language he is talking. I was going to say we should give primacy to problems of law and order and problems of taxation. All these things are there, because without these we cannot run the government. But I say that the way in which social legislation is neglected in this House is—I do not want to use any hard word—not the right kind of thing. I would have said something hard about it, but I do not want to. What was the fate of the Bill which was brought forward by my sister Shrimati Uma Nehru? What was its fate? Here in this Parliament we were not able to discuss and pass that Bill. But in the neighbouring State of Punjab a similar Bill was passed. We say that our Parliament should be a model for every State Legislature. But I do not think that has been the case. Because, here the Bill was put in cold storage and there the Bill was passed. I am very sorry to say that in our Ministries there is something like a cold storage policy. And I must say in all humility and with due respect that all the measures which deal with social welfare, almost all the measures which are the real foundation of the national and social prosperity of India, are put in that kind of cold storage. I am of course using the words metaphorically.

1 P.M.

There are four days of dealing with the problem. I think it is a very big, colossal problem. I think the best thing is to deal with this problem on a national scale. It is a problem calling forth the national energies of this great nation. And, unless it is tackled on that scale, I do not think we can do anything. Sir, my friend just now referred to the large number of persons; to be large number of children—boys and girls—who are going about in this country begging for pies, begging for a little farthing. May I ask you one question? Do these things contribute to the good name of our country? The other day I was travelling in the U.P. with a foreigner who happened to be a gentleman from another country. He said to me: "Well, you attained independence about seven years ago and you have been doing well. Why is it that I see so many beggars in your country? Why is it that I see so many children going about begging?" This is something which, I should say, is unexceptional in this country. I should say that this blot on the good name of our country should be removed. We should not see any more children as beggars in our country. We should not see any more children who are inmates of orphanages and *Vanita Ashrams* as beggars. There is a great deal of trafficking going on in this direction and we must put a stop to it. I think there are four ways of dealing with this problem. First of all, there is the national way, and this is,

[Shri D. C. Sharma]

that a census should be taken of all the orphans in the country. If you say, that for this you have to form a machinery which will cost a great deal of money, I would suggest that the *panchayats* should be asked to do this work. We have a net-work of *panchayats* all over India.

Mr. Chairman: I do not want to interrupt the hon. Member's speech, but this Bill has got a very limited scope. It only deals with licensing and regulating certain institutions. The broad question with which the hon. Member is dealing, does not come within its scope. I would, therefore, request the hon. Member to limit his remarks to the scope of the Bill.

Shri D. C. Sharma: Sir, what I was going to say is that,—I come from the general to the particular, with your permission—a census should be taken of all the orphans and I think this can be done by *panchayats*. Let them take a census of all the orphans. I would say that the care and custodianship of bringing up these children should be the duty of the *punchayats*. There was a time in India when the orphans were taken hold of by the people and they were given some kind of good education and training. Why not we get back to that time? If the people of a particular *Ilaka* are not prepared to do that, I do not see any reason why this should not be a very good charge on the *panchayats*. In the same day, so far as towns are concerned, we have Notified Area Committees, Municipalities, District Boards and so on. Why not they take charge of children who are orphans? This is the national way of dealing with the problem.

The second way is that we should have a man of genius like the late Dr. Bernado. He did it on a voluntary scale in England, but I must tell you that Dr. Bernado made it a great national institution. I do not deny that there are good orphanages in the country. There is one at Ferozepore. There are good rescue homes in this country; one in Bombay which was opened by Dr. Jaykar or some other Bombay leaders. There are good homes, but I say that the problem is so vast that we must have a man with a very big vision and drive to do that.

Mr. Chairman: This Bill does not relate to the problem. We are only concerned with the institutions. The hon. Member may kindly look into the Preamble given in the Bill. This only deals with the regulation and licensing. The broad problem does not arise.

Shri D. C. Sharma: Therefore, I would say, that if we cannot tackle this problem on a national scale, if we cannot produce a man like Dr. Bernado and if we cannot do this as a State business, then, we must adopt the method which my sister Shrimati Maniben Patel has suggested. And, what is that method? That, we should keep proper check and proper supervision over those institutions which look after the orphans, whether they are boys or girls. I do not want to tell the House how these orphanages and *Vanita Ashrams* are becoming not institutions for the welfare of our nation, but are becoming institutions which are degrading humanity. They are sources of degradation, social degradation and moral degradation. With a very few exceptions, they are festering sores which are trying to corrupt our people. I may tell you one thing. In a town in the Punjab, a little boy was arrested by the police, a little boy of 10 or 12 years of age. The boy was plying the honourable profession of a pick-pocket—I mean honourable in the sense that it was dishonourable. When the magistrate asked him from where he had come, and who he was, it transpired that he belonged to a Home for children: a home where children of his age were receiving training in pickpocketing. I say

that if we want to have these children brought up as potential criminals, if we want to have these children brought up as parasites on our country, if we want to have these children brought up as potential nuisances to our country, we should throw them to the tender mercies of these orphanage and *Vanita Ashram*.

My feeling is this. Of course, all private Bills are inadequate. All private Bills do not go far enough. All private Bills have legal flaws here and there. We are always promised that some Bill would be brought which will go further than that. Of course, that Bill may or may not come. I would say that so far as this Bill is concerned, it is workable, it is practical in its intention and this is not a kind of Bill which will involve the State in a great deal of expenditure. It is an eminently suitable Bill for the times in which we are living, in the sense that we cannot tackle this problem on a big scale. Therefore, I would say that the Minister of Home Affairs should be kind enough to bless this Bill and adopt it, so that when we go back to our constituencies, we may be able to say that there is some measure of social amelioration that we have passed.

An hon. Member said that the definition of certain words is too wide. I do not think so. I think the definitions given in this Bill are admirable. There is no danger of their being misunderstood or being misinterpreted. Tney are common words, which are well known to every student of English, and they are words about which there is no ambiguity. Therefore, I would say that this Bill is very good as far as it goes and there is no ambiguity about it. At the same time, it does not place any extra or additional responsibility on the State. I request that this Bill may be accepted by the Government so that when we go back at the end of the session, we may tell the people, here is a Bill of social welfare that we have been able to pass in the House of the People.

Shrimati Maydeo (Poona South): I am very glad that so many of the Member friends have taken great interest in these two things and should have spoken in favour of these.

As hon. Member Mr. Sharma said there are so many institutions for children which are run under different names, and they are carrying on differently from what they actually say. In some cases we find that there are *Vidhwa* homes and side by side there is a children's home. My brothers will understand the meaning of that. That means illegitimate children are brought up in the children's homes. So, this way our children's homes are being carried on. As Shrimati Maniben Patel has said, it is quite proper that Government should have some hand in it, and these should be licensed. The homes should not be allowed to run unless they are registered, and their activities are known to Government.

There are such a large number of children requiring attention that even if more homes are started, we find that they are crowded, and that is why this is, I feel, a very harmful disease of our society. So, we must look to it first and give priority over all other business. That is why I would request the hon. Deputy Minister to look into it and bring a Bill as early as possible before the House.

Dr. Suresh Chandra (Aurangabad) *rose*—

Mr. Chairman: Now there are only two minutes more. The hon. Member is not likely to finish in two minutes.

Dr. Suresh Chandra: I will finish in two minutes.

सभापति महोदय, इस बिल के बारे में बहुत सी बातें कही गयी हैं और मैं समझता हूं कि यह बहुत ही आवश्यक बिल है। इस बिल की जितनी आवश्यकता है उसके बारे में बहुत कुछ पहले कहा गया है और मैं समझता हूं कि किसी भी स्वतंत्र देश के लिए यह हतक की

[डा० सुरेश चन्द्र]

बात हैं और बड़ं दुःख की बात हैं कि एंसे बच्चों पर और एंसी संस्थाओं पर सरकार का किसी भी प्रकार का नियंत्रण न हो । मैं समझता हूं कि हमारं भाई ने ठीक ही कहा हैं कि जिधर जाइये उधर एंसे बच्चे मिलते हैं जिनका सरकार के पास कोई लेखा नहीं हैं । आप रेल में जाइये या कहीं भी जाइये आपको इस तरह के बच्चे मिलेंगे । इन जगहों से ही यह बच्चे इन संस्थाओं में लाये जाते हैं और यहां उनका नैतिक पतन होता हैं और यहां से यह बुराई सारं समाज में फैलती हैं । हम दंखते हैं कि जब से यह दंश स्वतंत्र हुआ हैं तब से इस दंश का नैतिक पतन बढ़ता ही जा रहा हैं । और इसका कारण ये संस्थायें हैं । इसलिए मैं इस बात पर सबसे ज्यादा जोर दंना चाहता हूं कि इन संस्थाओं पर गवर्नमेंट का कंट्रोल होना चाहिए । मैं आपसे यह कहना चाहता हूं कि हम चाहे हिटलर के सिद्धान्तों से सहमत हों या न हों, पर जब से हिटलर की सरकार आयी उसने सबसे पहले जरमनी के लड़कों और लड़कियों को सुधारने पर जोर दिया और उन बच्चों को अच्छी संस्थाओं में रखा । उन्होंने कानून बनाकर खराब संस्थाओं को बन्द किया । मैं कहना चाहता हूं कि जबतक हम इस प्रकार के कानून यहां पर नहीं लायेंगे और उनको कार्य रूप में परिणत नहीं करेंगे तब-तक जो यह नैतिक पतन हो रहा हैं यह बढ़ता जायगा और आप चाहे जितना टैक्स वसूल कीजिये और कानून बनाइये यह नैतिक पतन नहीं रूक सकता । इसलिए मैं जोर के साथ यह कहना चाहता हूं कि मणिबेन पटेल और दूसरं लोग जो बिल लाये हैं उनको गवर्नमेंट जल्दी से जल्दी स्वीकार करं और या इस बिल को दूसरं रूप में खुद लाये जिससे कि हम इस नैतिक पतन को रोक सकें क्योंकि इन्हीं बच्चों के जरिये बुराई दंश में फैलती हैं । इसलिए मैं इसका बड़ं जोर से समर्थन करता हूं और आपको धन्यवाद दंता हूं कि आपने मुझको समय दिया ।

Mr. Chairman: The matter has been sufficiently discussed and I call upon the hon. Minister to reply. If he chooses to reply just now he can reply in a few minutes or if he chooses to reply later he may do so on the next non-official day.

Sardar A. S. Saigal: Sir, I think it may be postponed for the next non-official day.

Mr. Chairman: The motion has not been put yet. I have called on the hon. Minister to make a reply. If he chooses he may reply.

Shri Datar: I shall reply next time so that others may also have an opportunity to speak.

The House then adjourned till a Quarter Past Eight of the Clock on Saturday, the 24th April, 1954.