

payment during the year ending the 31st day of March, 1954, in respect of 'Expenditure on Displaced Persons'."

DEMAND NO. 46—CONSTRUCTION OF IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS.

"That a Supplementary sum not exceeding Rs. 4,00,000 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Construction of Irrigation, Navigation, Embankment and Drainage Works'."

DEMAND NO. 48—CAPITAL OUTLAY ON MULTIPURPOSE RIVER SCHEMES—BHAKRA NANGAL PROJECT.

"That a Supplementary sum not exceeding Rs. 8,24,800 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Capital Outlay on Multipurpose River Schemes—Bhakra Nangal Project'."

PATIALA AND EAST PUNJAB STATES UNION APPROPRIATION BILL.

The Minister of Finance (Shri C. D. Deshmukh): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Patiala and East Punjab States Union for the service of the financial year 1953-54.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of

the Consolidated Fund of the State of Patiala and East Punjab States Union for the service of the financial year 1953-54."

The motion was adopted.

Shri C. D. Deshmukh: I *introduce the Bill.

I beg to **move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Patiala and East Punjab States Union for the service of the financial year 1953-54, be taken into consideration."

Mr. Deputy-Speaker: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Patiala and East Punjab States Union for the service of the financial year 1953-54, be taken into consideration."

The motion was adopted.

Clauses 1 to 3, the Schedule, the Title and the Enacting Formula were added to the Bill.

Shri C. D. Deshmukh: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

ABDUCTED PERSONS (RECOVERY AND RESTORATION) AMENDMENT BILL

The Deputy Minister of External Affairs: (Shri Anil K. Chanda): I beg to move:

"That the Bill further to amend the Abducted Persons (Recovery

*Introduced with the recommendation of the President.

**Moved with the recommendation of the President.

[Shri Anil K. Chanda]

and Restoration) Act, 1949, as passed by the Council of States, be taken into consideration."

This piece of law has a history behind it and the Members of this House are fully aware of the circumstances which had necessitated our continuing with this law from time to time. A little over a year ago, I was before this House with an amendment of the Bill and in that connection, we circulated a pamphlet called "Facts about recovery of abducted persons in India and Pakistan" for the use of the Members of this House. I will, however, now touch upon the most important facts in connection with the Bill as well as the organisation which works this law and also supply the latest figures with regard to the persons restored from this country and the other.

If I may say so, this is a matter which may be considered from three different angles. There is of course, first and foremost, the question of principle. Then, there is the question of finance and of its administration; and finally, there is, in the absence of anything better, if I may say so, reciprocity: that is to ascertain what is being done by Pakistan with regard to this.

It is with regard to the third question, namely, reciprocity, that I shall speak first. The hon. Members of this House are aware that after the tragic events of 1947, the Prime Ministers of India and Pakistan came to an agreement and there was a joint declaration on September 3, 1947 saying that women and children who have been abducted must be restored to their families and every effort must be made by the Governments and officers concerned to trace and recover all such women and children.

In pursuance of this, the Pakistan Government issued a permanent ordinance and the work of recovery and restoration in that country is now being carried on under the auspices of that ordinance. We have our laws passed in this House from time to

time and we have never asked for a permanent law and every year or after fifteen or sixteen months when the law is about to expire, we have come before the Parliament so that this House would have a chance to consider this matter afresh.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

It is true that we have been able to recover and restore many more persons than they have been able to do in that country. I would like to say here that in this work, where there is no politics involved, it is a question of humanity, and we have received every possible co-operation from the Pakistan Government. Our officers or social workers who were engaged in this work have always reported to us the utmost friendliness and co-operation from their counterparts in the other country. As a case in instance, I may say in 1952 for several months owing to an adverse judgment in the Punjab High Court declaring this law as *ultra vires* of the Constitution, we had to stop the recovery work in our country. Our Pakistan friends, however, did not take advantage of the situation; they carried on their work during this period when our work was entirely stopped. They recovered and restored to us quite a decent number of abducted persons. However, Sir, the question of numbers is unimportant and I am sure hon. Members in this House will agree and feel like that; it is not a question of our restoring a number equal to the number restored from the other and or anything like that. It is not a case of barter of human beings. It is a broad human question and must be decided in a very humane manner.

There is the question of finance. Roughly speaking, for the last several years, we have been spending about Rs. 10,00,000 for this restoration work. In 1953-54, the budget was for Rs. 9,98,200; this includes a sum of Rs. 99,970 which we have spent in maintaining our recovery sections in Pakistan itself; we have an organisation in

Karachi; we have one in Lahore and also some skeleton staff in Dacca. These three organisations cost us nearly a lakh of rupees. Thus for the recovery and restoration work in India itself, we have spent about Rs. 9 lakhs this year. Again, I say it is a matter which could not be measured in terms of money; it is a question of principle. If you want to accept the principle that women abducted during the tragic days of 1946 and 1947 have to be restored to their lawful families, then we should not think much about the money involved in it. But surely we have to see that the money which has been sanctioned by this Parliament is wisely and properly spent. And I can give this assurance to the hon. Members of this House that every scrutiny is made over every expenditure and utmost care is taken to see that every rupee goes as far as it can.

I will say a few words about the administrative set up. This work is carried on under the auspices of the External Affairs Ministry because it involves continual reference to a foreign state. My distinguished colleague, Sardar Swaran Singh, Minister of Works, who has had considerable experience of recovery work in Punjab where he was Home Minister for a long time, has very kindly been assisting the Prime Minister in the day to day administration of this section. In the Ministry itself, the whole work is under the control of one of our Joint Secretaries under whom there is a high-powered officer. Similarly, from the Pakistan side, they have their high-powered officer. Our high-powered officer is Shri A. L. Fletcher who is Commissioner of one division in East Punjab and we have our member in the tribunal deciding every contested case and our member is Pandit Thakur Das who is one of the seniormost Superintendents of Police in Punjab.

I am now coming to the question of principle. I have already mentioned that there is a joint declaration made by our Prime Minister and the then Prime Minister of Pakistan that every effort would be made to recover

and restore all the women and children who had been abducted, to their lawful guardians. We stand by that agreement. So do the other Government.

The criticism has often been levelled: a long time has elapsed; these unfortunate women who had once been abducted have now settled down in their new homes, are happy and are honoured mothers, wives and so on; why break up their lives once again? Or at least it is held that they might have reconciled themselves to the cruel fate. I wish, Sir, that facts were like that. I wish I could have taken hon. Members who feel like that round the restoration camps.

An Hon. Member: We would have liked that.

Shri Anil K. Chanda: I would like to take any hon. Member round.

Shri S. S. More (Sholapur): Without being abducted!

Shri Anil K. Chanda: Let alone their mental condition, even the physical condition of the restored women will reveal the condition in which they are forced to live and have been living for the last few years. And we will be devoid of any sense of humanity if we do not do our level best to restore these unfortunate women who have been the victims of a terrible fate. It is not our intention to break their lives once again. Fate has been very cruel to them. I assure hon. Members that in no case have we forcibly dragged out any of these women and exported them to the other side. We have restored thousands of these women to the other side and very few have tried to come back or have written to us or have made attempts to come away. It might be said that conditions in Pakistan are such that the women who have been sent out there can never find the means to escape or even to communicate with the outer world. Assuming but not admitting that such is the case, what about the restored women in India? Thousands of them are in India. How many of them have tried to get away from their old

[Shri Anil K. Chanda]

homes to which they have been restored? In the period of about five years that this Act has been working there are a very few isolated cases of that nature.

Shri U. M. Trivedi (Chittor): That proves that they are happy here.

Shri Anil K. Chanda: Sir, my hon. friend will have his own time. Now let me finish what I have to say.

So I would say very definitely that it is not a case of the women being sent out against their wishes. It is only where it is an uncontested case that we take steps to restore them to their families. Wherever it is contested, the matter goes up before the Tribunal consisting of one member from our side and one member from the side of Pakistan. I have already mentioned the name of our member of the Tribunal, namely Pandit Thakur Das. And it is only when both the members of the Tribunal come to an agreed decision that we take any steps. If they disagree, the matter goes up before the two high powered officers whose recommendation is sent to the Government. And within fifteen days of that decision they have a right of appeal to the Government. So far as the work of the Tribunal is concerned—I am sorry I have not got the papers with me at the moment, but I will give the figures from memory—approximately 1,400 cases went before the Tribunal in 1953. The Tribunal meets continually. It is only when there is a unanimous decision by the Tribunal that we take action.

It has been said: what about the women you have restored and sent out; do you have any further news about them, about the sort of life they lead and so on? Obviously, Sir, it is not possible for us to trace up every case after restoration and keep in touch with them. But we have reasons to believe that they are living more or less normal lives there. Otherwise, as I said, their normal inclination would be to contact us or some other party so as to get away. Here

I would like, Sir, with your permission to read one or two letters—I am prepared to lay them on the Table of the House—letters received by our Department from women who have been restored. Do I have your permission, Sir?

Mr. Chairman: He may read them out.

Shri V. G. Deshpande (Guna): Are the letters written in their own hand?

Shri Anil K. Chanda: The original letters are here, in handwriting.

Shri V. G. Deshpande: But how were they prepared?

Shri Anil K. Chanda: Of course I cannot vouch to that matter.

This is one letter written from Hyderabad (Sind), dated 4th April, 1952:

"I am really sorry that I could not see you at Jullundur Camp, before leaving for Pakistan with my brother and express my heartfelt gratitude for your kind and sympathetic attitude towards a poor and helpless Muslim girl..... I was wrongly informed that none of my kith and kin were alive." ..

Then she narrates how she met her people.

The letter concludes like this:

"My people convey their sincere thanks for the sympathetic feeling you have for humanity. In the end I again thank you for your sympathetic attitude towards me and other unfortunate girls like me, and pray that Almighty may grant you long life and energy for the welfare of humanity."

Here is one of the letters received from a Hindu girl recovered and restored to us by Pakistan. This is dated 14th September, 1953 and the case can be traced easily by my hon. friend if he has any doubts about it.

"I am pleased to receive your letter giving me information that daughter of has been recovered from Lahore. How can I praise the efforts you have made in the recovery of the said girl? Your organisation undoubtedly is working for the noble cause. I have found that each and every official of your organisation works with the spirit of comradeship and they have real enthusiasm to help the unfortunate sisters left in Pakistan."

Shri V. G. Deshpande: I would like to know the name, whether she is a Kashmiri girl.

Shri Anil K. Chanda: I can place the original letters on the Table of the House; I have a whole bunch of them.

The work carried on by our Government is highly appreciated by these unfortunate persons and they are grateful for what we are doing. Then there is the question of social conscience and it is said that our society is so conservative that women who have gone to the hands of the abductors and borne children to them obviously are not welcome to their old homes. I am very happy to say that that is not the case. Social conscience has considerably changed. And I may refer to a recent case, which of course does not refer to West Pakistan with which this Bill deals, but with East Pakistan. Some time ago I got a very pathetic letter from a young husband in Calcutta whose wife had been abducted from a certain village—and the district incidentally happens to be my parental home, Sylhet. The case was of such a brutal nature, so much so that I took advantage of my presence in Karachi during the last visit of the Prime Minister there and discussed this case with the Chief Minister of East Pakistan who also happened to be there at that time. Later on we came to know that this unfortunate girl, a victim of circumstances,

as a result of continual physical assault had died. And we thought the matter had ended. But fortunately it recently came out that she was alive and that it was some other girl's death which had been reported. And recently she had appeared before a law court in Pakistan and made a voluntary statement that she had embraced Islam and married somebody and also had borne her new husband a child. Then I got a letter from this young Bengali gentleman—who comes from the middle classes like me or like most of the Members—saying that in spite of all that has happened he is most eager to welcome back that woman along with that child. He added "I want not only to do justice to this unfortunate girl who, not because of her own volition or anything she had done or not done, has been the victim of a cruel fate but also to tell the Hindu public of Bengal that in such a case we have to stand by the injured party". I feel very proud, Sir, to get a letter like this from a Bengali, a young compatriot of mine. I do honestly believe that our social consciousness has considerably changed. There is no fear of women who have been once wrested from their families, when they go back, not receiving adequate welcome. If there is any doubt about it, of course, other girls would not be restored to their old families.

Shri V. G. Deshpande: Are you extending it to East Bengal?

Shri Anil K. Chanda: I merely gave an instance of the change in the social conscience.

Shri S. S. More: Have you restored her?

Shri Anil K. Chanda: Well, we have not been able to restore her as yet.

With these few words, Sir, I beg to move that the Bill be taken into consideration.

Mr. Chairman: Motion moved:

"That the Bill further to amend the *Abducted Persons (Recovery*

[Mr. Chairman]

and Restoration) Act, 1949, as passed by the Council of States, be taken into consideration."

Shri U. M. Trivedi: I rise, not with any hesitation to use any strong language which it would be necessary to use in this House to repeal this measure. I say, at the outset, that if it lies within our powers, within the powers of this House, then we must decide here and now today, that this law must go lock, stock and barrel. It is a shame; it is a disgrace for us to allow this law to remain for even a day in our country. It is a disgrace to our womanhood; it is a disgrace to our chivalry; it is a disgrace to all that we stand for; it is a disgrace to our liberty. Under what provision of international law we have enacted this? We might have enacted it in 1949. We are no longer in the year 1949. We are today in the year 1954. We have got our Constitution granted to us on 26th January, 1950. That Constitution provides citizenship for all of us and that citizenship is to be put to naught by this law which has been placed before us: we have substituted the ideas of true womanhood for chattel. We have imbibed the ideas of Mohammedans who believe that woman has got no soul.

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): That is not the idea of Mohammedans.

Shri U. M. Trivedi: I am sorry. It has come out of this, that a woman is born out of the ribs of Adam, that the woman is born out of the ribs of man and therefore, she has no soul. Whatever it may be, I accept your proposition that she has a soul, but I am not prepared to accept your proposition that as chattel they can be removed from our country and handed over at the border. The right of citizenship has been snatched away by this provision which has been made before us. What is the provision that we have got by our law. Pakistan has no such law. Pakistan has not recognised the fundamental rights that we have recognised here

in our country. Article 5 of our Constitution reads:

"At the commencement of this Constitution, every person who has his domicile in the territory of India and—

(a) who was born in the territory of India; or

(b) either of whose parents was born in the territory of India; or

(c) who has been ordinarily resident in the territory of India for not less than five years immediately preceding such commencement, shall be a citizen of India."

Have we got the right to drive out a citizen of India from the shores of India? That is the problem which is before us. We have got so many things to look into. I am not going to tell you about ethics, because I have my own ethics and you have your own ethics; we will not agree. Perhaps you will not agree with me about laws of morality. They may appear superstitious to you and they may not be superstitious to me. When this law was originally made, one lady Member, Mrs. Durgabai, at that time raised a point for amendment in this Act and that amendment was then accepted by Shri Gopalaswami Ayyangar, the then Minister, and this law was limited up to 31st October, 1951. At that very time it was said that this law was being made only to restore abducted persons—abducted women and abducted children. Now, have you looked into the law that has been enunciated in this present Act LXV of 1949 which we want to maintain today? What is the definition of an 'abducted woman'? It is like this. A woman who has been abducted and forcibly married must be restored to their homes—that was the original idea. But, that whole idea has changed and we have come to this present definition that it must be either a male child below the age of 16 or a woman

of any age and who has any of her relatives living in Pakistan. That is the sum total of this whole definition. We have got several cases. I will quote one case. We had one case of a woman born in Alwar, brought up in Alwar, whose husband died in the year 1947, got herself converted as a Hindu, married a Hindu—a Bania Aggarwal—and after having married, had a son and a daughter and was living quite nicely for six years. By what stretch of imagination was this woman described as an abducted woman? To what particular family did she belong? Her husband was dead. He did not die in Pakistan, and yet because it was discovered by somebody that there was a likelihood of her parents belonging to some district called Jhang Maghiana in the old Punjab territory, she was to be taken away. Did she by any law belong to Jhang Maghiana after being married in Alwar? Yet, when this woman was to be taken away and actually seized a *habeas corpus* petition was moved before the Rajasthan High Court, Jaipur Branch. The High Court directed that she should not be removed. But, the people who were actually interested in removing this girl waited for their opportunity after the High Court's order. After nearly six or seven months' time, one night the Delhi Police goes there, they seize this woman, she cries and protests, but against her will she is taken overnight direct to Jullundur. Was this law meant for such a purpose? Was it that this woman went away of her own accord? A whole crowd of 5,000 people witnessed it in Alwar. For what purpose was she removed? To whom was she to be restored? She had lost her husband here. Was this law to be used for this purpose that we are to treat women as chattel? What right we have under the law is very clear—not only in article 5 but in article 19 also. It is not the question of somebody being aggrieved. The aggrieved person herself happens to be a citizen of India and how the definition of domicile under the international law can be adapted to

meet such cases passes comprehension. We cannot understand the word abduction. We must forget our Indian Penal Code when we look to the definition of abduction in this particular law. We deny all this right of freedom conferred by article 19 of the Constitution. Sub-sections (1) (d) and (1) (e) of article 19 confer the right to move freely throughout the territory of India and to reside and settle in any part of the territory of India. What right have we to take away this particular right of citizenship? It is not that all persons have got this right. Only the citizens shall have this right. It is a peculiar right granted by virtue of citizenship. A man can travel from one end of the country to the other and reside in any place he likes and do anything he likes in any part of the country, unless he is an offender against any law. What offence have these people who remained here of their own free will, who were not abducted in the sense in which it is used in the Indian Penal Code, committed? Why have these people been deprived of their freedom? We cannot understand this.

Dicey has discussed this matter. What are the rules which govern, under the ordinary provisions of international law the definition of domicile? I am not going to cover all the things. I shall refer to two definitions. One is, no person can at any time be without a domicile. Certainly, all these ladies who were here, and who were willing to remain were domiciled in this country. The other is, no person can have at the same time more than one domicile. When they were citizens of India, considered from all the principles of international law, why were they made citizens of Pakistan and sent away? The law is very clear.

Now, I will come to the other aspect. We have been bowing low to all the demands of Pakistan every time. I was just reading today the old debates in connection with this Bill when it was originally discussed. You, Sir, took part in that debate.

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One of the wise sentences that fell from your mouth was:

"The Pakistan Government does not understand the language of morality; it only understands the language of force and retaliation."

What did we do? We went on collecting women. Thousands and thousands of women were collected and sent across the border. I say it is disgraceful for me to use dirty language; I cannot use it. I cannot call women chattel. When we were exchanging prisoners across the border, we were holding back all the prisoners who had to be taken to the other side, as hostages till the others were brought to this side. But, in this case, we were very zealous and we allowed all these happily settled women even to be driven out of their homes to the other side. The women were crying and they were sent over. At that time, it was pointed out that 2,000 young women were in the hands of Pakistani officials, police officers or executive officers. What has happened to these 2,000 ladies? Have they been brought back? Not one of them has come across. I will give an instance which has now come into the picture. The Deputy Minister Shri Anil K. Chanda is not here. He started with that. I thought that he will give us some figures so that we may be able to judge whether or not this law should be extended. Unfortunately, he skipped over the whole thing. What has happened after September 1953 up to date? My information is, and I believe it is completely true, that not a single woman has been brought across, from Pakistan into India.

The Minister of Works, Housing and Supply (Sardar Swaran Singh): That is wrong.

Shri U. M. Trivedi: May be. You may reply. This is my information.

My information goes further. I will tell you that you think you have

brought back women. This is a mere camouflage. I use the word camouflage for this reason. There were certain Kashmiri families, men and women, who were located in the Punjab. A certain great and important person, VIP, I do not want to give the name here, went over to Punjab....

Shri S. S. More: We cannot understand: what is this VIP?

Shri T. B. Vittal Rao: (Khammam): Very important person.

Shri U. M. Trivedi: This particular person went to Lahore and arranged like this. The Kashmiri males were sent over to India first as refugees. When they were sent back, their womenfolk were kept behind and they were then sent back under this Recovery of Abducted Persons Act.

Shri M. S. Gurupadaswamy (Mysore): What is the purpose?

An Hon. Member: They were in need.

Shri U. M. Trivedi: To show that some sort of recovery is going on, to justify this expenditure of Rs. 10 lakhs which was a sheer waste of money. I am giving you my information. I do not know whether it is fully correct or not. The hon. Minister Sardar Swaran Singh may perhaps know better. But, he will agree with me that he was one of the persons there when in September 1953, the particular person who was in charge of this whole show was no longer available and orders were passed by the Prime Minister that the personnel should remain the same, and the hon. Minister Sardar Swaran Singh also agreed with that view, that personnel be not changed. What has happened? You have increased the number of staff. Twenty more persons have been added. More gazetted officers have been appointed. With the exception of two or three officers, all the rest are superannuated persons. Is it a sort of a pinjarapole to appoint all these

persons there? Is it necessary that all these persons should be maintained there at the expense of a few lakhs of rupees?

Shri S. S. More: That is old age pension.

Shri U. M. Trivedi: That is old age pension. That is a sort of social security for doing some wrong to our womanhood. This is not a proper thing for you to do. Once you have decided that a person lives in a particular country and adopts that country as his own, what you have to consider is this: what is his domicile on this principle of *animus manendi*. If a woman remains here, marries here, lives happily, has assets here, has got children, what other positive proof do you require to find out whether she wants to remain here or not? Even on this principle, ladies of this type have even a choice of domicile here in this country. What right have we to deprive her of her right to stay in a country where she is willing to live? This is the legal position and it is very strong. Many advocates must have argued cases. I do not know why many *habeas corpus* petitions have not succeeded.

It has been suggested that there is a tribunal which decides whether or not one is an abducted person. What is the definition of abducted person? We are not able to follow under this law. At least it is not one which any civilised country will accept. What is more important is, what is the definition of family? You stretch it as far as you like. If you have got a brother there, even if you are married here, your family is there and not here. If you have got your father there, even if your family is here, your family is there and not here. It is a wonderful stretching of the imagination. Whatever be your family here, you pack them all and send them to Jullundur and across the border. The tribunal that decides is not your own. The hon. Deputy Minister admits that a Pakistani gentleman sits with him to decide whether or not one is an abducted person. In ninety-nine cases out of

hundred, he decides that any girl here, at any time a Muslim, must be treated as an abducted person and sent across.

Shrimati Renu Chakravartty (Basirhat): What about the Hindu Judge?

Shri U. M. Trivedi: You have put the question; I thank you very much. It has reminded me of that case. You heard and all of us heard the pathetic story narrated to us by the hon. Deputy Minister. You have not heard the last of it. That Hindu girl was not restored. This is what is happening. You may take it from me. This is not the only instance. There are instances all over the country. No Hindu woman, no Hindu girl was restored under those circumstances. I am putting a pertinent question. What happened to those 2,000 girls who were with the Pakistani officials?

6 P.M.

Although the girls were anxious right from 1947 up to 1954 to come over, they have not been restored. The hon. Deputy Minister has told us that he will give us figures as to how many girls have been restored after 1953. I would be very glad to know how many of these women, other than those unfortunate Kashmiri women who were left behind, have been brought back and restored to their husbands. I want to know whether a single one was recovered and restored.

The hon. Deputy Minister was rather apologetic. Section 7 of the Act provides for the restoration of a recovered woman to her relatives. It does not mention to what particular relative. If it is a child, we can understand its being restored to its parents. But in the case of a woman, to what relative can she be restored? The definition of relatives varies according to the religion. In the case of a Hindu, if she is restored to her uncle's son, she would be treated as a sister, but if she is restored to her uncle's son, in the case of a Muslim what will happen? We have to look at it in

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the proper perspective. According to the law in England, the adoption by a male of a female child as daughter is not allowed. The same reasons apply here. When you want to restore women to their relatives, you must see to what relatives you can restore them.

People on that side are anxious to have as many women as they can, because they do not hold ideas of monogamous marriages. They are always for polygamy and it means at least four wives to enjoy. To them, it is a question of enjoyment.

I submit that this law which is sought to be extended upto 31st May 1955 should not be extended beyond 28th February 1954. If you look at the statement of objects and reasons, you will find the same reasons being repeated: "as there are still a large number of such persons etc. etc." When is this large number going to end? How many women are expected to be restored, and how many are there to be restored? To begin with, we restored 12,000 but from across came only 6,000. Similarly, when we are restoring any number of persons now, nothing comes from that side.

Therefore, I submit that on legal grounds, on grounds of ethics, on grounds of morality, and on another ground as well, namely, we are not followers of the principles of the Semitic people who treat their women as chattel,—on all these grounds, I submit that the period should not be extended beyond 28th February 1954 and I hope the House will agree with me.

श्रीमती सुमित्रा जोशी (करनाल) ।

सभापति महोदय, अभी मुझे आनरेबिल मेम्बर की स्पीच को सुन कर बड़ा रंज हुआ। ताज्जुब तो नहीं हुआ लेकिन अफसोस जरूर हुआ। उन्होंने बहुत सी बातें कहीं। कुछ तो उन्होंने अजीब अजीब किस्से तथा कहानियां

भी सुनाईं। पता नहीं उन के पास किस किस प्रकार के फिगर्स हैं। कहते हैं कि एक भी औरत रिस्टोर नहीं हुई, रिकवर नहीं हुई। इन चीजों का जवाब तो मेरे लिये देना शायद मुनासिब नहीं है क्योंकि मैं जानती हूँ कि इन का जवाब आनरेबिल मिनिस्टर देंगे और वही मुनासिब जवाब दे भी सकते हैं।

पहली बात जो उसूल की है। औरतों के नाम से, औरतों के प्रति हमदर्दी के नाम से जो जो बातें हमारे आनरेबिल मेम्बर ने कहीं, मुझे उस से बहुत रंज हुआ। जिन औरतों को आप रिकवर करते हैं वे दो साल तीन साल या चार साल किसी ऐम्बेक्टर के पास रहीं। उस के पहले वे अपने बाप के घर में थीं। कोई किसी के घर की मां थीं, कोई किसी के घर की बहू थी, कोई किसी के घर की बेटी थी। हमारे आनरेबिल मेम्बर ने कहा कि "इट इज ए डिस्प्रेस" पर मैं कहना चाहती हूँ कि यह वीमनहुड की डिस्प्रेस नहीं है, यह मैनहुड की डिस्प्रेस है। कैसे कैसे वाकयात हुये, हमारे मुल्क में और पाकिस्तान के मुल्क में लोगों के बच्चे मारे गये, घर उजड़ गये, जाति बदली गई उन की और इस के साथ औरतों की इज्जत भी गई। औरतों के जुलूस निकाले गये, वह बेची गईं, बेइज्जत की गईं और एन्डक्ट की गईं। कुछ लोगों को हम बचा नहीं सके और उन को वहीं छोड़ छोड़ कर हम आ गये। कुछ को तो वहां छोड़ कर आये और बाकियों की यहां इज्जत उतार ली। यह दोनों ही मुल्कों में हुआ और आज जब उन को निकालने का सवाल आता है, उन की इज्जत बचाने का सवाल आता है तो लोग वीमनहुड की आवाज लगाते हैं और कहते हैं कि उन को निकालना बंद कर दो। कहते हैं कि ऐम्बेक्टर के साथ उसका प्रेम हो गया। मुझे याद है कि पिछली बार जब इसी हाउस में इस बिल पर

बहस हो रही थी तो एक साहब ने कहा कि अगर मेरी पत्नी चार पांच साल बाहर रह ले तो ऐसी हालत में मैं उसे फिर अपने पास रखना मंजूर नहीं करूंगा। मैं नहीं जानती कि कितने मर्द ऐसा सोचते हैं पर एक औरत होने के नाते मैं कहती हूँ कि अगर मेरा पति ऐसा सोचे तो मैं ऐसे बुजदिल और नालायक पति के पास जाने के बजाय अपने को गौली मार लेना ज्यादा पसन्द करूंगी पर ऐम्बेक्टर के पास जाना पसन्द नहीं करूंगी। आनरेबिल मेम्बर के कहने से ऐसा मालूम होता है कि जो औरत निकाली जाती है वह किसी को देने के लिये ही निकाली जाती है। अगर उसको निकाला जाय तो किसी न किसी को दिय जाना चाहिये। अगर उसका पति वापस न ले तो फिर उसका क्या हो ? वापस बाप के पास जाय या किसी और के पास जाय। किसी न किसी के पास जरूर जाय। और अगर वह जाने से इनकार कर दे तो फिर उस औरत को अपने ऐम्बेक्टर के पास रहना होगा। जो बात है उसे देख कर तो ऐसा मालूम होता है कि रिकवरी बन्द कर देना चाहिये। केहा में आप से कहती हूँ कि एक औरत जिसके नजरो के सामने उस के घर वालों को मारा गया, उस के बच्चों को मारा गया, उसके घर को जलाया गया या उसकी बेइज्जती की गई, अगर उसका इस दुनिया में कोई ठिकाना न हो तो क्या ऐम्बेक्टर के पास से निकाल कर फिर उसी के पास भेज देना उस औरत के साथ इन्साफ करना होगा ? मैं तो उसूल की बात कहती हूँ। एक स्त्री का अपमान हुआ, खैर जो हुआ सो हुआ लेकिन मैं जानना चाहती हूँ कि हमारे समाज पर इसका क्या असर हुआ ? अगर यह रिकवरी का काम बन्द कर दिया जाय तो हमारे समाज के ऊपर इस बात का क्या असर होने वाला है ? आप उन बदकिस्मत औरतों की हालत का अन्दाजा लगाइये जिन को निकाल कर

फैमिली में पहुँचाना है। आप इस सवाल को एक समाज के लिहाज से देखिये। हमारे यहां जब बच्चा पैदा होता है तो उसी दिन से हम कहने लगते हैं इस देश में कि तुम सीता की संतान हो। तुम राम की संतान हो। हमारे देश में लक्ष्मण सिर्फ सीता के चरणों की तरफ देखता था, वह उन के सिर के जेवर भी नहीं पहचान सकता था। आज पार्टीशन के बाद दोनों मुल्कों में क्या हालत हुई है। आज हमारे मुल्क में जिन घरों में यह बदकिस्मत औरतें हैं उन घरों के बच्चे कहेंगे कि वह वह औरत है जिस को मेरा चाचा भगा लाया था, या जिसको मेरा भाई लूट लाया था या यह वह औरत है जिस को मेरे पिता ने बेइज्जत किया है। यह हालत हमारे घरों में है। मैं नहीं समझती कि यह हमारी आगे आने वाली संतान के लिये कोई गौरव की बात होगी। सभापति महोदय, यह जो पूरा रिकवरी का आरगेनाइजेशन है इस के नीचे विचार यह है कि हम इन औरतों को यह अधिकार देना चाहते हैं कि उन को इस बात का मौका दिया जाय कि जहां उन की मर्जी हो वह वहां रह सकें। अगर वह ऐम्बेक्टर के पास रहना चाहती हैं तो उसके पास रहें और अगर वह अपने कुटुम्ब के पास वापस आना चाहती हैं तो उन को उसका मौका दिया जाय। हम लोग सिर्फ यह चाहते हैं कि उस औरत को ऐसा मौका हो कि अगर वह अपने कुटुम्ब के पास वापस आना चाहती हैं तो उस को इसका मौका हो और अगर वह अपने ऐम्बेक्टर के पास से निकल कर अपनी जिन्दगी बिताना चाहती है तो उसको उसका मौका मिले। अब यह मौका किन हालात में दिया जाना चाहिये। जहां तक मैं जानती हूँ कि यह जो रिकवरी का आरगेनाइजेशन है वह उस औरत को सुरक्षित जगह पर रख कर उसको मौका देता है कि वह फैसला करे। जैसा कि अभी मिनिस्टर साहब ने कहा कि उन औरतों को

[श्रीमती सुभद्रा जोशी]

को कि इधर या उधर पड़ी हैं यह कहा जाता है कि कोई और जमह नहीं है। अगर तुम जाओगी तो कोई तुमको रखेगा नहीं। पाकिस्तान में यह खबर फैलाई जाती है कि हिन्दू समाज में ऐसे पुराने ख्यालात हैं कि कोई इन रिकवर की हुई औरतों को अपने घरों में नहीं रखता है। उन के दिल में ऐसे ख्यालात भर दिये जाते हैं और जब उन को निकाला जाता है तो वह कहती हैं कि हम जाना नहीं चाहती। मैं अपना एक्सपिरियेंस आपको बतलाती हूँ। इस आरगेनाइजेशन के बनने से पहले मुझे दो औरतों का इस तरह का अनुभव हुआ। इत्तिफाक से मुझे अनुभव हुआ। दिल्ली के मजिस्ट्रेट के सामने दो औरतों ने बयान दिया कि अगर हम को निकाला गया ऐम्बक्टर के पास से तो हम अपने को गोली मार देंगे। इत्तिफाक से मैं उधर बूम रही थी। मैंने सुना कि थानेदार कह रहा था कि बयान हो गये हैं, लड़कियां कहती हैं कि अगर हमको निकाला गया तो हम गोली मार देंगे। मुझे उस वक्त इस आरगेनाइजेशन का पता नहीं था। इत्तिफाक से मेरा उधर ध्यान गया। मैंने कहा कि किसी औरत के सामने इन का बयान क्यों नहीं लेते हो। तो जब मैं उन से अकेले में मिली तो वह कहने लगी कि अगर हमको निकाला गया तो हम गोली मार देंगी। मुसलमानों के सामने उन से पूछा गया तब भी उन्हें ने यही कहा कि हमको निकाला गया तो हम अपने गोली मार देंगी। तो मैंने उन से कहा कि तुम अपने घर क्यों नहीं जाना चाहती। इस पर वह कहने लगी कि जिन्होंने हमारी इज्जत नहीं बचायी वह हमारे कुछ नहीं लगते, हम उन के पास नहीं जाना चाहते। तब मैंने उन से कहा कि तुम अपने घर वालों से मिल लो और मैं बादा करती हूँ कि उसके बाद तुम वहाँ जाना चाहोगी वहाँ तुमको पहुंचा दिया

जायेगा। तो मैं उन औरतों को लेकर दरियागंज में गई जहाँ कि उन के गांव वाले रहते थे। जब वह वहाँ पहुंची तो उसने अपने भाई को दूर से देखा और वह गाड़ी में से कूद कर उस के पास पहुंच गई और अपने भाई के गले मिल गई और रोने लगी और सारा बाजार उनको देख कर रोने लगा। तो यह एक साइकालाजी की बात है जो कि मैं आपके सामने रखना चाहती हूँ। उन गरीब औरतों को इसका मौका नहीं है कि वह सोच पायें कि उन के लिये कोई और भी जिन्दगी का मौका है। वह नहीं जानती कि वह कहां पहुंच सकती हैं और कैसे निकल सकती हैं। हम चाहते हैं कि उन को मौका मिले और अपने घर वालों से मिलने के बाद जहाँ उन की मर्जी हो वहाँ वह चली जायें। अगर वह वापस जाना चाहें तो वापस चली जायें और अगर वह अपने घर में रहना चाहें तो अपने घर में रहें और अपने ऐम्बक्टर के पास जाना चाहें तो उसके पास जायें।

दूसरी बात मैं यह कहना चाहती हूँ कि यह कहा गया कि इस मुहकमे पर बहुत खर्चा होता है। कहा जाता है कि जो जुल्म की शिकार हुई हैं उन को वहाँ गये बहुत वक्त हो गया है, उन के बच्चे भी हो गये हैं। तो हमको यह तमाम बातें देखनी हैं। मैं देखती हूँ कि हमारे भाई जो सामान या जायदाद पाकिस्तान में छोड़ आये हैं वह आज भी उन का मुआवजा सरकार से मांगते हैं और उस जायदाद को नहीं भूले हैं। तो मेरी समझ में नहीं आता कि हमारे हजारों भाई जिनकी लड़कियां वहाँ रह गई हैं वह उन को कैसे भूल सकते हैं। जिन लोगों ने लड़कियों को भगाया वह वह लोग नहीं हैं जो कि पाकिस्तान से यहाँ आये हैं। ऐसा हो सकता है कि उन में से कुछ ने लूटा हो लेकिन ऐसा एक भी आदमी नहीं मिलेगा जो कि पाकिस्तान से आया हो और

जिसकी बहिन वहां रह गई हो, या जिसकी सड़की वहां रह गई हो या जिस की मां के साथ बुरा सलूक किया गया हो उन ने किसी लड़की को एबडक्ट किया हो। उन के दिल में अपनी लड़कियों की याद है। वह समझते हैं कि आज भी उन की लड़कियां पाकिस्तान में हैं वह अपनी बहिनों के दर्द को समझते हैं। पर जो फायदा उठाना चाहते हैं वह यहां कहेंगे कि रिकवरी का मुहकमा बन्द कर दिया जाय। जब लोग उन के पास आयेंगे और आ आकर औरतें उन के पैरों पर गिरेंगी और कहेंगी कि हमारी बच्ची रह गई है, हमारी बहन रह गई है, तो वह लोग कहेंगे कि सरकार से कुछ होता नहीं है। तुम्हारी इज्जत चली गयी पर सरकार कुछ करती नहीं है। एक मुहकमा था उस को भी बन्द कर दिया गया है। तो जो लोग इससे फायदा उठाना चाहते हैं वह जरूर इस बात की कोशिश करते हैं और शोर मचाते हैं कि इस चीज को बन्द कर दिया जाय। तो मैं आप से कहना चाहती हूँ कि हमको यह उसूल मानना होगा कि औरत कोई जानवर नहीं है या फरनीचर की कोई चीज नहीं है कि हमने उस को उठाया, चुराया और बेच दिया। अगर हम इस चीज को मानते हैं तो हमको समझना होगा कि जिस मुसीबत में वे हैं उससे हमको उन्हें निकालना होगा। मैं मानती हूँ कि इस पर बहुत खर्चा हुआ है। बार बार यह बात कही जाती है। हमारी हुकूमत के जितने मुहकमे हैं मैं उन को आदर से देखती हूँ और जैसा कि हमारे प्राइम मिनिस्टर ने कहा वह मुहकमे बेहतर होते जा रहे हैं। फिर भी मैं यह कहना चाहती हूँ कि अगर यह काम किसी दूसरे मुहकमे के जरिये होता तो मुमकिन है कि खर्चा कुछ कम होता पर जो औरतें रिकवर की जातीं उन का यह हाल होता कि किसी की बीबी किसी के पास होती और किसी की बच्ची किसी के पास होती।

इस मुहकमे में कोई ऐसा केस नहीं हो सकता और न हुआ है, मैं ने कोई ऐसा केस नहीं सुना कि रिकवर होने के बाद कोई औरत अपने घर वालों के पास न पहुंची हो और इवर से उबर चली गई हो या कहीं बेच दी गयी हो जैसा कि आज रात दिन हमारे सहरों में होता है। तो यह जो आरगेनाइजेशन है यह इतना बड़ा काम कर रहा है और जो हमारी गलतियां हैं उन को ठीक करने की कोशिश कर रहा है। मुझे अफसोस होता है कि लोग औरतों का नाम तो लेते हैं लेकिन इस चीज को समझते नहीं हैं। एक औरत अपने घर में लड़की के तौर पर शायद १६ वर्ष रही, या २० वर्ष रही या २५ वर्ष रही। उसके बाद किसी की बहू होकर रही और किसी की मां भी होकर रही। और अगर वह जबरदस्ती चार बरस तक बदकिस्मती से दूसरी जगह रही तो क्या उसका वह २० या ३० बरस का रिश्ता इस की वजह से खत्म हो जायगा। तो, सभापति महोदय, जब बार बार इस तरह का सवाल उठता है तो मुझे अफसोस होता है। अगर हमारी हुकूमत की तरफ से यह कहा जाय कि हम सेटिसफाइड हैं कि और रिकवरी नहीं हो सकती और वह कहें कि हम सेटिसफाइड हैं कि बावजूद तमाम कोशिशों के और रिकवरी नहीं हो सकती तब तो अलग बात है, नहीं तो बार बार यह बात नहीं आनी चाहिये कि वह बुड्डी औरतें हैं, उन को बहुत साल हो गये हैं, उनके बच्चे हो गये हैं। यह सुन कर मुझे बहुत रंज होता है। और मैं समझती हूँ कि बार बार इस सवाल को उठाने से यही नहीं कि इन औरतों के साथ ज्यादती करना है, बल्कि हमारे लिये भी यह कोई क्रेडिट और तारीफ की बात नहीं है कि हम बार बार इस सवाल को उठाते हैं।

सभापति महोदय, मैं एक बात और कहना चाहती हूँ। हमारे आनरेबिल मेम्बर

[श्रीमती सुमद्रा जोशी]

ने कहा कि हम जितना आदमी इधर से देते हैं उतने उधर से भी मिलने चाहिये, रेसी-प्रासिटी होनी चाहिये। यह भी एक धारणा है। मुझे यह सुन कर ताज्जुब हुआ, लेकिन यह भी एक ख्याल है कि अगर उधर एक मारा गया तो इधर भी एक मारा जाना चाहिये। उधर सौ मरे हों तो इधर सौ मारे जायें। एक औरत का अपमान हो तो इधर दस का होना चाहिये, यह भी एक स्पिरिट है, मुझे उससे ताज्जुब नहीं हुआ। लेकिन प्रिजनर्स आफ वार और औरतों के लिये एक जैसा सलूक करना गलत बात है। प्रिजनर्स आफ वार हुकूमतों के पास होते हैं। उन के लिये इंटरनेशनल कानून होते हैं कि उन को किस तरह से रखा जाय, कैसे उन को संभाला जाय। यह जो एबडक्ट औरतें हैं, यह हुकूमतों के पास नहीं हैं। यह अलग अलग घरों में हैं। कोई शादी हो कर घरों में बंठी हैं और उन में से कोई इज्जत से बंठी हैं और कोई बेइज्जती से बंठी हैं। कहीं खरीदी भी जाती हैं और बेची भी जाती हैं और रोज रोज उन से बुरे बुरे काम भी कराये जाते हैं। मुझे यह कहना है कि अगर पाकिस्तान में औरतों को यह मालूम हो कि हमको निकाल तो लेंग लेकिन जब तक हिन्दुस्तान नहीं भेजा जायेगा जब तक उन को यह मालूम नहीं होगा कि हम को हिन्दुस्तान भेजा जायेगा, तो औरतें वहां से कैसे निकल सकती हैं। अभी उन से कहा जाता है कि तुम को अपने घरों में रखने वाले नहीं हैं, कभी उन से कहा जाता है कि तुम्हारा कोई है ही नहीं। कभी उन से कहा जाता है कि हिन्दू समाज इतने पुराने ख्यालात का है कि तुमको नहीं ले सकता। अगर उन को यह मालूम हो कि निकालने के बाद भी पता नहीं कि हम को कहां रखा जायेगा, कैसे रखा जायेगा, तो हमारे रिकवरी के काम में बहुत परेशानी होगी। हम तो उन को

निकाल रहे हैं, हर एक इंडिविज्युअल केस को देख रहे हैं जिस पर अत्याचार हुआ है, जो कि मरजी के खिलाफ रखी गयी है। वह कोई वहां लड़ाई के लिये नहीं गई थीं, वह नौकरी पर नहीं थीं, वह अपने घरों में इज्जत के साथ बंठी हुई थीं, लेकिन उन पर जुल्म किया गया।

इसलिये सभापति जी, मैं आपसे अर्ज करना चाहती हूं कि इस बिल को सिर्फ यही नहीं कि एक्सटेंशन दे दिया जाय, बल्कि इस कानून के बारे में मैं कहूंगी कि यह मुनासिब होगा कि कम से कम इस बात पर बहस न हुआ करे कि यह हुआ और वह हुआ। हां, यह हो सकता है कि मुहकमा कैसा होना चाहिये, कोई त्रुटि हो तो वह ठीक होनी चाहिये, कोई खर्चा है तो अगर क्रम हो सकता है तो कम होना चाहिये। लेकिन यह काम इतना अरुष्टा है कि इस को बन्द नहीं होना चाहिये। यही मुझे कहना है।

Shri B. C. Das (Ganjam South): I think when one rises to support or oppose this Bill, one should bear in mind that women are human beings, they have personality and they deserve consideration and respect.

Shri B. K. Chaudhuri (Gauhati): Question.

Shri B. C. Das: When I support this Bill I keep this in view and also when I am critical about certain aspects of this Bill, I am bearing in mind this very sound proposition. Sir, seven years have elapsed since these abductions took place and with the passage of time, I am afraid the Act is losing, to a certain extent, its utility. When I say the Act, to a certain extent, is losing its utility, I do not doubt the purpose, the humanitarian purpose, which actuated this Act originally. We know when the holocaust overtook this land, men turned brute and most brutally they maltreated women; and when women in hundreds were abducted, they

were not abducted for their own selves, they were not abducted because those brutes were facinated by these women, but because they were swayed away by a blind passion that the community which they wanted to uproot, to destroy, must be humiliated and dishonoured by dishonouring their women-folk. This brutal hatred is at the root of this abduction. Therefore, we should not view these abduction cases in the same light as one can view abduction cases in normal circumstances; because here, man ceased to be man, he behaved as a brute forgetting all his sanity and wanted to torture women. Therefore, he abducted them. This we have to bear in mind, Sir. So, one would not dispute the intentions of the framers of this Act that those persons who have abducted must surrender the women, women must be restored to their original homes; women must be freed from the clutches of their abductors. No one would dispute this point.

But, another aspect of the thing is there. Seven years have lapsed. These women are not chattel; they are human beings. They have personalities; they have feelings; they have lived seven years in a particular place. Naturally, I am sure they must be hating their homes because the sources of their conjugal life have been poisoned by brutality and barbarity. But, when they live for seven years and give birth to children, I am afraid, certain bonds might have developed. I cannot imagine a woman surrendering her children or giving away her children and seeking a new life. That will not be very easy for a woman to do. But, we hear of many instances of women giving up their children and going away. How is this happening? This raises certain doubts in my mind. Perhaps, these women were not given proper opportunity to give expression to their wishes and views. We know that these womenfolk passed through horrible terrors for many years. They have been terror-stricken. Therefore, it is proper that they

should be brought out of the surroundings in which they are living today. They must be brought to a neutral place, it is true. But, I am afraid, the machinery that is set up today is not perfect. What happens? I know the Tribunal consists of two Superintendents of Police, one from Pakistan and one from India. These two constitute the Tribunal. The women who have been terrorised for a long time should appear before the Tribunal and argue their cases or somebody should argue the cases for them. The policeman's mentality and the official's mentality will not be so humane—it will be guided by rules and regulations mostly and it will lack the human touch. That is the trouble about it. I would suggest that the Government should take into these tribunals certain women workers, those women workers who have been working so marvellously in restoration work. They should be present there. The abducted women can open their minds freely and frankly before womenfolk and it is difficult for these terror-stricken women to speak out their minds before police officials. That is the trouble (*Interruption.*) When I say that women should be given proper opportunity, I do realise that as long as they are in the home of the abductors, it is not possible for them to give free expression to their wishes. But one thing deserves consideration. A woman has already been there in a particular home for seven years. There is every possibility of her liking to go back to that home if that husband really likes that woman, treats the woman properly and, if she has children and she likes the children to develop in that particular surrounding. But, I would say, such cases may be few and far between. Even then they must be taken into consideration. I find that the tribunal generally decides in favour of the abducted woman going back to the original home. I believe, in the Camp, the woman is told that under no circumstances she will be taken back to the abductor, she cannot go back to him and she will have to choose either to go to her original

[Shri B. C. Das]

home or remain there. So, the woman probably makes her choice. If she wants to go back to the original home, she cannot take with her the children who are the off-springs of shame and she has to surrender them. Perhaps, this is happening. Therefore, proper care should be taken when such women, especially women with children, are to be repatriated. A woman is a woman and she is first of all a mother—let us not forget that the mother will not like to surrender her children. If any mother says that she is prepared to surrender her children, then something is wrong there. Again, she must be screened, she must be examined and must be properly treated, and a psychological approach must be made. I take serious exception to the view that abducted women should be treated as hostages or as prisoners of war. How is it that they are talking in terms of treating women as chattel, or as hostages or as prisoners of war? We will degrade ourselves before the world if we treat women in that barbarous fashion. In such cases what we should do first is to remove the women from the brute who abducted them. Let us have no mercy for the person who abducted them. But there is the woman. A woman is a human being, she has lived for seven years there and there is every chance of her developing new ties. Therefore, we should take proper care of her, examine her properly, understand her psychology. For this purpose, police officials are not the proper persons. We want psychology-experts, we want social workers or people who can understand the mentality of women. While supporting the Bill. I would press Government to change the machinery in such a way that there will be a human approach and a human touch. Womenfolk should not be treated in that mechanical callous or lifeless manner as generally the official mind is expected to do. My contention is that Government should employ social workers, psychologists and people with sympathy and vision to tackle

the cases of women. Though Government is, to a certain extent, proceeding in the right direction if it has to reach the goal to really serve the purpose the Bill must be amended in such a manner that social workers, and non-officials who are really serving the people, should be associated to help in the recovery of women. With these words, I support the Bill.

श्री बी० जी० देशपांडे : इस विधेयक पर हमारे उपमंत्री महोदय ने बड़ा मानवतापूर्ण दृष्टिकोण अपना कर विवेचन किया है और मेरी बहिन श्रीमती सुभद्रा जोशी ने सीता का आदर्श अपने और जनता के सामने रखने की दृष्टि से इस विषय पर विचार किया। मेरी समझ में यह समस्या केवल मानस शास्त्र, वैधानिक या केवल व्यवहार का ही प्रश्न नहीं है, इस में मानवीय भावना और व्यवहार इन दोनों का सम्मिश्रण आता है।

इस के अलावा मैं उन अद्यावत् अपटुडेट फीगर्स की ओर आपका ध्यान दिलाना चाहता हूँ जिनका जिक्र हमारे माननीय उपमंत्री ने इस विधेयक को रखते हुए किया, और हर्ने बतलाया कि उस पुस्तिका में बिल्कुल अपटुडेट फीगर्स हैं, लेकिन मैं कहना चाहता हूँ कि वह फीगर्स आज एक साल बाद कैसे अपटुडेट रह सकते हैं, वह तो उन्होंने जब पिछले वर्ष यह प्रस्ताव रखा था तब एक पुस्तिका यहां रखी थी, वे फीगर्स तो आज बहुत पुराने हो जाते हैं और अब जब आज आप इस विधेयक की अवधि को और आगे बढ़ा रहे हैं, तो मैं बताना चाहता हूँ कि क्या क्या बातें आपने की हैं? मैं यह कहने के लिये तैयार नहीं हूँ कि यह विधेयक पेश करते वक्त उन के हृदय में स्त्रियों के प्रति कोई दुर्भावना थी, मैं मान सकता हूँ कि यह विधेयक जब पहले पारित हुआ, तब उन के हृदय में मानवीय भावना अवश्य होगी और साथ ही मैं

इस को भी मानने के लिए तैयार हूँ कि सन् १९४७ में जो विलक्षण घटनायें घटीं उन के फलस्वरूप हमारे हिन्दुस्तान की लाखों देवियाँ पाकिस्तान में चली गयीं और वहाँ की कुछ देवियाँ यहाँ रह गयीं और तब मानवता के नाते यह भावना उत्पन्न हुई कि कोई एक ऐसा विधेयक बनाया जाय जिसके द्वारा अपहृत देवियों को उन के घरों में लौटाया जा सके। मैं यहाँ यह चीज साफ कर देना चाहता हूँ कि मैं इस विधेयक की जो मूलमूल भावना है, उस के विरुद्ध नहीं हूँ, लेकिन इस कानून का पिछले पांच, छै साल से सरकार और उस के अधिकारियों द्वारा जिस प्रकार अमल हो रहा है, वह संतोषप्रद नहीं है और मैं आप से पूछना चाहता हूँ कि क्या इस कानून के अनुसार जो कार्यवाही चल रही है, उस कार्यवाही से स्त्रियों की स्वतंत्रता और सम्मान की रक्षा हुई है? मैं इस विधेयक का इस कारण विरोध करता हूँ क्योंकि मैं देखता हूँ कि स्त्री जाति के साथ बड़ा अन्याय और उसका अपमान ही हुआ है, यह उस विधान में गलती होने के कारण या जो उस कानून को चलाने वाले हैं उन की गलत नीति के कारण हुआ हो, लेकिन यह सच है कि इस विधान से स्त्री जाति को कोई भी लाभ नहीं हुआ और हम देख रहे हैं कि इस कानून को और लम्बा करने का क्या नतीजा हो रहा है। अभी हमारे चन्दा साहब ने पूर्वी बंगाल की एक स्त्री की दर्दनाक कहानी हमें सुनाई, मैं भी बहुत सी ऐसी ही कहानियाँ पूर्वी बंगाल की जानता हूँ। पूर्वी बंगाल के लिये आप विधेयक तो नहीं ले आये, लेकिन मैं पूछना चाहता हूँ कि पूर्वी बंगाल की जो हिन्दू देवियों को मुसलमान पाकिस्तान में ले गये हैं, उनके लिए विधेयक लाने की जुरत उन में नहीं है। जहाँ तक वर्तमान विधेयक का तात्लुक है, उसमें कोई बुराई नहीं है और मैं उसके अन्दर जो भावना है उसके विरुद्ध हूँ, लेकिन

हमें दोनों सरकारों की प्रवृत्ति में क्या फर्क है और इधर काम करने वालों और उधर पाकिस्तान में इस विधेयक को अमल में लाने वालों में क्या फर्क है, इस की देखने के पश्चात् हमें अपने इस विधेयक को देखना चाहिए कि यह कहाँ तक कारगर हो सकता है, केवल म्योरेटिकल या बड़ी बड़ी तस्ब प्रणाली ले कर और एक स्वप्नमय सृष्टि में जा कर हम इस विधेयक की नहीं देख सकते। पाकिस्तान में आज के दिन हजारों हिन्दू देवियाँ वहाँ के मुस्लिम कर्मचारियों के घरों में रह रही हैं और पिछले वर्ष की रिपोर्ट में यह बतलाया गया था कि पाकिस्तान से स्त्रियाँ भारत में कम आ रही हैं, इस का यह मतलब नहीं कि हम इस को सामने रख कर इस विषय में उस सरकार से कोई सौदेबाजी करें, मैं इस प्रकार का सौदा करने को नहीं कहता और न ही मैं यह कहता हूँ कि चूँकि वहाँ से आपको कम स्त्रियाँ प्राप्त हुई हैं, इसलिए वहाँ आप स्त्रियों को न भेजें। लेकिन यह जो हमारे चन्दा साहब ने यहाँ बतलाया कि : We have received every possible co-operation from Pakistani officials." वह बड़ा बुरा चित्र यहाँ रखा है क्योंकि वास्तविकता तो कुछ और ही है। यह तो ठीक उसी प्रकार हुआ जैसे सूर्य पूर्व में उगने के बजाये पश्चिम में उगने लगे। आज भी पाकिस्तान के सरकारी कर्मचारियों के घरों में हमारी हिन्दू देवियाँ मौजूद हैं और उन की तारीफ करना कि वह इस कार्य में हमारे साथे सहयोग कर रहे हैं, यह चीज सहज में गले नीचे उतरती नहीं। मैं किसी धर्म पर आक्षेप नहीं करना चाहता लेकिन आपको यह बतला देना चाहता हूँ कि उन्होंने पालिसी के तौर पर यह निश्चय किया हुआ है कि हिन्दू देवियों को वापिस नहीं भेजना है और यही कारण है कि इस कार्य में उन की ओर से तरह तरह की रुकावटें

[श्री वी० जी० देशपांडे]

और वाधायें डाली जाती हैं। जैसा कि त्रिबेदी जी ने बतलाया कि यह जो पाकिस्तान द्वारा काश्मीरी पुरुष और स्त्रियों को भेजने की बात है, उन स्त्रियों को पाकिस्तान रिकवर्ड वीमेन के नाम से भेजता है और इस तरह यह चाल चल कर भारत सरकार और उस के लोगों की आंखों में धूल झांकना चाहता है, हालांकि सब बात यह है कि वह हिन्दू स्त्रियों को वापिस नहीं कर रहे हैं। वहां के सामाजिक कर्मकर्ता और सरकार स्त्रियों के बारे में एक विशेष दृष्टिकोण रखते हैं और वह समझते हैं कि स्त्री पर अत्याचार भी होता हो, तो भी उसको भेजना नहीं है। वहां का तो यह दृष्टिकोण है और इधर हमारा और हमारी बहिन श्रीमती सुभद्रा जोशी की मानवीय भावना और आदर्श देखिये, दोनों दृष्टिकोण में जमीन आस्मान का अन्तर है। हमारे सामाजिक कार्यकर्ता एक विकृत दृष्टिकोण रखते हैं। वहां के सामाजिक कार्यकर्ता यह चीज सामने रख कर काम करते हैं कि यहां से स्त्रियों को भेजना नहीं है भले ही उन पर वहां अत्याचार होता हो, ऐसी हालत के होते हुए वहां से स्त्रियां निकल कर आ नहीं रही हैं। यह अपवाद कानून सन् १९४७ में जो बिलक्षण घटनायें घटीं उन को दृष्टि में रखते हुए निर्मित किया गया। इस के कारण आपको यह अपवाद विधान बनाना पड़ा। लेकिन बहुत से केसेज आप के सामने रखे गए हैं कि जिन स्त्रियों के विवाह हुए, आठ, आठ नौ, नौ साल यहां रही हैं, उन के बच्चे हो गये हैं, उन से बड़े बड़े समाज सुधारक जा कर कहते हैं कि आप अपने भाई के पास पाकिस्तान में क्यों नहीं जाती हैं? यह कहने के पश्चात् अगर स्त्री कहती है कि मैं वहां नहीं जाना चाहती हूं तो उन को पकड़ कर पाकिस्तान भेजने की तजवीज यहां की जा रही है। इस के कारण हम कहते हैं कि पाकि-

स्तान के अन्दर जो हिन्दू स्त्रियां हैं उन की सहायता तो कुछ ही नहीं रही है और यहां जो स्त्रियां हैं उन को जबरदस्ती भेजने का कानून बंद रहा है। इस कानून को बने पांच छः साल हो गये। हम ने इस के कार्य को देखा है और उस को देखने के कारण ही हम इसका विरोध करते हैं। हम मानवता की भावना के अभाव के कारण इसका विरोध नहीं करते। हम कहते हैं कि कोई स्त्री यहां रहती है, वह किसी भी जाति की हो, किसी धर्म की हो अगर वह यहां से जाना चाहती है तो हम उसको बिल्कुल यहां नहीं रखेंगे। लेकिन हम देखते हैं कि जो यहां रहना चाहती हैं उन को जबरदस्ती भेजने की बात आप रख रहे हैं इस कानून में। पहले तो पंजाब में और फिर सुप्रीम कोर्ट में यह कहा गया है कि यह कानून अल्ट्रा वायर्स है। उन्होंने कहा है कि यह ठीक नहीं है। हमारे समाज सेवक लोग यह समझते हैं कि अगर किसी स्त्री का पति यहां से चला जाता है और वह मुसलमान था तो उस स्त्री का स्वातन्त्र्य नष्ट हो जाता है, उसे जबरदस्ती पाकिस्तान भेजा जाता है। जलन्धर के कैंप में कौन कौन लोग जाते हैं, वहां क्या क्या होता है इस की कहानियां तो आती हैं नहीं, वहां ऐसा आयरन कर्टेन बना हुआ है।

हमारे चंदा साहब ने कहा था कि हम लोगों को भी वहां ले जायेंगे। हम वहां जाने के लिये तैयार हैं ताकि हम देख सकें कि वहां क्या हो रहा है। उन स्त्रियों पर विकृत मनोवृत्तियों के समाज सेवक या सेविकायें जा कर अपना प्रभाव डालती हैं। उन के सेकुलरिज्म में तो हिन्दू स्त्री को मुसलमानों के घरों में भेजना, चाहे उसका जन्म अल्वर में हुआ हो, लेकिन जबरदस्ती कराची में भेजना, एक बड़ा भारी पुण्य कार्य है। यह विकृत मनोवृत्ति में सब जगह देखता

हूँ। मैं तो कम्यूनलिस्ट हूँ लेकिन बद्रुजा साहब की ऐडवाइजरी कमेटी का क्या होगा ? इस की चिन्ता हमारे सेक्युलरिस्ट को पड़ी है। क्योंकि जो चीज मुसलमानों की है उस चीज के लिये बड़ा प्रेम रखना, वह जातीयता की भावना हम लोगों के हृदय में आ गई है। जहाँ तक मेरी इन्फार्मेशन है, जहाँ तक मुझे पता है, हमारे त्रिवेदी साहब ने जो कुछ बताया शायद वह थोड़ा अतिरंजित था, लेकिन पिछले छः महीनों में जितनी अपहृत स्त्रियों को आप वापिस लाये हैं, उन की संख्या नहीं के बराबर है। दो, दो चार, चार एक महीने में आती हैं, लेकिन यहाँ में देख रहा हूँ कि हमारी संख्या बराबर बढ़ रही है। बड़ी अच्छी बात है कि यह इतनी बढ़ गई, यहाँ कहा गया कि इस कार्य के लिये समाज सेवकों को रखा गया। मैं इस देश के समाज सेवकों से बड़ा डरता हूँ क्योंकि यह समाज के कार्य करने वाले लोग बड़े भयानक हैं। और मैं समझता हूँ कि शायद इसी कारण से हमारे मिनिस्टर साहब स्वर्ण सिंह जी को वहाँ का काम दिया गया होगा, पी० डब्ल्यू० डी० के मिनिस्टर को वहाँ भेजने का और क्या प्रयोजन हो सकता है इस का मुझको पता नहीं। बड़े अच्छे आदमी हैं, घर बसाना उन को आता है। यह काम उन को दिया गया है, इस के पश्चात् मैं आशा करता था कि वहाँ का काम बड़ा अच्छा होगा। लेकिन मैंने सुना है कि उन के पास स्वयं ही बहुत काम होने के कारण वह इस की तरफ कोई खास ध्यान नहीं दे रहे हैं। देंगे तो बड़ा अच्छा काम करेंगे। लेकिन आज पता चलता है और हमारी लीलावती मूंशी ने भी कहा कि यह तो यतीम डिपार्टमेंट हो गया है। हमारी मराठी में कहते हैं कि मिड-मिडिल सौभाग्यापेक्षा टडटडीत वैषम्य बरें। अर्थात् बुरा पति होने से विधवा होना अच्छा होता है। मैं समझता हूँ कि जो

हमारे हाउसिंग के मिनिस्टर हैं स्वर्णसिंह जी, वह इस की तरफ अच्छी तरह ध्यान देंगे।

हम को बतलाया गया था कि २८ फरवरी, १९५४ के बाद इस विधेयक को लम्बा नहीं किया जायेगा। लेकिन आज हम देख रहे हैं कि १५ महीने यह चीज और चलेगी। इस को देखते हुये मैं पूछता हूँ कि क्या यह प्राक्लेम कुछ छोटी हो गई है ? स्त्रियों के बारे में तो हर प्राक्लेम मल्टिप्लाई ही होती है। क्योंकि उन से तो संख्या बढ़ती ही है कम नहीं होती है। तो जैसे कहा जाता है, हनुमान की दुम की तरह यह चीज चलती रहेगी। यदि इस से सच्चा फायदा होता तो हम मानने के लिये तैयार होते। दस लाख रुपये के बजयत नी लाख रुपये हो गये, क्योंकि उस में से ९० हजार रुपये पाकिस्तान के लिये खर्च किये जायेंगे। काम कम हो रहा है और खर्च बढ़ रहा है।

जहाँ तक हमारे समाज सेवकों का सम्बन्ध है, मैं नहीं समझता कि उन लोगों को किसी मानस शास्त्र का बड़ा ज्ञान है और स्त्री पुरुषों के सम्बन्ध का मानस शास्त्र बड़ा नाजुक प्रश्न है। इस के लिये डागमैटिक हो कर हम नहीं चल सकते हैं। इस के लिये पाकिस्तान और हिन्दुस्तान की तुलना भी नहीं हो सकती। जिन का जन्म यहाँ हुआ है, अगर उनका कोई रिप्यूजी रिलेशन वहाँ रहता है तो उन को जबर्दस्ती वहाँ भेजना और वहाँ से जबर्दस्ती किसी स्त्री को ले आने का कोई सम्बन्ध नहीं है। पिछले विधेयक के पास होने के बाद से यहाँ का खर्च छः हजार रुपये मासिक बढ़ गया है। यह खर्च क्यों बढ़ रहा है, इसका पता नहीं लग रहा है। दोनों ओर की आने और जाने वाली स्त्रियों की संख्या कम हो रही है लेकिन खर्च बढ़ रहा है। इस वजह

[श्री बी० जी० देशपांडे]

तो वही बात हो रही है जिसे कि हम इन्वर्स रेसियो कहते हैं और यह अरिथमेटिक के रूल आफ धी में ठीक बैठ नहीं रहा है।

दूसरी बात जो बताई गई उसका भी मैं कुछ जिक्र करना चाहता हूँ क्योंकि बात ठीक है, हालांकि इस डिपार्टमेंट के बारे में और इस विधेयक के समय इस का उल्लेख करना ठीक नहीं है क्योंकि यह बुराई जितने भी आपके मूहकमे हैं, जितने विमाम हैं उन सब में यह चीजें चल रही हैं और सब जगह लक्ष बढ़ रहा है। सभी जगहों पर लोग अपने अपने दोस्तों और रिश्तेदारों को ला रहे हैं। मैंने सुना है कि लोग एक दम से किसी को ऊपर ले आते हैं और जो सुपरिन्टेन्डेन्ट होते हैं उन को अन्डर सेक्रेटरी बना देते हैं और जो पुराने अफसर होते हैं, किसी को एक हजार तनस्वाह मिलती है, किसी को ११ सौ मिलती है, किसी को १५ सौ मिलती है, उन को रखे रहते हैं ताकि नये बच्चों से काम लिया जा सके। यहां भी ऐसा ही होता होगा। मैं देख रहा हूँ कि यहां का काम कम हो रहा है और जो सेवक बर्ग हैं उन की संख्या बढ़ाई जा रही है। मैं समझता हूँ कि यह जो विधान है उसका विरोध बढ़ता जा रहा है। इसलिये नहीं कि किसी के हृदय में यह भावना है कि चूंकि कोई मुसलमान की स्त्री है इसलिये वह अपने पति के घर में न जाय, या इसलिये नहीं कि पाकिस्तान में रहने वाली स्त्रियों के लिये हमारे हृदय में दुःख नहीं है। मैं समझता हूँ कि भारत पर यह एक चिरंतन कलंक रहेगा जब तक कि एक भी हिन्दू स्त्री पाकिस्तान में रहती है और मैं यह भी मानता हूँ कि भारत का यह कर्तव्य है कि अगर यहां कोई भी मुसलमान स्त्री हो उसे जबर्दस्ती यहां न रखे। यह

दोनों ही बातें मैं मानता हूँ और इस के लिये १० लाख क्या दस करोड़ रुपये की भी मांग की जाती तो इस सदन में कोई ऐसा हृदय-शून्य पुरुष नहीं जो कि इसका विरोध करने के लिये आता। लेकिन मैं यह देख रहा हूँ कि यह १० लाख रुपया ले कर पाखंड रचने का एक ही परिणाम होता है कि वहां की किसी स्त्री को सहायता नहीं मिलती है और यहां की स्त्रियों को जो घरों में अपने बच्चों के साथ रहती हैं उन को जबर्दस्ती उधर भेजा जा रहा है और वह हमारे समाज सेवकों की इस घृणित कार्रवाई का परिणाम भोग रही हैं।

इसलिये मैं कहता हूँ कि जिस प्रकार से इस कानून का संचालन हो रहा है मैं उसका विरोध करता हूँ। आप कोई दूसरा बिल ले आइये, आप किसी दूसरे संगठन का निर्माण कीजिये हम उस के लिये करोड़ों रुपये देने के लिये तैयार हैं और यह सदन उस को स्वीकार करने के लिये तैयार है। इतना ही कह कर मेरी यह प्रार्थना है कि इस विधेयक को समाप्त कर दिया जाय।

Mr. Chairman: This matter has been fully discussed and has been discussed all along for several years. The House will be well advised in concluding the discussions. If the hon. Members are very insistent, I do not want to stand in their way.

Shri Sinhasan Singh (Gorakhpur Dist.—South): I have got a legal point to raise.

Mr. Chairman: Hon. Member has got an amendment. He will get his time when the amendment is moved. (Interruption).

Dr. Krishnaswami (Kancheepuram): The hon. Minister introducing this measure gives no figures about the number of cases that have yet to be recovered, at least approximately. We have got a right to inspect these

figures. No White Paper has yet been issued on the progress of the recovery of the abducted persons and I think it is just and proper that Parliament should be acquainted with some of these figures before it passes such a measure. After all, the law was passed in 1947 and it is now seven years since it has been in operation. How long are we going to continue renewing such an Act?

Shri Anil K. Chanda: I did not supply figures because I wanted to know what exactly the hon. Members would like to know about this Bill and my hon. friend Sardar Swaran Singh will give all the figures in his speech.

Mr. Chairman: If the hon. Member had supplied the figures it would have facilitated discussion. If the hon. Member wants to give the figures now, he can give them.

Shri S. S. More: Is it a fair explanation?

Mr. Chairman: That is not the point at dispute. I have asked the hon. Member to give the figures and he will supply them.

Shri S. S. More: It is not a question of liking. Unless the figures are actually circulated to us, how can we digest them? When the figures are supplied to us, we have to sift and analyse. Our power of digestion is not so strong as to digest them straight-away.

Shri Gadgil (Poona Central): When you can swallow a camel why strain at a gnat?

Mr. Chairman: So far the discussion is not over. If in the middle of a discussion figures are given and the hon. Member wants to dispute those figures, he is in a position to do so.

Shrimati Renu Chakravartty: Just a point, Sir,

Mr. Chairman: Is it a point of order?

Shrimati Renu Chakravartty: No.

Mr. Chairman: Then I will call the Minister.

Sardar Swaran Singh: Am I expected to reply to the points raised or only give the figures?

Mr. Chairman: Figures only.

Sardar Swaran Singh: So far as the figures are concerned, from the speeches that have been made, it appears that the hon. Members want to know certain figures about the recovery this side and also in Pakistan. The figures of persons recovered and sent over to Pakistan year by year are like this.

Shrimati Renu Chakravartty: This was given to us last year. What we want to know is this year's.

Sardar Swaran Singh: That was exactly what I was going to say; last year a White Paper was actually circulated.

Mr. Chairman: The figures relating to the period after the White Paper was issued may be given.

Sardar Swaran Singh: That is what I am giving. From 1st January 1953 to 31st December 1953, the number of persons who were recovered and sent over to Pakistan is 2,040, as against 1,162 for the year 1952.

Shri V. G. Deshpande: How many Kashmiris were there?

Mr. Chairman: Let him give the figures, then the question can be put.

Sardar Swaran Singh: The number of persons who came across from Pakistan to India for the corresponding years, that is from 1st January 1953 to 31st December 1953 is 324 as against 474 for the year 1952 (*An Hon. Member:* Diminishing returns). The total number of persons who were sent across from India to Pakistan up to 31st December 1953 is 19,141 as against 8,684 for the corresponding period

[Sardar Swaran Singh]

(the total right up to 31st December 1953 which came from Pakistan to India).

Dr. Ram Subhag Singh (Shahabad South): What about the total estimated figure of persons who have been left behind?

Sardar Swaran Singh: I can well appreciate the anxiety of the hon. Members to know as to what would be the total number of such cases on either side. But, for obvious reasons, he will be a bold person who can really make a guess of that nature, because, we are working on clues supplied by either party and sometimes there is a lot of confusion and overlapping, some names are repeated in a number of places, some give different names, etc.

Dr. Krishnaswami: Would it not be less with the passage of time?

Sardar Swaran Singh: That is quite obvious; that is simple arithmetic. As a number of people are being recovered and sent across, obviously, the number would be less. It is for that reason that we are not coming forward for giving this legislation permanent life, but are asking for a lease of life of another 15 months.

Shri S. S. More: On a point of information, Sir, some more important information ought to be supplied by the Government. Suppose so many women were transferred to Pakistan, how many of them were married here, how many have left children here, etc.? This is relevant data without which we cannot come to a decision. The same information ought to be supplied regarding these unfortunate women who have come away here. Merely giving information in a wooden sort of way does not lead us to any conclusion.

Shrimati Renu Chakravartty: One other point of information. I would like to know from out of the number recovered here, how many have gone back to their people on both sides and

how many are remaining in the camps, and what is the percentage.

Shri Gadgil: May I suggest that in view of the great interest taken by the House in this particular question, all the statistical data may be collected by the Minister and circulated to the Members.

Some Hon. Members: Yes, yes.

Mr. Chairman: Order, order. If the hon. Minister is ready with the figures,....

Sardar Swaran Singh: I am ready.

Mr. Chairman: he can circulate them today. We are not finishing the discussion today.

Sardar Swaran Singh: We are ready with the figures. We can supply them now. I think what I say here will automatically be circulated.

Shri S. S. More: No, no.

Dr. Ram Subhag Singh: How many children have been left behind?

Sardar Swaran Singh: I have got another figure which will throw some light on the number of cases that are actually examined on either side. Apart from the number of persons whom I have given as persons recovered and sent across, I have got another figure. Besides these, 13,000 other cases have been investigated in India. By investigation, I mean that clues were supplied by relatives or others in Pakistan and on the basis of those clues enquiries were made whether that person exists, what has happened to that person and something like that. Similarly, in Pakistan, investigation has been carried on, besides the persons who have been recovered, in respect of 18,000 cases.

Mr. Chairman: During which period?

Sardar Swaran Singh: All along; up to December, 1953; all these years.

By mutual agreement this figure is not final for obvious reasons. Because, cases are known in which

though the preliminary investigation indicates that a woman is either dead or has gone somewhere or is not traceable, after six or eight months that woman is recovered. But, this does indicate to some extent the volume of the work so far as the number of cases is concerned. I am not hiding any figures when I say that the number of abducted persons on either side cannot be given because such a figure cannot really be estimated and any figure that could be given is likely to be misleading.

7 P.M.

Dr. Ram Subhag Singh: What about the children?

Shri Sinhasan Singh: There must be some persons in India and Pakistan camps who have not been sent across. Their number may also be given.

Sardar Swaran Singh: The number of persons in our Jullundur Camp is roughly of the order of between 300 and 350 up to date.

Shri S. S. More: How many camps have Government?

Mr. Chairman: It appears many hon. Members are desirous of getting more information. For instance, Mr. More just now raised the point about the class of people who were married and have left children. That information has not been supplied. Mr. Sinhasan Singh is raising another question. If the hon. Minister has got the information, he may either issue a White Paper or give the information this night so that the entire question may satisfactorily be gone into. After all, the real question at issue is whether this Act should be extended. We passed previously Acts and we are committed to the principle of the Bill. If there are any women who can be sent to Pakistan or can be recovered from Pakistan, it should be done. We have accepted the principle of the Bill. The only question is whether these figures lead us to the conclusion that as a matter of fact we should be justified in extending the Act. There-

fore, this information is very necessary. I thought this information would be given by the hon. Minister when he was speaking on the Bill. The hon. Member has complained that information is not given. This information is very necessary to say whether this Act should be extended. I would expect therefore the Minister would give this information if it is in his possession.

Sardar Swaran Singh: With all respect to the decision or the points indicated by the Chair, so far as the investigation of the nature indicated by my learned friend Mr. More is concerned, it will be very awkward and very difficult to give such figures. Merely because a particular Muslim abducted person, or for that matter, a Hindu abducted person, actually is living with some one, to state that as marriage or something of that nature is something which cannot be accepted, and I do not know what other information could be supplied. I can understand the anxiety of the Members to get some more information, but unless something specific is indicated, I cannot do anything, because such information as is with us we have already given. Investigation as to how many of the persons who have been recovered, were actually married here or not married here is not the type of information that we have, and I will not be able to supply any information like that.

Dr. Ram Subhag Singh: Nobody asked for it.

Mr. Chairman: It is not expected the hon. Minister will go at this stage into the question whether a particular person was legitimately married or not. That is not the point at issue. The question is: there must have been many women who had children, who were alleged to have been married. If that figure is given, then the Members will be in a position to judge whether this Act should be extended or not. If the hon. Minister has not got this information with him, then there is an end of the matter. If the

[Mr. Chairman]

information is there, it is better in the interests of discussion that the information is supplied.

Sardar Swaran Singh: Whatever information I have got I have given. I am not asking for any time to collect or supply information, but such of the information as is not available I cannot collect because there will not be any sound data for that. Therefore, the information I have supplied is the available information, and if it is indicated as to what information is required on any other basis, I can straightaway say whether we have got that information or not.

Shri S. S. More: I should like to make one request through you to the hon. Minister. Mr. Trivedi has referred to one case in Alwar. We know nothing about it. If that information be available, Government should also place that information before us.

Mr. Chairman: Order, order. This is asking too much. The hon. Minister at this stage cannot go into particular questions and particular stories which are given currency to here. There may be no substantial basis for them, and it cannot be expected that inquiry can be forthwith made. The only point at issue is this. If this is all the information in the hon. Minister's possession which the hon. Minister has given, then what he could do has been done. If he has not got any other information, none can be supplied at this stage, and I do not want the hon. Minister to investigate matters now and supply information. If the hon. Minister can supply information in a tabulated form showing how many women were recovered, whether they had children, and so on, that will be

of some use to hon. Members. If no further information can be supplied, there is an end of the matter.

Shri Dhulekar (Jhansi Dist.—South): If this is all the information, there is no justification for extension at all.

Sardar Swaran Singh: I may add that I have got some information with regard to the children, and if necessary, I can straightaway supply it. This is with regard to the children who have been recovered.

Shri V. G. Deshpande: Of children born to these women.

Mr. Chairman: Information as to how many women were brought from there, whether they had children born to them within these seven years....

Sardar Swaran Singh: That information we have got, and I am prepared to supply it, without asking any time for circulation.

Mr. Chairman: If it is not inconvenient to the hon. Minister, that information may be supplied today so that we may resume discussion tomorrow. Or, it can be supplied even tomorrow morning, so as to reach hon. Members before 12 noon tomorrow.

Sardar Swaran Singh: I am prepared to supply the information relating to the children, tomorrow morning.

Mr. Chairman: Then there is an end of the matter.

Sardar Swaran Singh: But I would say that it is too much to ask that all should be supplied.

The House then adjourned till Two of the Clock on Thursday, the 25th February, 1954.