

of course, I sympathise with the stray hard cases which might have arisen. I think there is no necessity for amending the Indian Majority Act which has been found to be working well for the last 75 years. Therefore, I regret I cannot agree to the amendment. I do not know whether there might have been any other remedy. It may be a matter for argument also as to whether the Court of Wards should restore the property. Supposing the Court of Wards restored the possession of the property to the elder brother as was pointed out in the case to which my hon. friend referred, it can be a matter for argument whether after that release the other man should attain the majority only at the age of 21. The wording of the clause is not free from doubt. Supposing a guardian has been appointed, as soon as a guardian is appointed he takes all the powers. When he restores the property to the elder brother he takes away all the powers of guardianship. Then what is the result? Are we still to argue from the provisions of this Act that the other minor will continue to be only a minor. I think these are all points to be considered. As you rightly pointed out the proper course should have been either to take the matter to a court of law and get it decided or much better it would have been to get the Court of Wards Act of Bihar amended and get the Act amended so far as Bombay is concerned. There are Acts in different States and probably it would be much better, if there are any narasnip, to get the Acts in the States amended rather than try to interfere with an Act of the Central Legislature which has, I think, been working well since the year 1878. I hope my hon. friend will see his way—and I would like to persuade him—to take up the matter in the States. Instead of amending the Central Act like this it would be much better to have his grievances—whatever they may be—rectified by a proper amendment either of the Court of Wards Act in Bihar or by some other suitable

method. I hope, he will, therefore, not press his amendment.

**Shri Jhulan Sinha:** Sir, I find that the hon. Minister has not been able to appreciate fully the difficulties caused by section 3 of the Indian Majority Act. He has dubbed it as a stray case. It is a case which has come to my notice and there may be many others. So, I thought it fit to bring it to the notice of this House. I have also narrated before the House the difficulties arising out of section 3 of the Act. The wonder is that the hon. Minister in the Ministry of Law has one idea about the working of the Court of Wards Act in his State and we have another idea about it in our State. So far as I am aware the difficulty does not seem to rest with the Court of Wards Act; the difficulty rests with the Indian Majority Act and I have drawn the attention of the House and the Government to this point. I have brought the anomaly and inconvenience under this section to the notice of the House and the Government. In the circumstances I leave it to them to decide on the issue when they think it proper and convenient.

In the circumstances I beg leave of the House to withdraw the Bill.

*The Bill was, by leave, withdrawn.*

#### TITLES AND GIFTS FROM FOREIGN STATES (PENALTY FOR ACCEPTANCE) BILL

**Shri C. E. Narasimhan (Krishnagiri):** I beg to move:

"That the Bill to provide for penalties for acceptance of titles and gifts from Foreign States, be taken into consideration."

May I continue, Sir?

5 P.M.

**Mr. Chairman:** It is already five O'clock. He is yet to make his speech. He may, therefore, speak on the next occasion.

*The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 8th August, 1955.*