

PAPER LAID ON THE TABLE

EVIDENCE ON COMPANIES BILL

**The Minister in the Ministry of Law (Shri Pataskar):** I beg to lay on the Table a copy of the evidence tendered before the Joint Committee on the Companies Bill, 1953. [Placed in Library. See No. S-190/55.]

HINDU MARRIAGE BILL—contd.

**Shri Tek Chand:** Will opportunity be given to those who have given several amendments and not participated even in the general discussion?

**Mr. Chairman:** Why does the hon. Member repeat the same point? I have made it clear that there is a limited time, and within that limited time I am just allowing as many Members as possible. I cannot create time for every Member. How can I increase the time?

**Shri Sarangadhar Das:** I have to submit that when the amendments tabled by the Members come on the floor of the House they are the property of the House and every Member, whether he has given an amendment or not, has the right to speak and I am glad you have given me this opportunity.

I have listened to the debate for so many days, and particularly to the debate on divorce. I am glad to note that some of the orthodox Hindu Members, whether they belong to the Mahasabha or to the Ramrajya Parishad or to the Congress, have joined together in opposing the divorce clause to the utmost. I concede their sincerity. I do not blame them. But at the same time I wish to remind them that there is no use talking about the ideal marriage, sanctity of sacramental rights, and so on and so forth. In our society we have all kinds of ideals which we repeat saying every day, but we do just the opposite in action.

In the matter of divorce, there is so much opposition to it from the orthodox section, which is natural almost all over the world for men, because

the men have a certain amount of inhibition when women's affairs are concerned. A man has the right to marry as many times as he likes. In our Hindu society he has four or five wives at the same time. That is allowed in Hindu society, while in other societies, where there is monogamy, they marry one after another; one is dead or divorced, and then they marry again. But when it comes to a woman's taking another spouse, then there is objection. That is why I say that in the whole human society there is inhibition in this respect, and in Hindu society it is much more so.

When women's rights are mentioned, then come along Ramchandra and his wife Sita. But may I remind my orthodox friends that Ramchandra's father had four wives, at least four married wives and many others?

**An Hon. Member:** Three.

**Shri Sarangadhar Das:** All right, three. He had three wives, but the son became an exception. He was loyal to his wife and did not marry again. We have such exceptions all over the world, in every society. It is not only in Hindu society, but other societies also have these exceptions.

We have to look to the realities of the situation. There is no doubt that in Hindu society there are wives who are ill-treated by their husbands—I will define Hindu society—and they have no way because there is no divorce law. That is why it becomes essential that we should have a law permitting both men and women equally to take resort to divorce when it becomes necessary under the grounds mentioned here.

Hindu society, the ideals of which were referred to by the venerable Member from Uttar Pradesh, is restricted only to, I should say, Brahmins, Kshatriyas and Vaisyas to these three main castes and their sub-castes. All the rest of the people—not only Harijans and Adibasis, let us separate them—but in the touchable Hindu society there are hundreds of castes who have divorce, and the