

Pandit Thakur Das Bhargava: "Adjourned."

Shrimati Renu Chakravartty: Till the consideration of the new Bill which is to be introduced.

Mr. Chairman: It will be in its own usual terms. The question is:

"That the debate be adjourned."

The motion was adopted.

Mr. Chairman: Consideration of this Bill is adjourned.

BUSINESS OF THE HOUSE

Mr. Chairman: Before we adjourn or take up some other matter, I have to make an announcement regarding the business to be taken up on Monday, the 6th September, 1954.

On Monday, before the further consideration clause by clause of the Special Marriage Bill is resumed, two Government Resolutions regarding increase of export duty on rice and levy of export duty on groundnut oil will be taken up. These Notifications were laid on the Table of the Lok Sabha on the 26th August, 1954 and under the Indian Tariff Act, 1934, they are required to be approved by the Lok Sabha within 15 days of laying i.e., before the 9th September, 1954.

On Monday, this business will be taken up first.

Mr. Chairman: Now, the next item is: **Shrimati Renu Chakravartty** to move that the Bill to provide for restraining the taking or giving of dowry in connection with marriages and for matters incidental thereto be taken into consideration.

With regard to this Bill also, if I remember aright, there was a Bill almost similar to it, if not identical, which was, I think, moved by the hon. Member, **Shrimati Uma Nehru**. I have got the details here. The **Dowry Restraint Bill** by **Shrimati Uma Nehru** was introduced on the 16th July, 1952.

348 L.S.D.

The motion for consideration was moved on the 28th August, 1953 and 11th September, 1953. The Bill was withdrawn by leave of the House on 27th November, 1953 on an assurance given by the Government to introduce a Bill on the same subject. I think very recently we had discussed the whole of this subject, and I do not know.....

Shrimati Renu Chakravartty (Basirhat): May I just say a few words? I do not want to take up too much time. I do know that this Bill has been before us, we have already discussed it, we have also withdrawn it on the assurance of Government, but even today we have not got the draft Bill. We do not know when it is coming. And why I press it is, when we have gone about in the country trying to mobilise opinion for the new Marriage Bills, the biggest support we have received is for this Restraint of Dowry Bill. There have been many who have raised many doubts about the clauses of the marriage bills, but every person has told us: "The first thing you must do is to pass this Dowry Bill." And as you know, petitions have come to Parliament signed by twelve, thirteen thousand persons. They have said: "If the Government does not bring in their Bill, you must press your Bill." That is what they have told us, and therefore I bring it before the House, because I want to know exactly when the Government is bringing its Bill.

The second point is, when we are discussing this women's right to inherit property, many have told us, even women have told us: "The father has to pay dowry in the first instance, and again he is called upon to give part of the inheritance. We do not want any dowry. That is the biggest demand of the day." So, I think it is very important we should introduce this Dowry Restraint Bill first. As soon as you bring the question of inheritance, there will be a hullabaloo throughout the country. So, I want to know the specific date by which Government expect to introduce their Bill.

Mr. Chairman: I will just try to ascertain from the hon. Law Minister about the position of this Bill, because we need not spend the time of the House on the same subject.

The Minister of Law and Minority Affairs (Shri Biswas): I have already stated to my hon. friend that the draft Bill is before me. It is only I who have not been able to examine all the clauses. Some of the clauses do not satisfy me. This is under examination, and I expect to introduce the Bill towards the end of this session.

Mr. Chairman: The hon. Member does not move it?

Shrimati Renu Chakravartty: No, I do not.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

Pandit Thakur Das Bhargava (Gurgaon): I beg to move:

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946, be taken into consideration."

Mr. Chairman: The motion is:

"That the Bill....."

Pandit Thakur Das Bhargava: Before you place it before the House, may I just be allowed to say a word or two?

The Minister of Commerce (Shri Karmarkar): You have already said them.

Pandit Thakur Das Bhargava: have not made a speech. I may be allowed to say something. This Bill seeks to amend section 7 and section 9 of the Essential Supplies (Temporary Powers) Act, 1946, and in regard to section 7, only a small portion of sub-section (1).

In regard to this section 7, I will call the attention of the House to the fact that this section prescribes penalties for various kinds of offences. Now, in regard to textiles, the words are:

"If any person contravenes any order under section 3 relating to cotton textiles, he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine;"

I have no objection in regard to that. Further, on, the words are:

"and property in respect of which the order has been contravened or such part thereof as to the Court may seem fit shall be forfeited to the Government".

These are the words which I want may be to a certain extent modified, and the modification which I seek is given in the Act itself. In regard to foodstuffs, the corresponding provision is this:

"any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government....."

These are the words which I want to be used in relation to section 7(1). These words appear in section 7 (2). The words are these:

".....unless for reasons to be recorded the court is of opinion that it is not necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property:"

I want that these three lines which appear in section 7 (2) in relation to foodstuffs may also be made applicable to penalties given under section 7(1) in regard to cotton textiles.

Now, as the House has observed, in regard to cotton textiles there is absolutely no discretion given to the Court. The court has perforce to forfeit the property in respect of which the contravention has taken place, though the property may not belong to the accused at all. The property may belong to "A". "B" may be in the dock, and the contravention may have taken place in regard to the property of "A", and yet the property has to be forfeited.