

[Shri N. C. Chatterjee]

This is the law which I know, which Manu knows,—but, Shri Pataskar does not know,—created by the maker of the universe from ancient times. May I make a present of this to Shri Pataskar? He has not read it.

Shri Pataskar: I have read and re-read it carefully. It need not be presented to me.

Shri N. C. Chatterjee: May I point out one more *sloka*, a last gift in all humility to Shri Pataskar?

वैवाहिको विधिः स्त्रीणां संस्कारो वैदिकः

स्मृतः।

पतिसेवा गुराँ वासां गृहार्थोऽग्निपरीक्रमा ॥

Manu himself says that vedic marriage is a *sanskara*. That is a solemn injunction. It is an inviolable union, an indissoluble union; it is an interminable union; it is an eternal fellowship; it is a perpetual union. It is said that once you marry, it is a *sanskara* and it is a sacrament. In all humility I say, whatever you think of monogamy, I appeal to all sections of the House, don't tamper with the Hindu sacramental marriage and introduce divorce into it. I am pointing out in all humility, but with all earnestness that having regard to the law which we have already passed, there is absolutely no necessity for this. If anybody wants divorce, he or she can have it. While you are keeping the sacramental form, for heaven's sake, do not introduce this divorce here. There is absolutely no necessity for this. I am therefore submitting that this will be undemocratic, this will be unconstitutional, this will be repugnant,...

Some Hon. Members: Why undemocratic?

Shri N. C. Chatterjee: You provoke me to start once again. I am prepared

It is undemocratic because such a radical legislation disrupting the basic factors of Hindu social organisation which is cherished by millions and

millions of people under which we have lived not for ages and centuries but for thousands of years should not be passed except by a clear and definite mandate from the people.

Mr. Chairman: May I put in a word? In view of the limitation of our time, there should be no interpellation because in that case the speeches will be longer and other Members who might otherwise have a chance may not have a chance to speak. Let the speaker speak out his own mind.

Shri N. C. Chatterjee: I may conclude by saying that this has been the only vedic sacrament for our ladies; this sacramental system of marriage has given us a standard of life, a way of civilisation, a very pure, much purer and nobler and higher life than has been the fortune of other countries to enjoy. And that is the keynote of our culture and our civilisation. That is why Hindu civilisation has lived, and is still living, and nothing should be done so as to disrupt the basic factors which have kept up our civilisation and our heritage in such a glorious manner.

BUSINESS OF THE HOUSE

Mr. Chairman: The hon. Prime Minister wanted to make a statement.

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): I wanted to make a statement regarding the time available to this House. But I thought I might make it when the hon. Speaker was present, because there are certain matters requiring his views.

[MR. SPEAKER in the Chair]

Sometime back the Business Advisory Committee made an allotment of time. Since then, some changes have been made because of fresh matters which have been taken up. Now, I am very anxious—Government is very anxious—that in addition to the present Bill that is being considered, this House should consider the motion from the Rajya Sabha in regard to

the formation of a Joint Committee for the Hindu Succession Bill before we break up in this Session.

Now, time is limited, and yet I do venture to submit that it is important that we should do that in addition to such other work as we have undertaken to do. I would submit to you and to the House that it is desirable for us to sit earlier and later, both if necessary, so that we might be able to complete that work. We might sit from 10 A.M. to 6 P.M.

Mr. Speaker: I am entirely in the hands of the House. I am agreeable to whatever the House is pleased to do.

Some Hon. Members: Yes.

Shri V. G. Deshpande (Guna): I oppose this suggestion.

Dr. Rama Rao (Kakinada): It is better to prolong the Session for ten days, if necessary, instead of overworking and getting people exhausted. Let us continue the session till the 20th May, if you like. I have no objection. But this constant uncertainty of the session and the constant uncertainty of the subject we have to deal with, is very unfortunate. This overworking is rather unfortunate. If we have to sit from 10 A.M., as the proposal is, and go on till 7 or 8 P.M., I do not think any Member can sit like that and I do not think we will be doing justice to the subjects either.

Shri V. G. Deshpande: My submission is that both these Bills are very important Bills which require very careful consideration of the House, and under such circumstances, sitting from 10 A.M. to 6 P.M. without even breaking for lunch or any other purpose would be rather tyrannical to the House. I must submit that we are prepared to sit even beyond the 6th, that is, 7th, 8th, 9th and 10th. I do not think because all things have to be adjusted according to the view of the majority—they have to attend certain sessions, certain meetings—therefore it cannot go beyond the 6th. I feel that we should not be forced to sit from 10 A.M. to 6 P.M.

Shri R. K. Chaudhuri (Gauhati): At least there should be a recess.

Shri V. G. Deshpande: This is not to be decided by majority.

Shri Damodara Menon (Kozhikode): I am opposed to the extension of the session beyond the 7th.

Shri Jawaharlal Nehru: I was not suggesting extension of the session. I would say that the 7th May be the last date. In fact, the 6th is a holiday being Buddha Jayanti, and we might sit on the 7th also.

Anyhow, it is not a matter for argument. I do not suggest that every Member should sit here from 10 A.M. to 6 P.M. continuously. Normally speaking, in many other Parliaments, they sit for quite as long hours, sometimes even longer hours. It is not an unusual occurrence.

Dr. Rama Rao: If the date is fixed for the 7th, I have no objection to extension of hours.

Mr. Speaker: As the Leader of the House has pointed out, Government do attach importance to this particular measure. The difficulty which I have been feeling is about the quality of the work that we turn out, if the House sits continuously longer. But I have no objection to it, if the House is agreeable. But I do feel that there is bound to be some strain and Members may not be able to apply their mind if they sit continuously for eight or ten hours in the present conditions of the Indian climate. That is my feeling. The difficulty arose because Government came out at a later stage with the State Bank of India Bill and it had to be given precedence. But the priority to the Bills was not settled by the Business Advisory Committee. It only allotted time and then left it to Government to adjust their priorities. So I really do not know what is to be done in this matter because personally, I do not feel like pressing Members to sit continuously for eight or ten hours a day. That is my own feeling, but my own feeling ought not to come in the way of the

[Mr. Speaker]

House taking its decision. It is the feeling of the Members of the House that should count and they may adjust these things themselves. That is what I feel. If necessary, I may suggest that instead of discussing this matter here and taking up time, a few Members may meet and discuss what is possible in a small representative meeting, and then some formula can be evolved. Let that be done; it may be done by tomorrow.

Shri N. C. Chatterjee (Hooghly): The Business Advisory Committee may be called by you and if the Prime Minister can spare a few minutes, we can sit down and do something.

Mr. Speaker: The difficulty is this. The Business Advisory Committee has made certain allotments of time. It does not deal with the question of extending the session or extending the hours. That is left to the Members themselves. We have now, since sometime, decided that we sit from 11 A.M. to 5 P.M. continuously for six hours. That we had to do because we found that the rush of legislation was so great that five hours sitting would not do. So that was why I was suggesting that instead of carrying on this discussion in the House, it would be better if a representative Committee of the House met and discussed this matter so that the differing points of view might be understood. I think that would be better.

Shrimati Sucheta Kripalani (New Delhi): That is better.

Shrimati Renu Chakravarty (Basirhat): I think almost all the lady Members of this House do really desire that that Bill should be sent to a Joint Committee before we finish this session. Therefore, I would urge that though it would mean that we have to work harder, we might sit longer hours in view of this exceptional circumstance. Otherwise, it will be delayed very much.

Mr. Speaker: I do not object to the House sitting even for 24 hours, if it

so likes. That is not my point. Just as some lady Members are keen, there are others who feel equally keen. The Chair has to look at any proposition from the point of view of the entire House. I know that feelings are rather high on this question, and therefore, I suggested a way out. If that is not agreeable, let the House have its decision here and now. I have no objection.

Shri R. K. Chaudhuri: What I would say is this. I have no objection to sit longer hours, but I want to have recess during the lunch period. I am making this suggestion because I may be away or some of my friends may be away precisely at a time when the Prime Minister is speaking, but if the Prime Minister will give an undertaking that he will not speak between 1 and 2, then I do not mind.

Shri Jawaharlal Nehru: I would suggest that we might sit from 10 to 6 with half an hour recess.

Shri R. K. Chaudhuri: Make it 6-30 and have one hour recess.

Mr. Speaker: I do not mind, but it is hardly a matter for a Committee to consider—not that I have any objection. It is a very simple proposition. After all, it is not for a long period. It is just for one week—six days—and there are two holidays in between. It is because of the importance of this Bill that we have given more time to it.

Shrimati Sushama Sen (Bhagalpur South): I would suggest that we sit from 8-15 to 1 as we did before, have a break and then again sit in the afternoon.

Mr. Speaker: The real point is to have an effective number of hours every day. If you sit earlier and have a recess of one hour, it makes no difference whether you sit from 11 or 10. So, that is the problem. As some hon. Members will require time in the morning to prepare and to do other work, supposing we start at 10-30 instead of 11, and with the present con-

vention that we have, namely, non-stop work, we go up to 5-30 or 6, that will give us every day 1-1/2 hours more. That will be a compromise. \

Shri M. S. Gurupadaswamy (Mysore): This matter was considered by the Business Advisory Committee. We are not passing this measure at all this session. It is only to be sent to a Joint Select Committee and it has to be passed next session. So, I submit that this measure may be taken up first in the next session and may be referred to the Select Committee.

Shri Bansal (Jhajjar-Rewari): No, no.

Mr. Speaker: It is taking up important time of the House in this discussion. I think we should meet at 10-30—I am suggesting a compromise acceptable to the House—and sit till about 5-30.

Shri Bansal: Six, Sir.

Shri A. M. Thomas (Ernakulam): 5-30.

Mr. Speaker: Shall I say six? There is also a proposal to go up to 6-30. I would suggest from 10-30 to 6 continuous, without break. Of course, the convention stands, namely, that the House will not be counted between 1 and 2-30.

I am suggesting another way if it is acceptable to the Members. When the time allotted is not necessary, there is a feeling that the allotted time must be taken up for discussion. My suggestion is that Members may curtail their remarks, because I find in all debates of this type, there is always a repetition of substance though not of language. We could curtail some more time and finish up the business much earlier.

Shri Lokenath Mishra (Puri): But there is a difficulty for back-benchers. Supposing they have to speak, they shall have to wait from beginning to end. So, there should be some previous allotment of time for them to look to.

Mr. Speaker: The hon. Member cannot have it both ways. They have

come here to discharge some duty as elected Members of the country—I do not refer to the salary and allowances they draw. It is their duty to wait if they are keen on discharging their duty in a proper manner. That is not a valid argument. I will not take any more time of the House.

We sit from next Monday. I could start today or tomorrow, but the difficulty is that there is no time to inform the absentee Members. Tomorrow I may not be able to inform the absentee Members. If we sit tomorrow from 11, we continue as long as necessary for finishing the State Bank Bill, so that we start with a clean slate on Monday.

Shri Jawaharlal Nehru: It was my intention, subject to your convenience and the convenience of the House, to make a brief statement tomorrow morning to the House in regard to the Bandung Conference.

Mr. Speaker: If it takes some time, that can be added up to the State Bank Bill and we shall sit till it finishes. We shall take the statement in the beginning. There is no Question Hour tomorrow. But I have a personal difficulty in that respect. Not knowing that the House will be sitting even on Saturday, a conference of Public Accounts Committee Chairman is fixed up tomorrow and I have to be there, but that does not matter if some Chairman will give me the convenience to attend that conference. It has been fixed long before. Still I may come in but leave soon after. Tomorrow we have the statement of the Prime Minister on the Bandung Conference at eleven, and after that statement, we take the State Bank Bill and we sit till we finish it.

Shri Matthen (Thiruvellah): It cannot be rushed through like this.

Shri Gadilingana Gowd (Kurnool): Will 7th May be the last date of sitting?

Mr. Speaker: I think we can take it that the 7th is the last date definitely.

Shri Jawaharlal Nehru: Yes, Sir.

Mr. Speaker: We shall now proceed with the further discussion of the Hindu Marriage Bill.

HINDU MARRIAGE BILL—Contd.

Pandit K. C. Sharma: I very attentively listened to the long speech of my friend, Shri Chatterjee and I also consulted the authorities on the Law. My humble submission is that there is no gainsaying the fact that ours is one of the most glorious civilisations and that it has been for a long-cherished period of continuity throughout. But here the story ends. If you go to the Japanese, if you go to the Chinese, or if you go to the Egyptians, they will say "We directly descended from the Sun God, we are the choicest people, we are the most ancient civilized people and others are simply barbarians".

[SHRI BARMAN in the Chair]

I would remind you that George III wrote to the Emperor of China that he was sending his Ambassador asking for certain manufactured goods to be sold in China, and the reply was "I the son of God, do not condescend; you cannot have this sort of desire from me". Later on, poor people of China had to eat the opium at cannon's mouth. This sort of play is good to glorify oneself but it does not take us any far. However great satisfaction Hindu culture or civilization could give to you, you cannot escape the fact that it is petrified today. It requires no more proof than Shri N. C. Chatterjee's own statement when he said: I come from an area where Ramakrishna was born, where another great man was born. It is just like *Pidram Sultan Bood*—saying 'my father was a king and I must be respected'. That is the criterion to show that that man remains static and refuses to see the fact. It is a closed mind. It is a deadly state of affairs. If a person glorifies a civilization as coming down from the Sun it is something which is not very creditable in the latter half of the 20th century.

Having said that, I submit further that the criterion of continuous and living culture and the dead petrified culture is different. All the cultures in the world had started with classes; that is one of the stages of life. This Hindu culture was a living culture so far as it confined itself to the classes—to the man who was learned, a Brahmin, the man who was strong and protected the other people, the warrior and others worked in different fields of activity. But the moment you brought it to the fixation of caste—I use the word *fixation* you cannot get beyond a certain stage. It means that culture is petrified and static; it has no life. Therefore to hug to it is hugging to the dead body. There is no use of quoting scriptures and talking from old books.

One word about religion. I beg to submit that marriage institution is a sociological problem and it has very little to do with the religious development. Marriage problem is something which does not go beyond ethical conception. In society, you move about, work well, serve your neighbours and work with cosmic forces working with the people, sociological forces and then you see far beyond the social compass and there the light of divinity comes. It has very little to do how the marriage is performed—whether round the sacred fire, whether with the vedic mantras or whether by touching hands and so on. So long as a man and a woman behave well and do their social duties, religion is not touched because the way of divinity comes after the way among the men has been settled. If you do not play your part among the fellow beings and do not do your duty towards the other beings, then the light to God is dim. You cannot see the light to God until you have moved about in the society and had done the work. Therefore, the religious path or the light of divinity is dim not on account of the marriage performed in this way or that way.

Now, there is this fundamental question. My respectful submission is