

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for restraining the taking or giving of dowry in connection with marriages and for matters incidental thereto."

The motion was adopted.

Shri Mohan Swarup: I introduce the Bill.

Mr. Deputy-Speaker: Shri Samanta may introduce the Bill. I find he is absent.

RESTRAINT OF DOWRY BILL*

Shrimati Renu Chakravarty (Basirhat): Sir, I beg to move for leave to introduce a Bill to provide for restraining the taking or giving of dowry in connection with betrothals and marriages and for matters incidental thereto.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for restraining the taking or giving of dowry in connection with betrothals and marriages and for matters incidental thereto."

The motion was adopted.

Shrimati Renu Chakravarty: introduce the Bill.

INDIAN PENAL CODE (AMENDMENT) BILL

(Insertion of new section 124B)

Shri Raghunath Singh: Sir, I beg to move for leave to withdraw the Bill further to amend the Indian Penal Code, 1860.

Shri Braj Raj Singh: Which Bill? Does he want to withdraw the Bill that has been introduced today?

Shri Raghunath Singh: No, not that one but the previous one.

Mr. Deputy-Speaker: Has the hon. Member the leave of the House to withdraw the Bill?

The Bill was, by leave, withdrawn.

INDIAN PENAL CODE (AMENDMENT) BILL

(Omission of section 497)

Mr. Deputy-Speaker: The House will now resume further discussion on the motion moved by Shri Raghunath Singh on the 7th March, 1958, that the Bill further to amend the Indian Penal Code, 1860 be taken into consideration.

Out of one and a half hours allotted for discussion on the Bill, seven minutes were taken up on the 7th March, 1958, and one hour and 23 minutes are still available.

I now call Shri D. C. Sharma to conclude his speech. The hon. Member would be very brief because there is a large number of hon. Members, who want to participate in the discussion.

Shri V. P. Nayar (Quillon): Government business has taken a lot of time.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker Sir, I said last time that I would oppose this Bill. I now rise to say that this Bill is ill-conceived, ill-worded, ill-timed....

An Hon. Member: Ill-fated too.

Shri D. C. Sharma: First of all, I want to look at this problem from a judicial point of view. This question had been discussed in some High Courts and the Supreme Court also. The High Courts and the Supreme Court have given their verdict against the substance of this Bill. It was said:

"Sex is a sound classification and although there can be no discrimination in general on that ground, the Constitution itself provides for special provisions in the case of women and children by clause (3) of Article 15. Articles 14 and 15 thus read together validate the last sentence of section 497, I.P.C. which prohibits the woman from being punished as an abettor of the offence of adultery."