

[Shri Hajarnavis]

confined in the first instance to the personal laws. These personal laws must change so as to adjust themselves with the progressive public opinion. And how can public opinion exercise itself except through hon. Members here? Government cannot regard themselves in any manner as sensors or in any manner as the final authority so far as public opinion is concerned.

16.51 hrs.

[MR. SPEAKER in the Chair]

Therefore, where two views are possible, where Government do not *prima facie* regard that a particular legislation is something which ought not to occupy any time of the House, speaking for myself, I would regard it a good practice on behalf of Government that, we take steps to elicit public opinion on it. I am glad to say that this is the course which we have decided to follow in this particular case.

Coming to the merits of the case, again speaking for myself I find myself in very great sympathy with the sentiment behind this Bill. I am quite sure it will find an echo in every Hindu heart. As has been said, chastity of a Hindu woman is one of the noblest sentiments which has been evolved through the centuries by the Hindu culture. Chastity of a Hindu woman is not a mere obligation or duty which that individual owes to her spouse. It is something which is one of her most priceless personal possessions. It is not a mere duty or obligation, as it is sometimes vulgarly put, of keeping the bed of the husband unsullied. No one can take it from her, not even her own husband.

Personally speaking, I have very great sympathy for the sentiment expressed in the Bill. If marriage as an institution has survived, if marriage is one of the stable institutions of Hindu society, it is because it is based upon this sentiment which is the common heritage of whole of Hindu society. I

therefore, would support the principle of the Bill. But as has been admitted with great fairness by the mover, the matter is already covered by certain provisions of the Civil Procedure Code. The only question is, in this particular case, if an allegation happens to be false and frivolous, whether it should be liable to be compensated by a larger measure of damages. That is a fact which, as I said, would depend upon the general public opinion. That is the limited question which in fact would be referred to public opinion, because as I pointed out, section 35A is wide enough to cover a case like this.

With these brief remarks, I would accept the motion for circulation which has been made.

Shri Ajit Singh Sarhadi: I only rise to thank the hon. Deputy Minister and the Government, firstly, for accepting the Bill in the amended form, i.e., that it should be circulated for eliciting public opinion and, secondly for the kindness shown by laying down a policy that encouragement would be given to private members to bring forward Bills of this kind. I am also grateful to the hon. Members who have participated in the discussion and spoken in favour of it or against it.

Mr. Speaker: I will put the motion to the vote of the House.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th July, 1961."

The motion was adopted.

16.56 hrs.

ABOLITION OF SUPPLY OF LABOUR THROUGH CONTRACTORS BILL

Shri Aurobindo Ghosal (Uluberia):
I beg to move:

"That the Bill to abolish the system of supply of labour through

a middleman or a contractor be taken into consideration."

In the last session I discussed a similar problem under the Bill the Abolition of Employment of Casual Labour Bill. The present Bill appertains to the abolition of recruiting labour through intermediaries. The main difference between the casual labour and the contractor's labour is that the casual labour may be employed directly by the employers but in case of contractor's labour the workers are not only casual but they have got no direct relationship with the employers and they are employed through the intermediaries.

I would like to give some background of this system, how the system

came into existence, how the employment of labour through intermediaries came into existence. In the early days of the 20th century when the industrialisation had just begun it was very difficult to recruit labour at the gate. So the industries had to appoint their agents or middleman to recruit labour from other places and bring them to the industries.

Mr. Speaker: The hon. Member will continue his speech next time.

16.59 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, February 27, 1961 | Phalguna 8, 1882 (Saka).
