

Title: Further discussion on the Constitution (Amendment) Bill, 1999 (Omission of article 44, etc.) moved by Shri Yogi Adityanath on 19<sup>th</sup> July, 2002. (Not concluded)

MR. DEPUTY-SPEAKER: Now, the House will take up further consideration of the motion moved by Shri Yogi Adityanath.

The hon. Minister was on his legs. Now, he is to continue.

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): Sir, continuing my reply which I left off on 22<sup>nd</sup> November, I would like to say that I entirely agree with the hon. Deputy Leader of the Congress Party. He stated that there is already a Common Civil Code. I agree with him. He has only reflected the speech made by Dr. Ambedkar in the Constituent Assembly that when there is opposition for the Directive Principle, the Government shall endeavour. With your permission, I would just like to read out one or two sentences of Dr. Ambedkar's speech.

"We have in this country a uniform code of laws covering almost every aspect of human relationship. We have a uniform and complete Criminal Code operating throughout the country, which is contained in the Penal Code and the Criminal Procedure Code. We have the Law of Transfer of Property, which deals with property relations and which is operative throughout the country. Then there are the Negotiable Instruments Act, and I can cite innumerable enactments which would prove that this country has practically a civil code, uniform in its content and applicable to the whole of the country."

Here, I would like to read one more sentence of Dr. B.R. Ambedkar, which, if I remember correct, subject to correction, the hon. Deputy leader of the Opposition has omitted to mention:

"The only province the Civil Law has not been able to invade so far is Marriage and Succession. It is this little corner which we have not been able to invade so far and it is the intention of those who desire to have article 35 as part of the Constitution to bring about that change."

So, I would like to say that we should not attribute motives to the Mover of the Resolution that he is trying to do something. Even in the Supreme Court, the earlier Government, in 1996, had filed an affidavit that they would endeavour to move towards that direction.

A religious motive also has unfortunately been attributed during the discussion. One or two hon. Members of the Opposition opposed this Bill and spoke as if the Mover wanted a 'Hindu Civil Code' or some such thing. I have been carefully watching the Mover of the Motion speak. There was not a tinge in his speech that there should be a 'Hindu Civil Code' or some such thing. His intention was that a general civil code be accepted by the entire country.

My respectful submission to the House is that we should not attribute motives to the Mover. At the same time, I would like to stress only one more point. Although the Party to which I belong has been asking for a 'Common Civil Code', as a Minister representing this Government, I would like to say that our Government is an NDA Government committed to an agreed agenda. In that agreed agenda of the Government, there is no mention about a 'Common Civil Code' at all.

With these words, I would request the Mover of the Resolution not to press his amendment but, on the other hand, to withdraw the amendment. If he still presses, we oppose the amendment.

MR. DEPUTY-SPEAKER: The Mover is absent. Now, we have to put the Motion to the vote of the House.

Before I put the Motion for consideration to the vote of the House, this being a Constitution (Amendment) Bill, voting has to be by division.

Let the lobbies be cleared--

MR. DEPUTY-SPEAKER: Now, the lobbies have been cleared.

As the lobbies are cleared, I find that there is no quorum in the House. The division on the Constitution (Amendment) Bill by Shri Aditya Nath Yogi is held over and will take place on the next day allotted to Private Members' Bills.

As there is no quorum, the House has to be adjourned for want of quorum. The House stands adjourned to meet on Monday, the 9<sup>th</sup> December, 2002 at 11 a.m.

15.43 hrs

*The Lok Sabha then adjourned till Eleven of the Clock  
on Monday, December 9, 2002/ Agrahayana 18, 1924 (Saka).*

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