

15.34 hrs.

**PREVENTION OF INSULTS TO  
NATIONAL HONOUR (AMEND-  
MENT) BILL, 1986\***

*(Substitution of new Sections for  
Section 3)*

[English]

**SHRI SHANTARAM NAIK (Panaji) :** I beg to move for leave to introduce a Bill to amend the Prevention of Insults to National Honour Act, 1971.

**MR. CHAIRMAN :** The question is :

"That leave be granted to introduce a Bill to amend the Prevention of Insults to National Honour Act, 1971."

*The motion was adopted*

**SHRI SHANTARAM NAIK :** I introduce the Bill.

15.35 hrs.

**WIDOWS' PENSION BILL,  
1985—CONTD.**

[English]

**MR. CHAIRMAN :** Before further discussion on the Widows' Pension Bill by Shri Viridhi Chander Jain is resumed, I would like to mention that 2 hours and 41 minutes have already been taken on this Bill, thus exhausting the time allotted for its discussion. On the last occasion, the Minister, Shrimati Margaret Alva, was intervening in the debate on the Bill. She has already taken 05 minutes. After the Minister finishes her speech, the mover of the Bill, Shri Viridhi Chander Jain, has right to reply to the debate. Therefore, we may extend the time for discussion on the Bill by another 30 minutes. I hope the House agrees.

**SOME HON. MEMBERS :** Yes, we agree.

**MR. CHAIRMAN :** The time for this Bill is extended by thirty minutes.

**THE MINISTER OF HUMAN RESOURCE DEVELOPMENT AND MINISTER OF HEALTH AND FAMILY WELFARE (SHRI P.V. NARASIMHA RAO) :** Sir, I do hope that the extension of such a magnitude is needed. All the cogent arguments pertaining to this Bill have been advanced already by my colleague. I really do not know, if there is anything else to add to what she had already said. Sir, his Bill actually goes against the grain of Government's policy. The essence of Human Resources Development is development and not charity. My own feeling is that Mr. Jain, belonging to older generation has not been able to appreciate the aspiration of the women of the younger generation. So, may be he and I are out of date, but since, I am dealing with this subject, I know something about it. He might, as well listen to me and withdraw the Bill. Sir, we really want to make the women competent. We want to add to their competence, to their productivity so that they become productive assets of the society. We do not want to give them doles from the age of 18. This looks preposterous to me. So it goes against the very policy of Human Resource Development. What we should do, what we should attempt to do always hereafter under this policy is to develop the skills of women, develop the competence of women. Therefore, I would like to tell Mr. Jain that he should withdraw the Bill and think of something in line with the policy. Let him come up with another Bill which is a little more in line with the policy and I will be very happy to comment on the Bill. If there is anything useful, I am prepared to take it. I am prepared to accept it. But under this, we are really negating the entire policy of the Government. I am sorry, Sir, I cannot accept it. I would like him to withdraw the Bill.

**MR. CHAIRMAN :** Mr. Jain.

[Translation]

**SHRI P.V. NARASIMHA RAO :** Please withdraw this Bill.

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SHRI VIRDHI CHANDER JAIN (Barmer): Why? I do not withdraw it.

SHRI P.V. NARASIMHA RAO: Then what are you saying? You represent the old generation.

SHRI VIRDHI CHANDER JAIN: Mr. Chairman, Sir, the Widows' Pension Bill introduced by me, has been supported by all the hon. Members who participated in the discussion, except Shri Mool Chand Daga.

It appears from the amendments moved by Shri Mool Chand Daga that he also appreciates the spirit of the Bill.

Just now the hon. Minister has expressed his views that we belong to the old generation and we think different from the new generation. I may tell you that I have a long experience and I feel a sense of pity whenever I see the condition of any widow. It is not a question of giving some dole. The Members of Lok Sabha and the Vidhan Sabhas also get pension when they do not remain Members. Similarly, on the death of a Government servant, family pension is granted to his family. Widows are also granted pension. Therefore, there is no motive of giving dole behind this Widows' Pension Bill introduced by me.

Earlier, I had expressed my views very clearly that I am in favour of widow remarriage. I want that widows should work. They should be employed in industries and in other services. Priority should also be given to them in employment. I also want that age relaxation in services should be given to the widows.

You should not link the word 'Pension' with dole. I want that widows should lead a respectable life and for that purpose I have introduced this Bill. I do not mean that after getting pension, widows should not join any business or industry. Therefore, I said it very clearly that the pension would be very useful for their upliftment,

And keeping this in view I have brought this Bill before the House. A question of social security is related with this.

In our country we have not yet taken up the question of social security. Just now the Juvenile Justice Bill was being discussed. We have not provided social security to them also. We have not yet been able to provide social security to the aged and handicapped. We have been treating the aged women as burden on the society. If a widow comes before us while we are going for some important work, we consider it a bad omen. We still have such feelings. A widow cannot attend the marriage of her son and cannot participate in 'Tilak' ceremony. This is the factual position.

There are situations when, being without any support, they have to work as maid servants and have to clean utensils. They have to do certain works which are humiliating for them and affect their character also adversely.

We have made arrangements for the pension of politicians and freedom fighters so that they may not lead a hard life and even if they are not MLAs or MPs, they may lead a respectable life. Similarly, we want that widows should also lead a respectable life. With this end in view, I have introduced this Bill. Before presenting the Bill I have thoroughly considered all the aspects. I have provided in the Bill that a widow having an annual income of more than Rs. 1200 or having parental property fetching good income or a widow in service, shall not be eligible for widow-pension. If a widow tries to get pension by fictitious and unfair means, there is provision for punishment for such an act in the Bill. I have prepared this Bill with these precautions.

Several hon. Members have expressed their views on this Bill during the discussion. Shri Daga has suggested a pension of Rs. 200 per month. Some other hon. Members have suggested pension ranging from Rs. 300 to Rs. 500 per month. After

due consideration I have suggested a pension of Rs. 75 to Rs. 125 per month as a support to a widow.

Some customs still prevail in our country which do not allow widow re-marriage and as a result thereof she has to face many difficulties. She tries her best to get employment but does not succeed. She wants to lead a respectable life in society, but cannot do so. Under the Directive Principles of State Policy the Constitution guarantees right to work. Even then she cannot get employment. I have brought this Bill keeping in view our present social structure. I have prepared this Bill after indepth study and have taken the advice of my friends. We want to have this arrangement for giving social security to them. I would still request you to reconsider it because by doing so we will be able to do justice to the widows.

With these words I conclude.

[English]

SHRI P.V. NARSIMHA RAO : I would like him to withdraw this Bill. Whatever good, useful ideas have come, we will discuss them with him. If there is anything to be brought again which is in line with the policy and still gives certain concessions to women on a preferential basis, I am prepared for that. But the Bill in its present form is just unacceptable.

MR. CHAIRMAN : What do you say about it ?

SHRI VIRDHI CHANDER JAIN : I beg to move for leave to withdraw the Bill to provide for payment of pension to destitute widows.

MR. CHAIRMAN : The question is :

"That leave be granted to withdraw the Bill to provide for payment of pension to destitute widows."

*The motion was adopted*

SHRI VIRDHI CHANDER JAIN : I withdraw the Bill,

15.50 hrs.

CONSTITUTION (AMENDMENT)  
BILL, 1985

(Amendment of Article 311)

[English]

SHRI C. JANGA REDDY (Hanamkonda) : I beg to move :

"That the Bill further to amend the Constitution of India, be taken into consideration."

[Translation]

Mr. Chairman, Sir, this judgement of the Supreme Court has shocked all the employees of the Central and the State Government. Several unions of the Government employees have agitated over it and have submitted memoranda to show their disagreement with the judgement. This issue has also been discussed in the House more than once. We know that all those people who have expressed their opinion on this subject here or outside the House, regardless of the fact whether they belong to the Ruling Party or the Opposition, are against the judgement and have stated that the Constitution has to be amended again on the basis of this judgement.

SHRI MOOL CHAND DAGA (Pali) : What is the date of that judgement ?

SHRI C. JANGA REDDY : Should I tell you? Shri Kumaramangalam and Shri Lalit Maken have made statements. . .

SHRI MOOL CHAND DAGA : Which is the judgement ?

SHRI C. JANGA REDDY : It is regarding Proviso to Article 311 (2) (b). . .

[English]

MR. CHAIRMAN : You will get an opportunity.