

PROF. P. J. KURIEN : Sir, I introduce the Bill.

TRANSPORT PARCEL SERVICE
WORKERS WELFARE BILL

[English]

SHRI AJOY BISWAS. (Tripura West) : I beg to move for leave to introduce a Bill to provide for welfare measure for the transport parcel service workers.

MR. DEPUTY SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for welfare measures for the transport parcel service workers."

The Motion was adopted.

SHRI AJOY BISWAS : Sir, I introduce the Bill.

15.35 hrs.

CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL—Contd.

(Amendment of Sections 125 and 127)

[English]

MR. DEPUTY SPEAKER : Shri Mool Chand Daga to continue.

[Translation]

SHRI MOOL CHAND DAGA (Pali) : Mr. Deputy Speaker, Sir, 23rd April, 1985 will be a memorable day in the legal history. India a new interpretation of the law was pronounced that day which will be a memorable day in the legal history. In India a new gave a new awareness to the enlightened women. The enlightened muslim women are becoming consious of their rights. Previously the women were oblivious of their rights and did not have the courage to speaking but now they have become bold to raise their voice. Some people, who have faith in God, have drawn attention to the law which has become outdated. But I would like to point out that Muslims are full of human virtues like love and compassion. All these virtues are there in the Muslim community. There was a time when *Sati* practice was prevalent among the

Hindus. When the *Sati* practice become a social evil, efforts were made to eradicate that. Gradually, the people become enlightened and in this way this practice came to and end. "*Muslim mazhab nahin sikhata muslim auraton ka quid rakhna*" (It is not the teaching of Islam that women should be kept in bondage. The judgement which was delivered on 23rd April, 1985 in Shahbano Case has gives a new turn to the law. It was a small incident. A married man divorced his wife when she was 43 years old and was the mother of 8 children and the grandmother of 9 children. A lawyer, Mohammad Ahmed Khan took the case to the court. A bench of 5 judges of the Supreme Court delivered the judgement which does not interfere with the Muslim Personal Law. The Court based its judgement on the principles of morality. When a petition was made under section 125 of the Criminal Procedure Code, an amount of Rs. 25 was awarded to her per month. The High Court raised it to Rs. 179 per month, but, being a lawyer he pursued the matter further. He was a veteran lawyer whose income was Rs. 60,000 per year. He took the case to the Supreme Court. The judgement delivered by the Supreme Court created a Stir. *Mehtar* is insignificant. It can be given at any time at the time of marriage. She had demanded maintenance allowance so that she could lead a decent life. Not only in India but enlightened women of other countries also welcomed the judgement. Today, in India, the people have become more enlightened and they are conscious of their rights and have started expressing their opinion regarding the present laws. New developments are taking place in the realm of the laws. In Kerala, a new development has taken place. It is well known and my colleague, Shri Banatwalla, might also be knowing about it that the incident concerning Jude Khan alienated C.P.M. from Muslim League in Kerala. It was ordered that Jude Khan be given lashes. The specification of the lash was that its weight should be 5 kgs. and the length of the wire should be 5 ft... (Interruptions). Of course, this resentment should be there but it does not last long. He was a mechanic who had come from Abu Dhabi. The matter was taken to the court and the punishment of lashing was stopped. Now there is new awakening. The Muslim Law questions as to why it has happened, It has happened because it is the demand of