

# Govt 'bails' out triple talaq Bill

Insertion of bail provision ensures Opp parties don't block legislation

PNS ■ NEW DELHI

The Government on Thursday watered down some stringent provisions of the Triple Talaq Bill to seek support of Opposition parties for the safe passage of the Bill of the Rajya Sabha. The Bill was passed by the Lok Sabha in Budget Session.

The Union Cabinet approved amendment to the Bill by adding three key provisions. The first provision gives the magistrate right to grant bail after fixing the interim compensation. The second amendment says that FIR can be registered only after the complaint from wife or close relatives. The third one empowers Magistrate to settle the disputes between a husband and his wife.

The Bill is expected to be tabled on Friday, the last working day in the Rajya Sabha.

Addressing the media, Law Minister Ravi Shankar Prasad urged UPA chairperson Sonia Gandhi to clear her stand on the prevention of instant Triple Talaq Bill. He also criticised the Congress on spreading false apprehension of plight of wives if husbands are jailed.

"All accused husbands will be in jail as per the provisions in the Domestic Violence



◆ The Bill is expected to be tabled on Friday, the last working day of the Rajya Sabha

◆ The Cabinet approved amendment to the Bill by adding three key provisions

◆ The first provision gives the magistrate right to grant bail after fixing the interim compensation

◆ The second amendment says that FIR can be registered only after the complaint from wife or close relatives

◆ The third one empowers magistrate to settle the disputes between a husband and his wife

◆ Law Minister Ravi Shankar Prasad urged UPA chairperson

Sonia Gandhi to clear her stand on the Bill

◆ He also asked Mamata Banerjee and Mayawati to express their stand on this Bill

◆ If the Bill is cleared by the Upper House, it will have to go back to the Lok Sabha for approval of the amendments

Prevention Act and Prevention of Dowry Act. Then why Congress leaders are questioning this aspect for Muslim men only? Why oppose jail provisions in Triple Talaq Bill? The Congress will face the Shah Bano moment if they appease for Muslim vote bank," said the Law Minister, urging Sonia to express her stand.

"Sonia Gandhi is not only Congress leader, but also a respected leader from the women folk. If she recognises pride and recognition of women, she would support this Bill," said Prasad, while detailing the amended provi-

sion of bail in the "Muslim Women Protection of Rights on Marriage Bill".

He also asked TMC chief Mamata Banerjee and BSP chief Mayawati to express their stands on this Bill.

Friday is the last day of the Monsoon Session of Parliament and the Government could introduce amendments in the Rajya Sabha. If the Bill is cleared by the Upper House, it will have to go back to the Lok Sabha for approval of the amendments. While the proposed law will remain "non-bailable", the accused can approach a magistrate even

before trial to seek bail. Under a non-bailable law, bail cannot be granted by police at the police station itself. Prasad said a provision has been added to allow the magistrate to grant bail "after hearing the wife".

Government officials said the magistrate would ensure that bail is granted only after the husband agrees to grant compensation to the wife as provided in the Bill. The quantum of compensation will be decided by the magistrate, as per the Bill.

"There were fears and we have plugged the holes ... Nothing has been done under

pressure," Prasad said in response to a question. Another amendment makes it clear that the police would lodge FIR only if approached by the victim (wife), her blood relations or people who become her relatives by virtue of her marriage.

"This would settle fears that even a neighbour can file FIR as is the cases in any cognisable offence. This would check misuse," the Minister said.

The third amendment makes the offence of instant triple talaq "compoundable". Now, a magistrate can use his powers to settle the dispute between a husband and his wife. Under a compoundable offence, both parties have the liberty of withdrawing the case.

Prasad said in 2017, a total of 389 cases of instant triple talaq were reported. Between January and August last year, 229 cases were reported. "This shows that the Bill is required even after the Supreme Court struck down triple talaq as illegal," he said. Even after the Bill was introduced, 160 cases were reported.

Provision of bail was one of the demands of the Opposition parties. The proposed law would only be applicable on instant triple talaq or 'talaq-e-biddat' and it would give power to the victim to approach a magistrate seeking "subsistence allowance" for herself and minor children. A woman can also seek the custody of her minor children from the magistrate who will take a final call on the issue.