

A SORDID CHAPTER IN RECENT PARSEE HISTORY

As this is written, the Adoption of Children Bill, 1980 is still on the anvil of the Parliament. Yet, within the last four months, the manner in which some members of the Parsee community have gone at each other's throats, makes us wonder if these persons did not lose all sense of proportion and mortgage their good sense just to be one up on their "rivals". In this regard, it was sickening to see the orthodox section of the the community give a dismal performance of themselves, what with the mud-slinging, bickerings and accusations freely exchanged in the Parsee Press. Never before in recent memory have the orthodox members behaved so shamefully in public, particularly when they were all championing the same cause! Personal vendetta, malice, egotism, self-conceit and pedantry ruled the roost. In the process, the CAUSE suffered!

How did all this happen? To answer that we shall have to go into the genesis, though briefly, of the Adoption of Children Bill and the Parsees. Our coverage will be objective and dispassionate. It is for the readers to judge who the guilty ones are in this sordid drama. Let's recreate the history of this Bill and the role of some Parsee men and women in it, even before the Bill came up in its nascent form in Parliament, nine years ago. (Our sources are mainly the Parsee Press, the "Parsee Prakash" of yore and certain influential individuals from Delhi and Bombay.)

It may come as a surprise to some of our readers that way back in 1966 some women's organisations mooted the idea of having a common law in India on the adoption of children. So carried away were they by the plight of roadside waifs and orphans without homes that they felt that such children should be permitted

to be legally adopted by those who could give them food and shelter. Fine! But in retrospect, the surprising part comes now. One of the more vociferous of these organisations was the Women Lawyers' Federation, which had at least four spokeswomen, of whom three were Parsees! These worthies, we are told, kept on persuading the authorities to institute general legislation for adoption of children. Did they then realise the disastrous consequences of such a bill for the Parsees? Obviously not, because, even to-day, this act of theirs has been waved about by one of the four, as an achievement(!). The Bill was later introduced as a Private Member's Bill, but received short shrift in Parliament. Finally, after Mrs. Indira Gandhi became the Prime Minister of India, these women's organisations coaxed her to introduce the legislation on adoption of children. Thus, in 1972, the Bill was introduced in Parliament as a social welfare measure. Did not those three Parsee women of the Women Lawyers' Federation realise even then what a big hornet's nest they were raising round the head of their own community? Oh no! Far from it! But read on, A special Committee (Select Committee) was appointed by Parliament to elicit public opinion on the Bill, as the Government rightly felt that since the Bill touched on many delicate points, particularly religious rights of the communities, objections to the Bill would be raised in many quarters. For four long years, upto August 1976, the Committee members went round the country contacting various women's and social organisations requesting them to express their views, objections, etc. **THE PARSEE COMMUNITY HAS A RIGHT TO KNOW FROM THE PARSEE WOMEN MEMBERS OF THE WOMEN LAWYERS' FEDERATION WHAT OBJECTIONS THEY HAD RAISED THEN TO SAFEGUARD THE INTEREST OF THE COMMU-**

NITY ? IF NONE, WHY NOT ? The answer, dear reader, is simple. They did not, could not, raise even one objection, simply because, they were themselves responsible in spearheading the Bill ! It's no use now doing a Joan of Arc in public to show how much concerned one is with the welfare of the community ! The damage has already been done !

Anyway, let's continue with our narrative. In 1977, this Bill went back to the Rajya Sabha where it originated in June 72. In the meantime, members of the Muslim community were up in arms against the Bill as it went against their Shariyat. Even at that stage, hardly one Parsee finger wagged ! A breather was provided by Nature, in that the Janata Party withdrew the Bill. We have said, "hardly one Parsee finger....", because, one lone voice was raised, in New Delhi, sounding a caveat for the Parsees. That voice was of Mr. Rustom S. Gae, a senior advocate of the Supreme Court, who for the first time drew the attention of the Parsees in January 1977 at the First Zonal Conference of the Parsi Anjumans of North India. Among other things, Mr. Gae had said :

"To remove possible doubt, a representation may be made to the Central Government, recommending the insertion of a sub-clause as under : 'For the removal of doubts, it is hereby declared that nothing in sub-section (2) shall be construed to change the religion or religious denomination or sect of an adopted child into any other religion, religious denomination or sect to which the conversion of a person not born in such religion, religious denomination or sect is not permissible according to the doctrines, usages or customs applicable to the followers of such religion, religious denomination or sect "

Familiar words, aren't they ? Yes ! Because it is the same amendment that Mr. Gae proposed four years later, which was ultimately selected by the Bombay Parsi Panchayat, with the addition of a few more words, and passed as a Samast Anjuman Meeting resolution on the 28th

August, 1981. Dini Avaz does not hold any brief for Mr. Gae. In fact, there are at least a couple of important issues on which we violently disagree with him. But credit has to be given where it is due, and truth has to be told, however unpalatable it may be to even some of our friends ! There is no doubt that Mr. R. S. Gae was the first Parsee to draw the attention of the community to the consequences of the Adoption Bill.

Mr. Gae even stated in the said paper in January, 1977 : "The Adoption of Children Bill, 1972, as reported by the Joint Committee, is already pending in the Rajya Sabha, but since it has not been passed by the Lok Sabha, the Bill has not lapsed on the dissolution of that House on 18th January 1977. Any representation to the central government in the matter to include a clause should be made immediately." (Emphasis ours) "Unfortunately, no representation was made on behalf of the Community, suggesting amendment of the bill in its application to Parsis, before the Joint Committee submitted its report to Parliament in August last. Once the report of the Select Committee or the Joint Committee of both Houses of Parliament on a Bill is received and laid on the table, amendments are not usually accepted. It is, therefore, late for the Community to make any representation to the Central Government, much as I would have liked to have done so." Rip Van Winkles of our community nodded. They continued enjoying their snooze right upto the middle of 1981 !

And so to 16th December, 1980 ! We do not know how many Parsees read a tiny PTI report date lined December 16, in the press. on 17th December 1981, that "A bill to provide for adoption of children and matters connected therewith was introduced by the Union law minister, Mr. P. Shiv Shankar, in the Lok Sabha today..."

Some people in New Delhi and Bombay did. Of these, a few wrote letters to the Prime Minister

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on their own. A couple of them even met Mrs. Gandhi. But alas! The tune they sang was not only entirely different but dissonant.

One side requested the P. M. to apply the Bill to the community without any amendment. This side comprised the radicals, who are hell-bent on selling the community down the drain. The other side took it on themselves to be the spokesmen of the community! The latter came up with nearly half-a-dozen amendments all of which were forwarded to the P. M., the Law Minister and the Minority Commission!!

The trouble arose mainly because each one subscribed to the saying, "Hum Bhee Nawab Bharuch Kay"! Each of the initiators of the amendments felt that his/her amendment was the best. Rarely have the orthodox fallen over one another like so many warring alley-cats as they did in the last four months over the Adoption Bill issue. At least one of them did not even hesitate to resort to cheap, exhibitionist tendencies. Instead of closing its ranks and standing united, the orthodox group in Bombay stood in disarray, simply because the ego-mania afflicting many of them reached chronic proportions. A hurried Samast Anjuman Meeting called by the Bombay Parsee Panchayat did pass a resolution, which endorsed the amendment of Mr. R. S. Gae with some additions. But this was not palatable to some. We wonder if the orthodox group had betrayed a more shameful attitude in the past than they did recently, with members hurling baseless accusations and counter-accusations at one another in the Parsee press!

The result? When two cats fight, the monkey benefits. The beneficiary in this case was that tiny camp of radicals, particularly in New Delhi, who gloated over the sordid happenings in Bombay, and THE CAUSE suffered!

No wonder that the majority of the community members, sick of the goings-on in a section of the orthodox camp, woke up from their slumber, with a battle-cry for "total exemption from the Bill for the Parsees"! So, Onward Parsee Soldiers!!