

SHRI B. N. SHASTRI : May I know from the hon. Minister whether there will be any more symposium in the coming years and, if so, whether they will consider top scientists from universities other than Delhi for inclusion in that team ?

SHRI BHAGWAT JHA AZAD : It was decided at the symposium in Tashkent that we should have a symposium on natural products including pharmacology at the end of 1969 or the beginning of 1970 in Delhi. So far as selection of scientists is concerned, even in this conference there were scientists from Lucknow and Hyderabad. In the future conference also there will be scientists from other universities.

Law on Conversions

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- *574. **SHRI KARTIK ORAON :**
SHRI NARAIN SWARUP SHARMA :
SHRI RAGHUVIR SINGH SHASTRI :
SHRI DEORAO PATIL :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether it is a fact that the Madhya Pradesh and Orissa Governments have brought put a legislation making conversion, below the age of 21, a penal offence ; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) and (b). A copy each of the Orissa Freedom of Religion Act, 1967, and the Madhya Pradesh Dharma Swatantrya Adhiniyam, 1968, is placed on the Table of the House: [Placed in Library. See No. LT-2560/68.]

SHRI KARTIK ORAON : The enactment of legislation on religion and, for that matter, on any other subject is the bi-product of the expression of undefined pressure of public opinion and no matter whether it looks some people as unusual, fantastic, unpopular or even wrong-headed, it is a right which we all wish to see preserved. As a matter of fact, our country with its present economic position is still to see sanity before it can establish that conversion is voluntary and that it is not

under duress, compulsion or any such thing.

Under those circumstances I would like to ask the Government as to what are the circumstances which have led to the enactment of such a legislation in Madhya Pradesh and Orissa and to indicate whether such conditions do or do not exist in other parts of India, particularly in the eastern and southern zones where proselytising activities are taking on alarming proportions.

SHRI VIDYA CHARAN SHUKLA : As far as I could understand the question he was asking about the intensity of conversion activities. It is a fact that conversion activities are going on, but they are going on for a long time and there has not been any particular intensification of these activities in the last few years. These activities are going on in several other States but mainly in the States of Madhya Pradesh, Orissa and Bihar.

SHRI KARTIK ORAON : I would like to know whether the attention of Government has been drawn to the anomaly and contradiction in the provisions of the Constitution, when in article 25 (i) it says :—

“Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion”.

as against which we have another provision under article 29 (i)

“Cultural and Educational Rights” which says :—

“Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.”

How can we conserve and, at the same time, allow people to propagate religion ? It is something like instigating two warring groups by giving in the hand of one a weapon. So, I personally think that either we dispense with this provision—we must not have any right to preserve, promote or retain our cultural traditions or religion—or we should be allowed to

propagate religion freely. But these two cannot go together.

MR. SPEAKER : It is not a debate. There should be some limit to this.

SHRI KARTIK ORAON : I would like to know from Government whether they would like to bring forward any legislation by which they can eliminate this right to propagate. They must eliminate this right to propagate. So long as foreign missionaries with all the resources at their command are allowed to operate in India and allowed the right to propagate, the concept of secularism will not serve its purpose.

SHRI VIDYA CHARAN SHUKLA : We do not find any contradiction between the two articles of the Constitution; therefore, we have not felt the necessity of any amendment so far.

SHRI LOBO PRABHU : I am proceeding on two presumptions. I presume first that it is the responsibility of the Centre to see that the fundamental rights are duly respected in any legislation and, secondly, it is the responsibility of the Centre to see that laws are free from ambiguity which can lead to victimisation. This Act affects not only Christians but Muslims, Sikhs and Arya Samajists as well because there are between these different religious a exchanges if you like so to call them, they are proselytising religions. About fundamental all rights.. (Interruptions).

MR. SPEAKER : We are not discussing them. It is turning into a debate.

SHRI LOBO PRABHU : I am asking a specific question.

I would refer the Minister to the proviso to section 4 of the Act and would ask him to say how far a special disability on Harijans, women and minors is consistent with article 14. In this I am at one with Shri Oraon that the Scheduled Castes deserve to have their right to change their religion. It is not a question of Christians converting them; it is the right of the Scheduled Castes and Scheduled Tribes to change their religion.

SHRI ATAL BIHARI VAJPAYEE : Not by fraudulent means.

SHRI BAL RAJ MADHOK : He never wanted that.

SHRI LOBO PRABHU : The second point I wanted to put... (Interruption)

MR. SPEAKER : Better I go to the next question. This is turning into a debate. You are going into arguments; you are not asking a question.

SHRI LOBO PRABHU : I am only clarifying the position. The second question is about the ambiguity in laws. I refer to the definitions of 'force' or 'inducement'. These definitions are quite wide of the dictionary meanings. Is it the intention of the Government to permit laws which have these meanings and which can lead to victimisation?

SHRI VIDYA CHARAN SHUKLA : What is the question?

MR. SPEAKER : Nor can I help you. Shri G S. Reddy.

SHRI LOBO PRABHU : What can I do if you don't understand.

SHRI G. S. REDDI : May I know whether these laws infringe any of the Fundamental Rights enshrined in the Constitution?

SHRI VIDYA CHARAN SHUKLA : We consulted the Law Ministry and, according to their opinion, it does not infringe any provision of the Constitution.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं उड़ीसा और मध्य प्रदेश की सरकारों को बधाई देना चाहता हूँ जिन्होंने यह कानून बनाया कि धर्म की स्वतन्त्रता का यह धर्म नहीं हो सकता कि लोगों की गरीबी, अज्ञानता, बीमारी का लाभ उठा कर उनके परम्परागत धर्म से उनको च्युत किया जाए। मैं एक प्रश्न पूछना चाहता हूँ कि दोनों बिलों में जो एक धारा है वह सामान्य है, जिसे मैं पढ़ कर दुःखाना चाहता हूँ और मन्त्री महोदय से

जानना चाहेगा कि क्या वे इस धारा से सहमत हैं :

"No person shall convert or attempt to convert either directly or otherwise any person from one religious faith to another by the use of force or by inducement or by any fraudulent means nor shall any person abet in such conversion."

यदि मंत्री महोदय इस धारा से सहमत हैं तो क्या केन्द्र प्रशासित क्षेत्रों के लिए इसी तरह का विधेयक लाने पर विचार करेंगे ?

श्री विद्या चरण शुक्ल : अध्यक्ष महोदय, जहाँ तक इसको काम में लाने का सवाल है, हमने काफी इसकी जाँच-पड़ताल की और हमें यह पता लगा, हमें यह एडवाइस दी गई कि इंडियन पीनल कोड की जो 352, 506 और 508 धारारें हैं, उन के अन्तर्गत यह सभी काम किए जा सकते हैं जो कि उस नये कानून में शामिल किए गए हैं और इसलिए उस नए कानून की आवश्यकता नहीं है। जहाँ तक सिद्धान्त का सवाल है, उसमें कोई विरोध हो नहीं सकता है।

SHRI B. SHANKARANAND : Since the Constitution gives freedom of religion, I can see that there is much agitation against conversions in this country. The people get themselves converted when a particular religion does not accept them and does not give them scope for equal treatment in the society. So, they go to a religion where they can find satisfaction. May I know whether the Government is going to use its machinery to protect a particular religion and stop conversions ?

SHRI VIDYA CHARAN SHUKLA : Our stand is well known. We do not want to come in the way of voluntary conversion.

श्री राम गोपाल शास्त्राजी : अध्यक्ष महोदय, भारत में धर्म परिवर्तन बर्षों से तेजी से हो रहा है और उसका मूल कारण यह है कि विदेशी शक्तियाँ अपनी स्वार्थ-सिद्धि के लिए पैसा खर्च करके बरीबों और बेकारों का धर्म

परिवर्तन करती हैं। मैं बाजपेयी जी के इस प्रस्ताव का समर्थन करता हूँ कि उड़ीसा और मध्य प्रदेश की सरकारें वस्तुतः बघाई की पात्र हैं और मैं सरकार से मांग करना चाहता हूँ कि केन्द्र से भी कोई इस प्रकार का कानून बनाया जाए जिससे सारे देश में एकरूपता आए।

श्री विद्या चरण शुक्ल : मैं इसका उत्तर दे चुका हूँ।

SHRI R. D. BHANDARE : May I know from the Home Minister, since India is the holy land of the Buddha, the land Buddhism, whether acceptance of the original religion of India is an offence according to him ?

SHRI VIDYA CHARAN SHUKLA : I do not know how this question arises. We never have done anything like that.

SHRI R. D. BHANDARE : I seek your protection. We are discussing about conversion. The question is whether such an Act has been passed and conversion has been prohibited. India is wholly the homeland of Buddha, Buddhism. So, my question is whether acceptance of Buddhism is prohibited according to this Act,

AN HON. MEMBER : No.

SHRI VIDYA CHARAN SHUKLA : I have laid the copies on the Table of the House.

MR. SPEAKER : He is a senior lawyer; he can have his own interpretation. (*Interruptions*).

छटल बिहारी बाजपेयी : मैं धर्म-समाजी हो जाऊँ तो क्या धर्म बदल जायेगा ? बौद्ध होने से धर्म नहीं बदलता।

SHRI S. M. BANERJEE : Among Bengalis, Banerjees are the highest pandits.

SHRI S. KANDAPPAN : Religion is strictly a personal matter. If the Hindus feel that their brothers who are downtrodden and who are poverty-stricken are exploited by the other religions, it is the duty of the Hindus to see that they spoon-

sor a movement for the uplift of the downtrodden, and not adopt this kind of the method which is not fair to Hinduism itself. In that context I would like to know from the Minister whether they are prepared to discourage this kind of legalistic attitude and try to impress on the Hindus that it is only fair for them to fight, not with a legal weapon, but by sponsoring a movement for the uplift of the downtrodden; that will be good for our religion and also for secularism in this country.

SHRI VIDYA CHARAN SHUKLA :

It is a well considered policy of the Government not to interfere in religious matters.

Sampradaiika Unmoolan Samiti

*575. **SHRI GEORGE FERNANDES :**

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether Government received any representation from the *Bhartiya Sampradaiika Tatha Jathivad Unmoolan Samiti* of New Delhi against certain writings of Shankaracharya Nirenjan Dev Tirth of Govardhanpeeth in the magazine *KALYAN* of October, 1967, published by Gita Press, Gorakhpur;

(b) if so, the nature of the representation; and

(c) the action taken thereon ?

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : (a) to (c). The *Bhartiya Sampradaiika Tatha Jathivad Unmoolan Samiti*, New Delhi as also some other organisations and individuals had represented to Government that action may be taken in respect of an article published in October 1967 issue of 'Kalyan' a Hindi journal of Gorakhpur, containing Shankaracharya Niranjan Dev Tirth of Govardhanpith's observations in favour of caste system. It was also represented that action should be taken against the Shankaracharya too. Government strongly disapprove of the views of the Shankaracharya and consider that such articles are harmful to national unity. However, Government have been advised that the article is not actionable under the law.

श्री जार्ज फर्नेन्डीज : अध्यक्ष महोदय, आप मुझे क्षमा करेंगे, प्रसन्न में यह उनका लेख नहीं है बल्कि इन्टरव्यू है जिसमें से दो बार वाक्य में पढ़ कर सुनाना चाहता हूँ ताकि सदन को पता लगे कि श्री शंकराचार्य जी के प्रलग प्रलग बातों पर क्या विचार हैं।

एक बात मैं पहले धीर कह दूँ कि जब उनकी गिरफ्तारी हुई थी, जब कि वे अनशन कर रहे थे, तब उनको रिहा करने की मांग करने वालों में एक मैं भी था, धीर इस बात के लिए हमने काफी प्रान्दोलन भी चलाया था...

MR. SPEAKER : I would not allow that. If you want to put a question, you may put a question. You cannot read all those things now. That will take a long time. We presume that everybody has read it.

SHRI ATAL BIHARI VAJPAYEE :
The relevant portion of it... (*Interruptions*)

श्री जार्ज फर्नेन्डीज : अध्यक्ष महोदय, जब प्रश्न पूछना हो तो एक प्राथ वाक्य पढ़कर सुनाना ही पड़ेगा। इसमें जाति पाति को लेकर ही नहीं बल्कि राष्ट्रीयता को लेकर भी उन्होंने अपना मत व्यक्त किया है। उसी को मैं सदन के सामने रखना चाहता हूँ। उन्होंने अपने उत्तर में कहा है :

देश प्रेमी बनने से धीर देश सेवा करने से पहले सत्य सनातन धर्म, हिन्दू धर्म का प्रेमी बनाना बहुत आवश्यक है। यदि तुम धर्म-प्रेमी नहीं तो कभी देश-प्रेमी, देशभक्त बन ही नहीं सकते। पहले आप धर्म का सम्मान करो, अपने पूज्य गुरुओं का सम्मान करो, अपने पूज्य माता-पिता का सम्मान करो, अपने पूज्य गो-ब्राह्मणों का सम्मान करो, अपनी हिन्दू सभ्यता संस्कृति का सम्मान करो, अपने शास्त्र पुराणों का सम्मान करो, अपने पूज्य देव मंदिरों का सम्मान करो, अपने पूज्य सच्चे साधु सन्तों का सम्मान करो, अपने पूज्य तीर्थों का सम्मान करो...
... (*व्यवधान*) धीर अपनी चोटी, तिलक का सम्मान करो तभी हम अपने देश का धीर अपने राष्ट्र का भी सम्मान कर सकते हैं।