

MR. CHAIRMAN : The question is:

"That leave be granted to introduce a Bill further to amend the States Reorganisation Act, 1956."

The motion was adopted.

SHRI BHAGWAN SHANKAR RAWAT (Agra) : I introduce Bill.

16.53 hrs.

(vi) Land Acquisition (Amendment) Bill*

(Substitution of new section for section 16, etc.)

[English]

SHRI BHAGWAN SHANKAR RAWAT (Agra) : I beg to move for leave to introduce a Bill to amend the Land Acquisition Act, 1894.

MR. CHAIRMAN : The question is:

"That leave be granted to introduce a Bill to amend the Land Acquisition Act, 1894."

The motion was adopted.

SHRI BHAGWAN SHANKAR RAWAT (Agra) : I introduce the Bill.

16.54 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Insertion of new article 51B)

[English]

MR. CHAIRMAN : The House will now take up the Constitution (Amendment) Bill, 1998. Before I call upon Shri Mohan Singh to move the motion for consideration of the Bill, we shall have to fix the time for discussion of this Bill.

SEVERAL HON. MEMBERS : Sir, two hours is all right.

MR. CHAIRMAN : So, two hours have been allotted for it.

[Translation]

SHRI MOHAN SINGH (Deoria) : Mr. Chairman Sir, I beg to move:

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

Mr. Chairman, Sir, my amendment relates to insertion of new Article 51B in Article 51 of the constitution of India which is as follows :

Published in the Gazette of India Extraordinary Part-II, Section-2 dated 12.6.98.

[English]

"It shall be the duty of every political party and candidate, whether such candidate is set up by any political party or not, to ensure that votes are not sought in the name of any religion, religious symbol or by inciting religious feelings of the people in any election to the House of the People, or Legislative Assembly of a State or Union Territory or any local body."

[Translation]

While introducing this Bill, I have also cited its objects and reasons. I have written.

[English]

"It has been observed that during elections some political parties and candidates are seeking votes in the name of religion or by inciting religious feelings. It will have an adverse affect on the society if such trends continue. It is, therefore, necessary to check such moves by amending the Constitution. It is accordingly proposed to make it the fundamental duty of every political party and candidate to ensure that votes are not sought by them in any election in the name of religion or by inciting religious feelings. Although the violation of these duties is not punishable under the existing system of Constitution, the political parties and candidates will be morally bound by such a provision in the Constitution."

[Translation]

This Bill provides for insertion of an Article in the Chapter relating to Fundamental Duties in the Constitution of India. Till 1976, Indian Constitution contained only Fundamental rights. However, a new chapter regarding duties of citizens was added after 1976. In Article 51A, duties of citizen have been provided. It has been stated therein:-

[English]

"It shall be the duty of every citizen of India-

- (a) to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
- (b) to cherish and follow the noble ideals which inspired our national struggle for freedom;
- (c) to uphold and protect the sovereignty, unity and integrity of India;
- (d) to defend the country and render national service when called upon to do so;
- (e) to promote harmony and the spirit of co-operation and brotherhood amongst all the people

transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

- (f) to value and preserve the rich heritage of our composite culture;
- (g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;
- (h) to develop the scientific temper, humanism and the spirit of inquiry and reform;
- (i) to safeguard public property and to abjure violence;
- (j) to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and achievement."

[Translation]

It is absolutely correct that the chapter relating to Fundamental Rights was reduced a little as before the insertion of a chapter on fundamental duties of citizens, an Article 31A was already in force in the constitution and according to this article.

[English]

An organisation or an association which is intended or which is a part of a scheme which is intended to threaten or disrupt harmony between different religious, racial, linguistic or rational groups, or castes or communities can be declared as anti-national and the Government can take action against such an organisation.

[Translation]

It was at that time when there were such organisations which used to disrupt communal harmony on the basis of religion. The right to ban such organisations was provided under Article 31B of the Constitution. But after the declaration of emergency, this article was deleted from the constitution of India only on the ground that the Government should have no right to ban on organisation arbitrarily in the Indian democracy. The then Government had banned these organisations by misusing all the provisions of emergency.

17.00 hrs.

It was keeping in view such a perception that the then Government and Parliament deleted that article from the Constitution of India. However, we gradually observed that after the deletion of above article, some people took it upon themselves to spoil communal harmony, create racial and religious hatred and instead of seeking votes on political

issues or issues confronting the poor, they sought votes by raising religious issues. This posed a challenge to the social harmony, fraternity, mutual love and the unity of India. In such a situation, it is necessary to make a new provision in the constitution and it is in this spirit that I have put up this Bill, seeking for insertion of this chapter, for the consideration of the House. While presenting my constitutional amendment, I expect that it will not be mandatory for the Government. I have no intention to give a right to ban an organisation. There is already a provision under Fundamental Duties to ward off any challenge to our rich historical heritage and the issues and values of national movement. These will not face any challenge when there is a chapter or an article to warn an organisation or candidate to desist from seeking vote on the ground of religion by creating social hatred and racial discrimination. When our country became independent and a new constitution was being written, the national leaders had some expectations from the framers of the constitution as well as Parliament of India. The great national leader, Pandit Jawaharlal Nehru had said:

[English]

"The first task of this Assembly is to free India, frame a new Constitution, to feed the starving people, to clothe the naked masses, to give every Indian the fullest opportunity to develop himself according to his capacity".

[Translation]

The great national leader who provided a bold leadership in the freedom struggle and who was a strong guiding force behind making of the Constitution of India, had expected of us work for providing a square meal, shelter and clothing to the poor. But, we have forgotten the goal set by him and instead concentrated on seeking votes on the basis of religion and castes. We have drifted away from the right track. The framers of our constitution had given an option to the future generation of India to make necessary amendments as per the situation prevailing in future. He had said:-

[English]

"We will frame a Constitution and I hope it will be a good Constitution but does anyone in this House imagine that when a free India emerges, it will be bound down by anything that even this House might lay down for it? A free India will see the bursting forth of the energy of a mighty nation. What it will do and what it will not do I do not know. Some people imagine that what we do now may not be touched for ten years or 20 years. If we do not do today, we will not be able to do it later. We are on the eve of revolutionary changes, revolutionary in every sense of the word

because when the spirit of a nation breaks, it binds its functions in a peculiar way. It may be the Constitution, this House may frame which may not satisfy the free India. This House cannot bind down next generation or the people who will duly succeed us in this task."

[Translation]

He had said that he could not guarantee if the next generation after 10-20 years would follow the task set by his generation. Therefore, they thought to make the constitution so flexible that the coming generation could exercise the right to make suitable changes according to the circumstances prevailing in those days. Today, the time for the change has come because there are communal riots in different parts of the country and there is increasing participation of political people in communal flare ups. Further, the political parties who had remained away from such issues started embracing them during the last 7-8 years. It is a matter of concern that in a country like India where majority of the population is poor and on which the people of whole world as well as the developed countries or so called big powers cast an ugly look, we divert our attention from the progress of the country to issues like temple and mosque. However, I agree that religion is an issue which is certainly linked with individual mind or individual spiritual endeavour. We cannot impose it on the society through politics. The great national leaders of our country, whether they belonged to this century or the previous century, laid stress on this point. I would like to quote an incident. In 1893, a great man of this nation, Swami Vivekanand reached Chicago to attend a Religious Conference without an invitation. He was dressed in simple clothes. However, later some Americans invited him to a big conference being organised in America. When he stood up to speak and began his speech with words "Brothers and sisters of America", the whole gathering gave him a big applause. I would like to quote the definition given by him of the religion in that conference.

[English]

"Today, as always man seeks God and often without knowing his doing so, all human activity, good, bad, or indifferent is actually the misapplied search for God. The fact is that man in his true nature is already divine, but this divinity is covered. Life's one purpose, the realisation of divinity.

Realisation of divinity is religion. At best, all religions teach the same truth, although assertions often obscure it. *Vedanta* emphasises that one objective of realisation but accepts diverse methods of reaching it. Realisation may be gained by the practice of Yoga of knowledge or of control of mind or of selfless work or of love of God or by a combination of Yogas.

The great Prophets of world afford lively examples of the realisation of divinity. As models they inspire man and as dispensers of grace, they assist him towards realisation..."

[Translation]

What he meant to say was that the great Prophets of the world believing in different religions made the God as a medium of realisation. That too was the medium of humanity and it was the real religion. He had said:-

[English]

"...Each soul is potentially divine. The goal is to manifest this divinity within by controlling nature, external or internal. Do this either by work or worship or psychic control or philosophy by one or more or all of these and be free. This is the whole of religious doctrines or dogmas or rituals or books or temples or forms are but secondary details."

[Translations]

He further said. "I am he".

[English]

"Vedas say, 'I am He'. The truth that there is that one in whom this whole universe of matter and mind finds its unity, whom they call God or Brahma or Allah or any other name, we cannot go beyond that. The grand principle has been already mapped out for us. Our work lies in filling it in, working it out, applying it to every part of our life. We have to work now so that everyone will become a Prophet."

[Translation]

What he meant to say is that there is only one soul in all human beings and we were trying to disunite people by spoiling communal harmony. The disunity among people becomes the cause of disintegration of the society. In the preamble of the constitution we have accepted socialism and envisaged a secular society. It will be unfortunate if we contest election on the basis of such slogans which stoke communal fire and divide the society. Hence, I present this Bill with a good will for the consideration of the House. I hope that all Members of the House will support this Bill by rising above party lines.

With these words, I thank you for giving me an opportunity to present this Bill which is the first private Members' Bill of 12th Lok Sabha. Due to some unfortunate situation, I lost my concentration and deviated from the track. However, I once again thank you and conclude.

SHRI SATYA PAL JAIN (Chandigarh) : Mr. Chairman, Sir, I am grateful to you for giving me time to express my views on the Private Members' Bill introduced in the House by hon. Member Shri Mohan Singh.

[Shri Satya Pal Jain]

I think that the Constitution amendment introduced by Mohan Singh ji needs serious consideration. The Constitution of India did not contain any chapter on fundamental duties of citizens when it was drafted. When emergency was imposed in India in 1976 some amendments were made in Constitution during 1975 and 1976. One of the amendments was inclusion of a chapter on fundamental duties as the Constitution already had fundamental rights. During emergency I was a Student. We had opposed emergency and also the then Prime Minister Smt. Indira Gandhi on all such issues but on one issue probably whole country had agreed that a chapter was included in the Constitution which interpreted duties of citizens. Details of duties were mentioned in this chapter but no provision was made for implementation through courts in case of non-compliance of duties. I think there are many fundamental duties under Article 51 which come under chapter 2(a) Article 51(a) and these were very essential and it has been mentioned them. There are several institution and many persons who want to show disrespect to the national flag and national song. Under this chapter, provision has been made that every person would respect national anthem, national flag. I think that a very good fundamental duty has been included which says that it would be the duty of every Indian citizen.

[English]

Now, I quote article 51A(j):

"It shall be the duty of every citizen of India to strive towards excellence in all spheres of individual and collective activity so that the nation constantly rises to higher levels of endeavour and was the most important fundamental duty which was cast on every citizen.

[Translation]

Today, we are happy that Mohan Singh ji wants to include another chapter under it. He has proposed a provision restrain all political parties and individual from seeking votes in the name of religion. I want to bring one thing in the notice of Shri Mohan Singh. Already there is a provision under section 123 of Representation of peoples Act, 1951 and subsection (7) says that if any person seeks vote in the name of religion, if any person seeks vote on communal issue and if any person seeks vote on a religious symbol then his election is cancelled if it is proved. There are several such instances wherein different courts throughout the country have disqualified the winning candidate for seeking votes in the name of religion, language, region or on communal issue. It is not that this provision is only in the Representation of Peoples Act. This provision is there in Municipal Act, Corporation Act, Gram Panchayat Act and many other Acts as well.

I want to request Shri Mohan Singh that we do agree with his feeling and it is true that the country should not be divided in the name of religion and castes. We should not seek votes in the name of religion and caste, but alongwith this provision you would have to define of these two three words in the context of India in the right perspective. If you want to impose this restriction that any person or political party should not seek vote in the name of religion, it should his fundamental duty. First of all we have to consider that if this provision is violated what action can be taken under the law and if we cannot do so under any law, can a provision be made under Constitution. If we cannot implement them the position further deteriorates. You have said something about religion. I agree with that and there are two views on this point. Religion in an English word and Dharma is not the proper translation of this word. In our country, 'Dharma' and religion are two different things. Religion is a foreign word which has come from the West. Here Dharma means your duties, your moral duties. We often say that it is Dharma of king to be ready for making sacrifice upto any extent for the sake of his people, now it does not mean that you cannot utter this sentence during election. There is Dharma of father, son, mother and husband. Thus here the interpretation of Dharma is totally different. First of all what would be treaded as seeking vote in the name of religion, this has to be well defined.

In this country there are people who believe in several religious speaking number of languages and belonging to many sub castes and they may have their own peculiar problems. If we make this provision without due deliberations it may create some problems. Tribals have their own way of praying. There are sikhs brethren living in Punjab having together own way of prayer they have their own party. Even in other States, there may be such parties. Even though they do not indulge in any type of communal issue and do not speak against any other person, yet if they want to organise their religion, language, community, caste, then would we prevent them also from fighting election? We are to ponder over this issue. If we accept this amendment without considering all aspects, then it may cause numerous legal complications. Representation of Peoples Act also has this provision which prohibits a person from seek vote in the name of his religion or the religion of the voters.

[English]

"A candidate cannot seek vote in the name of his religion and the courts have defined a number of times that 'his religion' will mean either the 'candidate's religion' or the religion of the voters."

[Translation]

On many occasions this provision may be damaging in case we do not explain it fully. If a person wants to speak against the injustice being met out to the people of a particular religion, genuinely, then he may be covered under this provision. Suppose a candidate is a Muslim voter is not Muslim and suppose, voter is also Muslim and if anybody says no, in that State atrocities are being committed against sikhs or in such and such State, excesses are being committed against Christians, then would we like to put a ban against him also? Presently, Representation of Peoples Act does not take note of such instances. Our several Hindu brethren, several Members sitting in the House claim that they are fighting for the rights of Muslims. The person seeking vote is also a Hindu and voters are also Hindu, then can we say before them that excesses are being committed there against the Sikhs or cannot you say that excesses are being committed against Muslims or Christians. Whether our brethren of Shiv Sena fighting elections in Maharashtra cannot make a mention of Andhra Pradesh, Punjab, Tamil Nadu? Try to understand its serious consequences. I would request that serious thought should be given to this proposal. Mohan Singh ji, we agree with your feelings but you should also think over legal aspects and legal consequences of this proposal. So in my view serious thought should be given to this proposal and its legal aspect should be studied. It would be better if how Ministry does more work on this issue and Mohan Singh ji should consider it and try to make it more specific.

In the end I would like to say one more thing. You want to impose restriction on the candidate as well as on the political party. Political parties are registered and this process is governed separately. For this purpose there is Representation of people Act, 1956 which deals with registration of political parties, electoral voters. It does not have such restriction. If a political party indulges in such things then it would be difficult to book it under the condition laid down in this Act because unless you interpret it fully, practical difficulties may crop up in enforcing and implementing this clause. We agree with the spirit of this move, but this issue should be seriously discussed. Do not make it a political issue. Are the political parties should discuss it thread bare and unanimously arrive at a decision so that a clear cut policy may be formulated on this issue.

With these words. I conclude my speech.

[English]

MR. CHAIRMAN : Shri K. Rosaiah.

SHRI KONIJETI ROSAIAH (Narasaraopet) : At the outset I would like to thank you for giving me an opportunity to say a few words on the Budget proposals for 1998-99.

MR CHAIRMAN : This discussion is not on the Budget. It is a Private Members' Bill. Shri Mohan Singh has introduced a Bill to amend the Constitution.

(Interruptions).

SHRI K. ROSAIAH : My apologies to you and to the House. I have just now come. I thought that the Budget discussion was going on.

MR. CHAIRMAN : Shri V. Radhakrishnan.

SHRI VARKALA RADHAKRISHNAN (Chirayinkil) : I just now got the Bill. This has to be made a fundamental duty under the provisions of the Constitution. With due respect to my learned friend, I oppose this amendment. This cannot be included in the Constitution. It is mainly a matter of procedure and it has to be dealt with by a statute.

Take for example, the Representation of the People Act wherein there are provisions for conducting elections, what are election authorities, what should be the procedure for the conduct of all elections throughout India. I agree with him and the Members involved in this Amendment. It is good. But this can be achieved by other means. It can be achieved by making suitable amendments in the Representation of the People Act. It is also enforceable. It is also having the same validity as the Constitution of India and our courts, the High Courts and the Supreme Court decided cases under the provisions of the Representation of the People Act. Even elections are set aside and even the fitness of a candidate is questioned and the courts stated that he is unfit to be a candidate.

Recently, if I remember correctly, there was a provision initiated by the Chief Election Commissioner that persons who are involved in criminal cases and persons who have been convicted in criminal cases are disqualified to be members of the State Legislature or Parliament as the case may be. That being the case, even the Election Commission had done it and it is giving directions to the people who are entrusted with the conduct of the elections regarding these matters. Everybody knows that religious feelings should not be the basic factor for conducting the elections.

I would submit to my learned friend that this should not be done in this way. After all in our Constitution there is nothing mentioned about political parties. If you go through the entire Constitution you will not find the word 'political party'. There the matter is dealt with on the basic principles concerning the citizen.

If you go through the entire Constitution, you will not find any mention of any association or of any political party. It is not imperative to include the conduct of the political parties in the Constitution. Of course, a number of political parties are there. This is a matter of procedure. It can form part of the Representation of the People Act. The Election

[Shri Varkala Radhakrishnan]

Commission has recently issued a notification without an amendment. If I remember correct, there are provisions in the said Act and they are enforceable like the articles of the Constitution. The high Courts and the Supreme Court pronounced decisions regarding the provisions of the Representation of the People Act. A candidate's election can be set aside by the High Court under the provisions of the Representation of the People Act and the candidature can also found to be invalid by the courts. When such provisions are there, this can also find a place in the said statute. It will not be fair to add the present amendment along with the fundamental duties provided under article 51(A).

Now, in our Constitution, the founding fathers of the Constitution did not enunciate the fundamental duties. They only added the fundamental rights. There are two types of fundamental rights, justiciable and non-justiciable. Justiciable fundamental rights are enforceable in the court of law, in the form of writs whereas non-justiciable fundamental rights will form part of the Directive Principles of State Policy. For example, the controversial issue regarding the Uniform Civil Code is still an issue of non-justiciable fundamental right. It is still one of the Directive Principles of State Policy unenforceable through court. Our right to work is not a fundamental right. It is only a non-justiciable fundamental right and it can be in the Directive Principles to be followed by the State Governments as well as by the Central Government. It cannot be enunciated through a court of law. I cannot go to court and say that I am unemployed and I must get some job. The court will not entertain it. It is because it is not justiciable. Here, the Section 51(A) is a non-justiciable fundamental right. However, when we have decided the fundamental rights, there was no specific provision for providing the fundamental duties.

My friend, the mover of the Bill is asking us to include a later portion as Section 51(B). It is not a fundamental duty of the citizen. It may be a fundamental duty of a political party or an association. Here, Section 51(A) deals with the fundamental duties of an individual citizen. My hon. friend, through an amendment, is trying to bring a new Section which asks a political party or a body or an association, not to put up candidates who are propagating religious feelings and such other things.

So it is a duty assigned to a group of persons or a political party or a political association. It has nothing to do with the Fundamental Duties provided in article 51A in Part IVA. So, it will be out of place not only because the words 'political party' and 'body of association' do not occur in the Constitution, it will be out of place if we add this article to that Part of the Constitution.

Therefore, with due respect to my learned friend, with due respect to the Mover of the Resolution, I am constrained to oppose the Bill. This cannot form part of the Constitution. It will be unfair, it is not legal and it is out of place, if I may put it correctly, to add such a provision after article 51A. Hence, I oppose it and I may be excused for that. This is what I have to submit on this Amendment Bill.

[Translation]

KUMARI MAMATA BANERJEE (Calcutta South) : Mr. Chairman, Sir, as far as the spirit with which the Bill has been moved by Mohan Singhji in the House to make an amendment in Article 51B of the constitution, is concerned, I agree with him. The spirit behind the Bill is that religion should not be dragged into politics and if it happens, legal action should be taken. It is true that there are a number of laws in the country to deal with it. But it is a matter of distress that they are not being put in to practice in the right perspective. After independence, one after another Governments have assumed office but this issue remains unresolved though it has very clearly been spelt out in the Constitution and it has been stated even in the electoral reforms. A Committee has been constituted to look into electoral reforms and it is hoped that it would view this issue seriously. There is nothing much to speak on this Bill. I, however, agree to the spirit of this Bill moved by Shri Mohan Singhji in the House.

Baba Saheb Ambedkar prepared an excellent Constitution for the country. Now the situation is changing and the population of our country is on the increase. People with different ideologies and views live in the country. Keeping all these factors in mind, 78th amendment to the constitution was made. I want to make a submission in the House. Three years ago, I had written about 'Manvi' and remarked that if a woman is clad in a saree torn from place to place, it does not look good but if she wears an untorn saree, it looks nice. That is why I had made a suggestion that an expert committee should be constituted to suggest amendments in the Constitution and religion and politics should not be linked. I want to make one more point that if the political parties have a will and they succeed in their mission, no such Bills are required. If a political party lacks will-power, whatever number of amendments we may make in the Constitution, People's Representation Act or Electoral Reform laws, it is not going to serve any purpose. If political people have got a will to deal with such a situation, the present situation would not have arisen.

Mr. Chairman, Sir, India is a vast country. A number of languages are spoken, number of customs and rituals are observed. North has its own ethos while the South has a different life style.

[English]

South Indians have their own sentiments, North Indians have their own sentiments, Eastern people have their own sentiments and North-Eastern people have their own sentiments. But we all are together. We are happy that India is the biggest democratic country.

[Translation]

India is a multi-religious and multi-racial country. In spite of all these, we people live together in this country. Pandit Jawahar lal Nehru called it unity in diversity. Mahatma Gandhi used to recite—"Ishwar Allaha Tero Naam, Sabko Sanmati De Bhagwan". Iqbal composed—"Sare Jahan Se Achchha, Hindostan Hamara. Rajivji gave the slogan-'Mera Bharat Mahaan'. These are the slogans of our country. In spite of all these 'Fatwa' is issued at the time of elections. Why does it so happen? Whatever religion it may be, no such 'Fatwa' should be issued. Those who issue such 'Fatwas' they do not work for community, or society, they do not work to make drinking water available, neither they work for the spread of education, they only keep on issuing 'Fatwas'. Whichever castes they might belong to, be the Hindus, Muslims, Sikhs or Christians, they should work for they solidarity of the people in the country. This should be our only motto and mission.

I am pained to relate this incident. Recently elections were held in my State. I do not want to quote anybody's name otherwise there will be a quarrel. We have formed a habit of indulging in fightings. It is enough to point out what I mean to say. Some people canvassed against us in my Constituency and asked people not to vote in my favour, Why? Because she would set 'Quaran' afire. I very much respect 'Quaran'. Such things are said about women in our country.

[English]

Is it fair on the part of political leader to give such type of a speech.

[Translation]

If a riot takes place, it is we people who visit the victims, no one else visits them. We people fight for such causes. People are incited to cut the Hindus, Muslims, Sikhs and Christians to pieces. They claim to be more secular. Those who talk of secularism,

[English]

I am sorry to say that they do not behave like secular people.

[Translation]

They are black sheep. That is why, they talk very much of secularism. I, therefore, caution shri Mohan Singhji that

Hindu-Muslim unity should not be talked about only at the time of elections. Once the elections are over, they again raise the issue relating to minority and ask for certain percentage for them. Our Constitution says,

[English]

the majority is the protector of the minority. Everybody is in the minority in different areas. I stay in West Bengal, I may be in the majority there, but I am in the minority in Bihar, South India, Maharashtra, Delhi, Gujarat and Assam. But we respect that because,

[Translation]

our geographical condition is such that we have to take care of them. It is true that Muslims are in minority. Sikhs are in minority, Christians are in minority. I want that we should talk about their developments but nothing of this sort happens. We are all guilty of it. That is why I say whatever the number of Bills we may bring forward, unless we have a political will, we cannot get the desired results. We talk of 33 per cent reservation for women. This provision has been made in Panchayats, Municipalities. Women contest elections but what is their position? Is this reservation their protector? Will this provision for 33 per cent reservation protect them? Women contesting elections are raped and murdered? Is this the protection for women? It is not the protection. We have provided for reservation to SCs and STs but many of them do not get the benefit. Gandhiji has said.

[English]

"Untouchability is a crime."

[Translation]

Dubbing one or the another political party as untouchable is not proper. A political party should be fought in a political manner. We should not fight in the name of religion, which is improper. This is not for a single political party. All the political parties should think and behave in such a manner that we do not dub any party as untouchable. Balagaudaji may be a Muslim but does he not get Hindu votes. I am a Hindu but there are a large number of Muslims in my Constituency.

[English]

They vote for me because if they are in trouble I always go there. We always look into their problems. This is our tradition, this is our custom.

[Translation]

I witnessed it in Hyderabad where a riot broke out that they are not Hindus or Muslims who engineer riots but they are the hooligans who cause such riots. Those Hooligans are the traitors of this society. No hooligan can be an asset

[Kumari Mamta Banerjee]

to a political party. Today not only religion but casteism is also a factor that plays a role. Earlier, there were no caste related riots but at present, they take place as to who is the leader of which caste. Mulayam Singh is a leader of a particular caste, so is Lalu Prasad.

[English]

There are some other parties. They are also champion of other castes.

[Translation]

Balagaudaji and Mulayam Singh are the leaders of Muslim communities. What is all this? I feel that is good for all to live in peace and harmony. Therefore, it is not good to exploit religion for political ends neither it is good to profess the same. That is why it is my request that we should not indulge in such practices. When the question of electoral reforms is under discussion, it is high time to constitute a committee which would go into all these points carefully. We have the 'People's Representation Act' under which a High Court has given verdict that a criminal should not be given ticket to contest elections. A number of people get elected as MLAs and MPs with criminal records or sometimes they are not elected. There are a number of such people. We have laws to deal with such people. But why do not we apply these laws? There is a couplet in this context "Climate changes, seasons change, everything in the world undergoes change, but why the nature and character of political leader do not change." If these people transform themselves then we would not require all these things. We can find solutions to all these things by sitting together.

[English]

If there is a will, there is a way.

[Translation]

I also feel that providing protection to the minorities, Dalits is our paramount duty. Our Constitution provides:-

[English]

The Scheduled Castes, the Scheduled Tribes and women should get proper respect.

[Translation]

We do not want to divide Hindus, Muslims, Sikhs, Christians or other communities. Dividing people is a easy job but uniting them is difficult task. Hence, let us make a resolve in this House that we should not do any such thing in the elections which would disintegrate the country, creates chasm in the politics or divide the people. If it happens, our country will not be able to make progress

and it would not help us to make India a country that we want it to be.

We wholeheartedly support the Bill moved by Shri Mohan Singhji. Politics should have no link with religion. Politics is politics and religion is religion. But I condemn those people who play politics with religion. We should take a decision which should be binding on everybody. If we do not act and march unitedly we would not be able to achieve any goal even if we pass this Bill or bring forward any private Member's Bill. In our freedom fight, it was not any single community but all people belonging to all religions fought together.

[English]

We have every kind of regiment in our country. We are proud of our regiments. That is why, my request to all the leaders and Members - elders and youngsters - would be that we should not divide ourselves only because of elections.

[Translation]

We have to think as to how to solve the economic issues amidst the politics of vote and what sort of society we have to make.

[English]

But we do not discuss economic and social issues. We only divide ourselves in the ballot box - who are Hindus, who are Muslim, who are Christians and who are Sikhs. After that, nobody thinks about the poor people, the weaker sections, the minorities, the Scheduled Castes, the Scheduled Tribes, the OBCs and the women. That is why. ...*(Interruptions)*

SHRI T. GOVINDAN (Kasargod) : What is the fate of your Party in West Bengal?

MR. CHAIRMAN : Please, first you listen. If you want to intervene, I will give you time.

KUMARI MAMATA BANERJEE : Sir, he has asked some clarifications. I will tell him. Our fate is very good. Do you know that? We have broken so many Red Belts. We are a five-month old Party. This Party was set up on 1st of January. Do you know what has happened after that? We got 45 percent votes this time in rural areas.

Sir, there were 95 deaths in *Panchayat* elections. It never happened even in Bihar elections and you say that Bihar is worse. Now, West Bengal is worse than Bihar. Please remember that there were 95 deaths till today in the elections. A minority woman was raped and paraded naked. Her name is Shabiran Bibi. Her village name is Parasar Bishnupur, District - South 24 Parganas, Saldat Begam Police Station, District Howrah.

[Translation]

She was paraded naked with her head Clean Shaven.

[English]

A Scheduled Caste woman was our candidate and she contested the election. Her name is Chapla Sardar. She was raped and she was hospitalised. Do you want to know anything more?

SHRI C.P. RADHAKRISHNAN (Coimbatore) : How many of them were from RSP and Forward Bloc?

KUMARI MAMATA BANERJEE : Sir, the most unfortunate part is that the cadres of the C.P.M. went like Chambal dacoits.

[Translation]

They came on horse. They amputated her legs and hands back. They tied her mouth with bandage and set her afire.

[English]

The death toll comes to more than 95 persons — C.P.M. - 4, C.P.I. - 1, R.S.P. also 1, T.M.C. - 57 AND B.J.P. - 40. Are you satisfied now? Sir, he asked me that is why I am giving these details.

They ask the villagers to pay rupee one lakh. Otherwise, they are not allowed to enter the village. There is no drinking water. We have started a *lungar*. Even your friends are being killed. You just go and see. That is why I say that politics and religion are two different things. Let us sit together, let us speak together and let us unite together.

Sir, I feel that the minorities should get protection. They are not getting any protection. I am in favour of reservation for minorities. If you ask me why I will tell you, it is because they have got only one per cent employment opportunities. They are not getting any advantage. I am in favour of reservation for minorities like OBCs. Of course, 11 per cent persons in India belong to minority. In my State the percentage is higher than that of India. It is 28 per cent. But their employment opportunity is only one per cent. That is why,

[Translation]

I want this to be incorporated in the Bill moved by Sh. Mohan Singh,

[English]

that there should be some reservation for the minorities. We should see the interest of the people and not mix politics with religion.

[Translation]

We should not try to make vote Banks, rather we should live together like brothers and sisters to achieve the objective before us.

I would like to conclude my speech with the couplet "Khudi Ko Kar Buland Itna Ki Har Tadbir Se Pahle Khuda Bande Se Khud Puchhe Bata Teri Raja Kya Hai." You should strive to attain such heights, even Almighty asks your wish before he decides your destiny.

SHRI K.D. SULTANPURI (Shimla) : Mr. Chairman Sir, the intention of the Bill is good. He wants to bring about an amendment in Article 51 of the Constitution so that the political parties do not incite religious sentiments and fight election on that basis. There is no mention in the Constitution as well as in the Representation of People's Act in this regard. Therefore it is all the more essential. In the recently concluded elections the Election Commission had instructed that no candidate would try to incite religious sentiments and disturb communal amity as it is detrimental to the unity of the country. During elections the candidates launch their election campaign by visiting Mandir, Gurudwara and Masjid. They seek the blessings of the Gods.

In my view no efforts should be made to fan communal or religious sentiments during the elections. All the responsible parties should refrain from doing so. There is no such provision in the Election procedure and the Constitution in this regard. Lot many things have been said here. During the election caste factor is also being raked up. Casteist feelings are also flared up during the Panchayat, Municipal and Assembly and Parliamentary elections. Every effort is made to divide the voters on caste basis. This is done to keep votes intact. By dividing the votes we are dividing the nation. We Parliamentarians should strive to put an end to this.

17.52 hrs.

[DR. LAXMINARAYAN PANDEY *in the chair*]

I think there is no need to amend the Constitution. Stern action should be taken against those who incite communal feelings during the elections. A writ petition can be filled against him. These things should be kept in view.

Mamataji pointed out that in remote areas there are tribals, who have their own religions and rituals. There are different tribes. They fight elections on those issues. The area of Tehri Garhwal near Dehradun in U.P. is adjoining my Constituency. It is a tribal area. We practice monogamy here. But in that area particularly in Transgiri a woman can marry five persons. This is a custom there. If their feelings are incited and they are told that in the present day world their custom is wrong, it would not be proper.

[Shri K.D. Sultanpuri]

They are happy with their customs. The area which falls in U.P is a tribal area but our area is not tribal. During elections their religious sentiments are incited. I would urge the Central Government to bring about some amendment so that this could be checked. Nobody can make the country strong by dividing the castes and communities. We are all one and the strong bond of brotherhood among us would keep the country united. It is only then we can make progress.

The spirit behind Private Members' Bills are always good as they comes from the core of their heart. Shri Mohan Singh has presented his case very well. I respect his sentiments. He has rightly said that the amendment has been brought about so that nobody is able to take political mileage out of it. Today an effort is being made to draw political mileage by flaring of religious sentiments. Nobody should try to incite such feelings. In our set up religious and political fora are separate. Today most of the people are religious-whether they are Muslims, Sikhs, or Christians. When we take oath here we take oath in the name of God or an affirmation. We have to take oath before elections. There is no need to go into further details of this Bill. You have rung the Bell. Shri Mohan Singh has brought a good Bill before the House. I would urge the Government to bring about an amendment in the Constitution to this effect.

[English]

SHRI SUDHIR GIRI (Contai) : I thank you for giving me this opportunity to speak on the importance of this Bill.

Shri Mohan Singh has brought this Bill. This Bill is very important. It should be discussed thoroughly because its implications are very very important.

Our Constitution is secular. The founding fathers of our Constitution have stipulated that our State will be a Central State and the basic features of the Constitution are federalism, Republican form of Government, secularism, Parliamentary form of Government and the authority of the Constitution.

Regarding secularism, it has been given to understand by the Supreme Court that the State shall have no religion of its own and all persons shall be equally entitled to freedom of conscience and the right to practise and propagate religion.

Secularism is so important to us that whenever any political party or any individual practices communalism or try to get votes by propagating a particular religion, we condemn him because we think that such way of getting votes through religious propaganda is a crime which should be prevented.

What is religion? Religion is a faith in extra terrestrial object and a belief in the omnipotent. Those who have such a belief think that beyond him, There is nothing.

18.00 hrs.

There are various religions. But we must know that religion is born out of the society. At a particular moment, during the evolution of the society, a particular religion has come out just as the *Bhagavad Gita* was written when there was a confrontation between the Buddhists and the Hindus. So, to protect the Hindus from the Buddhists, the *Bhagavad Gita* was evolved. In this way, we must know that outside society there is no religion. Those who are firm believers in the evolutionary theory say that in the primitive ages there was no religion at all. Subsequently, when the State was formed on the basis of some greedy people, religion came into being in the society. Every religion is, therefore, the manifestation of the social needs of a particular point of time.

Religion pertains to an individual. It does not pertain to a group. One may be born in a particular family belonging to a particular religion, but he may be converted to another religion. Shri Ramakrishna Paramahansa, the famous Guru of Swami Vivekananda practised Islam for a year or so. He had also practised Christianity for a year or so. After practising all these religions, he said that Allah, God and Ishwar are all one. We should condemn those who try to create division in the society among the individuals in the name of religion. There should be no scope for them to go to the people in the name of God or in the name of something else so that they can get votes.

Sir, now it is six of the clock. I shall take at least ten more minutes. May I be permitted to speak? ...(*Interruptions*)

MR. CHAIRMAN : For this Bill, only two hours are allotted. There are so many Members who want to speak.

SHRI SUDHIR GIRI : It is six of the clock now. Private Members Bill will continue up to six of the clock only.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS AND MINISTER OF SURFACE TRANSPORT (DR. M. THAMBI DURAI) : He wants to know whether you extend the time of the House after six of the clock. You can take the sense of the House.

MR. CHAIRMAN : We started the discussion on this subject from 4.50 p.m. Two and a half hours are there for Private Members' Business. So, it should go upto 7.20 p.m.

SHRI N.K. PREMCHANDRAN (Quilon) : Earlier, it was decided to take up the matter of Maruti Udyog Limited at six p.m. ...(*Interruptions*)

SHRI SAMIK LAHIRI (Diamond Harbour) : Earlier an assurance was given by the Chair that at six of the clock the issue relating to Maruti Udyog Limited would be taken up under Rule 193.

[Translation]

MR. CHAIRMAN : Two hours were allocated for this item. Now it is already six O'Clock. If all the hon. Members agree we may extend the time a little bit. Discussion on this Bill was started a bit late. It is a Private Members' Bill and it was allotted two hours. It started 4.50 P.M. Earlier to that there the discussion was on the Budget. So two hours are not yet over. ... (Interruptions)

[English]

SHRI AMAR ROY PRADHAN (Coochbihar) : Earlier, it was decided by the Chair that we will continue this Bill later on and at 6 o'clock, we will take up Discussion under rule 193. ... (Interruptions)

SHRI SAMIK LAHIRI : Sir, with the consent of the House, the Chair, at that time, announced that Discussion under Rule 193 would be taken up at 6 o'clock. ... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, I am on a point of order. ... (Interruptions). The ruling was given by the Chair that Discussion under Rule 193 would be taken up at 6 o'clock. So, we should start that discussion now. ... (Interruptions)

KUMARI MAMATA BANERJEE : It should be taken up after the Private Members' Business is over. ... (Interruptions)

SHRI BASU DEB ACHARIA : That was the decision of the Chair. ... (Interruptions)

PROF. A.K. PREMAJAM (Badahara) : The rights of the Members will be violated if chance is not given for raising Discussion under Rule 193 now. ... (Interruptions)

[Translation]

MR. CHAIRMAN : Mr. Acharia had the Private Member's bill been taken up at the allotted hour of 3.30 hrs. it would have been completed by 6.00 P.M. But this business was actually taken up at 4.50 P.M. Therefore it is not proper to curb Members rights. If the Members agree we can take up the business under Rule 193 after this.

SHRI ADITYANATH (Gorakhpur) : Mr. Chairman, Sir, two hours are not yet over, therefore, it should continue. ... (Interruptions)

[English]

~ MR. CHAIRMAN : Hon. Members, please sit down. Hon. Minister is on his legs. He wants to say something. Please allow him to speak.

[Translation]

MR. CHAIRMAN : Please speak one by one. If you speak together no purpose would be served.

(Interruptions)

THE MINISTER OF INDUSTRY (SHRI SIKANDER BAKHT) : Mr, Chairman, Sir, since I am sitting here, three hon. Chairman occupied the Chair. According to the list of business this issue was to be taken up at 3.00 p.m. or immediately after the reply on budget discussion. The wisdom of the Chair decided that after the Finance Minister's reply this would be taken up. It was changed when the next Chairman decided that it would be taken up at 6.00 p.m. Now something else is being said. After all what is the matter. I cannot understand what is happening. ... (Interruptions)

SHRI CHANDRASHEKHAR SAHU (Mahasamund) : Mr. Chairman. Sir, when two hours have been allotted for Private Member's business it is logical that the discussion should be completed as this business was taken up at 4.50 p.m. ... (Interruptions)

[English]

SHRI SAMIK LAHIRI : Sir, this Bill may be continued in the next Session. There is no problem about it, But Discussion under Rule 193 should be taken up now.

[Translation]

MR. CHAIRMAN : It would be better if we take up the Discussion under Rule 193 after the time allotted for Private Member's Business is over.

(Interruptions)

MR CHAIRMAN : How can it be taken up in between. If we start business under Rule 193 now how can Private Member's business be taken up later. How is it possible?

[English]

SHRI BASU DEB ACHARIA : Sir, this Bill relating to the Private Members can be continued in the next Session also. ... (Interruptions). But it was the ruling given by Chair that the Discussion under Rule 193 would be taken up at 6 o'clock.

[Translation]

MR. CHAIRMAN : Had the Private Member's business been taken up at 3.30 p.m. it would have been over by 6.00 p.m. As it was not taken up at 3.30 p.m. therefore, the next item would be taken up after this over.

(Interruptions)

[English]

SHRI K. KARUNAKARAN (Thiruvananthapuram) : I was present here. The hon. Minister was also present.

[Shri K. Karunakaran]

Then the Chair decided after taking the views of the House - and the House unanimously agreed - that it would be taken up at 6 o'clock. Now it is 6 o'clock. If two and half hours time were to be given to the Private Members' Business. It should have been taken up at 3.30 p.m. So, let the Chair decide about the proceedings of the House.

[Translation]

SHRI ADITYANATH : Mr. Chairman, Sir, had the Private Member's business started at 3.30 p.m. the discussion under Rule 193 could also have started at 6.00 p.m. But our friends from the opposition particularly our Communist brethren did not allow it and therefore the business was taken up at 4.50 p.m. Two hours were allotted for this and therefore the discussion under Rule 193 could be taken up only after 6.50 p.m. and not before that.

[English]

MR. CHAIRMAN : Why are you complicating this matter?

(Interruptions)

[Translation]

MR. CHAIRMAN : Please sit down. As the Private Member's business was not taken up at 3.30 p.m. therefore, discussion under Rule 193 cannot be taken up at 6.00 p.m. Please allow the two hours time allotted for Private Member's business to be over. We can take up discussion under Rule 193 thereafter.

[English]

I am taking the sense of the House again. If the House agrees then we can take up the next business.

SEVERAL HON. MEMBERS : The House has not agreed.

MR. CHAIRMAN : The House is divided now.

(Interruptions)

SHRI S. JAIPAL REDDY (Mahabubnagar) : I am on a point of order. Thank you for the opportunity.

SHRI K. BAPIRAJU (Narsapur) : Why should you thank the Chair so many times.

PROF. A.K. PREMAJAM : That is the courtesy.

SHRI S. JAIPAL REDDY : Sense of the House on any given issue can be taken; but only once. Before you took over as Chairperson, your predecessor who was in the Chair took sense of the House and gave a decision that irrespective of the state of the debate on the Private

Members' Bill this issue would be taken up at 6 o'clock. It is not legally correct to take sense of the House a second time on the same issue in the course of the same day.

MR. CHAIRMAN : I am taking sense of the House to know what would be the fate of the Private Members' Bill. So, I have to take sense of the House.

(Interruptions)

MR. CHAIRMAN : The House is divided. Please sit down.

SHRI BASU DEB ACHARIA : We were allotted time but we are not allowed to speak. ... (Interruptions)

MR. CHAIRMAN : Please take your seats.

SHRI BASU DEB ACHARIA : This was the decision taken by the Chair. ... (Interruptions)

SHRI N.K. PREMACHANDRAN : They are trying to stall this discussion because they want to hide the facts.

MR. CHAIRMAN : The hon. Minister is ready.

SHRI RUPCHAND PAL (Hooghly) : This is a serious matter. ... (Interruptions)

SHRI SANIK LAHIRI : This is not correct.

SHRI ANIL BASU : You are creating a very bad precedent. ... (Interruptions)

[Translation]

SHRI CHANDRASHEKHAR SAHU (Mahasumand) : Mr Chairman, Sir, the House does not agree to it. ... (Interruptions)

[English]

MR CHAIRMAN : This is not proper.

18.16 hrs.

At this stage, Shri Basu Deb Acharia, Shri S. Jaipal Reddy and some other hon. Members left the House.

SHRI A.C. JOS (Mukundapuram) : Sir, there is a ruling from the Chair. ... (Interruptions)

MR. CHAIRMAN : You will be given time after completing the Private Members' Business.

SHRI BHUBANESWAR KALITA (Guwahati) : The ruling is on record.

SHRI A.C. JOS : Please look into the record. ... (Interruptions)

MR. CHAIRMAN : Let us hear Shri Karunakaran.

SHRI K. KARUNAKARAN : Sir, at present, you are the Chairman. We will treat a ruling given by the Chair as a ruling given by the hon. Speaker. Your predecessor gave a ruling that the discussion will take place at six o'clock. ...*(Interruptions)*

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL KHURANA) : Mr. Chairman, Sir, we leave it up to you. Whatever you decide would be acceptable to us.

SHRI NARENDRA BUDANIA (Churu) : Mr. Chairman, Sir, the Government is afraid of discussing this important matter under Rule 193. They want to avoid it. This is not proper. This is anti-democratic. ...*(Interruptions)*

SHRI MADAN LAL KHURANA : You see, if you want to discuss, our hon. Minister is also waiting for it. He also wants to say something. ...*(Interruptions)*. Mr. Chairman, Sir, Yesterday also I had said that for the last three days only one side of the story is being presented. The hon. Minister should also be allowed to present the other side of the story. I had requested the hon. Minister to present the view point and he had agreed. I would request you that those who want to speak on the Private Member's business may be allowed another half an hour and discuss *(Interruptions)* and then we may take up the next item. ...*(Interruptions)*

[English]

SHRI BHUBANESWAR KALITA : There was a ruling from the Chair that it would be taken up at six o'clock. ...*(Interruptions)*. Why are you changing it all the time? ...*(Interruptions)*

MR CHAIRMAN : We are not changing the ruling. We are not departing from that. I am only saying that they may be given another half an hour to speak on the Private Members' Bill. Then, we will take up discussion under Rule 193.

(Interruptions)

SHRI A.C. JOS : Sir, I raised a point of order. At that time the Chairman gave a ruling that it would be taken up at six o'clock. ...*(Interruptions)*. You see the record. The Chair ruled that it would be taken up at six o'clock. That is why we are here. Now, it is past six o'clock. So, it should be taken up. Now, what is the difficulty in taking up this? ...*(Interruptions)*

DR. M. THAMBI DURAI : The hon. Members have every right to take a decision. We have no objection to that. But the Private Members' Business has got its own sanctity. The system is that two and a half hours are allotted for discussing the Private Members' Business. If we change that it will set a bad precedent. The Private Members may lose their rights.

Shri Basu Deb Acharia wanted that discussion under Rule 193 should be taken up at six o'clock. The Chair ruled that it will be taken up at six o'clock. ...*(Interruptions)*. You want to take up discussion under Rule 193. Do you want other hon. Members to give up their right to speak in Private Members Business? If we set a bad precedent, a time may come when every Friday the Members will lose their right. This is my humble suggestion. ...*(Interruptions)*. It is left to them. ...*(Interruptions)*

SHRI A.C. JOS : Sir, a week before last the same thing happened. We shifted the Private Members' Business from Friday to Tuesday. ...*(Interruptions)*

DR. M. THAMBI DURAI : That is what I am saying. Do not create that kind of a precedent. Then, we will lose that right.

[Translation]

SHRI MADAN LAL KHURANA : Please allow this discussion for another half an hour. ...*(Interruptions)* Please agree with me ...*(Interruptions)*

[English]

DR. M. THAMBI DURAI : It is a rare opportunity given to Private Members. The Private Members should not lose that right. ...*(Interruptions)*

MR. CHAIRMAN : We are not departing from tradition. We will complete the Private Members' Business within half an hour. ...*(Interruptions)*

SHRI P.C. CHACKO (Idukki) : The Government is not willing for a discussion. ...*(Interruptions)*

MR. CHAIRMAN : The Government is willing for a discussion under Rule 193. ...*(Interruptions)*

SHRI P.C. CHACKO (Idukki) : This was very much on the agenda. The Government is evading the discussion. ...*(Interruptions)*. I do not want to be interrupted. We want to say something to the Chair. Hon. Minister, please understand that. Hon. Minister is trying to evade the discussion. Unfortunately, we are at the receiving end. We are not getting the protection of the Chair.

So, a notice was given to raise a discussion under Rule 193. It was also listed to be taken up at 3 p.m. We gave a concession and said that let the hon. Minister complete his speech. We expected that the Government will also show the same generosity. Now they want to avoid the discussion. ...*(Interruptions)*

SHRI SIKANDER BAKHT : Who is avoiding a discussion? I am sorry, we are not doing that. ...*(Interruptions)*

SHRI P.C. CHACKO : We are also fighting for the privileges of the Private Members. We are not for interrupting their business. ...*(Interruptions)*. It is unfortunate that the Parliamentary Affairs Minister is doing like

[Shri P.C. Chacko]

this. They wanted the discussion on the General Budget to be over; we supported them. Now that it is over, they think that their problem is also over and they are not willing to listen to us. ...*(Interruptions)*

[Translation]

SHRI MADAN LAL KHURANA : For the last 15 minutes you are arguing. ...*(Interruptions)*. If you had started discussion on Private Members business it would have been over by now.

[English]

SHRI A.C. JOS : We wasted more than an hour in arguing this aspect. ...*(Interruptions)*

SHRI P.C. CHACKO : Why are you hesitant to have a discussion? ...*(Interruptions)*

SHRI K. KARUNAKARAN : Initially, to take up this discussion, the time was fixed at 3 o'clock by the Chair. Unfortunately, to accommodate the Government business, we have agreed to postpone it. ...*(Interruptions)*

MR. CHAIRMAN : It is Private Members' Business.

(Interruptions)

SHRI K. KARUNAKARAN : The hon. Minister concerned also agreed to it and said that we would take it up at 6 o'clock. Now if we are not allowed to discuss this vital issue, it is unfortunate. This issue is not a small issue. This will put the Government at a spot with evidence. So, they are afraid. They are very much worried about it. ...*(Interruptions)* So, They do not want to do it. ...*(Interruptions)*

MR. CHAIRMAN : No. They are also willing to take it up. They are asking you to wait for half-an-hour.

(Interruptions)

SHRI K. KARUNAKARAN : The Government is selling the nation's property to private party for nothing. We do not wish to associate with it. We would walk out.

18.28 hrs.

At this stage, Shri K. Karunakaran and some other hon. Members left the House.

[Translation]

SHRI MADAN LAL KHURANA : Mr. Chairman, Sir, let me reply. ...*(Interruptions)*

Sir, I want to bring it on the record. Just now Shri Karunakaran made a submission. I would, with your kind permission, like to make my point in that context. The hon. Minister will say how corruption took place in Maruti Udyog

Ltd. How 10 per cent shares were transferred and Suzuki was given the right of ownership? Everything will come to the fore including transfer of 10 per cent shares to Suzuki in blatant violation of rules. The hon. Minister is sitting ready since morning. I requested that half an hour more time be given for discussion on Private Members' Business. Had my request been accepted, the discussion would have been started by now ...*(Interruptions)* It means they do not want a discussion. They only want to defame. They want to twist the facts. I myself accepted the view because there was a one sided opinion being given for the last three days. It looked as if there was widespread corruption and it was sell-out. ...*(Interruptions)* The other view was not known to the Members. That is why, I requested the hon. Minister to present the other side of the view. ...*(Interruptions)* We are interested but Private Member's Business has its own importance. That is why, you gave your ruling. Although our Members were adamant, I persuaded them to agree on discussion for another half-an-hour. Had they agreed, the discussion would have started as it is already 6.30 P.M. now. It clearly shows that they are doing so deliberately. They feel that if the position is cleared by the Minister, they will have nothing to complain.

Hence, such charges are being levelled. It is their political trick and that is why, they have staged a walk-out. I have mentioned this point because if a statement is made by the Minister, it will be alleged that the statement was made in the absence of the opposition. Therefore, I feel that we will have to talk to the Hon'ble Speaker and remain prepared for a discussion in next session. They allege that we want to avoid a discussion. As you have seen, the hon. Minister who is the leader of Rajya Sabha, has been sitting here to clear the cloud. ...*(Interruptions)*

KUMARI MAMATA BANERJEE (Calcutta-South) : But, we want to hear him.

SHRI MADAN LAL KHURANA : Then, again they will complain that they were not given a chance to speak. Therefore, I request that this issue, as the hon. Speaker had said, should be kept alive and taken up after the House reassembles. We are ready for a discussion. We are not shirking because our conscience is very clear. This Government is responsive and transparent. It is prepared for a discussion any time. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Are we continuing with the Private Member's Business?

DR. M. THAMBI DURAI : Yes, up to 7.20 p.m.

[Translation]

SHRI MADAN LAL KHURANA : Please continue Private Member's Business and give enough time to the

Members by keeping this issue alive. We have no objection if it is taken up when the House reassembles on 3rd July.

[English]

SHRI MADHUKAR SIRPOTDAR : Sir, basically, the encroachment upon the Private Members' Business was wrong. We should not have agreed to have this discussion under Rule 193. ...*(Interruptions)* That is the basic mistake we have committed. ...*(Interruptions)* We should not have done it whatsoever may have been the reason.

[Translation]

SHRI MADAN LAL KHURANA : It was to be taken up at 3.00 P.M. It was hoped that the Minister of Finance would speak at 3.00 P.M. for half an hour and then Private Members' Business could be taken up from 3.30 P.M. to 6.00 P.M. But the way Shri Mulayam Singh and other hon. Members did not allow the House to be run for one and a half hour in the meeting. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Now, we are continuing with the Private Members' Business.

DR. M. THAMBI DURAI : Yes, up to 7.20 P.M.

MR. CHAIRMAN : Shri Sudhir Giri was on his legs. He is not present. Now, Shri Adityanath.

[Translation]

SHRI ADITYANATH (Gorakhpur) : Mr. Chairman, Sir, I rise to support the Constitution Amendment Bill, 1998 introduced by Shri Mohan Singh seeking for insertion of a new Article 51B. It has been provided in the Bill that there should be a ban on the political parties or candidates who seek votes on the basis of religion or castes and by inciting religious feelings. It is, no doubt, a praiseworthy step. However, I would like to say that the way religion is being interpreted in this House, a wrong message goes down to the people. One of the Members' has rightly interpreted religion. I would say that there could be no definite definition of religion. Unity in diversity is the hallmark of our nation. The following *Mantra* had also originated from this country:

Vedah Vibhinn Smritiyo Vibhinn
Naso Muniyasyah Matam Vibhinnam
Dharmasya Tatwam Nihitim Guhayam
Mahajan En Gat Sah Pantha.

But unfortunately, we never tried to understand that characteristic for religion. Under 42nd amendment to the Constitution also, we have been interpreting the word 'secular' as 'religion'. If we separate the religion which has taught us the lesson of morality in the name of honesty and duty, what will be the status of society? I feel that

today, we are reaping political benefit by inciting religious, caste and other feelings.

The problems of minorities were also touched upon in this House. Do minorities include those people who are in less number in a Hindu majority region? Are Hindus not in minority in Kashmir? Have the hon. Members ever found time in this House to think about the minority Hindus of Kashmir who number around 3-3.5 lakhs and are wandering from place to place as refugees and also about the state of affairs in North-Eastern States. In Mizoram, more than 51,000 refugees belonging to Riyang tribes have been expelled from Mizoram. Did the hon. Members sitting here ever think about their plight? Only Muslims have been considered minorities for gaining political mileage. Why does a discussion not take place on the minorities of North-East and Kashmir? In 1984, communal riots had taken place. Are Sikhs not in minority in this country? Do we not play with the feelings of the people of this country when we witness passions running high here? ...*(Interruptions)* Do we not play with the feelings of the people when a Member wants to raise any problem here but he is not allowed to speak and his speech is interrupted? We will certainly have to think in this regard. ...*(Interruptions)**

The need of the hour is that a message should go down to the people of the country through this House that whatever is being passed from this Parliament, that would be beneficial. ...*(Interruptions)*

MR. CHAIRMAN : Please conclude.

SHRI ADITYANATH : Mr. Chairman, Sir, I am also in a hurry. I have to leave and catch the train at 7 O'clock. I have risen to speak only on this issue.

I would submit that there should definitely be a ban on seeking votes by inciting religious feelings. A provision already exists in this regard. What is religion? If we create a feeling of self-pride among the people of the country, we are dubbed as communal or religious fanatic. But, there are some parties whose manifestos are based on casteism and they incite caste feelings. Do they not indulge in wrongdoing? Should they not be banned? We are for imposition of a ban on those parties which incite the feelings of the people. But, who will impose it? Who will think about it? It is observed that some political leaders pay a visit to Jama Masjid to get a *Fatwa* issued from there. Is it not wrong? Do they not ask for votes on the basis of religion?

We talk of giving equal rights to the woman in this country. But why did we set aside the provisions of our Constitution in Shah Bano Case? Article 44 of the Constitution provides that there should be equal rights and

* Expunged as ordered by the Chair.

[Shri Adityanath]

common civil code for every citizen of the country. But we do not have such common civil code in the country at present. Though we talk of it but we talk one sided only. We have never made serious efforts to know the essence of religion keeping in view the society and the country. Therefore we should discuss this issue in detail and definitely incorporate it in the constitution. But it should be implemented sincerely. People in this country are behaving in a dogmatic way even after 50 years of our independence. We have forgotten why this country was divided. We talk of protecting the minorities just to attain our political ends. But we never talk of minorities residing in Kashmir, North East or other parts of the country. This country has always believed in the motto - "Sarve Bhawantu Sukhin" (Let all people be happy). This very country has given a slogan of "Vasudhaiv Kutumbkam" (The whole world is a family) to the world. Let this slogan be resounded and spread through this House and by every Member of this House. However, first of all we need self introspection. We would have to first reform ourselves and work rising above narrow political ends. Definitely when we think of applying these things first to ourselves then only we would be able to succeed otherwise we would go on enacting laws after laws and they would be applied to poor, helpless and vulnerable. Such laws would never be invoked against those who play with the constitution.

Sir, I thank you for giving me an opportunity to participate in this discussion. A full debate should be held on this subject in which every Member could express his views and the quintessence of religion should also be discussed threadbare. With these words, I support the Bill and conclude my speech.

SHRI PRABHU DAYAL KATHERIA (Ferozabad) : Hon. Chairman, Sir, I thank hon. Mohan Singh ji for bringing this private Member's Bill.

AN. HON. MEMBER : Though he brought it, he is not present.

SHRI PRABHU DAYAL KATHERIA : He should have been present here. My colleague has expressed the sentiments of Members of this House.

Anyway, I would like to express my views on this subject. Hon. Member has put forth his views. Several hon. Members have stressed the need to delink religion from politics but they have not taken pains to go into the essence of the religion. Religion is the soul of this country and the society. A person who is detached from religion does not have any asset. This is what I have felt. I support the Members speaking prior to me because they touched the ethos of this country but I do not subscribe to their views that the religion should be delinked from politics. If you go into the definition of the religion then only you would

appreciate the essence of the religion. Religion is woven in the fabric of customs and tradition of this country since very early period. It is there even politics came into being. It has been the soul of this country. Religion is the shield of this country and society. I want to draw the attention of the Members of this August House that when a person is called as a witness or makes any statement in the Court, he is made to swear by the Holy book 'Gita' that he would speak truth only and would not tell a lie. This is what religion is. Even in the lobbies, on curves and on gates of Parliament House we find inscribed the Mottoes and essence of religion like: "Jahan Sumati Tahan Sampati Nana, Jahan Kumati Tahan Vipati Nidana" (where good sense prevails, all sorts of wealth and prosperity are abundant and where wickedness haunts the mind, there is adversity galore). There is no dearth of such good teachings. Even the chair you adorn, Sir, it carry such sorts of teachings. We find the definition of religion inscribed on the walls of the premises of this Parliament House from where the politics begins, from where we run the entire system, make constitutional provisions and set norms for politics. How the religion could be separated from the politics? I am making this statement with all responsibility. A person unaware of his own religion, unconscious of his duties is liable to commit any misdeeds or go astray anytime, anywhere and in any manner, it cannot be predicted. I further assert this point that a person having no knowledge of religion can hardly follow the path of principles. A person well versed with religion will make a statement on any issue showing full responsibility towards his family, his country, nation and his society. I am very much perturbed at the interpretation of religion by the hon. Members. They were mentioning how the Hindus in minority in Jammu & Kashmir North-East region are treated. We have a population of 90 crore which is going to be 100 crore soon. We talk of minorities in other major countries but in our country we take great care of them protecting and providing them everything. But if you look into the situation prevailing in other countries, you would know the real condition of the minorities there vis-a-vis that exist in India.

Mohan Singh ji has moved this Bill. However, I being a Member of ruling party would like to submit that let the Government bring forward a Bill on this subject and there should be a detailed discussion it. Then the amendments, may be incorporated if required. In the scenario of rampant corruption in all political parties candidates who are facing scores of charges are being fielded. These candidates are also elected as Members of Parliament in Lok Sabha. What contribution can they make to this society? what can

we expect from them towards this country and the Government? Our laws require amendments to deal with such elements? A political party fielding such persons should be derecognised. A member of Parliament represents ten to twenty lakhs people. Lakhs and crores of people have great expectations from us. If people belonging to this that party seek to win the elections inciting the communal or casteist sentiments they should be punished. If we do not hold a comprehensive discussion on this subject in the coming days, the country would be divided in the name of castes. Today, casteism poses a great threat and it should be eliminated otherwise this country would be divided in different communities. An Hon. Lady Member was just making her speech in English. I would like to say it in Hindi. She said that efforts should be made to eliminate untouchability and amendment to this effect be made in the constitution.

The people of the country look to the Parliament with great hope but they are not getting justice. The party with the majority run Government but the north block and south block turn deaf ears to the woes of the poor. Even today, poor do not get justice and if they do not get justice, the country would be divided on casteist lines. Casteism in even more venomous that inciting the sentiments of communalism. Political leaders are meeting their political ends by inciting casteism particularly, in Madhya Pradesh, Bihar and up.

Religion in our soul and shield of this country. It is the responsibility of all of us as to how we could mould our religious sentiments. I support the bill moved by Sh. Mohan Singh ji, however, I would like to add that today casteism poses grave threat and we have to give serious thought in this direction in priority. I have been returned to this House for the third time. It is my experience since the 10th Lok Sabha that vulnerable people do not get justice. I, therefore, request the Government to bring forward a comprehensive Bill in this regard which should reflect the sentiments of the whole House without mixing religion with the constitution thereby evolving a proper order and system.

With these words, I conclude my speech.

[English]

SHRI A.F. GOLAM OSMANI (Barpeta) : Hon. Chairman, Sir, it is unfortunate that we had to resume the discussion on the Bill after an unhappy episode. I feel that the problem arose because of the observations, I do not say rulings, made by the Chair from time to time. But essentially, in the present scheme of things, the Private Members' rights as reserved for a day should never be trampled upon. If there are emergent circumstances to discuss some issue, arrangements should be made accordingly. To suspend the discussion on Private Members' Bills without taking the consent of the House

in specific should not be done through hasty pronouncements. Hon. Chairman, Sir, you should not set a precedent for the future. Once it is done, people go on saying that it was done on such and such occasion.

Mr. Chairman, Sir, a very important issue has been raised today, namely, a proposal to amend the Constitution with specific reference to some terms used in it. Terms like secularism, democracy and republicanism have been discussed. But the Constitution that was adopted in its simple form could cover all the things that are being said in the House today.

Yet, the content of our approach has been democracy. No amount of change in the Statute or in the Constitution will change our determination. You can define what is secularism or you can define what is religion. But are you in a position to enforce it in our society so that it can be reflected in our political activities? Contrast between the content and the form has become express in many amendments in our Constitution. Now, a crisis has come in our country whether this form of parliamentary democracy, Cabinet system, and the parliamentary system can be run at all. How are we going to define religion? Now, so many speakers, including Kumari Mamata Banerjee have observed that there is no conflict in the religion. An hon. Member quoted the Saint Ramakrishna Paramahansa Dev - *Jota moth toto poth*. This is true. It is a philosophical understanding of the religion. Every religion speaks of peace. We practice Islam, the very name of which means peace. Contradictions come in while practising the religion in social contracts. How are you going to do it or how are you going to confront it? It is the factual reflection of people practising a religion which comes into contradictions with other religions. It is said that in India when the religionists fight - I cannot say, religions fight - the law of nuisance should be applied strictly because sometimes in the pretext of religion, we practice such things which automatically hurt others.

We, in India, have been seeing for nearly hundred years that a right to hold procession in front of the mosque by beating the drums or sacrificing a cow disturbing the sanctity of a religious place by hurting the sentiments of other citizens became a lively issue in our day to day politics. But if law of nuisance had been applied, as understood by the jurists, nobody would have had the right to hurt another by doing a thing which hurts the society. Therefore, I would like to request the mover of this Bill to expand the scope of the amendment. There should be a fundamental amendment. We feel that this piecemeal amendment would add more amendments to the Constitution but the basic nature of the thing would not change.

At this moment, we are faced with a grave situation where the democracy expressed through our Constitution, based on parties can run the Executive Government of our

[Shri A.F. Gokam Osmani]

land. I would like to request the mover of the Bill to reexamine the amendment as to whether we are in a position to run the Executive Government as things have developed.

They say that the age of coalition has come. But nobody has said it that surely the coalition will give continuity. I would like to remind the House of an observation made by Shri Vasant Sathe nearly two decades ago when he asked whether a time has come to bring a change in the constitutional structure of the Government.

Recently some pronouncements were made as to whether Presidential form of Government has become essential to run the Executive Government of our country. I, in a casual way, though, observed these things that it should also be discussed at greater length that in which form the constitutional Government of this country can be run.

Some observations were made by my friends in the Treasury Benches that religion cannot be divorced from the essence of the Statecraft. Nobody quarrels on this point that religion, as we understand it, and morality has no conflict with institutions which are run purely on moral basis. So my request to the mover of this Bill is to examine that aspect also.

MR. CHAIRMAN : If you want to speak on this subject, you can speak later.

[Translation]

Two hours' time was fixed for this purpose and that is now going to be over. If the August House so wishes, it may be further extended by an hour and the time allocated till 7.20 p.m. should be utilised today and the rest of the time may be fixed for the next day. We will sit upto the time fixed for the day. Does this House agree to it?

SHRI SATYA PAL JAIN : Please extend the time.

MR. CHAIRMAN : All right.

[English]

SHRI A.F. GOLAM OSMANI (Barpeta) : I conclude my speech with thanks and with an appeal to the House to think about the Bill in a wider context.

[Translation]

SHRI CHANDRASHEKHAR SAHU (Mahasamund) : Mr. Chairman, Sir, today, we are discussing the Private Member's Constitution (Amendment) Bill. No.32 moved by our learned friend Mohan Singh ji. The points and issues towards which I wish to draw the attention of the House

and or the mover of this Bill will prove very vital to the Parliamentary democracy and the Constitution under which we are working.

Mr. Chairman, Sir, above the Hon'ble Speaker's seat there is an inscription :Dharmchakra Pravartanayah". The day I was elected by the people and came to this sacred and August House. I was inspired by these words inscribed over there. Hon. Member may recall that sometime ago there was a debate on religion and politics in the country. The then Government and Shri Narsimha Rao's Cabinet had decided to impose and enact such a Bill. At that time talks did round all the country over as to how banned can a particular party be on political grounds to create hurdles some how or the other for that party.

19.00 hrs.

Mr. Chairman, Sir, I would like to draw the attention of this House towards subsection (e) of 51(a) of the new article in this Constitutional amendment dealing with fundamental duties. It clear states that.

[English]

I now quote article 51 (a)(e):

"It shall be the duty of every citizen of India to promote harmony and the spirit of brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities;...."

[Translation]

If the Government do not want that such a provision be not included in that article for we shall have to consider the relevance of religion which is very much related to every aspect of our life and we cannot separate ourselves from it. Time and again, it is said that politics takes a religious colour. I think it is a way to publicise it. Mr. Chairman, Sir, we are aware that there is a proposal to review the Constitution in this Golden Jubilee Celebration year of Independence. The Law Minister of the new Government is present here who himself had been the Deputy Speaker. He may please explain as to how this Constitution would be reviewed. This point has been included in the National Agenda. I would like to draw your attention towards one proverb as we all know "Dharmo - Dharmo Rakshitah". Religion protects those who protect religion. When we are taking of religion and politics, we should decide first as to how we view at religion. Mr. Chairman, Sir, the Hindi - English Translation of the word 'religion' in the Constitution and in the book published by Rajbhasha Vibhag, it has been translated as "Dharma". If we minutely observe it the translation of "Dharma" cannot be "Religion". This word carries a very wider mean. If we assimilate this word properly. I think there will be no need to politicise it. Mr. Chairman, Sir, it has been said in the

objects and reason of that Bill. "It is proposed that it should be the foremost duty of each political party and candidate to ensure that votes are not sought by inciting communal sentiments during elections. We have followed the West Minister System in which votes are significant. In this way allegations can be made on anybody and everybody. Here, there are many Members who wear saffron clothes. It could be said that such clothes symbolise a particular religion. He will have to part ways from life and world. Mr. Chairman, Sir, being a very serious Member he has brought an incomplete Bill which is beyond my understanding. Therefore, I would like to submit in your presence to build public opinion as to how religion and politics can be separated. Mahatma Gandhi is often quoted in this House. Politics without religion is directionless. Nobody can say as to what will be the end of politics which opposes religion. Mr. Chairman, Sir, I, therefore, would like to urge if an amendment is brought in this regard, it must be brought with maturity. The Government, which is in power today wants to give a new shape to the Constitution and wishes to discuss about its new shape. There is no intention to change this Constitution. We want to review the changes that have occurred in the last 50 years and the House should offer its views about it.

Finally, I oppose the Bill in its present form and I conclude with the remark that there is no justification for it.

SHRI BASWARAJ PATIL SEDAM (Gulbarga) : Mr. Chairman, Sir, the Constitution Amendment Bill brought by Shri Mohan Singh is a self-contradictory one. In his heart of heart he thinks differently and the words used therein are not at all acceptable. Religion occupies a special place in the country in which we are living. Wife and husband are bound to each other by a sense of duty. A son has his duty towards his father, traders, servants and politicians also perform their duties and this duty has a religious connotation. Dharma shows the right path. In this sense if the administration of the country is run on the very basis of religion, the country will achieve prosperity. It would be a narrow outlook to say that religion incites casteist feelings and causes great damage to the country. Our forefathers have provided a very sound foundation to religion. They did not found it only for an individual or for governance of other State. They also gave a good shape to religion to observe restraint among all creatures, birds and animals and among people of various communities of the society. We have a well-established tradition in our country. Some people have adopted a wrong path of politics. Those who indulge in casteism malign religion. Those who fall prey to such a notion define religion in various ways. In this Constitution Amendment Bill the thinking and the expressions are quite contradictory. The day the Governance of the country will be guided by religion, the country will achieve prosperity. The politics of

casteism which is termed by many people as third class politics, the country should be saved from such politics. With this view in mind I oppose this Constitution Amendment Bill brought here by the hon. Member.

I liked the submission made by hon. Mamtaji. She said that if a sari is torn for 78 times and then worn, it would not look good. On the same analogy several amendments brought during the last 50 years in the constitution have changed the shape of politics.

A new thought has been given in our national agenda. It has been said therein that Constitution would be reviewed. Good things have to be added for the welfare of the country so that amendments are not required to be brought every now and then. There is a policy in this regard in the national agenda about which we have to take an initiative. For this a Committee should be constituted immediately. We should send our views to that Committee and an effort will have to be made to eradicate the ills creeping into politics. This would certainly bring a new change in the country. In today's context my sentiments get hurt to find that the word "Dharma" is dishonored time and again. "Dharma" has a special connotation. It has its own respect and speciality. It makes a person great. The soul of the country lies in it. If the country follows the path of religion it would not only bring welfare to the country but to the whole human society. The country will develop with the real balancing of the universe. This is the view that we have to adopt. As I have already said the words used in the Constitution Amendment Bill brought by the hon. Member do not match his thinking on the subject. And this is the reason that these words do not fit in as they ought to be. Therefore, I would like to urge him that he should reconsider this amendment and under the new policy of the Government put this matter before the committee and get it considered by the great constitutional experts of the country. We will send our views to the said Committee for consideration and whatever is deemed fit for amendment that will come up before the Parliament for consideration and if it is passed by a two-third majority. It will benefit us for a long period of time. Keeping this view in mind I oppose this Bill as religion is the soul of the country. All individuals and the politics of the country should follow the path of religion and every one in the society should mould himself in the direction. Therefore, I think that there is no need to add other things to article 51 of the Constitution. It is not required in the present situation. Having said this, the hon. Member must also have felt that his feelings do not match with the words used in this Bill as these words give a different shade of meaning. He said very candidly that this amendment should be kept away from politics and religion. When the Congress party was in power, they made an effort to bring a Bill in a haste on this very word. Yatras were organised throughout the country and public opinion of the whole country

[Shri Baswaraj Patil Sedam]

was unanimous at that time. Later on what happened, the people who wanted to support the Bill, came to their senses and realised that they were going to support a wrong thing and it might cost them dearly in the time to come. The said Bill brought by the Congress Government was abandoned. This Bill is a miniature form of the above Bill. If we give Dharma a different meaning and separate it from the soul of the country, it will a sort of blow to the country. This Bill does not recognise the Indian culture, Indian life style, Indian tradition, Indian values and Indian thoughts. Some people are trying to meet their narrow political ends in the name of caste, backward class or by making any other thing an issue, in the days to come such narrow things are likely enter into Indian politics. Since the hon. Member is very touchy about this, I would request him to move his amendment in a different way so that his feelings could be given a practical shape. In my view the present shape of the amendment is not acceptable. It suffers from some deficiencies which I have already mentioned. I, therefore, oppose the Amendment Bill with the hope that the hon. Member would go into the Bill in its entirety. With this submission I conclude.

19.13 hrs.

[English]

MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL : Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:-

"In accordance with the provisions of sub-rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Appropriation (Railways) No.2 Bill, 1998 which was passed by the Lok Sabha at its sitting held on the 9th June, 1998 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

19.14 hrs.

CONSTITUTION (AMENDMENT) BILL

(Insertion of new article 51B)—contd.

SHRI C.P. RADHAKRISHNAN (Coimbatore) : Respected Chairman, I first pay my respects to *Bharat Mata* and my apologies to this August House, that despite being a son of the *Bharat Mata*, I am not able to deliver my speech in the *Rashtra Bhasha* because of the appeasement policy of the Congress. There is no Hindi in my State from 1967 onwards. Because I have completed my education without Hindi it is very difficult for me to learn that language.

Like that there is appeasement everywhere. Of course, the appeasement of Kashmir created a big problem for the country today.

The three wars of Pakistan were due to the Kashmir problem. Like that, wherever the appeasement is there, everywhere we are facing the problem. There is a lot of appeasement in the North-Eastern region. The problem never reduces there, instead of that it is always increasing.

I thank my respected friend, Shri Mohan Singh for giving me an opportunity to speak on the Constitution (Amendment) Bill, 1998. The very nation to Shri Mohan Singh looks like very generous and in a broad perspective, but in the real sense, I do not find it as generous. Politicians in the history of India always try to hide the facts to the youngsters so that the real history of the nation was never revealed to the young people. There is no political leader better than Mahatma Gandhi that the India has ever produced. Even Mahatma Gandhi could not prevent the partition of India. It shows that by appeasing somebody, always patting at the back, you will never get the real thing done. So, whenever there is a problem, there must be a determination to fight against it and whenever there is an *adharma* by anybody, we must determine to fight it out. My feeling is that India is a great nation. It has a very glorious culture and has a powerful heritage. The religion can never be isolated from the life of Indians. The religion is not at all a sin, it is a guiding factor in a person's life. If a person is more religious, there is very chance for him to be a more honest and perfect person. I feel, the religion should be understood in a proper manner and it should be understood in the most generous and broad perspective.

I want Shri Mohan Singh to consult everybody so that the real notion of the Bill will be fulfilled. Moreover, he has not said about the casteism, which is dividing the society into so many small groups and based on that casteism, powerful people in high positions are politically looting the nation. They call themselves as the leaders of *Kisans*, as the leaders of *Yadavs*, but the same leaders are looting the money kept for the cow's food. However, they call themselves as *Yadavs' leader*.

To my knowledge about the history and the *Itihasa*, even *Kansa* could not do this sin of looting the cow's food and those who are looting the cow's food are calling themselves as *Yadavs' leader*. So, I personally feel, if anybody is doing a harm to a cow, he can never be called as a *Yadav*, but they are calling themselves as *Yadavs' leaders*.

MR. CHAIRMAN : Shri Radhakrishnan, you can continue your speech next time.

19.20 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, July 3, 1998/Asadha 12, 1920 (Saka)