

leave to introduce a Bill further to amend the Constitution of India.

**MR. SPEAKER :** The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India”.

*The motion was adopted.*

**SHRI BHOGENDRA JHA :** I introduce the Bill.

16.03½ hrs.

**Constitution (Amendment) Bill\***

*(Amendment of Article 327, etc.)*

[English]

**SHRI BHOGENDRA JHA** (Madhubani) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

**MR. SPEAKER :** The question is :

“That leave be granted to introduce a Bill further to amend the Constitution of India”.

*The motion was adopted.*

**SHRI BHOGENDRA JHA :** I introduce the Bill.

16.03½ hrs.

**Employment Guarantee Bill\***

[English]

**SHRI BHOGENDRA JHA** (Madhubani) : I beg to move for leave to introduce a Bill to provide for employment or for means and resources for self employment to all adult citizens of the country.

**MR. SPEAKER :** The question is :

“That leave be granted to introduce a Bill to provide for employment or for means and resources for self employment to all adult citizens of the country”.

*The motion was adopted.*

**SHRI BHOGENDRA JHA :** I introduce the Bill.

16.04 hrs.

**RESOLUTION RE-STEPS FOR MAINTAINING STATUS QUO OF RELIGIOUS SHRINES AND PLACES OF WORSHIP**

[English]

**MR. SPEAKER :** Now we will take up further discussion on the Resolution moved by Shri Zainal Abedin on the 12th July, 1991.

[Translation]

**SHRI MADAN LAL KHURANA** (South Delhi) : Mr. Speaker, Sir, last time I gave a notice of amendment. You had asked me discuss the matter with you in your chamber. You called me and said that that included other steps also. After that I gave another notice of amendment . . . (*Interruptions*)

[English]

**MR. SPEAKER :** I am not allowing the amendments which have been rejected to be raised on the floor of the House. Because if it continues, then every amendment, every decision taken will be discussed on the floor of the House. Last time also we should not have allowed the discussion on this in the House. I am not allowing it.

[Translation]

**SHRI MADAN LAL KHURANA** : Mr. Speaker, Sir, you decide for ever that such matters will not be allowed in future also . . . (*Interruptions*)

[English]

**MR. SPEAKER** : Not in the House. Otherwise you will be discussing only amendments in the House.

[Translation]

**SHRI MADAN LAL KHURANA** : Mr. Speaker, Sir, I would like to submit that this resolution is going to have far-reaching effects . . . (*Interruptions*)

[English]

**MR. SPEAKER** : I am not allowing. I am not allowing to speak. Please do not force like this and I am not allowing. If I allow this, it becomes a practice. Every rejection will be discussed on the floor of the House and that is why if an amendment is admitted or if an amendment is not admitted and if the Member has any objection, he can meet me in the Chamber. I would certainly be very patiently hearing what he has to say. According to my like and judgement, I will give a decision. But, I am not going to allow the discussions on these points, on the floor of the House. Otherwise, thousands and thousands of notices are given and if we try to decide the notices on the floor of the House, we would only be deciding notices and have nothing else. So, please Shri Khurana cooperate and do not raise it now.

[Translation]

**THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH)** : Mr. Speaker, Sir, I would like to express my views with your permission. I would like to request Shri Khurana that the Hon. Speaker has given a clear ruling on this matter. You want that all of us should stick to this ruling firmly in future also. I can understand his feeling, but as the Hon. Speaker has said that the decisions that are not taken under the rules of the House and if we start discussing those decisions, that would become a never-ending process. Therefore, I would appeal to the Hon. Members that in case of rejection of their amendments, they should personally meet the Speaker and obtain a convincing response but they should not raise such matters in the House.

**SHRI MADAN LAL KHURANA (South Delhi)** : Mr. Speaker, Sir, it appears to me that communal riots will start in the entire country, if this resolution is passed. (*Interruptions*).

**SHRI ARJUN SINGH** : Nothing like this is going to happen.

**SHRI MADAN LAL KHURANA** : Does he want that the Mata Sundari College, which was a mosque earlier, should be removed. (*Interruptions*)

[English]

**MR. SPEAKER** : I am not allowing this, Khuranaji. On the point of admission of the amendments, I am not allowing any discussion. If you are

going to make any say on that point, it will not form part of the record. But, in your speech if you have any point to make, you are welcome to do it. You take a chance, make a speech on the resolution and I will not object to it. . . (Interruptions)

**SHRI MADAN LAL KHURANA** : I want to say that, if I was told earlier that my first amendment has been rejected, I would have given notice for the second amendment. I can give notice for a second amendment, only when my first amendment is rejected. . . \* (Interruptions)

[English]

**MR. SPEAKER** : This is not going on record.

[Translation]

It is in your interest. It will not be correct, if all started raising questions like this.

**SHRI MADAN LAL KHURANA** : Mr. Speaker, Sir, I would like to have an assurance from you that you will not allow such an amendment, if notice for the same is given by any other Member.

[English]

**MR. SPEAKER** : You do not need any assurance from the Chair. It is the ruling from the Chair which is binding. You do not get the assurance it is the ruling which is binding. I do not have to assure you. I am like any other Member. So, assurance is not necessary. If what I say here is going as a ruling, then it is binding on me.

you and everybody. So, Khuranaji, please take your seat. Thank you.

(Interruptions)

**MR. SPEAKER** : Lodhaji, I am not allowing anything on this point, because if it continuous like this, I will have nothing else, but to discuss the admissions only.

[Translation]

**SHRI MADAN LAL KHURANA** : This is discrimination.

(Interruptions)

[English]

**MR. SPEAKER** . You cannot get such assurances and things like that Khuranaji. No omnibus assurance will be given. I will act according to the rule; I will act according to the law and I will act according to the decision. Now, Shri Shreesh Chandra Dikshit will continue his speech

(Interruptions)

**MR. SPEAKER** . Mr. Shreesh Chandra Dikshit, you have already spoken for 45 minutes. Now please be brief.

**SHRI SHREESH CHANDRA DIKSHIT** (Varanasi) : The subject is important. I have to say many things

**MR. SPEAKER** : You may make your point. Take your time.

**SHRI SHREESH CHANDRA DIKSHIT** : The subject has many ramifications. However, I will try to be very brief. . . (Interruptions)

[Translation]

SHRI GUMAN MAL LODHA (Pali) Mr Speaker, Sir, before he starts his speech, please give a ruling on the points raised by me. You may give any ruling you like. I have submitted it in writing to you that this matter cannot be taken up in the House as it is *sub judice*. The previous Speaker gave a ruling which is already on record, as this matter is *sub judice* in 11 cases.

(Interruptions)\*

[English]

MR SPEAKER I am not allowing this. If this continues like this well there will be many Members to speak about that. I am sorry this cannot form part of the record also.

(Interruptions)

MR SPEAKER You come to my Chamber. I will discuss for one hour for two hours.

(Interruptions)

MR SPEAKER What Mr Lodha is saying will not form part of the record.

(Interruptions)

MR SPEAKER Come to my Chamber, Mr Lodha. With respect I am saying I will discuss with you. Either you convince me or I will convince you.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT Sir, this resolution has two parts. The first part is that this House

urges upon the Government to take steps to peacefully settle the dispute regarding the shrine at Avodhya.

16.11 hrs.

[SHRI P M SAYEED in the Chair]

Mr Chairman, Sir, there is no doubt that this is a very grave dispute. There may be 3 ways to settle this dispute. The first is that it is settled by a court of law. The second is negotiated settlement and the third is that, that an agreement is reached in the spirit of give and take.

Sir, may be the House is not aware of a fact and I would like to tell them that this dispute is pending in the courts of law for more than 100 years. The first case in this regard was filed by Mahant Raghuvhar Ram in the court of Sub-judge, Farzabad, in 1885 and the then British Judge Col FEA Chatterjee had said in his judgement—

[English]

It is most unfortunate that a Masjid should have been built on land especially held sacred by Hindus, and that after 356 years, it is too late to remedy that grievance."

[Translation]

Another thing, which I want to submit and which I have said earlier also, is that the Babri Masjid Action Committee filed a case in this regard on 18th of December, 1961.

[English]

In that it was alleged that on the night between December, 22/23, 1949

the Hindus had surreptitiously placed the idols in the building which they claimed to be their mosque.

Actually much before that incident, a suit had been filed by Mr. Gopal Singh Visharad on 16-9-1950. I will draw your attention that the court had passed the following order—interim injunction :

“The parties are hereby restrained by means of temporary injunction to refrain from removing the idols in question from the site in dispute and from interfering with the *puja*, etc., as at present carried on

The order, dated 16-9-50, stands notified accordingly.”

In an appeal, this interim injunction was confirmed and the appellate court made the following observation :

“It further appears from the copies of a number of affidavits of certain Muslim residents of Ayodhya that at least from 1936 onwards, the Muslims have neither used the site as a mosque, nor ever prayed there, and that the Hindus have been performing their *puja*, etc., on the disputed site.”

“The undisputed fact remains that on the date of this suit, the idols of Shri Bhagwan Ram Chandra and other did exist at the site and that worship was being performed by the Hindus including the plaintiff though under some restrictions put by the executive authority.”

*(Interruptions)*

**SHRI ANIL BASU (Arambagh) :** Sir, he is referring to some document.

Is he ready to place it on the Table of the House ?

**SHRI SHREESH CHANDRA DIKSHIT :** I am quoting from the copies of court judgements.

**SHRI ANIL BASU :** Mr. Chairman, Sir, he should prove them authentic by placing it on the Table of the House. . . *(Interruptions)*

**SHRI SHREESH CHANDRA DIKSHIT :** These are judgements of court of law and I must have the permission to quote them. If need be, I can file the certified copies of the judgements here . . . *(Interruptions)*. . . I am referring to the case of 1951.

**SHRI ANIL BASU :** How can we know that these judgements are genuine ones unless and until, they are authenticated and placed on the Table ? . . . *(Interruptions)*

**MR. CHAIRMAN :** When he quotes any judgement, that would be sufficient. It can be verified. The judgements are not necessarily to be laid on the Table of the House. When he is quoting, he will be quoting properly. And if it is wrong, of course, I will see to it.

*(Interruptions)*

**SHRI SHREESH CHANDRA DIKSHIT :** I quote a reference from Civil Judge Order, Faizabad dated 3-3-51, Suit No. 2 of 1950 of Shri Gopal Singh Visharad as appellant versus Zahur Ahmed and others. This is the reference of the case.

An allegation is often made against the VHP that we have not abided by the orders of the court. You will be

surprised Sir and I beg to draw your attention that inspite of this clear order by the court of law, which was later confirmed by the honourable High Court adjudication at Allahabad also, the rights of the Hindus for unfettered worship was interfered with. We made every possible effort to get the lock open. When we did not succeed Sir, it was decided that we would go for a peaceful *satyagraha* on that issue. But in the meanwhile, the District Judge, Faizabad, Shri K M. Pandey vide his order dated 1st February, 1986 ordered the lock to be opened. I quote the relevant portion

"The respondents are directed to open the locks of the gates, O&P forthwith. They shall not impose any restriction or hurdle in the *darshan* and *pooja* of the applicant and other members of the community in general. However, the respondents are free to take independent decisions to control any law and order problem according to the case of the situation."

The third thing which I would like to bring to the notice of this House is that when we decided to do *Shilanyas*, a writ petition was filed in the Hon. Supreme Court. I quote the relevant portion of the order of the Supreme Court. It says :

"The whole question appears to us in substance that whether the religious procession carrying the consecrated *shilas* are allowed to be carried on for the purpose of laying the foundation stone of Ram Janma Bhumi Mandir near Babri Masjid

area will cause a communal disharmony of a serious nature and as such taking of procession by the Members of Vishwa Hindu Parishad in this connection should be prohibited and more particularly the prohibitory order should be made prohibiting the laying of the foundation stone on 9-11-89.

This goal, keeping in view the fundamental rights embodied in part 3 of the Constitution which gives right to Members of every religious community the freedom to profess his own religion so long such propaganda, the religious faith does not violate or contravene the existing laws of the land. Considering this in mind and also considering the fact that maintenance of the law and order is primary duty and responsibility of the State Government . . . etc . etc."

The last sentence says :

"We, therefore, dispose of the writ petition."

This is the final order. Writ petition seeking the banning of *Shilanyas* and *Shilayatra* was not allowed.

SHRI SYED SHAHABUDDIN (Kishanganj) : Shri Dikshit has just quoted from a Supreme Court judgement which I recall perhaps correctly. Will Shri Dikshit please read out the part where there was a reference to the performance of the *Shilanyas*.

SHRI SHREESH CHANDRA DIKSHIT : With the permission of the Chair I can read out the whole judgement.

**SHRI SYED SHAHABUDDIN :**  
You just tell the operative part

**SHRI SHREESH CHANDRA DIKSHIT :** The operative part is, "We, therefore, dispose of this writ petition."

**SHRI SYED SHAHABUDDIN .** I think there you said, it permitted *Shilanyas*. I am asking you where did the judgement say that it permits the *Shilanyas*. *Shilanyas* is different from *Shilayatra*. I am making that point

As far as I recall Mr. Chairman, the writ petition was about the *Shilayatra*. I don't think that a reference exists there to the performance of *Shilanyas* on the disputed spot and I can say with authority that the Supreme Court has not pronounced any verdict on the legality or illegality on the performing of *Shilanyas* on the disputed spot.

**SHRI SHREESH CHANDRA DIKSHIT :** Sir, the judgement is very clear.

**MR. CHAIRMAN :** What the Hon Member was objecting to was that it appears that the Hon. Member instead of saying the 'foundation stone' has said '*Shilanyas*'.

**SHRI GUMAN MAL LODHA :** *Shilanyas* is the Hindi word for foundation stone. (Interruptions)

**SHRI SYED SHAHABUDDIN :** Mr. Chairman, Sir, what I am trying to say is that, an impression is being created that the *Shilanyas* was performed with the approval and permission of the Supreme Court. That is not so. (Interruptions)

**SHRI GUMAN MAL LODHA :** The Supreme Court refused to prohibit from *Shilanyas* and *Shilapathar*.

**SHRI SYED SHAHABUDDIN** But the High Court of Lucknow pronounced that (Interruptions)

**MR. CHAIRMAN .** When you quote a judgement, it should be quoted as it is, whether it is in Hindi or in any other language

(Interruptions)

**SHRI EBRAHIM SULAIMAN SAIT (Ponnani) :** What about the injunction of the Allahabad High Court? Why don't you cite that? (Interruptions)

**SHRI GUMAN MAL LODHA** He is keeping it for you (Interruptions)

**MR. CHAIRMAN** I have already mentioned here that whenever he quotes anything, any judgement, it should be a judgement and not the translated version of it

(Interruptions)

**SHRI DIGVIJAYA SINGH (Rajgarh) :** May I ask a question? I just wanted to ask the Hon. Member, whether he was a signatory to an agreement between the State Government of Uttar Pradesh and the Vishwa Hindu Parishad, that they should be allowed to lay the foundation stone and they would not start the construction till the Court decides in their favour.

Is it a fact? Was he a signatory? (Interruptions)

[Translation]

MR. CHAIRMAN : We are discussing this issue here in a peaceful manner. The Hon. Member will reply to the question asked by the other Hon. Member just to make him yield. Please do not interrupt.

SHRI SHREESH CHANDRA DIKSHIT : I have said that there are three ways to solve this problem.

SHRI DIGVIJAYA SINGH : I haven't got my reply whether he was a signatory to the agreement ?

SHRI SHREESH CHANDRA DIKSHIT : I am giving the reply. Please listen to me. There are three ways to solve it. One is through the court, the other is through negotiated settlement and the third one is compromise through give and take. His question refers to the second point. I will refer to it, when I will come on the second part.

SHRI IBRAHIM SULAIMAN SAIT : He has evaded the question.

SHRI SHREESH CHANDRA DIKSHIT : I am not evading. I am expressing my point. Much emphasis is being laid on the point of *status quo* that the court has given an order to maintain the *status quo*. This refers to the order issued by the Special Bench of the Allahabad High Court on 7-11-89 comprising the judges Shri K.C. Agrawal, Shri U.C. Shrivastava and Shri S.H.A. Razzak. Shri Buta Singh, who is not here at present, visited Lucknow just after one day i.e. on 8th of November, along with all the officers of the Home

Ministry including the Home Secretary, Director of Intelligence Bureau and other officials. The then Chief Minister of Uttar Pradesh, Shri Narayan Dutt Tewari, Home Minister Shrimati Sushila Rohatgi, the I.G.P., the Chief Secretary and the Home Secretary were also present at Lucknow. From our side, there was Mahant Avaidyanath Maharaj Gorakhpur Poethadhis.

[English]

There were 40 members in all including the Advocate-General, Bhatnagar.

We were only two persons and after three-four hours of negotiations, we came to this conclusion that

[Translation]

[English]

The place where we were going to lay the foundation stone was an undisputed site. It was with the permission of the Government of India. When you are giving permission to lay the foundation stone, you cannot say that you will not permit us to construct the building. When you are permitting us to lay the foundation stone, you cannot say that you will not allow us to construct the building over there.

[Translation]

We had presented to the Government the blueprint and the scheme of construction of the Shri Ram Janambhoomi Temple of Ayodhya. We had also informed them about the manner in which we proposed to go about with the construction work and also about the 'Shilanyas' plan. When you permit us to perform 'Shilanyas' it obviously

means that the Government has no objection, whatsoever to the construction of the temple.

[English]

SHRI SYED SHAHABUDDIN .

It was a public document since it was published in the Press

SHRI SHREESH CHANDRA DIKSHIT : You first produce that paper.

[Translation]

SHRI DIGVIJAYA SINGH My point was that the document, which was prepared after much negotiations and to which you were a signatory, clearly mentions that although 'Shilanyas' would be permitted, the work of construction of the temple won't commence unless and until the Court gives its verdict

SHRI SHREESH CHANDRA DIKSHIT . I am prepared to answer this question, if you produce that document before the House.

SHRI DIGVIJAYA SINGH . I have it in my possession and I am prepared to produce it before you

[English]

Are you denying that ?

[Translation]

SHRI SHREESH CHANDRA DIKSHIT : I shall answer you, when you produce the document before me (Interruptions)

SHRI DAV DAYAL JOSHI (Kota): Mr. Chairman, Sir, please don't allow them to interrupt him.

SHRI KALKA DAS (Karolbagh) . Mr. Chairman, Sir, they are disturbing him First let him speak and let the other person speak, when his turn comes

MR CHAIRMAN Listen Please take your seat

[English]

SHRI ANIL BASU When a question was put to him he said that he would answer it so far he has not answered it He must answer the question on the floor of this House.

MR CHAIRMAN : Honourable Members, if you seek any clarification, if at all the person who is speaking if he is not yielding, you should not disturb him Whenever you get an opportunity you can speak

SHRI ANIL BASU You yourself asked him whether he was ready to answer He replied that he would give the answer when the question of negotiations comes Now, he is not giving the answer That is the question You intervened between them To the question, whether Mr Dikshit would answer, he replied and he agreed to do that Mr. Dikshit agreed to it. When you asked him whether he would reply to the question, Mr. Dikshit said that when the question of negotiations comes he would reply.

SHRI DIGVIJAYA SINGH : A man of such a stature, a retired DG of his State and a person who has had a very long record of public service, he should clarify.

**SHRI SHREESH CHANDRA DIKSHIT** : What has it got to do with my speech here ?

**SHRI DIGVIJAYA SINGH** : it is a public document He has to say yes or no.

**SHRI SHREESH CHANDRA DIKSHIT** : It may be a public document. Let that document come; I will answer.

**MR. CHAIRMAN** : He says that he is not aware of that Are you aware of it ?

**SHRI SHREESH CHANDRA DIKSHIT** : Let it come, I will answer

**SHRI DIGVIJAYA SINGH** : I am just asking whether he is aware of the document.

**MR CHAIRMAN** : He says. that he is not aware of it

**SHRI SHREESH CHANDRA DIKSHIT** : Let it come, I will see

**MR CHAIRMAN** : He says that he is not aware of it. Mr Dikshit, now you please continue

*(Interruptions)*

**SHRI DIGVIJAYA SINGH** : Let it go on record that he is not aware of the document

**MR. CHAIRMAN** : You can produce it whenever you speak

**SHRI SHREESH CHANDRA DIKSHIT** : I want to say that there are three ways to solve it. I was only talking about the judicial process. Now, about this judicial process we made every possible effort so that this

suit is decided expeditiously. When this special Bench was formed, we pointed out certain basic flaws in the suit filed by the Sunni Central Board of Wakf and these were not frivolous objections. These objections were raised. These objections had the support of such legal luminaries as the retired Chief Justice Shri Guman Mal Lodha, retired Chief Justice Mr M.N. Shukla, retired Chief Justice Mr Devki Nandan Agarwal, retired Chief Justice Mr Gopinath and several other retired Justices of the High Court. So much so that even a retired Senior Advocate and former Attorney-General of India, Mr Lal Narain Sinha, he had come out, I quote a portion of his opinion He says :

"The decision of the Privy Council and the Supreme Court establish that a suit as framed on behalf of the Muslims, namely, Suit No. 12 of 1961, is governed by six years' period of limitation and not 12 years, the relevant article being 120 of the Limitation Act of 1908."

It is very surprising that the occurrence is said to have taken place on the night between December 22/23, 1949 and the suit for the same was filed on December 18, 1961, that is 11 years, 11 months and 26 days after the alleged 'incident'. So, the basic flaw in this suit is that it suffered from the fault of limitation. The other fatal error in the claim of the suit by the Muslims is that while it asks for removal and disposition of the deities curiously enough, the deities have not been impleaded as parties at all. Sir, you know that Hindu deities have

juristic personalities. And unless you implead that deity, no judgement passed by a court of law will be applicable on the deity. I would like to mention another basic flaw in this suit. This suit was filed by Sunni Central Board of Wakf. As the Hon. Members are aware, it is a Muthuvalli who is responsible for the upkeep of the Mosque and is the possessor of it. No Muthuvalli has joined in this suit.

[*Translation*]

No Muthuvalli has been named in it. Had it been a Mosque, then certainly there would have been a Muthuvalli, and if there is no Muthuvalli, it obviously means that it is not a Mosque. Had there been a Muthuvalli, why hasn't he joined in this suit? These are all frivolous objections. Now this case was referred to a Special Bench. It is also said that we could have expeditiously arrived at a decision, without taking recourse to the judicial process through negotiations and with a spirit of give and take.

[*English*]

Unfortunately our friends do not allow this procedure to be followed and the Advocate-General of U.P. Government has also objected to it. So, the judgement went against us. Now the suit is proceeding at snail's pace in spite of the fact that this Special Bench of three judges of High Court was constituted no less than about three years ago and the suit has remained pending trial now since 1949. Till this date, it has made no progress. At this stage there is no likelihood of the suit being decided by

a competent court of law. I would like to mention another very relevant portion of the judgement of this honourable Special Bench. It is very relevant. The point that we have been particularly emphasising is this. No court can decide it. No court in this country has got the powers to decide as to which is the birthplace of Lord Ram. . . (*Interruptions*). This is what the honourable court has observed. Now I would like to quote its judgement. It says :

"It is doubtful that some of the questions involved in the suit are soluble by judicial process."

The Special Bench says that some of the issues involved are not soluble by judicial process.

[*Translation*]

In this regard, first of all I would like to submit that if we wait for the Court's verdict, it would be a very time consuming process. The only other way out is a negotiated settlement. Ever since this issue came to the fore, we have been holding negotiations. When Shri Buta Singh was the Hon. Minister of Home Affairs, we had regular and prolonged discussions with him, after that, when Shri V.P. Singh assumed office as Prime Minister, we positively responded to his invitation. At the meeting, he gave us in writing that a final decision has been taken to commence the construction work on the temple on such and such date. However, he requested that the programme should be postponed a bit on the plea that the new Government

had just assumed office. However, he added that he was hopeful of finding an amicable solution to this issue, certainly within four months. This particular incident took place on February 7, 1990. After four months, we again met the Prime Minister in this connection. Now, it is natural for one to expect an answer that some progress has been made or that a solution is being thrashed out, but to our surprise, we found that nothing has been done in that direction and what's more, we were not even given an assurance that the Government would arrive at a negotiated settlement within such and such time. Then came the Chandra Shekhar Government. Again there was this talk of a negotiated settlement in the air. We had our first meeting with the representative of the Babri Masjid Action Committee (B.M.A.C.) in December, 1990. It was followed by a series of meetings and finally it was decided that both sides would come to a conclusion by February 5, 1991. Subsequently, on January 24, 1991, the experts of the Babri Masjid Action Committee, who came to attend the meeting left this message for us.

[English]

"We need at least six weeks to examine the relevant evidence and visit to Ayodhya."

[Translation]

After saying this, they left. We immediately wrote to the Government of India that it is indeed surprising that while we were called for a meeting and we came for it, the other side, which too was invited left the negotiating table. When those very people,

with whom we have to hold talks leave the table, then whom do we negotiate with? So, this was the end of the 'negotiated Settlement' round. There is also a talk of 'give and take.' So far as I know, there is not a single temple in the entire country in which 'Kirtan' and 'Ramayan Path' go on around the clock, 24 hours a day, uninterruptedly since 1949. In the past 42 years, Hindus have not stopped this 'Kirtans' and 'Bhajans' (Devotional songs) in that temple, for even a minute.

[English]

It is laid down in various judgements that our Muslim friends had ceased to visit place since 1936.

[Translation]

Perhaps, there were one or two instances during 1940 or 41, when some Muslims, one or two of them went there to offer Namaz. This is not a question of a temple or a mosque. There can be hundreds of temples and thousands of mosques.

[English]

It is a question of the participation in Ram Shila. It is the question of the birth place of Ram. That is precisely what the Hindus feel.

[Translation]

If he does not consider it to be the birth place of Lord Rama. . .

(Interruptions)

SHRI PIUS TIRKEY : For how long was it locked ?

SHRI SHREESH CHANDRA DAKSHIT : I have already told you

about it and if you wish to know about it, you see me separately and I shall tell you about it. My submission is that in a temple which is thronged day and night by lakhs of Hindus, you will not be able to come across a single Hindu devotee of Lord Rama, who would say that he had visited Ayodhya, but had not paid his obeisance to Ram Janmabhoomi. The Hindus have a firm faith on this place and if this faith is said to be non-existent, we will produce historical evidence in support of it before you and you will find that from 1528 till date during the struggle for independence innumerable number of conflicts have taken place over this place. Sir, can you ever think that

[English]

in the precincts of the mosque. A temple has been constructed. It exists ...

[Translation]

It has not been constructed by me, it has not been constructed by Vishwa Hindu Parishad either. It was neither constructed after independence and nor was it constructed during the British period in pre-independence era. Who ruled this country prior to the Britishers? The Nawabs and Mughals ruled the country before Britishers. You can well imagine if a temple is constructed within the premises of a mosque even during that period.

[English]

This conflict has been going on since 1528.

[Translation]

When you talk of reconciliation, you should see that on one hand Hindus

have a firm faith on their religious place and on the birth place of Rama.

[English]

It is a matter of faith. The matter of faith need not always stand as scrutiny of intellectual and scientific examination. I can quote many instances.

[Translation]

Which are not definitely in a good taste, as such I do not want to make a mention of them. There are many things on which one has faith, but they cannot be accepted as correct intellectually and scientifically.

(Interruptions)

They believe that it is the birth place of Ram and on account of it they worship this place. Under no circumstance, can a person have two birth places. There is no question of two birth places of Lord Rama. (Interruptions) It is wrong. I can claim that they only try to create confusion. (Interruptions)

SHRI SYED MASUDAL HOS-SAIN (Murshidabad): Mr. Chairman, Sir, I would like to know as to how long you are going to allow him to speak? (Interruptions)

[English]

MR CHAIRMAN: This subject is such an important subject. Many speakers names are there. I think we will continue and if we are not in a position to conclude today, we will postpone for the next session.

(Interruptions)

MR. CHAIRMAN : Many Members have already sent the names . .

(Interruptions)

SHRI EBRAHIM SULAIMAN SAIT : Upto what time are you sitting today ?

MR. CHAIRMAN : Upto 6 O Clock. Now, I am asking the Hon. Member to conclude because he has almost taken 45 minutes.

(Interruptions)

SHRI SYED MASUDAL HOS-SAIN : On the last occasion, the mover was not even permitted to conclude his speech. That is why the Member cannot get unlimited time.

SHRI SUDARSHAN RAY CHAU-DHARY (Serampore) : The Member should conclude. He cannot get unlimited time.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT : Mr. Chairman, Sir, the Members should at least patience to listen to me and see whatever evidence I want to place before the House.

(Interruptions)

They should know as to what are the facts.

[English]

Unless you know the facts, how are you going to act ?

[Translation]

So far I have presented merely three aspects before you. I have yet to quote historical evidence. Just now I will quote archaeological, geographical and biographical evidence before you.

(Interruptions)

[English]

We are dealing with a subject. When I am talking on this . . (Interruptions)

[Translation]

So far I have taken up just two subjects. Merely legal and negotiated settlement . . (Interruptions)

Now I want to place before you the viewpoint expressed by historians on this subject. I have yet to quote archaeological evidence before you. (Interruptions)

MR. CHAIRMAN : You please be seated for a minute. Please listen. This is a Private Member's Resolution.

[English]

Whenever the Private Members Resolutions and Bills come up, we do not normally restrict to the time and that is the point.

(Interruptions)

SHRI BASU DEB ACHARIA : Sir, I want . . (Interruptions)

MR. CHAIRMAN : Achariaji, you are a senior Member. I am on my legs. You please take your seat. How can I give any ruling ? I have asked the Hon'ble Member to conclude. He has already taken 45 minutes. I think the Member will yield to my request.

[Translation]

DR. LAXMI NARAYAN PAN-DEYA (Mandsaur) : Mr. Chairman, Sir, I want to bring a fact to your

notice. Last time when a discussion was initiated on this issue, you were occupying the Chair, and at that time a ruling was given and the House had unanimously accepted that a Member would be allowed to speak for as long as he wished and no time limit shall be fixed.

SHRI SYED MASUDAL HOS-  
SAIN : I am agreeable to it, but the mover was not given time .. (*Inter-  
ruptions*) ..

[*English*]

SHRI BASU DEB ACHARIA :  
Sir, I am on a point of order. We know that in the case of Private Members Resolutions or Private Members Bills no time limit is generally imposed. The time is also extended. Two hours time is fixed for this Resolution and there was a consensus. As the issue is a very sensitive one, we should not stick to two hours limit. Time may be extended. But that does not mean that it should be extended without any limit. It is not correct that one Member will speak for unlimited time. When the Mover of the Resolution was speaking, he was not allowed to speak for more than half-an-hour (*Interruptions*) You spoke for half an-hour.

MR. CHAIRMAN : Please, let him say whatever he wants to say.

SHRI BASU DEB ACHARIA :  
The last portion of the speech of the Mover was expunged and it was not recorded. The convention of the House is that the Mover of the Resolution gets more time than the other speakers.

MR. CHAIRMAN : Yes.

SHRI BASU DEV ACHARIA :  
But in this case, the Mover of the Resolution did not get more time. But the other speakers are getting unlimited time. (*Interruptions*)

MR. CHAIRMAN : At the initial stage we have fixed two hours. It was felt that the discussion would be over in two hours.

SHRI BASU DEB ACHARIA :  
How much time has been fixed for this Resolution? You should decide. Because today we will stay upto seven O'Clock.

MR. CHAIRMAN . Achariaji, you yourself have suggested that it is a very highly sensitive issue. Many Hon'ble Members wanted to participate in this Resolution.

(*Interruptions*)

SHRI BASU DEB ACHARIA :  
If one Member wants to speak for two hours, will you allow ?

MR. CHAIRMAN : Not like that.

(*Interruptions*)

SHRI BASU DEB ACHARIA :  
Then I will speak for two hours. I can speak for two hours on this Resolution.

MR. CHAIRMAN : That way I have requested the Hon Member to conclude. I say every Member must get 10 to 15 minutes. Accordingly we will proceed. When the mover of the Resolution spoke, I was not here at that time. If he was not given half-an-hour, that was not my mistake. Any way, I am asking Mr. Dikshit to conclude so that others will get chance and we will sit up to six O'Clock and

the subject will be transferred to the next Resolution day.

**SHRI RAMESH CHENNITHALA** (Kottayam) : Please give time to all

**SHRI ANIL BASU** : Sir, Hon. Member, Mr. Dikshit, is a very knowledgeable person, I don't argue on that. But while speaking, the convention of the House is not to cast any aspersions against the persons who are not present in the House. So far as my beliefs go, I believe that God cannot take birth here, but he said Bhagwan has taken birth in that place. (*Interruptions*). Now I want to have a Ruling on this. (*Interruptions*).

[*Translation*]

**SHRI B.L. SHARMA PREM** (East Delhi) : You have no faith and it is a matter of faith .. (*Interruptions*)

[*English*]

**SHRI SHREESH CHANDRA DIKSHIT** : I have not uttered even a single word against anybody. It has got a historical perspective. (*Interruptions*). There are social and moral implications in this. Unless I put before the House all the implications, it will not be understood properly. I must bring before the House all the facts (*Interruptions*).

**MR. CHAIRMAN** : Please conclude.

**SHRI SHREESH CHANDRA DIKSHIT** : Now I am concluding. (*Interruptions*). I can give a lot of evidence .. (*Interruptions*). I can adduce other evidence provided you give me time. (*Interruptions*).

**SHRI E. AHAMED** (Manjeri) : Sir, I am on a point of order. (*Interruptions*). Mr. Chairman, Sir, the Hon. Member is a learned person. During his speech he has mentioned something which is now pending before a court of law. Of course, we are also mentioning about it. But he should not have gone into the merits of the case while that is a matter of propriety which should be decided by the Chair

[*Translation*]

**SHRI RAJVEER SINGH** (Aonla) : Mr Chairman, Sir, if the matter is *subjudice*, it cannot be taken up for discussion and when you have admitted a resolution, the discussion has to take place

(*Interruptions*)

[*English*]

**SHRI E AHAMED** : Sir, the Sunni Wakfs Board is not a muttawalli. But there is a judgment by which Sunni Wakfs Board has already been registered under the U.P. Wakfs Act and it has the jurisdiction to file a case. So, such an issue cannot be and should not be quoted in this House (*Interruptions*).

**MR. CHAIRMAN** : Mr. Dixit, there are eight Members from your party who want to speak on this Resolution. You have already taken 45 to 50 minutes. So, please wind up quickly.

(*Interruptions*)

**SHRI SHREESH CHANDRA DIKSHIT** : Sir, I will definitely conclude my speech expeditiously provided I am not interrupted. It is my

maiden speech. So, I want your protection. (Interruptions)

**SHRI DIGVIJAYA SINGH :** Mr. Chairman, Sir, the Hon. Member is an enlightened personality. I want a simple clarification about a historical fact about the demolition of the Ram Janma Bhoomi Temple. (Interruptions)

**MR. CHAIRMAN .** He was just now mentioning that he was going to start from the historical facts. The means, none of you will get a chance to speak today. So, I am asking him to kindly conclude his speech.

(Interruptions)

**SHRI SYED SHAHABUDDIN :** Mr. Chairman, Sir, I am on a point of order. We want a serious debate and we cannot waste time. Mr. Acharia has said very correctly that we have limited time at our disposal. It can be two hours, it can be four hours, it can be six hours, may be it can be eight hours. It cannot be more than that. (Interruptions) Time is pressing upon us and there is some sense of urgency about it. We cannot just go on debating it for the next one year. However, I am prepared to debate it until the end of this House if the VHP promises and assures the country that it would not take any unilateral decision in between. We are prepared to debate it for the next five years. We must put a reasonable limit to the debate. Let us set a definite limit, let us allocate time to those people who are for and to those people who are against their stand. Let the BJP take half the time and all other parties will take another

half of the time. But the BJP cannot take all the time.

There is one more point. We are concerned here with this Resolution. Which does not suggest what the final settlement or the final decision should be. The only proposition that there should be a negotiated settlement. That is all. Therefore, for presenting the entire bunch of evidence which may go into volumes and volumes, there are other forums and I invite Mr. Dikshit to plead the case in the right forum. I want Mr. Dikshit to clarify as to whether the VHP supports the idea of a negotiated settlement or not. (Interruptions)

**MR. CHAIRMAN :** Hon. Members, as Mr. Shahabuddin just now mentioned, in Private Members' Business, normally everybody gets a chance and there is no apportioning of time between the Opposition and the ruling party. Every Member is a Member in the Private Members' business. Therefore, every one of us should think on that line.

I am requesting Shri Dikshit also to conclude.

(Interruptions)

**MR CHAIRMAN :** I am not here to curtail the rights of the Members. How can I? I am no one to curtail the rights of the Members. Therefore, I am only pleading him to kindly conclude his speech so that other Members can also take part in the debate.

**SHRI EBRAHIM SULAIMAN SAIT :** Mr. Shahabuddin has just now said that the problem before us is

whether we want a negotiated settlement or not. That is the main point. But here many points have been placed wrongly. So, we have to refute all those things. So, we should get time. Those things should be set right. Therefore, we should be given time to refute all the allegations made here.

MR. CHAIRMAN. You will get a chance. Every Member who wants to speak will get a chance.

[Translation]

SHRI RAJNATH SONKAR SHASTRI (Saidpur) : Mr. Chairman, Sir, this is a very important resolution and according to rules every member should express his opinion freely on it. We wish that this resolution should be taken seriously without any disturbance I request you to allow every Member to express his views on this resolution and it requires adequate time. In this context I would like to say that entire country is worried about this controversial issue and even a Government had to collapse earlier. I also request you to give adequate opportunity to the Members of each party and each side to express their views whether it is BJP or Janata Dal or National Front or Congress and all of us should take this issue with sobriety. This is not simply a Private Member's resolution, rather it expresses the feelings of the people of India.

SHRI RAM NAGINA MISHRA (Padrauna) : Mr. Chairman, Sir, I also, like Shastri ji, want to say that this is not just a Private Member's resolution but the fate of the whole country depends upon it and hence this should be taken very seriously.

I would like to recall for the benefit of my all friends that during the discussion on the Shahbano case here in the House a number of 'Ayats' from the Quran were cited and it took whole day and besides that, 2-3 private meetings were also held. This issue is even more important than that. There is no need to be excited as the fate of the country depends upon the decision taken here. Hence for this purpose adequate and maximum time should be given. Thus, I support the submission of Shri Shastri. (Interruptions)

SHRI SURYA NARAYAN YADAV (Sahasra) : Mr. Chairman, Sir, this Private Member's resolution is a very important one. The conflict on this issue has been growing continuously since the previous Government. The discussion is going on this. The mover of this resolution in the Lok Sabha has already made his submission on that day and today also he is continuing his speech. Only Vishwa Hindu Parishad has no right to speak. (Interruptions) Mr. Chairman, Sir, I as well as other Hon. Members also want to speak. First of all time should be allotted for discussion on this issue and thereafter, their quota of time be fixed. It appears that they are pleading for Vishwa Hindu Parishad and preventing us to speak. (Interruptions)

SHRI SYED MASUDAL HAS-SAIN : Mr. Chairman, Sir, I have no objection for giving unlimited time to any Member on the Private Member's Resolution. Time must be given on such an important issue. But what I want to say is that one of our members was not allowed to move his resolution a few days back and the Chair

gave its ruling that "nothing will go on record". Would you give him an opportunity to move his Resolution again?

[English]

MR. CHAIRMAN : Now I am asking Mr. Shreesh Chandra Dikshit to wind up. Please wind up.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT : You have been just told that this is an important issue. One should think over it carefully. One should listen to each side very attentively and know the facts. If you interrupt again and again, it will be very difficult to carry on the business of the House . . . (Interruptions) Mr. Chairman, Sir, I shall conclude my submission if you give me 15 minutes more.

MR CHAIRMAN : Five minutes more are being given to you.

SHRI SHREESH CHANDRA DIKSHIT : I had urged that this important issue may be resolved in three ways, first through a negotiated settlement, second through accepting the verdict of the court and the third through a compromise in a spirit of give and take. I have already said about the court. We have always been complying with the directives of the court, yet it is said that we do not comply with the orders of the court. I can say emphatically that the special bench has made its own observation.

[English]

There are many issues in this which are not soluble by this process.

[Translation]

How long will you wait for the court's verdict keeping in view the pace with which this issue is progressing there.

Special Bench was constituted three years ago You can see the progress of the case during these three years Even the recording of evidences has not yet begun. How much time will it take and for how much time one can wait? In this case there were two plaintiffs on behalf of Hindus One of them passed away after waiting for forty years These two are Shri Gopal Singh Visharad and Shri Ram Chandra Paramhans. Justice Lal Narayan Sinha and the Chief Justice Guman Mal . . . (Interruptions) Please keep silence Objections of such legal liminaries were brushed aside. What is the result? When will the matter be decided, will it be in the twenty-first century or not even in that? I am a resident of Varanasi The Dosphipura grave-yard cast of Varanasi lingered on for 138 years.

[English]

The judgement of the Supreme Court passed in 1983 has not been implemented

[Translation]

This was a case of dispute over a grave-yard between Shiyas Vs Sunnis.

[English]

I am only mentioning that I am not going into the merit of that I am only mentioning that there is a precedent that a suit can linger on for 138 years.

Thereafter, also, even the judgement as pronounced by the High Court of Judicature in this country, cannot be implemented.

[Translation]

The solution of the case through court verdict and negotiated settlement is being discussed. This process of negotiation was discussed with Shri V P Singh. And at the instance of Shri Chandra Shekhar we went to the negotiation table also but in vain. With whom to negotiate? Out of thousands or lakhs of Masjids that is the only Masjid about which judicial pronouncement and evidences exist. No Muslim has gone there to offer Namaz since 1936. On the other hand the Hindus have not stopped their Bhajans and Kirtans even for a minute since 1949. The Hindus have immense faith in that place and now they are not able to offer their prayers in that place only due to the obstinate attitude of the other side. Hindus have been offering their prayers for the last 42 years and on the other hand Muslims have not entered that place during the last 36 years. In these circumstances policy of give and take have no meaning for them. That is important for us. I would like to say one thing more that between 30th October, 1990 and 2nd November, 1990. (Interruptions)

[English]

Between 30th October, 1990 and 2nd November, 1990 there was bloodshed in the streets of Ayodhya. This is as much a watershed in the history as that of the Jalianwala Bagh massacre in the pre-Independence period.

[Translation]

Our Kar-Sevaks were killed there . . . (Interruptions) It is useless to talk with them about "give and take". Prayers are being offered there continuously. The Kirtan does not stop there even for a minute. (Interruptions)

[English]

SHRI RAMESH CHENITHALA (Kottayam) : He is repeating the same thing which he has already said. This is a mere repetition.

MR. CHAIRMAN : You have taken five minutes. Please conclude now.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT : I have spoken on the first part only and the second part of the resolution it has been said. (Interruptions) . . . I have not come yet to the second part of the resolution which is very important one. (Interruptions)

[English]

MR. CHAIRMAN : May I request the Hon. Member to conclude. It is too much. I have been requesting you for this. You have taken nearly fifty minutes. Kindly cooperate.

(Interruptions)

MR. CHAIRMAN : You have taken extraordinary time.

(Interruptions)

MR. CHAIRMAN : Now I am giving him two minutes.

(Interruptions)

[Translation]

**SHRI SHREESH CHANDRA DIKSHIT** : In the second part of the resolution it has been said :

“ . . and to enact suitable legislation for preserving and maintaining the *status quo* of all religious shrines and places of worship as they existed on 15th August, 1947.” We oppose this resolution as we are of the view that there would be serious consequences of it because there are so many temples which were converted into Masjids. If this issue is raised, then this would no longer remain limited to the Ayodhya temple only but it would extend to all temples of India  
(Interruptions)

Such a legislation is not in the country's interest, hence, we vehemently oppose it and it should go in record that there would be serious consequences if such a resolution is brought. Before taking any step you should first consider about its implications.

[English]

**MR. CHAIRMAN** : Now Shri K V Thomas to speak  
(Interruptions)

**SHRI DIGVIJAYA SINGH** : The Hon. Member has not answered my question.

**MR. CHAIRMAN** : I request the next speaker that he will also be getting his chance to speak, when he speaks, he can repudiate whatever he wants to repudiate.

**SHRI DIGVIJAY SINGH** : I will lay it on the Table of the House.  
(Interruptions)

**PROF. K V THOMAS** (Ernakulam) : We had witnessed lengthy, hot and very aggressive discussions on this subject in the Eighth and Ninth Lok Sabha. In this Session also, more or less, the House has started with a discussion on this subject.

As a person who hails from the Southern most part of this country, Kerala, I feel pained to see how religious matters take such a monstrous shape that the soil of this nation is soaked with blood. In my State Kerala, there is only a single wall for the mosque and the temple.

In Trivandrum which is the capital of my State, you can see within the same compound a very beautiful Christian Church, a beautiful Mosque and a beautiful Ganapathi Temple. We are very religious people. When we visit the place of our worship, we used to visit other places of worship also. For example Sabarimalai Temple which is one of the famous Hindu pilgrimage in this country. It is an example of the communal harmony existing in our State. Before we go to Sabarimalai temple to worship Lord Aiyappa, we first go to a Christian Church at a place called Aruthingal Nalapi and after going to this Catholic Church, we go to a Mosque which is called Vavar. Then only we go to worship Lord Aiyappa. I feel there is only one God. We are born in different families, we are born in different communities and we worship the Lord in different ways. But unfortunately, in this great country which

has given birth to very famous Saints, we are fighting in the name of religion. Sir, enough blood has been spilled in this country. The father of the Nation has been bulletted down. Even now we are not Indians first and lost! We are still Hindus; we are still Muslims and we are still Christians. Is it not the time that we forget all these divisions and think that we are Indians. Even though I was born in a Christian family, I admit Sir that I am a Hindu because it is the same Hindus in Kerala who have been converted into the Christianity. I admit the great overwhelming power of the Hindu community and Hindu religion. It had embraced different types of religions, faiths that have come to it. In the case of Christianity, before Christianity spread to Europe, it came to India and it is the Hindu Kings in India who helped the Christian Churches to be built, the mosques to be built. One cannot forget it. I have born in a small tiny fishermen village where majority of the people are christians and the rest are Hindus. Some years back, one of our Muslim brothers came and settled there. Now their number is more than hundred. We helped them to construct a mosque. This will be our sentiment. Here, in the name of Ram Janmabhoomi and Babri Masjid, we are fighting amongst ourselves. I am very sure if Lord Rama again as an Avtar, even he will tell the people of this country to stop this fighting. Even he will tell the people of this country that instead of fighting on this issue, you go and try to construct thousands of shelters for thousands of homeless people in this country.

Have we not enough problems? When this House was formed we found that this was a hung Parliament. From 1984 onwards as a Member of this House I have been seeing how issues are taken up in this country. We are the custodians to see that democracy prevails in this country. One democracy is killed, we all are finished. Our fight on Ram Janma Bhoomi; our fight on Babri Masjid everything will come to an end once democracy is finished in this country.

What I have seen during the last seven to eight years in this House is that by the end of 1989 we fought on an issue—I am not politicalising any issue—that was Bofors and the Submarine. In the 1989 elections one of the major issues was the Bofors gun deal and a new government came to power in 1990. When that Government fell, I still remember the day when Shri Advani was asking the then Prime Minister that before he loses the power, place all the relevant documents concerned with the Bofors issue, because we fought the election particularly on this issue. And that Government fell. We have forgotten that issue.

In the last elections BJP fought on Ram Janma Bhoomi issue. Again this Parliament has come. Where are we? Are we not responsible to see that 83 crores of people of this country have to be safely directed? What are the problems we face today?

We expressed anguish on the mortgage of gold. In Kerala we mortgage the Mongalyasutra as a last resort; we will mortgage everything but if

nothing is there, the last resort is Mangalyasutra. In this country, of which we are proud, we have taken the last resort and our gold has been mortgaged. I am not going into the merit of the mortgage of the gold, but I am going into the situation where the country has come to face a deep crisis.

I am not going to make a lengthy speech on this issue. My humble request to all the different sections who are concerned with this issue is let us sit together. Let us find out a solution. If we are not going to find out a solution on this issue, I don't think we will be able to find out solutions on other issues. Have we not got problems in Punjab? Have we not got problems in Kashmir and Tamilnadu? Everyday we have got major issues. There are several crores of youngsters who have to be given employment. Thousands and thousands of people are starving, they don't find a meal a day. When these issues are before us, we are fighting on an issue where I am sure even Lord Rama or Prophet Mohammed will not pardon us. We have to find out a solution on this. The solution is, we have to sit together. All religious sentiments should be respected, all religious places should be respected. But, at the same time, we should see that all religions are speaking of the same thing. We are worshipping the same God. When I worship Jesus Christ, I should see that I love my brothers in other religions. If I worship Jesus Christ and hate my neighbours who are Hindus and Muslims, then I am not a true follower of Jesus Christ. So, my humble request to this august House which is the

sanctum sanctorum of democratic process in this country is that we should find a way out. This is the proper time and the time has come now. Lord Rama does not take avatar in the earth at all times. He comes only at a particular time and I think that particular time has come when the entire nation is facing acute crises both internally and externally.

So, we have to find out a suitable settlement by sitting together so that everyone's feeling is respected. I am sure that this discussion will help this august House to find out a suitable solution on this issue. Thank you.

[*Translation*]

MR CHAIRMAN Shri Surya Narayan Yadav

(*Interruptions*)

MR CHAIRMAN I fail to understand as to why there is so much commotion on calling your name for speaking.

(*Interruptions*)

SHRI RAJVEER SINGH (Aonla) It is because he does not let other speak.

(*Interruptions*)

SHRI SURYA NARAYAN YADAV (Sahasara) Mr Chairman

(*Interruptions*)

SHRI RAM NAIK (Bombay North) Mr Chairman, Sir during the interruptions in the speech of an Hon Member an Hon Member used the word 'thy' ('Tera'). I think this word is not proper as far as manners

are concerned. So, I urge upon you to expunge this word from the record.

MR. CHAIRMAN : This is a past issue, leave it now.

.. (Interruptions) ..

MR. CHAIRMAN : In love even God is called 'thou'.

.. (Interruptions) ..

AN HON. MEMBER : But this not the proper place ofr it.

.. (Interruptions) ..

SHRI SURYA NARAYAN YADAV : I have heard with great patience the submissions regarding the Ram-Janam Bhoomi-Babri Masjid issue made by each side .. (Interruptions) .. please try to listen to me first. I have listened to all of them very patiently but they are not ready to listen to me .. (Interruptions) .. Mr. Chairman, Sir, the word 'Ram' leads me to recall the long-conceived 'Ram-Rajya' in the country. They have also made a reference to Ram Rajya. .. (Interruptions) .. Of course, Gandhiji also strived to work for 'Ram Rajya'. Ours is a country where the 'Kharaon' (wooden sandal) of Ram were held as symbol of his authority and the country was administered under that authority for 14 years. I would like to ask the Vishwa Hindu Parishad activists :—Was it not Lord Rama who relished the berries already tasted by Shabri .. (Interruptions) .. I want to ask them as to why are they defaming the name of Ram .. (Interruptions) .. We shall not speak if they do not let us speak. But then Advani Sahab will also not be able

to deliver his speech here .. (Interruptions) ..

SHRI RAJVEER SINGH : We shall not let V.P. Singh speak if they threaten us this way .. (Interruptions) ..

[English]

MR. CHAIRMAN : Please sit down.

.. (Interruptions) ..

MR. CHAIRMAN : I am on my legs. Please take your seat.

.. (Interruptions) ..

MR. CHAIRMAN : I would request the Hon. Member to address the Chair.

.. (Interruptions) ..

MR. CHAIRMAN : Please do not indulge in private conversation among yourselves.

[Translation]

SHRI SURYA NARAYAN YADAV : Mr. Chairman, Sir,

.. (Interruptions) ..

SHRI GUMAN MAL LODHA (Pali) : We have a befitting reply. A Harijan laid the foundation stone of the Ram-Janam-Bhoomi Mandir.

SHRI SURYA NARAYAN YADAV : Mr. Chairman, Sir, the leaders of the Vishwa Hindu Parishad have quoted thousand times the name of Lord Ram here since Friday last. I would like to know from them as to whether Lord Ram had not embraced and emancipated the poor, the down-trodden and the untouchables.

He had treated even the Christians and Muslims equally. He did not discriminate at all against them .. (*Interruptions*) ..

SHRI RATILAL VARMA (Dhanduka) : Mr. Chairman, Sir, I am on a point of order.

MR. CHAIRMAN : Yes, what is your point of order.

SHRI RATILAL VARMA : Mr. Chairman, Sir, the Hon. Member is distorting the history here. Is he authorised to do so? Why is he trying to distort the history here ?

MR. CHAIRMAN : This is not a point of order as no one can distort history . (*Interruptions*) ..

SHRI PIYUS TIRKEY : Mr. Chairman, Sir, when Ram was born, no one was Hindu, all were Adivasis .. (*Interruptions*) ..

SHRI SURYA NARAYAN YADAV : Mr. Chairman, Sir, we have great respect for the name of Ram. We accepted him as God. There is not a single house in India today, where Ram, Shankar or Krishna are not worshipped. But when the Vishwa Hindu Parishad made a beginning, Sir, you will be surprised to know that they made a beginning on the day when they kept Harijans, backwards and down-trodden away, they made a beginning on the day when they tried to prevent them from offering worship in temples .. (*Interruptions*) ..

SHRI B. L. SHARMA 'Prem' : Mr. Chairman, Sir, the Vishwa Hindu

Parishad never tried to prevent them from offering worship. Rather a Harijan had been asked to perform the ceremony of laying the foundation stone of the Ram-Janam-Bhoomi Mandir .... (*Interruptions*).

MR. CHAIRMAN : Do not make a noise, please. Please, do not interrupt (*Interruptions*).....

MR. CHAIRMAN : One should not interrupt, everyone will get a chance, let him speak please (*Interruptions*) ....

SHRI DEVENDRA PRASAD YADAV : I am on a point of order. Sir, you are in the chair and you are supreme in this House. And the hon. Member is speaking with your permission under your protection. Your instructions must be followed. (*Interruptions*).

MR. CHAIRMAN : I would request the hon. Members to take their seats.

.... (*Interruptions*).\*\*

MR. CHAIRMAN : Nothing will go on record.

[*English*]

I would request the hon. Members to keep some decorum in the House ..

[*Translation*]

SHRI ATAL BIHARI VAJPAYEE (Lucknow) : I agree with you that the discussion in the House should go on without any excitement. I would like to request all, including my own

party members, to listen to the Member patiently, who has been allowed to speak. It is not necessary that you agree with his views. In this House a Member has a right to freedom of speech. If he says anything wrong, one should not interrupt him but should wait for one's turn and reply when one gets a chance. As this rule is applicable to my party members, it is equally applicable to other Members.

MR. CHAIRMAN: I thank Shri Vajpayee and I agree with him. I request you all to maintain decorum in the House. As Shri Vajpayee has pointed out, every member has a right to speak but one should wait for one's turn and then reply. Hence, I request you all not to interrupt Shri Surya Narayan as he is on his legs. Proceedings of the House are to continue up to 6 O'clock. If the hon Members are willing it can be extended beyond 6 O'clock, otherwise the resolution may be taken up on next Friday.

DR. LAXMI NARAYAN PANDEYA: I discussed the matter with the Hon. Speaker in his chamber. He proposed that as soon as the discussion was over, notices under rule 377 could be taken up. So this may also be taken up.

PROF. PREM DHUMAL: Mr. Chairman, Sir, matters under rule 377 may be taken up after 6 O'clock.

MR. CHAIRMAN: After consultations, I will let you know. Shri Surya Narayan may please continue his speech.

SHRI SURYA NARAYAN YADAV: Mr. Chairman, Sir, I was saying that during the election campaign both Shri Vajpayee and Shri Advani made the Ram Temple a hot issue. So I would like to ask them whether only a few people are Hindus in the country or the Harijans and the backwards also constitute the Hindus? If the latter are also Hindus then please also do care for their sentiments and prestige. These people are being discriminated for thousands of years.

When Shri V. P. Singh raised the banner of equality, whole nation became restive. When the issues of equality of rights to harijan, minorities and down-trodden, and of their participation in administration were raised under the banner of Mandal Commission and social justice, the Rath Yatra was started to subside Mandal issue and to provoke the Hindus in the country. My question is can the Ram Mandir-Masjid controversy kill even one day's hunger of a poor person? Today, in the country tens of lakhs of people are struggling for food and clothing and dying of hunger. Their children are deprived of schooling facilities. Has the VHP endeavoured to make food available to their children and also build schools for their education? I want to submit that all this is nothing, but a fraud. Till the equality and social justice are not brought, the condition of poor will not improve. Whenever an attempt has been made to improve the lot of down-trodden and backwards, the 'Brahminism' in the country has raised a great hue and cry.

Lord Budha favoured bringing in equality and humanism in the country. He said "Buddham Sharnam Gachhami". At that time also his attempt was vehemently resisted. Gradually Buddhism lost its importance in the country and caught imagination of people in China and Tibet. Later on Saint Kabir advocated the issue of equality, social justice and right to live but his fate was also none-the-less different. Mahatama Gandhi, who waged a struggle for independence, also said Hindus, Muslims, Sikhs, and Christians are one.

18.00 hrs.

We are one and there is unity in diversity. Therefore, we should talk of equality. Sir, issue of temple is being discussed here. I want to tell you that Mahatama Gandhi was shot dead by Nathu Ram Godse, when he was going to offer prayers. This was also an act of "Brahminism". As long as the V.H.P. continues to flourish under the present 'Brahministic' system, Hindus, Sikhs, Muslims and Christians will remain at logger heads. I want to warn them that this will not continue for long. The people of the country are today much more informed and conscious. Otherwise the people of this country will once again have to regroup themselves to get rid of the hypocrites as they had done earlier. "Jai Shri Ram, Jai Shri Ram, Tolo Kam, Napo Kam" such slogans are not going to work in the country. The focal point of my argument is that one who boasts of his piety and religious devotion, is the dishonest person of the highest order in the country.

Ram Mandir-Masjid controversy comes in handy to divide people, to ensure victory of candidates at the hustings although it may block the progress of the country and result in loss of human lives. Hindus and Muslims do not bear enmity towards each other in the country, but if we try to imitate the behaviour of Muslims of Pakistan against the Hindus living there, then it cannot be allowed in this country. I want . . . . .

MR. CHAIRMAN: It is 6 O' clock . . . . .

(Interruptions)

MR CHAIRMAN: No, when the House has already decided they cannot be restricted to just two minutes. This restriction cannot be enforced.

[English]

This discussion will spill over to next Friday.

SHRI NIRMAL KANTI CHATTERJEE (Dum Dum): Before you adjourn the House, I have a point of order, a very serious point of order. Kindly allow me to speak.

The time allotted for Private Members' Business is two-and-a-half hour and we have never curtailed that time. It has also been decided earlier that in case any Friday is not available for Private Members' Business then another day is to be spared for two-and-a-half hours for private members' business.

Today, because of other important discussion, the discussion on Private Members' Business could take place

only at 4.00 P.M. Therefore, 2½ hours must be there to complete this discussion and so we cannot adjourn at 6.00 P.M. The House should proceed till 6.30 P.M.

MR. CHAIRMAN: I asked the view of the House and the hon. Members wanted to go at 6.00 P.M.

SHRI BASU DEB ACHARIA (Bankura): Private Members' time cannot be curtailed. (*Interruptions*)

MR. CHAIRMAN: When I am on my feet, you please sit down. I agree with the hon. Members that 2½ hours should be allotted. I am prepared to even extend the time if the House wants to sit and we can continue discussion. As far as the question of 377 is concerned, the Speaker has decided that this will be taken up tomorrow after the Zero Hour.

We will then continue the discussion.

SHRI A. CHARLES (Trivandrum): At 3.30 hours when the Prime Minister was replying, the House decided that Prime Minister can continue his speech till the time he wants and at that time nothing was said about extending the time of the House. So, there is no point in saying that the Private Members' Business should continue beyond 6.00 P.M.

There is another very serious matter. (*Interruptions*)

MR. CHAIRMAN: I am informed that the time allotted for this discussion is 2½ hours. It will terminate at 6.25 P.M. Therefore, the House will continue its sitting till 6.25 P.M.

SHRI A. CHARLES: I have another point to make. So far as the Private Members Bills and Resolutions are concerned, they are taken up on every alternate Fridays. Last Friday, the House took up a Resolution. Today, the House should have taken up a Bill. I do not know why today, the Bill was not taken up. I do not know under what rule that rule was broken and the Resolution was taken up.

May I know the ruling from the Chair.

MR. CHAIRMAN: So, you do not want that this discussion be spilled over to next Friday.

SHRI A. CHARLES: Sir, if the discussion on the same Resolution continues, then what will happen to the Bills?

MR. CHAIRMAN: The ruling on this will be given by the Speaker tomorrow as to whether, according to rules, this discussion on Private Members Business should spill over to next Friday or not. The ruling will be given by the Hon. Speaker, tomorrow.

SHRI NIRMAL KANTI CHATTERJEE: It is a very serious matter. We had raised an issue earlier also regarding *Economic Survey*. The *Economic Survey* has not yet been presented before the House and on 24th, the Budget is being placed. I am told that the Budget discussion may begin on 26th. Without placing the *Economic Survey*, at least two days before the Budget, the discussion on the

Budget cannot start. The promise was that either on Friday or on Saturday, the *Economic Survey* will be laid on the Table of the House.

I want an assurance from the Minister of Parliamentary Affairs here, that by tomorrow, the *Economic Survey* will be presented on the Table of the House.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB): The Finance Minister who is sitting just behind me informed me that they are trying their best and they are expecting that it may be presented by tomorrow. Anyway, I will check up.

SHRI NIRMAL KANTI CHATERJEE: We want to know how best he will succeed. We want them to succeed so that they will be able to place the *Economic Survey* by tomorrow.

SHRI A. CHARLES: You wait and see till tomorrow!

SHRI E. AHMED: I am on a point of order. We should also be given an opportunity to express our views and speak on this Resolution. You should not dispose it of without giving us an opportunity. Please keep this thing in mind.

[Translation]

SHRI SURYA NARAYAN YADAV: Mr. Chairman, Sir, it is correct that Hindus in Pakistan are humiliated. There are no two opinions about it, but that does not mean that

we should also follow them. Shri Advani left Pakistan and settled down in India to evade harassment at the hands of the people of Pakistan. I agree that such is the psychology of people, but the reasons for it are different. I want to humbly submit that Shri Advani, who is present in the House, is a great political leader. India from Kashmir to Kanya Kumari is culturally diverse. Recently I was on a tour of Nagaland and there I noticed that both cows and pigs are butchered there. Is the VHP aware that now a days in the country ghee is adulterated with tallow . . . . . (Interruptions). Some industrialists are indulging in such practices. (Interruptions)

SHRI RAJVEER SINGH: Mr. Chairman, Sir, I want a clarification whether it is the men of VHP who adulterate ghee with beef or pig tallow. The hon. Members cannot cast aspersion on someone who cannot defend himself in the House.

SHRI SURYA NARAYAN YADAV: Same people want to disintegrate India. Muslim population in this country is not insignificant. They account for 18 per cent of the population of the country and Hindus are also living here. My submission to them is not to work for the disintegration of the country in the name of Mandir-Masjid issue. I agree that Ram Temple was there. You support construction of temple at the site of 'Garbhagriha', but my point is that was anyone witness to Ram taking birth there. If anyone witnessed the birth of Ram, then temple must be

constructed there. Nobody was a witness and even then 70 acre of land has been acquired by the trust for Ram Mandir. Not only one, but you can build 11 temples there if you so desire. For this, first of all intention should be clear, if not, the temple is difficult to construct. You are desirous of constructing Ram Temple at the site of 'Garbhagriha', but have you been a witness to the birth of Ram there.

Sir, nobody is a witness to the birth of Ram, but even then 70 acres of land has been acquired by the trust and crores of rupees have been collected by V.H.P for constructing the temple. So if you are Ram worshipper then build not one, but thousands of temples. We are prepared to cooperate with you in this task But if V.H.P. or anybody else tries to inflame passions in the name of Ram Mandir-Masjid controversy, then I am also a Yadav, Hindu workshipper of Ram. This will not be tolerated and everyone like me will try to uncover such goings on . . . (Interruptions)

Sir, something needs to be done to check such things. The Government claims that *status quo* as on 15-8-1947, in respect of religious places will be maintained . . . . . (Interruptions). If you are out to disturb the communal fabric then I am not in favour of it. Neither Krishna in Gita nor Ram favoured these things. Ram was an idealist . . . . (Interruptions). We are disciples of Ram, but do not worship masquerading Ram and Sita. Evil designs of masqueraders will not be allowed to succeed. Illi-

teracy has gone up in the country. Children of Harijans and Backwards have also received education. Now the people cannot be befooled as was the case earlier. Now traders and Industrialists will not be allowed to prosper in the country. If you also want participation in power I advise you to disseminate your ideology, work for the welfare of the poor and the country, and also for the integrity of the nation by removing differences among Hindus, Muslims, Sikhs and Christians Let all the communities prosper in the country and if any community or religion does not get opportunity to prosper, it is difficult to run the country.

Sir, with these words I conclude and also thank you for giving me an opportunity to speak.

SHRI GUMAN MAL LODHA : Mr. Chairman, Sir, the hon. Member asked a question about a witness to birth of Ram. My counter question to him is, did he see his father taking birth? . . . . (Interruptions).

MR. CHAIRMAN : Probably you are quoting from the cassette. (Interruptions)

SHRI SURYA NARAYAN YADAV : Mr. Chairman, Sir, since he asked a question, it must be replied; I have the reply, I did not refer to these things during my speech . . . . (Interruptions)

Did you put this question to the mother of Ram . . . . (Interruptions).

\*SHRI SUDARSHAN RAY-CHAUDHARY (Sreerampore) : While

supporting the Private Members Resolution, moved on behalf of our party by Shri Zainal Abedin on last Friday, the 12th of July, 1991, it must be mentioned that this is a matter of hope, that this Resolution is important not only in this august House but also it is equally important for every secular minded people in the country. The people, who right from the beginning of our freedom movement, till now, believed in the policy based on secularism, will support this Resolution. Now what is moved in the Resolution—the move is, that the places of worship, whether of the Hindus, Sikhs, Muslims and Christians, existing at the time of our independence i.e. 15th August, 1947 should maintain the *status quo*. There should not be any decision to change this on any account. Well, it is a matter of regret we have to take this decision after 44 years of independence. After independence, we had to fight against many great problems. Still we are struggling against these problems and poverty and illiteracy are the two major problems. We are still fighting against. While struggling against these problems, the experience we have gained is that if we want to solve the problem of poverty and illiteracy, the main important thing to be maintained is the unity of the people. Now, who are the people scared of the unity of the masses, who are they, that do not want to fight anything based on the unity of the people? They are the people, the capitalist, the landlord, Tatas, Birlas, who even after 44 years of independence, want to keep this poverty, illiteracy, the ill health to remain for ever. Since a

long time, these people have been trying through tricked devices, to foil the united fight of the people. Two devices are adopted by these capitalists; one is to break the democratic set-up. We have seen how our Constitution has been insulted our basic rights have been routed at times. We have had this experience. Even today while we are discussing these issues inside Parliament the Preventive Detention Act is still imposed outside Parliament

It is a matter of pride for me that this act does not exist in my State of West Bengal. Again it is a matter of regret also that my State West Bengal is within a system—a system without the power of another dimension of democracy—the decentralization of power. Well, again my state is deprived of this advantage of decentralization of power. And again this device of centralization of power is prevalent so as to curb the struggle, the agitation of the masses. Even these devices are not enough. It is not enough to deprive of the democratic rights. It is not enough to have centralization of power. There has been a new device, a new strategy that has started since some years back. What is that strategy? The strategy is to foil the united strength of the people. And the most dangerous part of the endeavour has been ot set, to bring about the fight between two communities, may be Hindu—Muslims or Muslims—Sikhs or Sikhs—Christians. Let the animosity between the communities continue, let them never be united. So the utmost endeavour has been

to vitiate the communal atmosphere in the country. The intention of the people treading this evil path has been to foil, to destroy the unity of the masses so that the poor or the middle class can never stand united, with their heads held high.

We have achieved freedom for more than 44 years. After these long years we find this controversy of temple and mosque has suddenly started a new since last 4 or 5 years. The clamour is for the construction of the temple in that very place where the mosque exists. The temple cannot be built anywhere else. Whether Ram Chandra had been a historical or mythological character will be disputed by those who want to argue. But it is a matter of regret that the very basis of controversy is unscientific. If you believe in scientific theory then you can not debate on mythology and historicity. The historical fact is that Babri Masjid had been existing in that very place. This view is supported not only by the Muslims, but also by a larger number of people belonging to the so-called majority community. They believe that Babri Masjid had been existing there, is still there. What is the secret aim of their controversial issue? The aim, the purpose has been to raise this issue afresh so that the secular unity of our people is completely destroyed and broken up.

So we, the CPM party feel that religion was not only reason behind the starting of this controversy. There has been a secular reason too. Well, that well devised plan had been to create separatism, to foster division in the minds of the people in the guise

of religion. If you cannot divide the people, you cannot suppress them. They cannot be oppressed, suppressed, or dominated. If the poor, the labourer, the toiling people of UP unite it will be a great disadvantage for the rich, the landlords, the mill owners, the capitalists class.

Those, who are following this strategy may take oath in the name of religion, in the name of Ram or Krishna or any other deity. But their main aim is to destroy the unity of the people. This has been their target and this has been their strategy.

So we find people who are branded as the religious fundamentalists in our country belong to B.J.P. Party. The BJP leaders may not admit this fact but the opinion of the majority of the country has been on this line. We find the rich, the landlords, the Tatas and Birlas have come forward to support BJP because they do not want that the masses should unite. Well if the poor and the workers of the country unite, the landlords, the rich, mill owners may be in disadvantage. But it is a matter of sorrow that the recognised political party of our country also want to raise this slogan of religion. If we lose our secular set-up, if the poison of communalism spreads in the whole country, then who will be the gainer and who will be the loser? If the poor people do not have secular outlook, they can be easily suppressed. This trend we have witnessed. Of course this situation may be advantageous for some of the middle class, because the economic system of our country has been responsible for the hopelessness, despondence pess-

mism among the middle class. This problem has not been solved and if it is not solved, the situation will worsen.

[English]

MR. CHAIRMAN : M. Sudarshan Raychaudhary, you may continue next time.

MR. CHAIRMAN : The House stands adjourned to reassemble tomorrow at 11 A.M.

18.26 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Saturday, July, 20, 1991/Asadha 29, 1913 (Saka).*