

of the Consolidated Fund of the State of Punjab for the services of the financial year 1988-89.

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Punjab for the services of the financial year 1988—89."

The Motion was adopted

SHRI B.K. GADHVI: I introduce** the Bill.

SHRI B.K. GADHVI: I beg to move†:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Punjab for the services of the financial year 1988-89, be taken into consideration."

MR. DEPUTY SPEAKER: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Punjab for the services of the financial year 1988-89, be taken into consideration."

The Motion was adopted.

MR. DEPUTY SPEAKER: Now, the House will take up clause-by-clause consideration of the Bill. The question is:

"That Clauses 2, 3 and the Schedule stand part of the Bill."

The Motion was adopted

Clauses 2,3 and the Schedule were added to the Bill.

MR. DEPUTY SPEAKER: The question is:

"That clause 1, the Enacting Formula and the title stand part of the Bill":

The Motion was adopted.

Clause, 1, the Enacting Formula and the Title were added to the Bill.

SHRI B.K. GADHVI: I beg to move:

" That the Bill be passed"

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed "

The Motion was adopted.

17.41 hrs.

HALF-AN-HOUR DISCUSSION

Ban On Communal Organisations

[English]

MR. DEPUTY SPEAKER: The House now will take up the Half-an-hour discussion.

[Translation]

DR. G S. RAJHANS (Jhanjharpur): Mr. Deputy Speaker, Sir, when this question was asked on 28th November, the whole House agreed that they should have detailed information. This is why, I have raised this half-an-hour discussion.

I would like to submit that some weeks ago, I visited Turkey and when I saw the

**Introduced with the recommendation of the President.

†Moved with the recommendation of the President.

[Dr. G.S. Rajhans]

situation there, I remembered my country very much. When Kamal-Ata-Turk came into power in Turkey, prior to that Turkey was also facing the same situation as India is facing today. Muslims and christians were bitter enemies and everyday, there used to be riots. Kamal-Ata-Turk passed a legislation that from now Turkey will be a secular country. He stopped Friday holidays which used to be given to offer 'Namaz' Similarly holiday for offering prayer in the churches was also stopped. he made another law that no mosque or church will be constructed from now onwards. In his book "Glimpses of World History", Shri Jawahar Lal Nehru has also written that Kamal-Ata-Turk brought a revolution in his country. He told his countrymen that they have to become modern and leave fighting on account of religion and follow in foot steps of Europe. Today, Turkey has very much become a part of "Europe. Earlier, many times, some mosques were converted into churches and churches were converted into mosques and so on. So, Turk framed a law that from now on, no church will be converted into mosque and vice-versa. They were all converted into museums.

I would submit that it is the only remedy for our country as well. The minds of people have become so much perverted in the name of religion, that it will make the future bleak, if it is not checked in time. It is necessary to take a bold step now. Today, Hindu, Muslim and Sikh despise each other. Even, Hindus hate each other among themselves and Muslims and sikhs also look down upon each other. This disease is spreading day by day.

In this connection the Government stated several times that efforts will be made to separate religion from politics. People had great expectations that something fruitful will be done in this regard but nothing has been done so far. Pt. Jawahar Lal Nehru had also tired to separate religion from politics and he desired that a ban should be imposed on communal parties. He sent a letter to the then law Minister -who is in the Janata Dal

these days-to take some initiative in this regard. But the matter was forgotten with the passage of time nothing could be done in this regard. But if we go into the depth we will find that the root cause of this fight is the fight between haves and have nots. All these communal parties whether it is Bajrang Dal, Harhar Mahadev Dal, Muslim League or Akali Dal—incite the people in the name of religion and these are headed by some selfish elements of the society who want to serve their own ends. Recently I went to Haridwar and I saw a slogan written on the walls.

"Thakur, Brahman aur Baniya Chor; Baaki Sai hai D-S-4."

I couldn't understand its meaning. Recently there was a severe earthquake in our area and the people from all parts of the country and several social organisations came to our rescue and to render relief work. The people of my area had never heard of D-S-4 and in fact I too had never heard of it. The volunteers of this organisation went from door to door in the villages and said that they would supply tarpaulin, building material, and food to only those people who are members of D-S-4. The people were surprised and they asked what after all was D-S-4. When the people came to know about it they got together and you will be astonished to know that all the villagers requested them to go away and not to cheat them in the name of distributing relief. They did not take relief-material. They suffered; suffered together in the rains but they requested them not to divide them in the named of caste and community. The villagers further told them that our problems are common and it is not right to say that the sufferings of a person of one community are different or less than the sufferings of the person of other community. They are suffering with the same problems. The volunteers tired to persuade them to accept relief but the villagers did not take relief. Therefore, it is not a problem of only Hindus, Muslims or Sikhs but this poison of casteism is a spreading fast all over the country. In Bihar, U.P. and in the Hindi speaking areas the first question that is

asked from a person is about the caste to which he belongs. If he is a Brahmin or belongs to high caste he is related to me and if he is from Thakur community, he is not. Everywhere in universities, colleges, schools, Government Services and even in buses and trains the separation is made only on the basis of caste and community. He is my friend if he belongs to a Thakur community. He is my friend if he is from Brahmin community otherwise he is not related to me. Therefore, I want to say that the Government will have to take a bold step against it. You will have to face this bitter truth whether you like it or not. The question is what shall be the definition of a communal party? The definition is very simple. any party or community which does not allow other persons to enter its fold is communal. What is the difficulty in this ? When a legislation on 'Sati' was enacted , in this House, people were afraid of the backlash and consequent violence and arson in Rajasthan. They were of the view that the people of one community will torture the people of other community. But we boldly enacted 'Sati' legislation and not even a single incident took place thereafter. Therefore, it is a matter of will. The country needs a bold person like Kamal-Al-Turk who may say that forget whatever has happened in the past but now no more. Economic development, employment, bread and butter are more necessary for us than Temples, Mosques, Gurudwaras and Churches. If you go on avoiding this problem , the poison of communalism and casteism will spread slowly throughout the country and then it will become an incurable disease.

Mr. Deputy Speaker , Sir, today the country needs a political will. Every thing becomes easier if there is a political will. A non-Maharashtrian is afraid to go to Maharashtra today because Shiv Sena has created troubles for him. If the disease of communalism is not controlled immediately a time will come when people will not only be afraid of moving from one State to the other but also from moving within the State where people of a particular community reside. Last year when riots took place in Delhi who were the victims? They were Muslim work-

ers from Bihar and Uttar Pradesh. I have seen their dead bodies lying on Hospital. I asked myself what was the fault of this worker? His only fault was that he had come here in search of livelihood and he was a follower of a particular religion. Is there no justice for them? The people with vested interests mislead the society in the name of religion. Until we expose these people, there is no future for this country. There is an equal number of Hindu & Muslim community in my area. The Muslims worship goddess Durga during "*Durga Puja Festival*" and celebrate *Deepawali* with us and we also join them on *Muharram* and *Eid* and till today not even a single riot has occurred there. Why? Because they are poor. This area is the poorest in the country. During the floods, the people have to climb trees where snakes also take shelter and Hindus and Muslims fall victim to snake bite alike because a snake cannot distinguish between the two. Poverty brings brotherhood. Therefore, they should remain united because the rich people exploit poor in the name of religion for the sake of their perpetual domination on poor. Therefore they adopted a way i.e. they told people that their welfare lies in affiliating themselves to such and such political party, more so because they are followers of a particular religion. I have a reminiscence of my childhood. My house was on the bank of river Ganga. My grandmother used to throw some coins daily in the Ganga. One day, I asked her the reason. She told me that by throwing coins in the water she will be very rich in the next birth. Then I asked her as to how so and so rich man of the village became rich. She told me that he is rich because he must have thrown coins in the Ganga in his last birth. I asked her who told her this story. She said that the priest of the temple told her so. I asked her as to who pays him the salary. She said so an so rich man. From this you can judge the type of vicious circle that is there. These rich people spread rumours and superstitions in the name of religion only in order to continue their perpetual domination on the poor and also in order to exploit them.

I conclude my speech with a very impor-

[Dr. G.S. Rajhans]

tant point and it should not be taken in a lighter vein. History will never pardon us for it. Now the time has come when we should take bold steps and say like Kamal-Al-Turk that forget whatever has happened in the past but this should not be repeated in future. You will have to separate religion from politics and will have to punish those who mix religion with politics.

With these words, I conclude my speech.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Mr Deputy Speaker, sir, I am grateful to hon. Member Dr. Rajhans for raising this discussion arising out of an answer given to a question in Parliament. We had said in the answer: "The question of separating religion from politics is engaging the attention of Government." As a result of our exercises and discussions, we were able to bring before Parliament the Religious Institutions (Prevention of Misuse) Bill, 1988, which was made into an Act. That dealt with one aspect of the problem, namely, removing politics from our religious institutions. The other side of the problem that is removing religion from our political activities is far more complex. I wish it was possible for me to say that efforts on the subject have crystallised and we will bring forward a Bill.

I shall presently explain the difficulties that we face and I urge hon. Members to give their attention to this problem and suggest ways and means by which we can get over the difficulties. It is not as though there are no laws on our Statute Book today to deal with communal activities or activities which promote communal hatred. We have in the Indian Penal code several sections. Section 153a and Section 153B are rather well known. We have also certain provisions in

the Criminal Procedure Code. As regards newspapers and other publications which promote communal hatred, there are provisions in the Press Council Act by which the matter can be taken up to the Press council.

18.00 hrs.

As regards communal propaganda causing hatred or disaffection among sections of the people, there are provisions in the representation of People's 'Act. These laws are there. Nevertheless we have organisations in our country which are communal in character. It does not require too much argument to show that they are communal in character. But there are difficulties in defining an organisation which is communal or a party which is communal. How shall we define it? On the one hand we have Article 19 which allows people the fundamental right of association. We are a democracy. A certain number of persons can come together from a political party or an association and contest elections. They can contest elections as a party, they can contest elections as individuals. If they are a party, if they are an organisation or an association, how would we define that organisation as communal? Shall we go by the name of the organisation or shall we go by its flag or shall we go by its membership or shall we go by its policies and programmes or shall we go by the number of candidates it fields and the characteristics of those candidates or shall we go by what they say and write in various forums? The problem of definition is an acute problem and, speaking for myself I have not been able to resolve this problem in my own mind. Yet, I can assure you — we have spent hours in debating on this issue that we will be able to come up with some kind of an acceptable definition as soon as possible.

Now, the question is regarding the proposal to ban communal organisation. The first step is to define a communal organisation. The next step is to work out a fair and objective procedure by which you can reach a conclusion that an organisation is communal or not. Obviously, it cannot be the whim

of the bureaucrat nor can it be an executive act which says that such and such organisation is communal. That would hardly be acceptable to anyone. In fact, it would be abused. So, we have to work out a fair and just procedure by which an impartial authority will determine whether an organisation is communal or not. So, that again is an area which requires a very deep study.

The third problem is if an organisation is declared as communal, obviously there must be a way out for that organisation. There must be a way by which the organisation changes its character, changes those incidents which make it communal so that its members can take part in democratic political activities. For example, we have recently had a couple of organisations, the TNV for example, which was declared as an unlawful organisation under the Unlawful Activities Prevention Act. But once they accepted the constitution, once they gave up secession and separatism, once they abjured violence, once they amended their own by-laws giving up all these incidents, we lifted the ban so that they could also take part in democratic activity, take part in elections and take part in every activity which is a part of democratic society. So, these are the difficult questions. Government is considering these questions. It would not be possible for me to say when we would be able to come up with an answer.

All I can say is that the matter was considered as early as June, 1961 in the Conference of the Chief Ministers. Many wise men and women have considered this problem but they have not been able to come up with an answer. Recently, the Sub-Committee of the National Integration Council had considered this problem. They have made some suggestions.

While I would like to take this opportunity to reiterate Government's commitment to the principle that communal organisations have no role to play in the democratic policy of India, we would have to study this problem in greater depth before we come up with an answer to the question whether Government propose to ban communal organisations.

Sir, I would sincerely hope that Dr. G.S. Rajhans and other hon. Members would be satisfied with this re-statement of the firm commitment of the Government and I would urge all of them to give us the benefit of their ideas, the benefit of their views on how to go about finding a solution to this problem.

[Translation]

SHRI SHANTARAM NAIK (Panaji): Mr. Deputy Speaker, Sir, I do not agree with the view that there cannot be a definition of the word communal or it is very difficult to define it. The Government may have difficulties in enacting and bringing such a law from political and social point of view but I do not agree that it is difficult to define the word communal. If I give you a pure definition which will suit the incident and which does not violate the law and religious policy, are you ready to assure us that a law would be enacted in this regard? But I know it is not possible because at present we are not prepared for it. There are some matters for which we are not prepared as yet.

Whenever I think about this, I am remembered of a film and by chance yesterday also I saw that film. In this film an old Muslim man finds an illegitimate child in a forest and he brings up that child. He faces many difficulties as some say that he is from Muslim community whereas some say that he belongs to Hindu community. In that film he also sings a song while giving the child a bath-

"To Hindu Banga Na Musalman Banega,

Insaan Ki Aulaad Hai, Insaan Banega,
Kudrat Ne To Hame Bakhshi Thi Ek He Dharti,

Haamne Kahin Bharat, Kahin Iran Banaya.

Thus we ourselves are to be blamed for this communalism. In a way we all are communal though there may be a little difference. Though we do not hate persons of other communities but will we permit out

[Sh. Shantaram Naik]

daughter to marry a person of that community"? Only one percent people may permit it. Thus in this way all of us are communal. There should be a change in this concept. It is not sufficient to say that God is one. All Hindus, Muslims and Christians say that, but do we really believe in it? In reality we do not believe in this and thus we are communal. The root cause of this problem is that all communal concepts in the society are directly attributed to religion. Our concept of good or bad is based on religion. Even caste based bifurcation of society and practice of untouchability are considered to be pious acts, which have the sanction of religion. As the people believe in religion and God they believe in these things also.

That is why religion spread all over the country and we have not so far been able to enact a law banning communal parties. The Election Commission, if it so desires, can prevent a communal party from being registered as a political party under the provisions of the law relating to allotment of symbols to political parties.

Para-3 of the Election (Symbols and Allotment) Order, 1968 pertains to registration. According to the provisions of this para, every political party will have to pronounce its policy.

[English]

It has been stated there:

- (i) the political principles on which it is based;
- (ii) the policies, aims and objects it pursues to seek to pursue;
- (iii) its programmes, functions and activities for the purpose of carrying out its political principles, policies, aims and objects; and
- (iv) After considering all the particulars as aforesaid in its posses-

sion and any other necessary and relevant factors and after giving the representatives of the association of body reasonable opportunity of being heard, the Commission shall decide either to register the association or body as a political party for the purposes of this order....."

[Translation]

The commission takes its decision keeping in view the above points. If the activities of any party directly or indirectly are prejudicial to the interest of society, the Election Commission, keeping in view the above points, may refuse registration of the party. The Commission has not so far used its discretionary power. Any party, after filling up the requisite form and submitting its constitution, is directly registered within 8 days. We have been reading for the last 4 to 5 weeks that a Bill pertaining to Electoral Reforms is about to be introduced in the current session. We want electoral reforms in respect of lowering of age introduction of electronic machines and state funding of elections. Out of the various points of electoral reform, points pertaining to lowering of voting age and ban on communal parties are the most significant. If these two aspects are not included in the proposed Bill, it will not be able to bring desired effect. The question of introducing electronic machines is a very insignificant thing. Our democracy has been functioning properly for the last 40 years without the same. I would like to say once again that the aspects pertaining to lowering of voting age and banning communal parties are very significant without which the Bill will not carry that much weight. It may also please be stated if there is any proposal to bring forward such a legislation in the near future. Reply to all these questions may please be given to me.

SHRI HARISH RAWAT (Almora) : Mr Deputy Speaker, Sir I do agree with the hon. Minister of state in the Ministry of Home Affairs that it is not an easy task to define regional and communal organisation. But it

is not proper to say on the part of the hon. Minister that no such proposal is under consideration of the Government. This issue is so significant that it is not only the Government but also the whole country is concerned about it. We sincerely want that our present political set-up should survive. In order to fulfil this objective, we must find some way out to separate religion and regionalism from politics. Until and unless we separate regionalism and religion from politics, we will be put to trouble one way or the other. If it is not possible for us to coin a clear cut definition of communal organisations, we can at least pin point certain organisations on the basis of their communal activities and antecedents that such and such organisations come under the category of communal tendency. We can say that this creates religious tension and feeling of jealousy in the minds of people belonging to other faiths. There is no doubt about the fact that the Akali Dal carries on its political activities on the basis of religion from places of worship. As regards the D.M.K., there is no doubt that this party has also been able to maintain its existence by carrying its political activities in a particular state and boosting the feeling of regionalism. The Government can identify such activities and take action accordingly. For this, we should adopt an unanimous definition for the entire country. We may also take it granted that a communal organisation will not leave politics of communalism and regionalism. If we think that they will not do this by respecting our sermons, we are mistaken. They will not refrain themselves from such activities. It is just like giving sermons to Satan and expecting godliness on the part of him, which he cannot be because his self interest is involved in it. His mental faculty has been so moulded that one can not change him. The all powerful time alone can toe him to the line. For example, some people in the north-east region used to talk in terms of making revolt against the country. With the passage of time, that communal organisation automatically was toed to the line. It is not that their heart changed and that is why they choose the right path or they developed soft corner for us. They were tuned up because they were forced by us to

do so, lest their very existence should have been endangered. They come to the right path out of fear. This matter has been discussed in the National Integration Council and inside as well as outside the Parliament. Several suggestions were made in this regard. We can proceed further on the basis of those suggestions. Just now, Shri Shantaram Naik has stated that the Government is proposed to bring forward a legislation on election reforms seeking lowering of voting age, change in electoral procedures and separating religion and communalism from politics. If the Government does not lay down a precise definition for this important subject, talk of carrying out election reforms will be meaningless. If we introduce this bill, election reforms will remain half done. The Government should come forward with a clear intention on this subject and clearly pronounce that those communal parties which will be identified on the basis of this sort of activities will be debarred from contesting elections. Apart from this, the Government can also make efforts to take action against people who spread religious hatred in the society and ban their activities.

SHRI VIRDHI CHANDER JAIN (Barmer) : Mr Deputy speaker, Sir, we framed the constitution of our country and adopted democratic form of Government under it. Our constitution makers provided it in the constitution. While framing the constitution, the great leaders of our country adopted the policy of secularism. In order to tread the path shown by our great leaders, it is very necessary on our part to do away with communalism. Until and unless we do away with communalism, we will not be able to implement the policy of secularism in the right earnest. For that it is all the more necessary we should hold a discussion on it. As a matter of fact, we are discussing the same. But I am astonished to note that after achievement of independence on 15 August 1947, the Congress party has been ruling the country barring a short spell of two and half years when the Janata Party was in power, but we have not been able to lay down a definition for communal organisation. Hon. Members have expressed their

[Sh. Virdhi Chander Jain]

views on the definition of the word communal. The sub-committee of the National Integration Council was also made some suggestions in this regard. The Government should bring forward a legislation on the basis of those suggestions and referred it to the Select Committee for detailed examination. As the Select-Committee consists of Members from all the parties, these Members will offer views on that legislation after which we will convert it into a law. Have any efforts been made in this direction? I am of the view that no such legislation on the basis of communal discussion has ever been introduced in the House since 15 August 1947. When no legislation was introduced, what discussion could take place in this regard. It is, therefore, necessary that a suitable legislation in this regard should be introduced which could be passed.

Now we are going to make election reforms. One of our colleagues stated that there is a good provision in the rules pertaining to allotment of election symbols. This provision should, at least, be implemented. At least, the Election Commission should implement this provision. If necessary, we can amend the procedure by bringing forward an amendment in the rules pertaining to election symbol. This should be made effective.

You may go through the constitution of the Akali Dal and see their activities. Can we arrive at a decision on that basis? When everything becomes crystal clear in the House, we can impose a ban on that organisation. There are a number of other such organisation who have their own constitutions. The Rashtriya Swayam Sevak Sangh is one such organisation. No other than a Hindu can become a member of this organisation. Christians cannot join this organisation. Even then the Rashtriya Swayam Sevak Sangh has been functioning. The Akali Dal also follows religious edicts in deciding political affairs. They hold their meetings in the religious premises and they are followers of a particular religion. It should

be decided that no meeting of a political nature is to be allowed to take place at a religious place. If we can take a decision on it to-day and implement the same, it will be in itself a very significant achievement. We should take a decision about holding political meetings at religious places such as temples and mosques and any decision taken in this regard must be implemented. If a law is not implemented after its enactment, it only lead to deterioration in the situation. What I mean to say is that our constitution is secular and it provides measures to contain communalism. The only thing we have do is to take a small step in the direction. In view of foregoing, I would like to know if the Government is taking any concrete steps to impose a ban on these communal parties? Is the Government making any active contribution to check their activities in any manner?

[English]

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : Mr. Deputy Speaker, Sir, I was really surprised to hear the hon. Minister when he said that there is no proposal at present before the Government to ban communal organisation in the country. he also said that he cannot define a communal organisation. It is really very sad.

SHRI P. CHIDAMBARAM : I said, it is difficult to define.

SHRI V. SOBHANADREESWARA RAO : I agree with the sentiments and views expressed by the hon. Members who have preceded me.

The hon. Minister's reply to Dr. Rajhans, who initiated the half-an-hour discussion only shows Government's negligence and its un-concern to a very very important problem which brings so much disharmony between the people of this country. I will not go into the details but I would like to say that there are certainly some communal organisations and vested interests where communal violence had broken may it be Meerut, Ahmedabad or Aurangabad.

The whole tragedy is that after these incidents are over, the Government forgets everything. For example, in the case of Ahmedabad when some communal violences had taken place previously and some responsible committees were appointed to examine as to why those incidents took place, which vested interests are behind those incidents and steps to be taken in future to avoid such incidents in future unfortunately all those reports have been gathering dust in the cupboards of libraries. So, Government is not really concerned to take up follow-up measures that have been suggested by those Commissions consisting of eminent people.

These incidents result not only into great human tragedy but stamp on the surviving members of those families who had been affected and also leave a very deep scar on their hearts. They cannot forget such incidents. Further, apart from loss of human lives very very valuable properties also get destroyed such as shops, small workshops, etc. now it will take many decades for that poor family to again gather all necessary assistance to set-up their small workshops, etc.

In these circumstances every well-meaning citizen of this country, secular people as well as several organisations have been demanding from this Government to ban communal organisations. On that day when the reply was placed before the House a large number of Members expressed surprise. They immediately asked the hon. Speaker to allow a half-an-hour discussion because they were not at all satisfied with the answer given by the hon. Minister.

So, at least now, as the hon. Member who preceded me had suggested, you kindly take immediate steps to identify which are the organisations behind these incidents in which communal violence has taken place in different parts of the country. There may not be anything wrong if some people create some organisation which may help in furtherance of their religion. But that organisa-

tion should not cause harm to other organisation in which there are some people belonging to other religions. Certainly, the Government must have some reports which appear in press on the subject. Apart from that, there will be intelligence reports. If the Government is really serious to ban these organisations, definitely you will be having a lot of information with you. You kindly identify such organisations. You prepare some draft proposal, give it to the public for its opinion. Let those views be discussed on various forums. Ultimately, you will get the feedback from the people, from the secular organisations. You can get information from eminent people. Ultimately you can take a final decision.

Just a few months back, incidents of communal violence had erupted in Uttar Pradesh. The Press reports said that it was a feud between the two Ministers of the State Government, who were responsible for these incidents. I would not name them. But what is your information? If your information is that it is correct, then what steps have you taken against such Ministers who have encourage their henchmen to cause communal violence and bring disharmony among the different sections of the people? "What steps have you taken? I would like to know about that from the hon. Minister. Let not such people be allowed to continue in power.

I would like to bring to your notice that after Telugu Desam Government came into power in Andhra Pradesh, except at one point of time when some communal organisation has tried to prevent the coming back of Shri N.T. Rama Rao — only for a few days, they succeeded in creating some foul atmosphere — during the last six years, there is not a single incident. Several lakhs of people are participating in Moharram. Several lakhs of people are participating in the Ganesh Chaturthi. Not even a small incident has taken place because our Government has kept these fellows — to whatever political parties they belonged, including, even if they belonged to our party — at a very very far distance in respect of these activities.

[Sh. V. Sobhanadreeswara Rao]

That's why there is complete communal harmony in our State.

Earlier, had the Government taken some steps to ban the presence of the militants or people with fire arms who are against the integrity of this country, Mr. Bhindrawale would not have stayed for such a long time in the Golden Temple. I appreciate the stand of the Government when it had flushed the terrorists only sometimes back from the Golden Temple Complex. I congratulate it. Similarly, now also, the Government must come forward. It must not take months or years. You must definitely come forward to bring a legislation to ban the communal organisations which are spreading the venom and which are trying to create a split and divide the society vertically.

I hope the Government will come forward. At least, let in put forward some concrete proposals before the people from whom again you can get the information. With these words, I conclude.

SHRI P. CHIDAMBARAM: Mr. Deputy Speaker, Sir, I have listened with great interest to what the hon. Members have observed on my brief reply to Dr. Rajhans. While everyone of them said that it is not difficult to define a communal organization, yet not one of them came forward to offer a definition of a communal organization. I should be very grateful to look into any definition which Shri Shantaram Naik is willing to give in writing.... (*Interruptions*). It is a difficult matter. I wish you will write and give it to us. I am asking you that in all humility. It is easy to say that we can define a communal organization, it is only when you sit down to write a definition, you will find considerable difficulties in defining a communal organization. I posed the question. I do not know whether hon. Member Shri Ram Rattan Ram was here when I made my initial statement. Shall we go by the name, shall we go by the membership, shall we go by the candidates it fields in an election or shall we go by the

objectives and programmes? I shall accept Shri Rao's offer. Panchayat elections and Municipal elections are entirely within the purview of the State Government, Political parties contest Panchayat elections, contest Municipal elections. It is the State Legislature which makes the Municipal Acts and Panchayat Acts. I would be very grateful if the Andhra Pradesh Government passes a Bill in the Andhra Pradesh legislature defining a communal organization and bans them from Panchayat and Municipal elections. You show the way and we will certainly follow it.

I am not trying to score debating points. In the last 7-8 months, to my knowledge, we have been engaged in a very deep and serious exercise of how to separate religion from politics. The first step, as I said, is the Religious Institutions, (Prevention of Misuse) Act, 1988, an Act which has been passed by the Congress Government and not by the Telugu Desam. That Act was intended to take politics out of religious institutions. That is the first stage. Now, what we are trying to do is to make a law, if it is possible, to take religion out of political activity. It is not so easy. I was not here on the 28th November when this question was answered. Therefore, I am at a disadvantage in a sense because I do not know the kind of reaction, which the hon. Members expressed but I can imagine that many Members would have been dissatisfied with the reply. I am dissatisfied myself, but merely to say that I am dissatisfied is not the answer. The answer is to sit down and put our heads together and write a definition; one, which will stand the scrutiny in a court of law, and two, which will not be so full of holes that the truly communal organizations can get out of the definition by merely changing its name or changing its objectives. We have to work on a definition of communal organization. Shri Rawat is not here. I am not saying that the definition should be accepted by everyone including communal organizations, but at least that should be accepted by the Parliament and the courts of law. We are engaged in an exercise. I cannot say when the exercise would be completed.

Hon. Member Shri Shantaram Naik quoted portions of the Symbol Order. We are aware of the Symbol Order. The Symbol Order, if Members would have noticed, talks about recognized political parties and unrecognised political parties. Recognized political parties are further divided into a national party and a State party. But the crucial paragraph is paragraph 3, which says:

"Any association or body of individuals of citizens of India calling itself a political party and intending to avail itself of the provisions of this Order shall make an application."

There are many communal organizations in this country, which do not contest elections; there are many communal organizations in this country who do not seek the benefit of this Order, yet they are there in society, they influence politics, they breed other organizations which are communal political parties. They are the forebears of political parties, which enter the political arena. The communal organisation stays out of the political arena, but influences political political debate in the country.

Therefore, paragraph 3 by itself is not an answer. Paragraph 3 is only a very partial answer. Paragraph 3 will take care of only a party which intends to enjoy the advantages of this order. And under this order, if I can recollect, the Election Commission has refused to register one organisation, namely, the Amra Bangla Party. It has not been able to refuse registration to any other political party. Therefore, even the Election Commission finds it difficult to apply this paragraph to a large number of other organisations — I will not name them — which some may believe to be communal and some may not believe to be communal.

AN HON. MEMBER: What about Shiv Sena? It uses the name of a God.

SHRI P. CHIDAMBARAM: That is why, I say, "Shall we go by the name? Shall we go by the membership? Shall we go by the number of candidates it fields?" What is the

definition of 'communal'? Mr. Rao takes the easy way out. He assumes that communal means only a conflict between one religion and another. What about between one caste and another? Is that not communal? What happened in Neerukonda, Karamchedu and Padarikuppam? Were they not communal conflicts? We cannot take shelter behind semantic exercises.

SHRI V. SOBHANADREESWARA RAO: I am very sorry to say that those instances that you have referred to are not communal instances. They are connected with social tensions.

SHRI P. CHIDAMBARAM: That is what I am asking. What is the definition of 'communal'? Is a fight between one caste and another caste not communal? It is a way of looking at things. It suits you to say that communal means only between one religion and another. But a truly secular person will say that fight between one caste and another caste, a conflict between one linguistic group and another linguistic group are also communal. Let us not take shelter behind the word 'communal'. What happened in your State is certainly not an example for the other States of follow.

SHRI V. SOBHANADREESWARA RAO: In Bihar, where your own party is in power, they are not able to control things and tens and hundreds of people are being butchered and killed.

SHRI P. CHIDAMBARAM: I am not defending it either (*Interruptions*).

There is not point in raising your voice. That does not add strength to your argument. I am not defending what happened in other States. I am only trying to say please do not take this holier than thou attitude. what happened in Andhra Pradesh is also according to me, communal in the larger sense of the word. So, we cannot take shelter in semantic arguments. The point really is how we define a communal organisation. Once again, I can assure, the hon. Members that we are engaged in this exercise. I am

[Sh. P. Ohidmbram]

sure, we can, if we put our heads together, find an answer. But I shall be grateful if hon. members also can suggest definitions to us. We are looking at the problem. Very eminent persons on the Sub-Committee of the national Integration Council are looking into the problem. As I said, this is a question which has been agitating the minds of very eminent persons since 1961. We should find an answer.

We have taken the first bold step. We have passed the Religious Institutions (Prevention of Music) Act. The next step is to find an acceptable definition of communal organisations and find ways by which such organisations can be kept out of the politics of this country.

Sir, I seek the cooperation of the hon. members. I seek their help. I seek their advice. I seek their wise counsel in finding a solution to this problem. but once again, let me say, the Government is firmly committed to finding a way by which communal organisations can be kept out of politics and democratic activity in this country because they poison and distort democratic activity in this country.

MR. DEPUTY SPEAKER: The House stands adjourned till 11 o' clock tomorrow.

18.43 hrs

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, December 6, 1988/Agrahayana 15, 1910 (Saka).