industries, strengthen and widen the existing flood banks to avert floods and thus save the people of this area from recurring losses and release funds from coastal development fund for the development of coastal area.

(vii) Need to fill up the vacancies of managing Director and Chairman in the New Bank of India urgently

SHRI MORESHWAR SAVE (Aurangabad): Sir, the New Bank of India a nationalised bank, has suffered a loss of approximately Rs. 10 crore in the financial year 1989-90. It is learnt that the loss for the financial year 1990-91. is even higher.

One of the major reasons attributable to this is the vacant posts of the Chairman and Managing Director since long. For the last 1 1/2 years, one of the Executive Directors is heading the bank. The Reserve Bank of India, vide its July-1990 report, had indicated the said Executive Director and had even recommended action against him.

In the present scenario when further loss by public institution cannot be accepted, there is a grave need to immediately investigate into the various aspects of functioning of New Bank of India. There is immediate need to appoint a capable and responsible outside executive as Managing Director and Chairman so that he can dispassionately take suitable and drastic steps to set the bank on the development path. Only this will lead to checking of malpractices of the bank.

(viii) Need to introduce a new train between Jabalpur and Delhi

SHRI SHARAVAN KUMAR PATEL (Jabalpur): Mr. Deputy Speaker Sir, eleven Lok Sabha MPs from Madhya Pradesh have given a memorandum to the Railway Minister on 26.8.1991 urging upon him to start a new stain between Jabalpur and Delhi via Katni and Bina on a shorter and direct route in public interest.

The existing only train, namely, Mahakoshal Express runs on a circuitious route thus taking several additional houes inconveniencing the commuters to reach their respective destinations. Moreover, once started as on Express Train, it has been reduced to a passenger train stopping at various small stations and runs in variably late and is always packed beyond its capacity

Thus, there is every justification for a new train. I would, therefore, urge upon the Railway Minister to make a statement, regarding introduction of much a train during the current session itself.

13.16 hrs

PLACES OF WORSHIP (SPECIAL PROVISIONS) BILL —*CONTD.*

[*English*]

MR. DEPUTY SPEAKER: Now, the House will take up further consideration of the Places of Worship (Special Provisions) Bill moved by Shri S.B Chavan on the 9th September, 1991. Shri Rajnath Sonker Shastri may continue now.

[*Translation*]

SHRI RAJNATH SONKER SHASTRI (Saidpur): Mr. Deputy Speaker, Sir, many points were raisedyesterday when I was speaking on this Bill. I am sorry to say that our friends said so many things but they did not try to know the reality. Yesterday, I was saying that in *Manusamriti*there are so many such words, verses and couplets which are insulting to us. *Manusmriti* is considered to be the representative scripture of God in

[Sh. Rajnath Sonker Shastri]

Hinduism. After Manusmriti the most important place is occupied by *Maitriyani Samhita.* in which is written that a Shudra should not touch the milk that is to be offered to Gods in oblation, and no "yagya" should be preformed in presence of a "Shudra". *Shatpath Brahmin* mentions that a Shudra is inferior, one should abstain from conversation with a Shudra, he is just like a dog, frog and a cat. So I say that the bill which has been presented is directly concerned with all these things also. In *Panchvihnsh Brahmin*it is said that a shudra has no rights. He is profaned just like a cremation ground. This scripture is the roof of Hindu religion and in this scripture it is mentioned that the property of Shudra should be sanctioned without hesitation. In *Aapstambhadharmasjtra,* it is also mentioned that a shudra is profaned just like a cremation ground. If somebody rapes a shudra woman, he should be given out of the village and if any shudra rapes a Brahmin woman he should be awarded death sentence. Such is our religious systems. Further it is written that a Shudra is just like a dog. *Vishnu smriti* says, that if a shudra occupies a seat this buittocks should be chopped off.

Mr. Deputy Speaker, Sir, not only that, there is a strange thing written in Hindu scriptures about names also. It is written that the name of a brahmin should being with auspicious words, such as Brihaspatinath Upadhyay etc. Name of Kshtriya should begin with powerful words such as Veerbahadur Singh, Tejbahadur Singh etc.

AN HON. MEMBER: Such as Digvijay Sigh

SHRI RAJANATH SONKAR SHASTRI: Yes, like Digvijay Singh, Likewise , the name of a Vaisha should being with a word denoting wealth and riches such as Laxminarayan, Karorimal etc. But the name of a Shudra should begin with words denoting censure, such as Ghuruh, Katwaru, Fekan, etc. These words are from Hinduism, Manusmirti. These are the words quoted from our relaous scriptures. I had presented the Religious Scriptures Amendment Bill in this very House in 1983. That time Shri Atal Bihari Vajpayee and my friend Shri Phool Chand Verma were also there in the House. That time I had said that such insulting words should be expunged from the religious scriptures. The words which declare a person as mean should be expunged, the people, who were on the other side, remained silent. Not a single person did utter any word.

Sir, I would like to know that if there is a need to construct the temple and safeguard Hinduism, why such words are not taken out not from the scriptures. Sir, when a discussion was going on in the House during the Question Hour yesterday, one of our colleagues sitting there spoke about an incident which took place in Jhansi. A woman went to illuminate lamps on Shivaratri in Jhansi... (*Interruptions*)...That woman belonged to the class of untouchables and she was raped and killed. This is what happened within the temple. Sir, the similar incident of Maharashtra was discussed here. Perhaps you remember. I said that day that unless it is stopped, unless it is discussed, I will keep on standing on one leg in this House. You allowed three days and it was discussed for three days. Sir, a Shudra had entered that temple and it was raining that day. So he had gone there to save himself from the rains. But instead of providing shelter he was stoned to death. This is the persons in regard to our temples. and we are going to construct temples. (*Interruptions*) Sir, our hon. Member Shri Buta Singh is not present today. In 1984, while Jagatguru Shankaracharya was on his ratha yatra in Haridwar, an untouchable touched his ratha (Chariot). As soon as that untouchable touched his ratha,he was beaten to death there and then. It was discussed in this House also. This is our religion...hinduism.(*Interruptions*)

Sir, yesterday, my friend Umaji said that by presenting this Bill we are adopting indifferent attitude towards history. Hon. Home Minister is present here, he has presented this Bill. Our friends from that side said that an attitude of indifference is being adopted towards history. But I want to tell these friends that we are not adopting an attitude of indifference towards history, I do not want to blame them. I want to tell them that they are adopting an indifferent attitude towards history. I want to present before you as incident of history. It is there in the history, that Alexander had invaded this country in 326-327 B.C. Alexander had only 9 thousand cavaliers and Mr. Kuru, a leader of 60 thousand soldiers fought with him and when Shri Kuru fought with Alexander he and his 60 thousand people lost the war. Alexander want ahead with 9 thousand soldiers and captured Kuru. Whose conspiracy was there? was there any Muslim at that time? How Alexander was victorious here, how his 9 thousand soldiers become victorious? In this case also, there was the hand of those who had great faith in our scriptures, those religious heads who were there because of Varna System.

Air, about 650 A.D. Mohd, Bin Qasim had invaded this country. He had here with 12 thousand soldiers and Dahra the King of Sindh fought against him with his 80 thousand soldiers. But even there a conspiracy was hatched by the so-called various of religion. As a result of the decree that was issued, King Dahar was captured alive and Mohammad-bin-Qasim cut him into places on the battlefield.

Similar area the deeds of Mohamud Ghaznavi. My hon, colleagues said that we are trying to deny historical facts. But I would like to hightlight the fact that when Mahmud Ghaznavi attacked the Somnath Temple the estwhile 'Shudra' castes like 'kathi', ' paarsiv', 'Chumriv', 'Kaahik', 'Chumuri' etc. resisted his attempt to loot the temple. The local brahmins and religious officials asked them to go away from the temple as their presence would defile the sanctity of the temple. The forced the 'shudra' caste people to move away from that area as a result of which Mahmud Ghaznavi looted and destroyed the temple.

You must admit this fact. If this is your attitude towards religion then what will be its consequences...

(*Interruption*)

It is true that the V.H.P. did not exist then but it was making a beginning *(Interruptions)*. You can read it yourself, find it out for yourself. *(Interruptions)*

Sir, those who favour the construction of the Ram temple should know the status given to temples in religion. Sir, the objective of those Bill is to ensure that there is no bloodshed in Ayodhya and people of various communities live in harmony.

Sir, the place called 'Ram Janmabhoomi' is actually not the birthplace of Ram. The fact is the Lord Rama appeared out of the 'Havan Kund'. Sir, hon. Members would be knowing this story so I shall not go into the details of**

The place which is considered the birthplace of Ram had very few temples of Ram, before 15th century. At the time not much importance was given to Ram.

Sir, it is said that Ayodhya is a disputed place. In an article by Ramlila Thapar and in some other article also, I have read that Ayodhya was once part of Banaras and even Lankas was part of Banaras... *(Interruptions)* Even today Lanka

**Expunged as ordered by the chair.

[Sh. Rajnath Sonker Shastri]

is part of Banaras...(*Interruptions*)...the place called Ayodhya is not situated at Faizabad.

Sir, let it be noted that Ayodhya in situated near the house of Rajnath Sonker Shastri who is a resident of Banaras and not where it is thought to be. This is what has been just said. What I want to say is that Ayodhya is not in Faizabad, What has been said is that Ayodhya and Lanka are both in Banaras. They talk of worshipping Lord Rama but Sir, where has their intelligence gone** what is the need to construct that Ram temple (*Interruptions*).

[*English*]

At this stage Shri Lakshmi Narain Mani Tripathi and some other hon. Members came and stood near the Table

MR. DEPUTY SPEAKER: May I request the hon. Members to go to their respective seats.

(*Interruptions*)

MR. DEPUTY SPEAKER: This is the House which is bestowed with responsibility. If at all any such allegation which is derogatory is made, I will go by the Parliamentary Procedure and such words will be removed.

(*Interruptions*)

MR. DEPUTY-SPEAKER: Kindly go to your respective seats.

(*Interruptions*)

MR. DEPUTY-SPEAKER: I request the hon. Members and their party leaders to bring that House into proper order.

(*Interruptions*)

MR. DEPUTY-SPEAKER; I request the hon.Members to go to their respective seats.

(*Interruptions*)

MR. DEPUTY-SPEAKER: I request the hon. Members and their party Leaders to bring the House into proper order.

(*Interruptions*)

MR. DEPUTY-SPEAKER: I request the hon. Members to go to their respective seats.

(*Interruptions*)

MR. DEPUTY-SPEAKER: The House stands adjourned to meet at 2 p.m

13. 38 hrs

The Lok Sabha then adjourned till Fourteen of the Clock

The Lok Sabha re-assembled at one minute past Fourteen of the clock

[MR. DEPUTY-SPEAKER *in the Chair*]

PLACES OF WORSHIP (SPECIAL PROVISIONS) BILL—*CONTD.*

[*English*]

MR. DEPUTY-SPEAKER : I request the hon. Members to take their seats.

Shri Advani.

**Expunged as ordered by the chair.

[*Translation*]

SHRI DIGVIJAYA SINGH (Rajgarh): Your leader has already has said it.

SHRI LAL K. ADVANI: Sir, I request you to consider this issue. I have requested Shri Sonkar to make amends otherwise I request you to expunge the remarks.

SHRI LAL K. ADVANI(Gandhi Nagar): Sir, I was not present in the House when something provocative was said in the House. On the basis of whatever I heard, I can say that it is absolutely essential that Members respect each others sentiments. Two or three days back to was mentioned that in a programme on Doordarshan or AIR mentioned something improper was said about Maulana Abdul Kalam Azad and objections were raised in the House. The government made amends for that. I agree that today's incident is for more serious. I cannot think of a situation where in any derogatory words are used against a particular person who is regarded as a historic figure or godman by a section of the society and thereby hurt their sentiments. This situation would not have arisen if this had not happend. I think it would be better if the concerned Members themselves make amends. Otherwise, I would request you, Sir, to expunge words which hurt the sentiments of the masses of this country.

[*English*]

MR. DEPUTY SPEAKER: I shall expunge the words if the words are darogatory to the Parliamentary system.

[*Translation*]

SHRI RAM NAGINA MISHRA (Padrauna): I am on a point of order. Just now the leader of opposition referred to the derogatory remarks made about Maulana Azad. As the newspapers and this House also condemned the incident. Sir, this is not an ordinary matter. 80% of the population in this country worships Lord Rama.

(*Interruptions*)

[*English*]

SHRI BASU DEB ACHARIA (Bankura): Why are you allowing debate on this?

[*English*]

MR. DEPUTY-SPEAKER: Firstly, the derogatory words have been expunged. Secondly, my request is that we should not lose patience. It is a democratic set up. People are at liberty to express their views. But while using the words, you should not wound the feelings of others. That diplomacy of using the words is absolutely necessary.

Mr. Shastri, you have to conclude your speech within two minutes.

[*Translation*]

SHRI RAJNATH SONKAR SHASTRI: Sir, I fail to understand in what way I have hurt the sentiments of my hon. colleagues. I am also a devotee of Ram. Members of my family are staying in Varanasi. Crores of people know that I have been working towards social upliftment for the last 22 years. I too go to a temple. I too believe in God. I was only saying that hon. Shri Advani is senior and respected person. What I said was...(*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER: Kindly have your seats. Everybody has sensed the pulse of the House. Many people are involved. Now many people have advised you. My request to you is, you kindly leave the topic and make whatever suggestions you want to make.

[*Translation*]

SHRI RAJANTH SONKAR SHASTRI: Sir, this is part of the record of this House. This is bound to give a wrong impression. This concerns my life. Sir, I was saying...*(Interruptions)*...I have not made any offensive remarks. I am also a devotee of Ram and revers Him as much as anyone else.

[*English*]

SHRI RAM KAPSE (Thane): I am on a point of order. The hon.Deputy-Speaker has already given his ruling. No comment can be made, according to the rules. on that. But the hon.Members, Mr, Sonkar, is repeating the whole sentence and he wants to justify it. I think, it is commenting on your decision which is not allowed under the rulers.

MR. DEPUTY-SPEAKER: Shastriji, Places be gracious enough to conclude.

[*Translation*]

SHRI RAJANTH SONKAR SHASTRI: My speech is the last one and I was on the verge of concluding it. I was saying that my hon Colleagues are taking offence without any reason. I was referring to religions scriptures and 'shlokas'. Same thing has been mentioned Valmiki's 'Ramayana' I have referred to 'Manu Smriti' and all other religious scriptures which are meant for all including Lord Rama women, 'Shudras' etc. It lowers their dignity of the holy scriptures.

I would like to submit that in 1983, when Shri Advani was not a Member of this House, I had move a Bill called 'Hindu Religious Scriptures and other Religious Literature Amendment Bill'. During the debate on the Bill I had stated that the following sentence from Tulsi's Ramayan should be expunged:

"Dhol Ganwar Shudra Pashu Nari,
Ye Sab Tadan Ke Adhikari."

The whole nation is a witness to what has taken place in the House and the way we were being challenged on the issue. Tomorrow, the complete details will become public. I was given a threat that the moment I stepped out of the Parliament House, I would be trashed. Umaji threatened to take revenge in Banaras.

Sir,my life is in danger. (*Interruptions*)

SHRI GUMAN MAL LODHA (Pali): Nobody has said all this. (*Interruptions*) Mr. Deputy Speaker, Sir...**(*Interruptions*)

(*English*)

SHRI DIGVIJAYA SINGH (Rajgarh): Sir, what is this?

MR. DEPUTY SPEAKER: That is also being expunged.

(*Interruptions*)

MR. DEPUTY SPEAKER: Kindly have your seats.

(*Interruptions*)

SHRI E. AHAMED (Manjeri): Sir, whatever he has said, he should take back his words. (*Interruptions*)

MR. DEPUTY SPEAKER: I very strongly appeal to you. This is a house.

(*Interruptions*)

MR. DEPUTY SPEAKER: Kindly have your seats.

(*Interruptions*)

**Expunged as ordered by the chair.

MR. DEPUTY SPEAKER: Honourable Members are having a very vast experience. I am aware that past Prime Minister are here, past Speakers are here, ex-Ministers of various States, Speakers and Chairman are all here. I very strongly appeal to you that we should run the House on proper lines.

(*Interruptions*)

MR. DEPUTY SPEAKER: If you are not prepared to hear, whom the Chair then appeal to? After all, you are hear to do justice to this nation.

(*Interruptions*)

MR DEPUTY SPEAKER: Please have your sects. We should have patience here.

(*Interruptions*)

[*Translation*]

SHRI LAL K. ADVANI: Mr. Deputy Speaker, Sir, as I appealed earlier, I still say that...(*Interruptions)* I am not yielding...(*Interruptions*) Mr. Deputy Speaker, Sir, I appeal to you again on the very basis I appealed to you earlier, to expunge all that Shri Guman Mal Lodha has stated in the House.(*Interruptions*)

SHRI SYED SHAHABUDDIN (Kishnanganj): Mere expunction will not do. He must tender an apology. (*Interruptions)*

SHRI LAL K. ADVANI: I must say that since this reflects the sentiments of all communities and feelings of all the hon. Members this must be respected and reciprocated. There must not be double standards. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: I have already expunged words which have been used by Shri Guman Mal Lodha.

(*Interruptions*)

MR. DEPUTY SPEAKER: For everything there is a limit. For some minutes some exchange of words is all right but the whole House should not be burnt into ashes. I request Shastriji to please conclude. Kindly cooperate with the Chair.

[*Translations*]

SHRI RAJNATH SONKAR SHASTRI: Sir, before I conclude my speech, I would like to request the whole House and the hon. Minister of Home Affairs, who is present here, that an hon. Member belonging the B.J.P. , sitting at No.4 from here...I have forgotten his name...openly challenged me to come out of the House. He said that since I was the culprit and, my limbs would be broken. (*Interruptions*)

These words were clearly audible to all in the House. (*Interruptions*) Had Shri Rabi Ray and some other colleagues from this side as also from the Congress (I) not provided me a cover, probably he would have physically harmed me right here in the House. (*Interruptions*) Therefore I would like to bring it to the notice of the whole House that my life is danger and these people are out of kill me. In the evening , I will walk down to Uttar Pradesh Bhawan, Where I am staying. If any untoward incident takes place with me or I am killed the whole House will be responsible.

(*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: Let Shastriji complete his speech.

[*Translation*]

SHRI KALKA DAS (Karolbagh): Mr

[Sh. Kalka Das]

Deputy Speaker, Sir please listen to me, the hon. Member has made a reference about me.

SHRI RAJANTH SONKAR SHASTRI: Sir, I am making may submission before the House.

MR. DEPUTY SPEAKER: Please conclude your speech.

[*English*]

THE MINISTER OF HOME AFFAIRS (SHRI S.B CHAVAN): Sir, since the hon. Member is apprehending fear to his life. Government will definitely provide him all the protection that is necessary.

[*Translation*]

SHRI RAJANTH SONKAR SHASTRI: I am grateful to each and every hon, Member of the House for assuaging my feelings and the hon. Minister of Home Affairs, for assuring me to give all protection to safeguard my life.

SHRI PHOOL CHAND VERMA(Shajapur): Mr Deputy Speaker, Sir please also give audience to the hon. Member of this side, whose name he has mentioned. (*Interruptions*)

SHRI KALKA DAS: Mr. Deputy Speaker, Sir, please give me an opportunity to make my point of view clear as my name has been mentioned...(*Interruptions*)

[*English*]

SHRI BASU DEB ACHARIA: Sir, if the life of a Member is threatened by the other Member of this House how it arose?...

(*Interruptions*)

MR. DEPUTY SPEAKER: I have already told that immediately after Shastriji completes his speech, Kalka Bas Ji can reply?...

(*Interruptions*)

[*Translations*]

SHRI KALKA DAS: Mr. Deputy Speaker, When the House was adjourned...(*Interruptions*)...Please listen to me. When the hon. Member made such remarks, I only said that there are many a person in the House who show disrespect to Lord Rama.

Therefore this august House should not be allowed to be used to Slainder Lord Rama. I want to make it clear that did not say anything else except this.

[*English]*

MR. DEPUTY SPEAKER: He has made his stand very clear.

[*Translation*]

SHRI BASU DEB ACHARIA: I have heard what he said. He had threatened the hon. Member that he would see him once he comes out of the House. (*Interruptions*) What does all this mean?

[*English*]

MR. DEPUTY SPEAKER: Mr. Acharia, kindly have your seat. Shastriji should protection and the hon. Home Minister has come forward to give all necessary protection to him. Secondly, our friends has told that he has not used such words and he has not threatened the hon. Member, So, that matter is closed now.

[*Translation*]

AN HON. MEMBER: Now he is not

stating the factual position. We all area witness, to what he stated in the House. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: The subject matter is closed why are you fighting over it? It is being cooled down. I shall now reputed the next non member...

[*Translation*]

SHRI RAJNATH SONKAR SHASTRI: Mr. Deputy Speaker, Sir, I have not concluded my speech yet.

[*English*]

MR. DEPUTY SPEAKER: Kindly cooperate, Shastriji.

[*Translation*]

SHRI RAJNATH SONKAR SHASTRI: Mr Deputy speaker, Sir, people of all religions - Hindus -Muslims, Budhists, Christians and Sikhs enjoy equal rights in this country and nobody has the right to hurt the religious sentiments of others.

Sir, Taj Mahal depicts the combination of Hindu as well as Muslim culture. The art of Rajasthan too reveals the same. Each and every place of this country has an imprint of the combination of Hindu and Muslim culture. Sir, ours is a country where exists unity in diversity. I welcome this Bill. The most significant factor of the Bill is the emphasis laid on restoration of the situation that prevailed on August 15,1947. It is for this purpose that the Bill has-been introduced and it is a matter of great wisdom. The people of the country would not tolerate if hatred is spread and they are exploited for their being Scheduled Castes, Harijans, Muslims or Brahmins. All the citizens in this country have their dignity and honour. With these words I support this Bill and also express my concern that this Bill must be passed unanimously. I think that if the Bill is passed unanimously it would open a new chapter in the history of India.

SHRI CHINMAYANAND SWAMI (Badaun): Mr. Deputy Speaker, Sir, I am on a point of order. Shri Sonkar has complained just now that he has been threatened. I have also been threatened by Shri Kesri Lal, whose has just come from Bihar. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER: I request all the hon.Members to observe certain discipline in the House. Such of those Members who really want protection- the Home Minister is here - will be given protection.

(*Interruptions*)

MR. DEPUTY SPEAKER: No use in dragging on that issue.

(*Interruptions*)

AN HON. MEMBER: I am on a point of order.

MR. DEPUTY SPEAKER: There is no subject before us to raise a point of order now, After all, we are bestowed with heavy responsibilities. The agenda before us is also too big. Somehow, some unhappy thing has happened. It is called down. Let us proceed with cool atmosphere with proper understanding and with love and affection. Let us not carry on the bitterness in our mind.

(*Interruptions*)

MR. DEPUTY SPEAKER: Kindly have your seat. I shall now request Shri Dikshit or proceed.

(*Interruptions*)

SHRI DIGVIJAYA SINGH: Sir, after the B.J.P. and Janata Del, it is the turn of to Congress the speak.

MR. DEPUTY SPEAKER: I agree. Sorry that there is a mistake. You are the next person to speak.

(*Interruptions*)

[*Translation*]

SHRI PAWAN DIWAN (Mahasamund): I have a point of order. (*Interruptions*)

MR. DEPUTY SPEAKER : At present there is no subject to raise a point of order.

[*English*]

SHRI S.B. CHAVAN: I wanted to say something, Sir. (*Interruptions*). I do not make any distinction between Member of either this side or that side. Whoever apprehends fear to his life, certainly the Government is prepared togive him protection.

SHRI SRIKANTA JENA (Cuttack): My only apprehension is that the Home Minister should recruit more numbers of police personnel immediately. (*Interruptions*).

[*Translation*]

SHRI KESRI LAL (Ghatampur): An allegation has been levelled against me, kindly listen to me. A controversy was going on when I reached the spot and I advised the Members to maintain Parliamentary decorum. I also advised them that as a matter of courtesy they should win the hearts of people in and also outside the House...(*Interruptions*) The Member sitting on the other side said that Harijans have no sense... (*Interruptions*) He has challenged all the Harijan Members of the House. (*Interruptions*)

[*English*]

MR. DEPUTY-SPEAKER : I tell you one thing. When the House is not sitting, if any words are exchanged, they do not go on record and the House will not take cognizance of it.

Further, about security, Professor, if you also apprehend it, the Home Minister is going to provide you sufficient security.

SHRI SRIKANTA JENA : Sir, the mediators are apprehending it. The mediators really need more protection now.

[*Translation*]

SHRI PAWAN DIWAN: I would like to say that the way Members in the House are giving threats to one and an other and then demanding protection. I would like the hon. Minister of Home Affairs to provide security to the country from communal forces which are endangering the safty of this country. (*Interruptions*)

[*English*]

SHRI DIGVIJAYA SINGH (Rajgarh): Mr. Deputy Speaker, Sir, I rise to support the historic piece of legislation which has been brought by our Government here.

Sir, it was our commitment in the election manifesto that we will protect all the places of religious worship from 15th of August 1947 onwards, and I congratulate the hon. Home Minister to have brought it.

Sir, it is unfortunate, I am extremely sorry to notice to what level our friends from this side and the other sides have gone down according to the kind of debate that they have brough about. It is very unfortunate. Our legal luminary like Honourable Lodhaji, the kind of words that he used in his speech yesterday...(*Interruptions*). In his

speech yesterday...(*Interruptions*)

SHRI GUMAN MAL LODHA : I have quoted what Sardar Patel said, nothing more than that. (*Interruptions*).

SHRI DIGVIJAYA SINGH: He said :

[*Translations*]

Burn the Bill, tear it into pieces.

[*English*]

This is no kind of intemperate language we are used to hearing from a legal luminary like Shri Lodha. Sir, religion is a very personal thing. (*Interrutions*). Sir, regligion is a very personal matter. (*Interruptions*). I am not yielding, Sir. I did not interrupt him when he spoke. (*Interruptions*).

SHRI SHIVENDRA BAHADUR SINGH (Rajnandgaon): Why did the hon. Member get up like this? (*Interruptions*).

MR. DEPUTY SPEAKER: Hon. Members, In our rules of procdure, there is a specific rule which says that if anybody wants to interfere or intervene, the Member who is speaking must yield. Then only, one can interfere. What ever they want to say, they stand up and talk without observing this procedure. Is there any order in this House?

Therefore, I request every hon. Member that let us observe certain decorum.

SHRI DIGVIJAYA SINGH: Religion is a very personal matter and no one in this country has the right to danounce anyone in whom any person believes in whether it is Bhagvan Ram or Mohammed or for that matter anyone. That is why, you have very rightly expunged the remarks made by the hon. friends.

I would confine my discussion only to the merits of the Bill and the background. It is a well-drafted Bill. It has taken into account all aspects which ought to be taken into account. But I would urge upon the Home Minister not to exclude the State of Jammu and Kashmir from the purview of this Bill because ultimatley Jammu and Kashmir is a part of this country. Though I understand the subject is in the concurrent list, Entry No. 28, we have passed other Bills in this House itself where we have not taken into account this factor. I would urge upon the hon. Home Minister to reconsider this decision and not to allow our friends on this side to create a kind of propaganda against this Bill. They would be exploiting this Bill for their own political ends, which is quite obvious, seeing their performance in this House. That is why, I urge upon the hon. Minister to reconsider it and extend it to the State of Jammu and Kashmir.

14.32 hrs.

[MR. SPEAKER *in the Chair*]

Religious frenzy to which this country has been brought to by our friends from the BJP and some of the fundamental Muslim leaders is very unfortunate. This country has paid the price. Thousands of people have been killed; thousands of houses have been burnt and property was looted.

It is high time that responsible people from all political parties should come to some kind of consensus where such fundamental issues are curbed and religious frenzy is curbed.

The Vishwa Hindu Parishad and BJP have raised Ramjanam Bhoomi-Babri Masjid issue only after 1986. They saw in this issue, a vehicle to come to power. Ram Shilas were taken out. Funds were collected. I do not know how much money was collected...

[*Translation*]

SHRI RAJVEER SINGH (Aonla): Mr. Speaker, Sir, I am on a point of order. The Bill introduced in the House has no refernce to Ram Janam Bhoomi or Lord Rama; it suggests to keep aside the issue of Ayodhya to decide the matter. Then why the Members are raising the Ram Janam Bhoomi issue again and again... (*Interruptions*)

MR. SPEAKER: Well, yesterday, we had convened a meeting of the Whips and it was decided in the meeting that this Bill should be passed by four O'clock. At three O'clock, the hon. HOme Minister may reply. Therefore, may I request the hon. Members who are speaking not to touch upon those issues which are not really germane to the topic. This is necessary because we shall have to do things in time. Now as far as the Point of Order is concerned, that is a different issue. I am not giving any ruling on that.

SHRI EBRAHIM SULAIMAN SAIT (Ponnani): I have a request to make. I must have a chance to speak.

MR. SPEAKER: You will have a chance. But you will do it in a very able manner and be very brief.

SHRI DIGVIJAYA SINGH: It is my turn.

MR. SPEAKER: Let us not waste the time. I have said you will have the time.

(*Interruptions*)

MR. SPEAKER: You also take your seat. I will give two minutes to each of you.

SHRI DIGVIJAYA SINGH: I want to* lay the papers on the Table of the House. I have given a notice also in writing. I have communciated to the House yesterday only and given a copy of the Vishwa Hindu Parishad pamphlet which has been taken up.

MR. SPEAKER: Mr. Digvijaya Singhji, I would request you to please speak on the provisions of the Bill. Do not go outside of it because time is very limited.

SHRI DIGVIJAYA SINGH: The whole House has been talking about everything except the Bill and you are asking me to confine to the Bill.

MR. SPEAKER: I would like you to be very relevant.

SHRI DIGVIJAYA SINGH: Are the points of the other Members relevant?

MR. SPEAKER: They are relevant. But you should b more relevant.

SHRI DIGVIJAYA SINGH: Insinuations have been cast upon us. They have to be countered.

MR. SPEAKER: Please understand that we are interested in passing the Bill in time.

SHRI DIGVIJAYA SINGH: Yes. I only urge upon the hon. Minister to inquire into the funds collected by the Vishwa Hindu Parishad.

MR. SPEAKER: I am not allowing that. Please come to the provisions of the Bill. Then there would be a reply. Please come to the provisions of the Bill.

SHRI DIGVIJAYA SINGH: They are talking on the temple funds. (*Interruptions*).

MR. SPEAKER: Now, no cross-talk please. I repeat my request to Shri Digvijaya Singh to speak.

SHRI DIGVIJAYA SINGH: I would abide by you. I am the only Member who listens to you.

MR. SPEAKER: How good you are.

*As the speaker did not subsequently accure the necessary permission, the paper was not treated as laid on the Table.

SHRI DIGVIJAYA SINGH: The foundation-stone was laid as per the agreement and discussions between the State Government.....

MR. SPEAKER: Leave that matter.

SHRI DIGVIJAYA SINGH: I want to lay the papers on the Table of the House. This is very unfair. I have given in writing.

SHRI SAIFUDDIN CHOUDHURY (Katwa): How can we know that that was the foundation stone?

SHRI DIGVIJAYA SINGH: I would request you one thing. This was being discussed in the Private Members Bill.

MR. SPEAKER: Mr. Digvijaya Singh, Far from me to interrupt you every now and then. I do not obstruct you whenever you speak. It is very difficult for me to go on obstructing you. But you know all the hon. Members in the House have agreed to complete the business by 4 O' clock because other financial business has also to be completed. Will you not take this into consideration and speak only on the provisions of the Bill?

SHRI DIGVIJAYA SINGH: Allow me to lay the papers on the Table. I will speak about it.

MR. SPEAKER: That can be done only according to the rules.

SHRI DIGVIJAYA SINGH: I have given in writing.

MR. SPEAKER: It can be allowed to be done only according to the rules.

SHRI DIGVIJAYA SINGH: I would like to lay the papers on the Table of the House which can be made a part of the proceedings.

SHRI SUDARSAN RAY CHAUDHURY (Serampore): Let everybody do that and the Bill be passed.

SHRI DIGVIJAYA SINGH: Shri Indrajit Gupta has raised an issue. He asked whether those places which have been converted to any other use, have they been converted by this Bill. Yes. They have been covered. Section 4 part (3) covers that aspect of that Bill.

Section 4 part (3) of the Bill says:-

> "Any dispute with respect to any conversion of any such place effected before such commencement by acquiescence".

That is covered. The point raised by Shri Indrajit Gupta is fairly covered.

The point which I wanted to make was that Commencement of the Representation of the People Act is to be amended by this Bill.

I totally agree with this. But I would urge upon the hon. Minister that the amendment in the Peoples Representation Act brought in the Eighth Lok Sabha has proved ineffective in curbing the political parties to use religion to ask for votes. I congratulate the High Court of Bombay which has taken up a number of cases and it has rightly decided in such cases. I would like to point out to the hon. Minister that this will not suffice. The hon. Minister should consider a more stringent provision in the Representation of the People Act also so that it becomes a deterrent for all the political parties to use religion to ask for votes.

Sir, the Election Commission is also seized of the matter of the symbol of the BJP. That issue also should be expedited because it has been pending for such a long time. It, therefore, needs early decision. (*Interruptions*). When all of my friends from that side were talking all irrelevant things, I was listening to them. I would only try to confine my speech to this Bill: I would like to say that

[Sh. Digvijaya Singh]

there could not be a greater devotee of Bhagwan Ram than Tulsi Das. I would only like to quote one *Kavitha* of Tulsi Das which is most relevant in the present context. With your kind permission I would like to quote it. He said:

"Dhoot Kaho Avdhoot Kaho,
Rajput Kaho, Julaha Kaho Kau,
Kahe Ki Beti Saun Beta Na Biyau,
Kahu Ki Jati Bigaad Na Sau,
Tulsi Sarnam Gulamuau Hai Ram Ko,
Jako Sachai Sa Kahai Kutch Kau,
Maang Ke Khaibo Masjid Mein Soyibo,
Leve Ko Ekau Na Dewe Ko Dau."

[*English*]

This was Ram Bhakti, not the Ram Bhakti of today. (*Interruptions*)

MR. SPEAKER: Shri Digvijaya Singh, I am not going to allow you to have the discussion on those lines.

SHRI DIGVIJAYA SINGH: Sir, you have put me in a strait-jacket. I will abide by your decision.

MR. SPEAKER: I cannot stretch the time.

SHRI DIGVIJAYA SINGH: I would end my speech only with this:

What is *dharm*? The Geeta has said:

"Na Twaham Kamaye Rajyam,
Na Swarga Napunarbhavam,
Kamaye Dukh Taptanam,
Praninam Aart Nashnam."

"I beg neither for kingdom, nor heaven, I only pray for peace to all human beings in misery and pain."

This is the *dharm*. This is the Hindu ethos which should be understood.

Finally, I would urge upon all Members of this House to kindly confine their discussion to the provision of the Bill as I have confined my discussion to it. I would also urge upon them to pass this Bill unanimously and withdraw all their amendments.

Thank you,

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT (Varanas): Mr. Speaker, Sir, I would have restricted myself to the Bill itself but keeping in view that an hon. Member of the House quoted Tulsidas ji, I would also like to quote (*Interruptions*)

MR. SPEAKER: Not more than what he has quoted.

SHRI SHREESH CHANDRA DIKSHIT: I would quote lesser than he did Tulsidas ji said -

" Jake priya na Ram baidehi,
Tajiey tahi koti bairi sam, yadaypi paramsnehi."

He quoted Tulsidas ji, that is why I had to quote these line (*Interruptions*)

[*English*]

own convenience. This is no good. It is no good to use Tulsi Das for religious purposes.

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT: Sir, I rise to oppose the Bill (*Interruptions*)

(*English*)

I am not yielding. Sir, you have put me

in a strait-jacket. I have to confine myself to the provisions of the Bill and lonclude my speech. I must point out why do we oppose this Bill.

MR. SPEAKER: You must do it within a very short time.

SHRI SHREESH CHANDRA DIKSHIT: Yes, I will conclude within a very short time. Sir, we see in this Bill a particular purpose for which it has been brought forward. Now, let me put forth my point of view. It is very unfortunate that in this country every Prime Minister created a problem. The subsequent Prime Ministers, instead of solving those problems, created a new problem. You may kindly see this right through the time of Independence. Now, this particular Bill is going to create a problem. It is going to create a problem for the country. And it has been mentioned repeatedly by various hon. Members that, as it is, this country is facing various problems and where is the necessity of bringing forward this legislation.

There is a provision in the Indian Penal Code. There is a Chapter XV in the Indian Penal Code relating to the Offences relating to Religion. In this, it is written:

> "Injuring or defiling places of worship
> with intent to insult the religion of any class."

In this Bill it is written:

> "Any conversion of any such place effected before such commencement which is not liable to be challenged in any court, tribunal or other authority being barred by limitation under any law for the time being in force."

The limitation is already there. I just do not understand what was the necessity of bringing forward this legislation. But we apprehend that there is a design in this matter. If we go through the hon. President's speech we know that it is not the President's view but the view of the Government and the President is only a spokesman. So, when I criticise or say something about the President's Address, I do not mean any disrespect to the President. I quote from Paragraph 9 which says:

> "It is a matter of serious concern that the forces of communalism have been able to vitiate the atmosphere in the country leading to the out-break of serious riots in the last two years. Government are determined to combat such forces and uphold the values of secularism."

We have nothing against this particular observation. But immediately the following sentence brings our a different connotation. It ways:

"Government will not allow the rights and interests of religious, linguistic and ethnic minorities to be compromised."

What does this obviously mean? In the first sentence you are not referring to the minority communalism but you are referring to this majority communalism because in the second sentence you say that you are going to protect the rights of the linguistic and religious minority forces.

And subsequently, the next sentence says:

> "A composite Rapid Action Force will be formed and appropriately equipped and trained to deal with riots"

May I know where was the necessity of using this word 'composite'? Are all forces of this

[Sh. Shreesh Chandra Dikshit]

country not composite? Is the Army not composite? Are the para-military forces not composite or are the police force not composite. We see some design in this word 'composite'. (*Interruptions*)

SHRI DIGVIJAYA SINGH: This is very unfair. He is quoting irrelevant matter. (*Interruptions*)

SHRI SHREESH CHANDRA DIKSHIT: You allow me to quote.

MR. SPEAKER: Your time is very limited.

(*Interruptions*)

[*Translation*]

SHRI LAKSHMI NARAIN MANI TRIPATHI (Kesarganj): Mr. Speaker, Sir, we should get full time to speak. We obey all your orders. You may increase the time, but we should get full time to speak. (*Interruptions*)

[*English*]

MR. SPEAKER: It is not necessary.

(*Interruptions*)

MR. SPEAKER: Do not complicate the matter unnecessarily.

(*Interruptions*)

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT: Reference has been given in this Bill from paragraph 29 of the President's Address. (*Interruptions*)

Due to this reason, we think if this Bill is passed, it will have very objectionable provisions.

[*English*]

It was the first step towards that. Therefore, we are opposing this Bill.

[*Translation*]

We don't know why Jammu and Kashmir has been excluded in this Bill. When Jammu & Kashmir is called as an integral part of the country then why this Bill is not being implemented there, where a lot of Hindu temples had been demolished? That is why, we oppose the provisions of this Bill. We oppose it because Jammu & Kashmir has been kept out of this Bill. We have history before us.

[*English*]

The History was Pandora's box.

[*Translation*]

You can quote any history today.

[*English*]

The present cannot be denied. (*Interruptions*)

SHRI DIGVIJAYA SINGH: Sir, I am on a point of order, you have confined my speech to certain protions. Now, the hon. Member is showing some photographs. Has he taken your permission to show them to you?

MR SPEAKER: I approve his point of order. These things cannot be shown in the House.

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT: At present no dispute is going on about any

temple. This Bill has only been brought, because, besides the Ramjanam bhoomi, the Vishwa Hindu Parishad had said about other two temples also-Kashi Vishwanath Temple and Krishna Janambhoomi temple in Mathura. Though, you have excluded the issue of Ramjanam bhoomi from this Bill, but you have written in it that this issue will be solved through negotiated settlement. I am showing these photographs, because an hon. Member had said here that if it is proved that mosque has been constructed by demolishing any temple, we will be the first person to demolish that mosque. It is proved from these photographs.

[*English*]

MR. SPEAKER: Those photographs should not be shown here.

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT: I have proof. It is proved from these photographs. That hon. Member has said that if a mosque has been constructed by demolishing the temple...

[*English*]

I am telling you the factual position (*Interruptions*)

[*Translation*]

MR. SPEAKER: Please don't be worried. It will not be proper, if you rise again and again from your seat. If there would have been time, I would have given you time for everything. Please leave it on us, we will see to it.

SHRI SHREESH CHANDRA DIKSHIT: An hon. Member has said in this very House...

[*English*]

MR. SPEAKER: You do not have reply to them. You have to speak on the provisions.

(*Interruptions*)

[*English*]

SHRI SHREESH CHANDRA DIKSHIT: This is very important thing

[*Translation*]

An hon. Member had said yesterday that it has been written on the Kashi Vishwanath Temple that downtrodden Scheduled Castes cannot go inside it. I challenge this statement and I would like to read whatever is written on the temple. This House has been misled. If I am not telling the truth, I should be punished. If that hon. Member has not told the truth and has misled the House, he should apologise. It is written there... (*Interruptions*) Please listen to what is written there. It has been written in four languages. In Sanskrit, it is written:

"Arya dharmattranam pravesho nihhidha". (*Interruptions*)

[*English*]

SHRI SYED SHAHABUDDIN (Kishanganj): Sir, I am on a point of order. You have just now ruled that nothing except which is directly related and relevant to this Bill shall be allowed. (*Interruptions*)

MR. SPEAKER: My ruling is that this is relevant.

(*Interruptions*)

MR. SPEAKER: Please understand that time is a very very valuable thing. We have many other Bills to pass. If you do not allow the Bills to be passed, then it will be very difficult.

(*Interruptions*)

SHRI SYED SHAHABUDDIN: Sir, you are going against your ruling.

MR. SPEAKER: I have ruled that this is relevant.

[*Translation*]

In Sanskrit, it is written:

"Arya dharmattranam pravesho nishidhah"

[*English*]

"Gentlemen not belonging to Hindu religion are requested not to enter the temple."

[*Translation*]

In Hindi, it is written:

"Gentlemen not belonging to Hindu religion are requested not to enter the temple."

The same is written in Urdu also (*Interruptions*)

SHRI RAJNATH SONKAR SHASTRI: What does it mean by not belonging to Hindu religion (*Interruptions*)

SHRI SHREESH CHANDRA DIKSHIT: An effort is being made to mislead the House. That is why we are opposing this Bill. WE have seen that the Britishers have become successful in creating a rift between the Hindus and the Muslims. The Government, which Came after them in this country, also created friction between the Sikhs and the Hindus. The same thing is also taking place today. Such type of Bills are being brought to create a rift between the Hindus. Therefore, we are opposing this Bill. This is a policy of appeasement and we believe in secularism.

[*English*]

We believe in secularism. We blieve in positive secularism. We do not believe in minority appeasement which has resulted in the division of this country, which we certainly will not tolerate.

[*Translation*]

We think that the intention behind bringing this Bill is minority appeasement and not secularism we are prepared to have a national debate on secularism. We have a lot of doubt about this Bill. This Bill is going to give rise to a very critical situation. I would like to say a thing here. Don't take it otherwise. The Vishwa Hindu Parishad has passed a resolution in this regard. At present, the Vishwa Hindu Parishad is agitating for religion and not for literary or political demands. When we start any agitation, a situation develops and the best way to tackle that situation is not to play with feelings of the Hindus. Through this Bill it appears that the feelings of the Hindus have been played with (*Interruptions*)... Those who want to see the might of the Hindu society (*Interruptions*) It was said here that when the Ram-Temple will be constructed, they will go there and agitate. We welcome them. But I would also like to tell them that such type of language has been used earlier also.

[*English*]

MR. SPEAKER: This is not again on the provisions of the Bill. I did not allow the other hon. Member. Please conclude now.

[*Translation*]

SHRI SHREESH CHANDRA DIKSHIT: At present, I would only like to say that a big agitation will take place on this Bill and they can take this as challenge *(Interruptions)* I am not giving a threat to anyone.

[*English*]

Mr. Home Minister said that this is our observation. Our observation is that if this

Bill is passed, it will lead to such an agitation in this country that will be very difficult to control. Therefore, with all my force and with all my persuasive power I request the hon. Government and the hon. Home Minister to kindly reconsider this Bill. Otherwise this is going to lead to a very serious law and order problem.

SHRI EBRAHIM SULAIMAN SAIT(Ponnani): Mr. Speaker Sir, I welcome this Bill which has been taken up for discussion - the Places of Worship (Special Provisions) Bill, 1991.

I consider this as a positive step in the right direction. This is a momentous Bill, a historic Bill which will deeply influence the destiny of the entire nation in a constructive manner for centuries to come. There could not have been any other better cut-off date for legislation to maintain the status-quo of all places of worship than 15th August 1947. This was the crucial day when a long struggle and sacrifice brought fruit and we achieved independence. Therefore, there can be no other date greater than this in the entire history of our country.

I am happy that the promise made by the Indian National Congress in its election manifesto and reiterated by the President in his address to the Parliament is being implemented today by the Government of this country. I gratefully remember our discussions last April recall how gracefully led by Shri P.V. Narasimha Rao. I support this Bill because I am convinced that it will strengthen secular foundation of our Constitution, cement communal harmony, protect integrity and solidarity of the country and establish goodwill among different sections of population. I hope it will put an end to all controversies and prevent fascist forces from exploiting the situation for their political gains.

It is a fact of history that a Bill was envisaged by great patriotic national leaders four decades back. It was in April, 1950, after mischievous plantation of idols inside Babri Masjid in 1949 that Qaumi Ekta convention was held, presided over by Pandit Sunder Lal. It was Acharya Narender Dev who moved a resolution to have a legislation to maintain status quo of all places of worship as existing on 15th August, 1947.

Mr. Justice Lodha says that Pandit Jawahar Lal Nehru did not bring such a legislation, Shrimati Indira Gandhi did not bring such a legislation Yes, but such a grave situation did not exist then. Disruptive forces were not so strong as to shatter the solidarity of the country. Today Thest fascist forces. They are playing politics by mixing religion. Such a situation was not there then. Therefore, this Bill was not brought forward at that time.

Now coming to various clauses and sections of the Bill, I must say that categorical declaration in section 4, sub-section 1, is the basis of this Bill. This is a momentous and most welcome declaration. I quote:

> "It is hereby declared that the religious character of a place of worship existing on the 15th day of August, 1947 shall continue to be the same as it existed on that day."

This is really the foundation of the entire Bill. This is what we demanded for the last so many years so that we could have harmony, and integrity of the country could be protected. Now this Bill has come it is therefore a historic day. I am sure this Bill which is going to be passed and is going to be passed today unanimously creating history.

MR. SPEAKER: Please conclude.

SHRI EBRAHIM SULAIMAN SAIT: Sir, you have given hours together to others. Please spare some more minutes for me because we are discussing very important

[Sh. Ebrahim Sulaman Sait]

sections of the Bill, and I have many more points to make. Looking at some other sections of the Bill, I must say that there are shortcomings which have to be rectified and some sections are such that deserve to be deleted.

Sub-section (a) of section 2 categorically says:

"conversion include alteration or change of whatever nature;"

But section 3 restricts this. This is contradiction. I would quote section 3 which says " no person shall convert any place of worship of any religious or any section thereof into a place of worship of a different section of the same religious denomination or of a different religious denomination or any section thereof".

Now what about conversion of a place of worship to dwelling place, cattle-shed or automobile workshop? In case a place of worship is converted into a cattle-shed or converted to a dwelling place or converted to an automobile. workshop, and does not get protection under the Bill, and such place remains converted to something, else, then the whole object is lost and this Bill is going to be a farce.

There is one more thing. Sub-section 3 of section which is about the places taken over by archaeological dept as National monuments 4 of the Bill is irrelevant and this should be deleted.

Almost all the places of worship taken over by the Archaeological Department as national monuments should be maintained as mosques and Muslims should have right of prayers and should have protection under the Bill. I cannot understand why this Bill should not apply to all such places of worship which have been taken over as historical monuments.

The other most important matter is that as far as section 5 of the Bill is concerned, it should be deleted because this keeps Babri Masjid out of the purview of the Bill. I cannot understand why this exception. We desire that all disputes should be settled for complete peace and tranquillity and have all controversies buried once and for all and put the country on the path of peace and progress.

This is particularly important in the fact of sinister designs and aggressive intentions against all principles of law and justice of BJP-HVP-RSS axis which is creating deep apprehensions and all peace-loving, secular-minding people feel deeply perturbed by this. The entire Cabinet of the Government of UP went to Ayodhya to take pledge to demolish Babri Masjid and to acquire the disputed land for the purpose of constructing the temple by issuing ordinances. Declarations are made to start Kar Seva without title right on the land and without any approved plan. This is again against the injunction order of the Allahabad High Court. This is also against the policy of the Central Government to protect the Babri Masjid, and will lead to a confrontation between the State and the Center. Moreover, VHP has given calls for country-wide stir and directs Bajrang Dal and Durga Vahini to take to streets all this means that the crisis is fast moving towards a climax. This is quite an alarming situation and such a situation should not allowed under any circumstances. How long can we be constantly humiliated like this and how will these fascist go on dictating.

Now, in case Babri Masjid is sought to be kept out and Section 5 is not deleted, the responsibility of the Central Government and all the secular forces becomes hundred-fold. We have thrown our lot with secular forces. I have said it and I reiterate it that we have

thrown our lot with secular forces. And we stand by them to protect secularism and integrity of the Country. We do not desire confrontation but desire a peaceful settlement on the basis of justice, law and Constitution. In this situation, the Central Government has not only to be extra vigilant but has also to make its intention absolutely clear and categorically declare that they will never succumb to any pressure from fascist forces of subversion and uphold the rule of law and secular character of our country.

Sir, I appreciate the speech made by my colleague, Shri Mani Shankar Aiyar and I reiterate the fact that our country is a cradle of various has great religions and cultures. Indian culture is the common heritage of Hindus and Muslims and both have jointly contributed for the same. India is a multi-religious and multi-cultural country. We have to learn to co-exist and should have tolerance and goodwill for each other. Otherwise there can never be peace and progress.

In conclusion, I earnestly hope that secular forces of parties like JD, NF and Left Parties will rise to the occasion and unitedly defeat the designs of fascist and disruptive forces and save the country from chaos and protect integrity of the country. This is our joint responsibility.

Let us, at this critical hour, do our national duty and pass this bill unanimously and create history.

Finally, let me join my dear colleague, Mr, Indrajit Gupta in appealing to my friends of BJP to join us all in passing this Bill unanimously and start a new phase of tolerance and harmony so that all of us can live in peace.

[*Translation*]

SHRI MOHAMMAD YUNUS SALEEM (Katihar): Mr. Speaker, Sir, I will take very little time, because I rise to support this Bill. Already a lot of things had been said in its support and I do not want to repeat them. But somethings had been said here, which, I am afraid, are going to create some wrong notions not only in this House and in this country, but in the entire world also. A provision has been made in this Bill to maintain the status-quo of all the religions places as it was before 15th August, 1947. The views expressed before this house has particularly mentioned about it.

[*Translation*]

Time and again, references have been made in the speeches to the mosque near Kashi Vishwanath temple at Benaras, the mosque of Mathura which is situated near the birth place of Shri Krishna and the Babri Masjid.

Mr. Speaker, Sir, regarding Babar, it is said that the foundation of Babri Masjid was laid by Babar...

MR. SPEAKER: It does not exist in this. I did not allow either him or Dixitji for that matter.

SHRI MOHAMMAD YUNUS SALEEM: Did you not allow them?

MR. SPEAKER: You must have heard about the subject of discussion while sitting here.

[*English*]

We are not discussing Babri Masjid and Ram Janambhoomi.

[*Translation*]

SHRI MOHAMMAD YUNUS SALEEM: Babri Masjid has been exempted. The discussion at great length on this topic took place. Yesterday throughout the whole day.

[Sh. Mohammad Yunus Saleem]

You were not present here but I was present all along and did not go out of the House even for a single second and a number of things related to Babri Masjid was discussed. Please pay your attention to what I am saying. If I am saying anything irrelevant, you can ask me to quit the House. I do not have the habit of speaking irrelevant. I do not want to waste anybody's time. Whatever I say would be relevant and important. I know what I should say and what I should not. I only want to say that this point that Babar had constructed this mosque, is incorrect. I have Banamama with me (*Interruptions*)

[*English*]

MR. SPEAKER: Is this relevant to the Bill?

SHRI MOHAMMAD YUNUS SALEEM: It is very much relevant.

MR. SPEAKER: I am not allowing it. You leave that point.

SHRI MOHAMMAD YUNUS SALEEM: If you do not allow it, I will not insist on it. I will obey your ruling. I do not want to quarrel with you.

MR. SPEAKER: Thank you.

[*Translation*]

SHRI MOHAMMAD YUNUS SALEEM: Mr. Speaker, Sir, thereafter a Lady Member from this side strongly advocated that she had visited Varanasi and was full of anger to see what was happening there although it was raining at that time and she wanted to prove before the House that Aurangzeb constructed this Mosque by demolishing the temple and thus committed a great crime and atrocities. I will not say anything in this regard. I have a book with me. The author of this book is Dr. Pattabhi Sitaramayya and its title is "Feathers and Stones". On page 177, he has written a few lines about mosque and temple. I consider it necessary to read these lines because a confusion has been created here that the mosque has been constructed by demolishing the temple by the Order of Aurangzeb and thus the facts of the History have been distorted. The people of this side are of the opinion that we are making efforts to twist the History. I wish to urge that it is very important to bring the facts of the History before the House. I will conclude by reading a quotation only.

[*English*]

> "In the height of his glory, Aurangzeb like any foreign king in a country had in his entourage a number of Hindu Nobles. They all set upon one day to see the sacred temple of Banaras. Amongst them was a Ranee of Cutch. When the party returned after visiting the temple, the Ranee was missing."

MR. SPEAKER: Are we discussing the character of Aurangzeb?

SHRI MOHAMMAD YUNUS SALEEM: No Sir. We are discussing whether the places of worship which existed on 15 August 1947 with a particular religious denomination viz. mosque or temple should be allowed to continue as they are, or whether they should be allowed to be demolished or replaced by places of worship of other religions. That has been the subject matter of discussion. For this purpose only this Bill has been brought before the House. You must be knowing, Sir, it is not a secret, that there has been a mention of three places; Babri Masjid, Vishwanath Kashi Temple and Mathura Idgah. Therefore, it is very much relevant that light should be thrown on this subject because a misunderstanding is being created that it is a mosque which was constructed by demoli-

tion of a temple. So, it must be restored, Mosque should be demolished and permission should be given to Hindu community to build a temple thereon. I would very respectfully submit that it is very much relevant, otherwise I would not have wasted the precious time of the House.

So, I was quoting from the Book, Feathers and Stones:

> "When the Party returned after visiting the temple, the Ranee of Cutch was missing. They searched for her in and out, East, North, West and South but no trace of her was noticeable. At last the more diligent search revealed a *Tah Khane*, and underground storey of the temple which to all appearances had only two storeys. When a passage to it was found barred, they break open the doors and found inside the pale shadow of the Ranee bereft of her jewellery. It turned out that the Mahands were in the habit of picking out wealthy be jewelled pilgrims and in guiding them to see the temple, decoing them to the underground celler and robbing them off their jewellery. What exactly would have happened to their lives one does not know. Any how, in this case there was no time for mischief, as the search was diligent and prompt. On discovering the wickedness of the Priest Aurangzeb declared that such a scene of robbery could not be the house of God and ordered it to be forthwith demolished and ruins were left there. But the Ranee who was thus saved insisted on a Masjid being built on the ruins and to please her, one was subsequently built. That is how a Masjid has come to exist by the side of the Kashi Vishwanath Temple which is no more a temple."

So, Sir, the Masjid was constructed at the instance of Ranee of Cutch. History is not written by me. I am not the author of it.

[*Translation*]

KUMARI UMA BHARTI (Khajuraho): It implies that you have also admitted that the mosque was constructed after demolishing the temple.

[*English*]

SHRI MOHAMMAD YUNUS SALEEM: An eminent historian.

SHRI SHREESH CHANDRA DIKSHIT: Sir, I am on a point of order. When I was referring to show that the temple was demolished and the Masjid was constructed on the ruins of the temple and I had the photographs to show and to prove that it was the temple which was demolished and the masjid was built on the ruins of the temple.

MR. SPEAKER: What is out of order? You do not raise the previous things. What is out of order in his speech?

SHRI SHREESH CHANDRA DIKSHIT: The out of order in his speech is that.

[*Translation*]

You have not permitted me to exhibit the photographs and he is quoting the page after page of the book.

[*English*]

MR. SPEAKER: You cannot challenge the ruling of the Speaker because I shall have to explain everything to you. What I did not allow was the exhibition of the photographs. When you referred to the masjid near the Kashi Temple I did allow you. I over ruled Mr. Shahabuddin. We don't discuss things like that. Please take your seat.

[*Translation*]

SHRI MOHAMMAD YUNUS SALEEM: The same incident was explained by Dr. Pandey a Member of Rajya Sabha - at *Khudabaksh* Library in his speech when he was the Governor of Orissa. I do not want to go into the details. I would like to request the hon. Home Minister that he may kindly consider a little amendment in this Bill since it is very important. I am reading clause 3 of the Bill.

[*English*]

> "No person shall convert any place of worship of any religious denomination or any section thereof into a place of worship of a different section of the same religious denomination or of a different religious denomination or any section thereof."

I am requesting the hon. Home Minister to consider the advisability of adding these words after 'thereof' "or any Tomb, graveyard, Cemetery or Cremation Ground."

Because, there is a dispute regarding Taj Mahal. It is a tomb. It is not a place of worship. Nizamuddin Aulia's tomb is a tomb, it is not a place of worship. Humayun's tomb is a tomb, it is not a place of worship. Babar's tomb is a tomb, it is not a place of worship. These are all tombs. They should also be preserved in the same way as they are preserving the places of worship.

So, I request the Home Minister to kindly consider this. It is not only the question that a place of worship should not be converted into a place of worship of a different section of the same religious denomination or of a different religious denomination or any section thereof but it should not be converted into a place for any other purpose also. It should not be converted into a college. It should not be converted into a school. It should not be converted into a residential house. It should not be converted into a place for running any office.

Therefore, I am proposing to the hon. Home Minister to consider the advisability of adding these words after the word 'thereof' "or for any other purpose whatsoever". That will serve the purpose. Because, if you confine to this paragraph only that the religious places will not be converted into any other religious place, then it may be converted into a place for some other purpose. Then, the very purpose of this Bill will be defeated.

Therefore, I respectfully submit to the hon. Home Minister that he should consider this question. I am not going to take more time of this House. I thank you very much for having given me time to speak here and I strongly support this Bill and I request this House also to pass it unanimously.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH (Parbhani): Mr. Speaker, Sir, this Bill which has been moved in this august House is a black Bill. It will be proved inauspicious for the country. As such, I oppose it. Sir, I am going to give the factual position and therefore if anyone finds it unpleasant he should not protest and if anyone finds it good should also not commend it. I request you to give me a patient hearing.

Mr. Speaker, Sir, I understand that Congress Party is supporting this Bill owing to the reason that they had mentioned in their Manifesto that the position on 15th August 1947 will be restored. As such they are functioning as per their manifesto but Mr. Speaker, Sir, why have they kept Jammu & Kashmir separate from the purview of this Bill. In Jammu & Kashmir scores of temples have been demolished but this fact has not been mentioned in this Bill. I therefore oppose it.

MR. Speaker, Sir, the second reason for opposing this Bill is that the pre-Independence names of streets and residential colonies have been changed after independence and have been renamed after the names of the stalwarts of Indian freedom movement. If the position of 15th August 1947 is to be restored then the statues of George V and Queen Victoria would have again to be installed.Thus, this is not a legislation aimed at bringing about communal harmony. Rather, it would be reduced to a Government document indicating a beginning of the communal tension. The souls of our great leaders will never forgive this Government and the future generations would look back on this Bill as reminiscent of Aurangzeb's reign.

We regard the Parliament House as the temple of our Constitution and in this temple of the Constitution many Shlokas, Mantras and Suktis from our religious texts are written and they were written after August 15, 1947. Now if you are going to maintain the status quo as on August 15, 1947 and suppose, tomorrow if someone says that these writings should be removed, will you remove them? Therefore I oppose this Bill.

Some places of worship in Sindh and Punjab have been handed over to refugees from Sindh. Now if status quo as on August 15, 1947 is maintained, you will have to take back those shrines from them and this would eventually fuel communal riots. This Bill has been introduced at a time when the country is passing though a critical phase. This was not the appropriate time to bring forward this legislation. Shri Chavan is our leader. He hails from Maharashtra and is a freedom fighter. What I want to say is that this should not have been brought now. It is a black Bill. It is a matter concerning one and all, not just the B.J.P. or Shiv Sena. There should be religion in politics but not politics in religion. We have always lauded those Muslim forces who have stood for the country's unity. They fought along with us the country's freedom fight. When they raised the demand for Pakistan, we gave it to them considering them our brothers. Now, they are demanding Kashimr. It is my humble submission that when they are demanding Kasmir now, we should prepare ourselves to take back even that piece of territory which we had given earlier. We are not against the Muslims.**(*Interruptions*)

[*English*]

MR. SPEAKER: This is not allowed. This is not going to form part of the record. You leave it me. Time is very limited. Come to the provisions of the Bill.

(*Interruptions*)**

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: We are not against the Muslims. (*Interruptions*)**

[*English*]

MR. SPEAKER: Please sit down. You leave it to me. You come to the provisions of the Bill. If you are going out of the provisions of the Bill, I will not allow you. This is not correct.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: Mr. Speaker, Sir, yesterday when you were not here, they spoke a lot on this issue. we found it unbearable, yet we didn't utter a word. Now, they too should have the patience to listen to us...(*Interruptions*)

**Expunged as ordered. by the chair.

[*English*]

MR. SPEAKER: This forum should not be used for any other purpose.

(*Interruptions*)

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: These people have termed the Hindu religion as a separate religion. They have termed us as a separate entiry from the nation. (*Interruptions*)

[*English*]

MR. SPEAKER : This is not going on record.

(*Interruptions*)*

MR. SPEAKER: Please come to the provisions of the Bill.

(*Interruptions*)

[*Translation*]

MR. SPEAKER: People may think that you have not gone through the Bill.

SHRI ASHOK ANANDRAO DESHMUKH: I have read it and certainly so. I am just giving a background. (*Interruptions*)... There are two issue involved. The demolition of the Mosque is one issue and that of the temple construction another. No Hindu wants to demolish the Dargah at Ajmer. No Hindu wishes to lay his hand on the Jama Masjid and no Hindu wants to remove even a single brick from our proud possession, the Taj Mahal. In this country, we have three lakh mosques of which 3,000 mosque are under dispute. The Hindu is demanding just three temples which are the symbols of his honour. In these places Lord Rama was born and the people have been offering their prayers at these places for centuries.

[*English*]

MR SPEAKER: This is not going on record.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: About this, Babasaheb Ambedkar said that .

[*English*]

MR SPEAKER: This is not going on record.

(*Interruptions*)

MR. SPRAKER: I am not going to allow you to raise such points on the floor of the House. You are not understanding your responsibility. You are a Member of the Parliament, a representative of the people. Do not make such statements on the floor of the House.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: I cannot even refer to Babasaheb (*Interruptions*) If that's it, it's alright.

[*English*]

MR. SPEAKER : Please come to Bill. Now you have made your point. You have opposed the Bill. Now you can sit down if you like.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: Sri, we don't blame Islam.

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*Not recorded.

These people don't follow the teachings of their Prophet, they don't follow even the Shariat and what's more they are not prepared to abide by even the law of the Land.

[*English*]

MR. SPEAKER: Now please take your seat.

(*Interruptions*)

MR. SPEAKER: Shri Deshmukh, please take your seat. I am warning you now. If you repeat it, I will take action against you.

(*Interruptions*)

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: You haven't seen the Vishwanath temple, you haven't seen the glory of Lord Krishana.

(*Interruptions*)*

[*English*]

MR. SPEAKER: This is not going on record.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: I won't give up that easily. There will be bloodshed in this country. I want to speak and you please allow me to do so. With Goddess Saraswati before my eyes. I cannot keep quite. The Muslims don't follow even the Shariat (*Interruptions*)

[*English*]

MR. SPEAKER: Shri Deshmukh, please take your seat. I am very serious about this matter. You please take your seat now. When I am standing, you will have tp take your seat.

Mr. Deshmukh, you will please understand that you are a very learned Member of this House and you understand that such references are not made on the floor of the House. I have warned you more than once not to make references to any religion or any caste Now if you continue doing that, well, I know that the House would like me to do. That is why I warn you to come to the provisions of the Bill and not to make such statements which will unnecessarily inflame the passions.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: Sir, why are they confined to the year 1947 only? Why are not they going to retain the position of the 10th century when the Muslims with their religion i.e. Islam came to this country. Were the names of the Ganga and Saraswati like those of Ameena or Rubia at that time ? Our country has a culture of its own. (*Interruptions*) They are making a fuss about temples which never disrupted country's unity and integrity rather these temples as well as our rivers have strengthened the unity and integrity of this country.

I would like to assert that this Bill will spoit the relations between Hindus and Muslims in the country. Both the communities have very high regard for Nehru and Gandhi. Hon. Nehru was like our father and the Indian Muslims must have the same feelings regarding Nehruji. Both the communities eat the same fruits, same foodgrains etc. and we must understand each other.

I would like to ask you to wish 'Vande

*Not recorded.

[Sh. Ashok Anandrao Deshmukh]

Matram' as we do. 'Vande Matram' literally means 'Worship the mother ' Through this phrase we just express our gratitude towards our mother-land which nourishes us by providing each and every thing to us. Sir, I would like to request each and everyone including Shri Ghulam Nabi Azad that they should also use the phrase 'Vande Matram' (*Interruptions*) All of us, including Hindus and Muslims live here. We appeal to all to say 'Bharat Mata ke Jai'. But they (the Muslims) never use the words "Bharat Mata ki Jai, what to talk of 'Vande Matram.' If the Muslims want to live in this country properly they should live like us. We shall not allow them to over side us. They too will have to come along with us. (*Interruptions*)

I would conclude in a few minutes. Our religious shrines are not only the embodiments of religion but these are our social structures also. (*Interruptions*)

For example take the Community Hall. Earlier, meetings were help normally in temples. So this issue of temple is not a religions issue. It is linked with our social and cultural structure.

The last point I would like to raise here as to why our Muslim brothers today want to preserve the identity of those foreign invaders who had demolished these temples centuries ago. If these Muslims acknowledge themselves as Indian...(*Interruptions*)

SHRI DEVENDRA PRASAD YADAV: Sir, I am on a point order. Any hon. Member has no right to hurt directly their feelings. (*Interruptions*)

MR. SPEAKER: Please take your seat.

[*English*]

I uphold your point of order. I deprecate the manner in which the Member is speaking and it is not becoming of the Member to speak in this language.

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: Mr. Speaker, Sir, I am thankful to you for this. (*Interruptions*) Why our Muslims are willing now to preserve the misdeeds of foreign invaders who had demolished these temples. If they call themselves as Indians, (*Interruptions*) If they call themselves as Indians, why do thy favour those foreign robbers who had robbed this country in the past, (*Interruptions*) Vishwamitra, a great Rishi had married the daughter of Shaja Sabar who was a tribal. This tradition of intercaste marriage continued up to the age of Dwapar. The king Shantanu married a Dheever-girl (daughter of fisherman) (*Interruptions*)

[*English*]

MR. SPEAKER: Now, what he says will not go on record.

(*Interruptions*)*

[*Translation*]

SHRI ASHOK ANANDRAO DESHMUKH: The origin of famous Rajput dynasty, Chandra-vanshi was the result of that intercaste marriages. At that time, there was no caste tension. (*Interruptions*) Whatever the arguments put forth by them, we have to counter it.

[*English*]

SHRI SUDHIR SAWANT (Rajapur): I thank the hon Home Minister for having

*Not recorded.

introduced this historical Bill. The real object of this Bill is not confined to the text of this Bill. But, it can be read between then lines and the real object is to prevent the dis-integration of this nation. That is the objective of this Bill because in the last three years we had witnessed such a communal violence, a section of society...

MR. SPEAKER: Mr. Sawant, please help me because time is very short. Come to the provision...

(*Interruptions*)

SHRI SUDHIR SAWANT: I am coming to the object of the Bill.

MR. SPEAKER: Please leave the background.

SHRI SUDHIR SAWANT: Because of the violence which has been perpetrated in this country, it was necessary to put the matters to rest which can create controversies in this country, and religion is one such thing which can create such controversies, as it has been proved in the last three years by the incessant violence that we have seen. Today in the Lok Sabha also in the same manner that violenct attitude was witnessed by us. It was a very sad day infact to see people assaulting each other because assault is not physical, assult can be in action also as described in the IPC. This is what we have witnessed today. And what is the reason, the reason was religion. History is a witness to the fact that whenever we people have fought with each other or whenever we have been divided, foreign rulers have come and conquered this country. In fact, Sikander could succeed to defeat Porus because of this reason. Mohd. Gauri could defeat Prithviraj because of this reason. The Britishers could occupy this country because Tipu Sultan and Marathas were not united. They played one against the another and that is how they conquered this country and later on they went further. They divided Hindus and Muslim in this country to divide and rule and thus Pakistan was born. On what basis Pakistan was born? It was born on a misconceived nation of nationhood. That is now Pakistan was created.

SHRI MADAN LAL KHURANA (South Delhi): Who created?

SHRI SUDHIR SAWANT: I am coming to that. (*Interruptions*). It was a misconceived concept of nationhood on which Pakistan was born. And what is the foundation? the foundation is that Hindus and Muslims are two separate nations, which cannot be made to live together. This was the foundation on which Pakistan has been created and today the foundation of Pakistan rests on the two-nation theory and what is why if Hindus and Muslims live amicably in India today, Pakistan will never allow it because if Hindus and Muslims live amicably today in India, the foundation of Pakistan will collapse and Pakistan will disintegrate. So, that is the issue in question, you must realise it. Are we not going to learn form history . Are we going to play into the hands of a nation which is trying to create a permanent divide in this country between the Hindus and the Muslims? And the issue of these religious places to which this Bill addresses is trying to do that, is trying to put to...(*Interruptions*).

[*Translation*]

DR. MAHAVIR SINGH GOHIL (Bhavnagar):- Mr. Speaker, Sir, I am on a point of order (*Interruptions*)

[*English*]

MR. SPEAKER: Yes, you can raise point of order if you want. I am allowing him to raise it.

[*Translation*]

(*Interruptions*)

DR. MAHAVIR SINGH GOHIL: Mr. Speaker Sir, my point of order in that hon. Member is not speaking on the Bill (*Interruptions*)

[*English*]

MR. SPEAKER: I uphold his point of order and I direct Shri Sawant to speak on the provisions of the Bill without giving them historical background.

(*Interruptions*).

SHRI SUDHIR SAWANT: Sir, I am trying to give all that because we know foreign powers are interested in destabilising this nation and what batter method can be there to destabilise the nation than to concentrate and divide it on the basis of religion? And that is why the objective of this Bill is to prevent this disintegration and that is why I support this Bill. That is the main point that I wanted to bring about.

Sir, people were talking about Ram throughout yesterday. I revere Ram. But why do I revere Ram? Because Ram established Ram Rajya in this country. And what is 'Ram Rajya'? Ram Rajya is providing food, water and shelter, love, compassion, brotherhood and above all, Ram Rajya is Rule of Law.

MR. SPEAKER: Mr. Sawant, please understand that we have to pass four Bills today.

SHRI SUDHIR SAWANT: Sir, I will be very brief. I am just coming to the constitutional point. And above all, I said that Ram Rajya is the Rule of Law. And what is the Rule of Law? How are we going to bring Ram Rajya within the Constitution of India? Now, Articles 25 and 26 of the Constitution are very clear. Article 25 guarantees religious freedom for individual and Ariticle 26 for religious denominations. But these religious rights are not unfettered. Article 25 reads as follows:-

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

The emphasis is on 'Subject to public order...' So, if there is anything which creator public disorder, it cannot be allowed and this is what the Bill is trying to do. This Bill is trying to prevent any sort of public disorder in future in this country by setting at rest all the conterversies of religious places. Unfortunately, this particular Ramjanambhoomi-Babri Masjid issue has not been tackled...(*Interruptions*)...is not being included. Unfortunately, whether I would have felt that it could also have been included or whatever it is, the second is, "Subject to other provisions of this part", that is the fundamental right, and above all there is a sub-article to Article 14 in respect of fundamental Rights.

Now, about the Ramjanam Bhoomi issue, people are saying, it cannot be decided by court, Let me ask one thing. The Constitution is supreme and any issue in this country has to be decided within the four corners of the Constitution. There can be no issue in the country which cannot be decided by the three organs of the State. That is why, I do not understand the justification that religion is an emotional issue which cannot be decided by court. Tomorrow somebody will come and chop off your head and say, "This is an emotional issue and not a legal issue". What kind of precedents are you going to set?.

I am coming to article 14 of the Constitution that religion can be practised subject to other provisions of this part, i.e. part III dealing with fundamental right, equality of opportunity. If any Muslim goes to the court and files that at some particular religious place, he has got full right, his application would be entertained because religious practices are subjects to part III and fundamental rights.

We must remember the examples of unity in this country. Let me just quote what Justice Iyengar spoke on articles 25 and 26 in Saifuddin Sahib case:

> "These articles embody the principle of religious tolerance. That has been the characteristic feature of the Indian civilisation from the start of history. The period when this feature was absent being merely temporary aberrations. Besides these articles serve to emphasise which the founding-fathers considered to be the very basis of the Constitution".

That is why, anything which divides this nation cannot be allowed to develop in this nation. That is why, if any piece of land tends to divide the nation on the lines of religion, caste creed or community, it cannot be allowed in this country because what are fighting for is a strong united and prosperous India. We do not want civil war to take place here. This Bill has come at the right time.

Ramjanam Bhoomi-Babri Masjid issue is there. Let it be decided by the court...

MR. SPEAKER: Mr.S.S. Owaisis to speak.

It is not going on record.

[*Translation*]

SHRI SULTAN SALAHUDDIN OWAISI (Hyderabad): Mr. Speaker, Sir, the presentation of this Bill is the first right step in this regard because for the last 4-5 years such a bitter atmosphere was being created in the country. To counter this sort of atmosphere, the Babri Masjid Action Committee has requested the Government to breing such a Bill in the House so that a legal organisance could be given to the *status quo* of all the religious shrines in the country as on 15th August 1947. Keeping in view the atmosphere in the country which has been created by some vested interest to acquire political power, this Bill has been brought and I welcome this Bill. I would like to ask those who are opposing this Bill as to why this Babri Masjid issue was not raised just after 1947 and why did not they raise the issue in 1977 during Janta regime when they were having their three Ministers- Shri Vajpayee, Shri Advani and one other in the Janta Government. Why do they raise this issue now? So one can easily understand that this is not simply an issue for them rather they want to exploit it for acquiring power. This Bill as presented here is a right step. In this context, so many controversial things have been said in the House, which we heard silently after suppressing our feelings. One may guess...(*Interruptions*)

MR. SPEAKER: You need not repeat it.

SHRI. SULTAN SALAHUDDIN OWAISI: On this Bill so many things have been.* (*Interruptions*)

[*English*]

MR. SPEAKER: Mr. Sultan Salahuddin Owaisi, You are a very senior Member and you will not say anything which will hurt the sensibility and the feelings of the Members. What you have said is not going on record. I

*Not recorded.

will also warn you that you are discussing a very important provision of the Bill. You are not here to incite the people unnecessarily.

[*Translation*]

SHRI SULTAN SALAHUDDIN OWAISI: I have no intention to hurt any one's feelings. (*Interruption*) Since yesterday, our sentiments are being hurt here in the House. (*Interruptions*)

Contrary to this they say that I am hurting their feelings. Sometimes, they talk of their faith. Let them ascertain their faith first regarding the birth-place of Ram. Yesterday they asserted that the Ram's Chabootra is the exact birth-place of Ram. Now they are saying that Shilanyas spot is the birth place of Ram. The Mahanta of Ayodhya on the other hand is saying that Ram was born at some other place. They should give proper evidence regarding the birth place of Ram. They cry when their sentiments are touched. (*Interruptions*)

[*English*]

MR. SPEAKER: I am hearing his point of order.

[*Translation*]

SHRI HARISINH CHAVDA: Mr. Speaker Sir, hon. Member is deviating from the provisions of this Bill. (*Interruptions*)

[*English*]

MR. SPEAKER: I uphold your point of order and I ask Mr. Sultan Salahuddin Owaisi to please speak on the provisions of the Bill

[*Translation*]

I am responding to the points raised by him yesterday. On my part I have said that...(*Interruptions*)...

MR. SPEAKER: There is no need to respond to that .

SHRI SULTAN SALAHUDDIN OWAISI: It would be better if the remarks made by him are expunged. If those remarks are included in the records...(*Interruptions*)...

[*English*]

MR. SPEAKER: Mr. Sultan Salahuddin Owaisi, you will please understand that I have not allowed one hon. Member to use such a kind of language and to speak in such a manner. I will not allow you also. You are a pretty senior Member of the House. Please do not get something from the Chair which will lower your dignity.

[*Translation*]

SHRI SULTAN SALAHUDDIN OWAISI: I have responded only to the points that were raised. I would like to know the circumstances which led to the need to introduce such a Bill. Newspapers have published a list of 3,200 mosques and 'dargahs' in the country. Where has it been mentioned in history that there was a temple at that spot? Then it is said that history has pinpointed the location of mosques and 'darghas' also. What is all this about? We must consider the global situation and create an atmosphere of peace and harmony in our country to save it from disintegration. The World's great powers could not survive by following a policy of suppression. We must learn a lesson from what is happening in Russia and Asia...(*Interruptions*)... this is what you want to suppress. No country can be run in the name of religion today. Seeking votes in the name of religion will not do. I extend my full support to this Bill.

6.00 hrs.

[*English*]

SHRI RAM NAIK (Bombay-North): Sir, I am on a point of order.

MR. SPEAKER: What is your point of order?

SHRI RAM NAIK: Originally, the time allotted for this discussion was about four hours. It is being extended and we have no objection. I only want to have your ruling advance because we have given certain amendments. We would like to speak on the amendments also. Otherwise, sometimes it does happen that we are not allowed to speak on the amendments. So, if more time is being given for that, I would only request you, Sir, to ensure that we are allowed to speak on the amendments also.

MR. SPEAKER: No. The point is very well-taken. But I am not deciding in your favour. I am sorry. The time fixed was four hours. About eight hours have been consumed. Probably, everr Member wanted to give expression to this views. I am aware of the fact that we have been, perhaps, more stringent than what we should have been. We have curtailed the speeches, very learned speeches, erudite speeches of the Members. That was because of the constraint of time. I hope you will appreciate the difficulties. We shall have to transact other business also. In view of that, having spoken very comprehensively on many of the points, probably the amendments also are covered in your speeches. So, you will not press for that.

Now Shri Sunil Dutt to speak.

[*Translation*]

SHRI SUNIL DUTT (Bombay-North-West): Sir, I am grateful to you for giving me an opportunity to speak on this Bill. A bill which seeks to retrain the status quo of religious shrines as on 15th August, 1947 is most welcome. The Government had to bring such a Bill in view of the growing communal tension in the country. I thank the Hon. Prime Minister and the hon. Home Minister for having introduced such an important Bill in the House.

I belong to a land which is totally secular, a land which we call India where people of various faiths like Hindu, Muslim, Sikh and Christian live together. People of different religions act in Indian films and play roles for very religions. The well-known actor Dilip Kumar is a Muslim. Yet he plays the role of a Hindu, visits Hindu places of worship, offers prayers and speaks Hindu, fluently and portrays sentiments correctly. Ever since I am to this House I have felt as if I am outside India. I have felt as if I am among enemies. I want to emphasise that this House belongs neither to the B.J.P nor to the Congress, Communist Party or Janata Dal. Instead of fighting among ourselves we must think over issues that affect the development of the country....(*Interruptions*)...you can speak when it is your turn. I have never interrupted your speech so you should also listen to me when I am speaking.

With the passage of this Bill, there should also be a change of heart. The hon. Member who just spoke expressed his apprehension regarding the repurcussions of such a legislation. Such fears should be set at rest. This Bill has been brought to ensure a safe and secure life for the masses of this country, to ensure that incidents like the Bhagalpur killings do not recur. This step has not been taken to bolster up the image of the Congress.

[*Translation*]

My submission to you is that Congress party has always been cautious and would

[Sh. Sunil Dutt]

be cautious in future...(*Interruptions*)...When the Constitution of our country was prepared we drew demarcation line which can be termed as 'Lakshman Rekha'. It meant that ours is a secular country and people of all religions Hindus, Muslims, Sikhs and Christians-have equal right to led their life in their own way. They are also free to worship in the manner they like. But this demarcation line has been wiped out with religion interfering into politics. In this way our Sita has been abducted...(*Interruptions*)...

[*English*]

MR. SPEAKER: After this tense hours, we do deserve this kind of light heartedness.

SHRI SUNIL DUTT: I am very grateful to you.

[*Translation*]

I would like to refer not to Tulsidasji or Balmikiji but to the modern writers because it is very important to know as to what is prevailing in the county presently. It is not so important to know what happened hundred years or thousand years ago, that is only a part of history. What happens today is the reality and that is essential to be understood. Khurana Sahib, you have migrated from Pakistan, if you would have continued to live in the past you would not have been able to live in Delhi you would have been living in Pakistan...(*Interruptions*)...If you have the right to live in Delhi, you must become Delhite in the real sense...

(*Interruptions*)...If you live in India you must be an Indian. India is a country which belongs to Hindus, Muslims, Sikhs and Christians equally.

[*English*]

That is my India. That is the India I live for; that is the India I die for...(*Interruptions*)...

[*Translation*]

I will talk about you also I have a great respect for you. I will appreciate you...(*Interruptions*)...

I would like to read out the statement given by your friend. Khurana Sahib, kindly listen to me and also direct your followers to listen to me...(*Interruptions*)*...

[*English*]

MR. SPEAKER: This is not going on record.

[*Translation*]

SHRI SUNIL DUTT: You are the whip of that party, can't you keep them quiet. How do you keep them in your control outside the House, if you cannot do so in this House...(*Interruptions*)... kindly listen to me. One of the Indian writers has said that when a person dies in communal riots, the life of the country reduces.

[*English*]

The life of a country goes away, it is not the life of the human being that goes away.

[*Translation*]

I may given you an example: when you were on your 'Rath Yatra' and riots took place in Bhagalpur...(*Interruptions*)...I am referring to the same incident when riots took place in Bhagalpur, I visited that city. Some M.Ps belonging to Janata Dal were also with us and we there...(*Interruptions*)...Kindly

*Not recorded.

listen to me...(*Interruptions*)...You have already abducted Sitaji and Ravanaji, now please sit down...(*Interruptions*)... kindly help me because I would like to say a few words in your appreciation.When I want to Bhagalpur.

SHRI VINAY KATIYAR (Faizabad): Mr. Speaker, Sir, I am on a point of order...(*Interruptions*)...

[*English*]

MR. SPEAKER: Let me hear his point of order...(*Interruptions*)...

SHRI SUNIL DUTT: Kindly listen to me first.

SHRI VINAY KATIYAR: The hon. Member is deviating from the subject. He is trying to relate this discussion to the communal riots. Not only this, he has also tried to relate it to 'Rath Yatra' and thus he is misleading the House. I am on a point of order. Please check him from doing so.

[*English*]

MR. SPEAKER: I rule out your point of order.

[*Translation*]

SHRI SUNIL DUTT: I am referring to Bhagalpur. I visited the city personally and I would like to submit that Bills on various matter would be passed in the House but unless we change our hearts, we cannot restore unity and integrity in the country. Therefore, I would like to emphasise the need of restoring unity and integrity in the country...(*Interruptions*)...

Please sit down. I am not saying anything objectionable. There I visited the villages which are predominantly inhabited by Muslims and those by Hindus as well. (*Interruptions*)*

[*English*]

MR. SPEAKER: This is not going on record.

[*Translation*]

SHRI SUNIL DUTT: I visited the villages of both Hindus and Muslims. I enquired from the Hindus as to who were the fundamentaliss who had come to their village. Therefore, I do not put the blame on Hindus alone. I say that people from both the communities are to blame in this case.I am referring to Bhagalpur riots. (*Interruptions*)

[*English*]

MR. SPEAKER: Please leave it.

[*Translation*]

SHRI SUNIL DUTT: I would like to say that without communal harmony between the two communities nothing is going to improve. Sir if you give a ruling, I would not like to dwell further on this issue and reserve my observations and remarks for some other occasion. But the issue is so important, that unless both communities came across the negotiating table, unity and integrity cannot be fostered in the country. This is absolutely necessary for the unity and integrity of the country. I am not saying here as to who are fundamentalists and who are not, who died and how. I just want to raise the issues which are more important and effective than that. I saw the plight of Hindus in villages pedominantly inhabited by Hindus from close querters. They were a depressed lot and both their shelters and clothing have been burnt. When I enquired from them as to who

*Not recorded.

[Sh. Sunil Dutt]

had come to their villages they said that B.J.P men had come.(*Interruptions*)

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, he is digressing from the main issue and saying very objectionable things. (*Interruptions*)

SHRI SUNIL DUTT: I am referring to riots and praising them only. People said that B.J.P. men and V.H.P workers provided them succour and wiped their tears. When I went to Muslim villages, the people said that the Jamait-e-Islam men wiped their tears and gave them help. Sir, I would like to emphasise on the point that if the Muslims and Hindus have a soft corner for their brethren in other community from the core of their hearts, people from one community should have gone to the help of people in the other community for fostering communal harmony and affection for each other.

Sir, the agony of a women in the wake of the death of her child or her husband is the same to which ever community she might belong to, whether she is a Muslim or a Hindus woman. So, if the community feelings are perpetuated and spread like this, then what will be the outcome? (*Interruptions*) Sir, the Bill under consideration should be passed in one voice by all sections of the House for the sake of country's integrity and for boosting the prestige of the nation. I would also like to make an appeal to B.J.P. cadre with folded hands, not to oppose the Bill as it would serve everybody's interest as well as that of the country in general. I would like to tell one and all that if peace and cordiality is maintained in the country, it will automatically solve all problems. I would like to quote a few lines of a song:

'Majhab Nahin Sihkata Apas Main Vair Rakhna
Hindu Hain Hum Vatan Hain Hindustan Hamara'"

This was written by a Muslim and it is our National Song. Doordarshan presentation of Mahabharat of Ved Vyas, which was viewed by all of us was written by Rahi Masoom Raza. Not a single contradiction can be noticed in it.

[*English*]

This is my secular India. This is my India. And this is the India that I am proud of, of all the countries... (*Interruptions*)...Umaji is a very nice Parliamentarian, I really feel.

[*Translations*]

I am proud of her. She is a very able parliamentarian and whenever any issue concerning women is raised in the House, then Shrimati Geeta Mukherjee and Kumari Uma Bharati, espoused women's cause in the House*... (*Interruptions*)...

[*English*]

MR. SPEAKER: Please take your seat.

MR.SPEAKER: please sit down. (Interruptions)

(*Interruptions*)

MR. SPEAKER: Let me give the ruling.

(*Interruptions*)

MR. SPEAKER: If he says that he is withdrawing the remarks...

(*Interruptions*)

[*Translation*]

MR. SPEAKER: Please keep quite

*Nt recorded.

Whatever might have been the intention of the hon. Member, but if it had hurt the feelings of someone, then it will not go on record.

...(*Interruptions*)...

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir I am on a point of order. The way, the hon. Member made a reference by names, it appears that the hon. Member is delivering a film dialogue. He is saying nothing serious in the august Parliament of India. The hon. Member must tender an apology.

...(*Interruptions*)...

[*English*]

MR. SPEAKER: Please take your seat. (*Interruptions*)

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[*English*]

MR. SPEAKER: Please take your seat. (*Interruptions*) Mr. Sunil Dutt, do you want to say something on this point?

SHRI SUNIL DUTT: Yes, Sir. (*Interruptions*) Upon my honour, I would like to say in this House that I have always respected women and I have always sacrificed for the life of women, whether she is my wife or mother or sister or daughters or granddaughters. I give top priority for the women of this country.

[*Translation*]

It is not craziness on my part, but it shows guilty conscience on the part of the hon. Member who is accusing me.

(*Interruptions*)

[*English*]

MR. SPEAKER: I will give a ruling.

(*Interruptions*)

MR. SPEAKER: Please take your seats.

(*Interruptions*)

MR. SPEAKER: First of all, I would like to thank the Members for they are cooperating with the Chair.

It seems that Mr. Sunil Dutt's remarks have hurt the feelings of our sisters in the

House. I think Mr. Sunil Dutt's will not feel below dignity to say 'sorry' if it has hurt their feelings.

(*Interruptions*)

SHRI SUNIL DUTT: With a very heavy heart and with total dignity to the House, I generally feel that I never meant to hurt the feelings of any woman in this House and even outside in the country. But I fail to understand why only one section of women the other party did not like my remarks:...(*Interruptions*)...I have the right to say (*Interruptions)*

MR. SPEAKER: Please sit down.

(*Interruptions*)

MR. SPEAKER: Are you making any amends or not?

SHRI SUNIL DUTT: Sir, if I am guilty, I will say 'sorry'.

[*Translation*]

There are devotees of God, there are servants of humanity. It is not so that (*Interruptions*)

[*English*]

MR. SPEAKER: Sunil Duttji, please take your seat. Please let us understand.

(*Interruptions*)

MR. SPEAKER: You are complicating my job unnecessarily. Please sit down. Please help me. Do not complicate my job.

(*Interruptions*)

MR. SPEAKER: Mr. Sunil Dutt, the valour and the spirit of understanding and the spirit of giving respect to our mother, sister and daughter will be in tune with our feelings with which you must have expressed your feelings. If anybody is hurt, you can always make amends. I do not think that creates any problem. I know with what kind of a feeling he has spoken those words. That is why, I have not said anything. But you yourself, are quite capable of making amends...

SHRI SUNIL DUTT: I am proud of the women of this country. I admire them...(*Interruptions*)...

[*Translation*]

SHRI SUNIL DUTT: I have a craze for my mother, for my sister and for my daughter...(*Interruptions*)...Since I have sacrified for my country...I have a craze for my country...(*Interruptions*)...

[*English*]

THE MINISTER OF RAILWAYS (SHRI C.K JAFFER SHARIEF): Sir, you are the custodian of this House. And as the custodian of this House, you can go into all aspects and deliberations. If anything happens to be outside the limits and the scope of the Bill, please see that that is expunged. That responsibility is yours. If any Member from any section of the House has spoken anything outside the scope of the Bill, that should be totally expunged.

(*Interruptions*)

MR. SPEAKER: Please sit down. (*Interruptions*)

[*Translations*]

SHRI PHOOL CHAND VERMA (Shajapur): Mr. Speaker, Sir, you have given your ruling that he must apologise... (*Interrutpions*)

[*English*]

MR. SPEAKER: Don't put words into my mouth unnecessarily. It is not like that. When I have not said anything, you are twisting the facts in my presence and saying all that.

(*Interruptions*)

MR. SPEAKER: Please sit down. Sumitraji please sit down.

[*Translation*]

SHRIMATI SUMITRA MAHAJAN (Indore): Mr. Speaker, Sir, I have never expressed my views before.

[*English*]

MR. SPEAKER: Okay, I allow you.

SHRIMATI GEETA MUKHERJEE: I want to say just one thing.

MR. SPEAKER: I will allow you also after Sumitraji.

SHRI K.P UNNIKRISHNAN: I am on a point of order Sir,

MR. SPEAKER: I have already called her.

[*Translation*]

SHRIMATI SUMITRA MAHAJAN: Mr. Speaker, Sir, we have raised an objection, I would like to tell hon. Sunil Dutt that we have all regards for him even today as we had so in the past. But a very serious matter was being discussed at that time in this House. The objection was raised to the manner in which it was spoken. Members have a sense of honour but the word 'Diwana' (fan of women) was used in derogatory manner for ladies...(*Interruptions*) The word 'listen' was used, only after that we said that unparliamentary expression should not be used in the House. He is here as a Member of Parliament and not as a cinema hero. He should not use such expressions. We do not expect such expression of him. Therefore Members felt agitated. He deserves respects as he has worked for the cause of cancer. The objection was raised by all sections and not a single section of ladies. It is not expected of a responsible parliamentarian... (*Interruptions*)

MR. SPEAKER: Sumitraji, you have now expressed your views. Be seated now.

[*English*]

MR. SPEAKER: Please cooperate. We have many Bills to pass. We were thinking that we would be able to pass the Bills. Kindly do not use the words which may lead to objections. Let us be in a position to say judge not and we will not be judged.

SHRIMATI GEETA MUKHERJEE (Panskura): Sir, I am not an expert on Urdu. So, what I appreciate in Sunil Babu's speech is the feeling that he has hor women and I expect all of you to have the same feeling. This is my submission.

SHRI K.P UNNIKRISHNAN(Badagara): Sir, I am on a point of order. This House has to be regulated by you. In your wisdom...

MR. SPEAKER: I think it is a point of order on Speaker.

SHRI K.P UNNIKRISHNAN: Please, listen to me. I am here to assist you and to draw your attention to something. What I want to say is that this House can only be regulated through the rules of procedure and not by sentiments. This House, specifically you, can decide or any other Presiding Officer in your place whether a Member has used Parliamentary expression of unparlia-

[Sh. K. P. Unnikrishnan]

mentary expression. Your attention can only be drawn to that but not because somebody feels or is over-sensitive and dislike a word or phrase or might wish the Member should have used some other phrase. Member's speeches cannot be regulated by sentiments be it of any section of the House.

MR. SPEAKER: Well, I appreciate the feelings of my friend and an hon.Member of this House and 80 per cent I agree with him. Regarding 20 per cent my decision is let us try to avoid the expressions which my be unparliamentary and hurt the feelings of Members.

[*Translation*]

KUMARI UMA BHARTI: Mr. Speaker, Sir, I agree with Shri Unikrishnan that this discussion does not relate to getting over-sensitive. I understand it, I have travelled world-wide. I understand the limits of humour. I have not come here out of caves...(*Interruptions*) But there is a decorum to be maintained in Parliament, in the country and as such a dignity has to be maintained while expressing one's feelings. If man does not learn to live a disciplined life then there is no difference between animal and man. (*Interruptions*) I would like to submit that I respect the views expressed by Shri Sunil Dutt is a social worker but he has been a film hero.

(*Interruptions*)

[*English*]

MR. SPEAKER: Mr. Sunil Dutt, what is your point of order?

[*Translation*]

SHRI SUNIL DUTT: Mr. Speaker, Sir, Kumari Uma Bharati submitted just now that I have been a filem-hero. I would like to submitted that today also I am a film-hero and I am proud of being so...(*Interruptions*) I feel proud that I being to the world of cinema. Without making any discrimination films depict a secular view of our country. (*Interruptions*) While raising her voice to the cause of women in the House Kumari Uma Bharti had referred to the incidents of female foeticide after sex-determination. Sentiments have been involved with the issue. There are many other issues as important as that which confront us. Atrocities like rape etc. are committed on women, Harijans are maltreated, children are being killed by Tantriks who offer them to deities and then eat their flesh, girls are sold and there is hungers and poverty. We have tp tackle all these problems. Therefore I would like to submit...

"Aur bhi gum hain jamane mein,
mandir ke, sivay
Anaginat saidyon ke tarik va
vahimana Tilsim,
Reshmo-atlasi va kam khwab mein
bunvaye huye
Jabajaan bikate huye kucha va
bazar mein jism,
Khak mein lithare huye, khun mein
nahalaye huye,
Laut jati hai udhar ko bhi nazar kya
keeze,
Ab bhi Dhilkash hai tera husn kya
keeje,
Aur bhi gam hain, jamane mein
mandir ke sivaya.

These things would not be understood by them. In the end I thank you for allowing me time to express my views.

SHRI KALKA DAS (Karolbagh): Mr. Speaker, what is your decision?

[*English*]

MR. SPEAKER: Please sit down. Most of the Member have started asking me what

has been decided and what not. and they say that they are following the rules. The rule is, I do not appreciate many of the things said by some Members on the floor of the House and if there is anything objectionable or anything which hurts the feelings of the Members, that will not form part of the record.

[*Translation*]

SHRI RAM SUNDER DAS (Hajipur): Mr. Speaker, Sir, I rise to support the bill that has been introduced. I am supporting it because this bill is in keeping with the declared policies enshrined in the Indian Constitution. What necessitated introduction of this Bill?

But introducing this Bill the ruling party has done a good job keeping in view the conditions that have been created in the country due to the growing communalism. In order to keep the sovereignty of the country intact and to root out the spreading communalism, the ruling party has done a praiseworthy work by introducing the bill. I thank the ruling party for it but at the same time, I cannot help saying that this measure should have been taken much earlier. The people of the ruling party wake-up only when it is too late.

Mr. Speaker: Sir, if we take a look at the post independence etc. it take us no time to understand that we could have served the nation a lot, had we made efforts to strengthen the secular forces. That way, we could have brought about a drastic change and thereby protected secularism. But the ruling party who ruled the nation did not pay attention to it. This is not a country of a particular community or a particular religion and that is why I support this Bill.

Mr. Speaker: Sir, our friends from this said that History was being belied. Sir, through you. I want to submit that people of this country know very well the people who try to belie the history. Barring the tribals, the Aryans and many other communities who were all foreigners came to this soil. What I want to point out is that the Muslims too came here about 1-1/2 -2 thousand years after the Aryans. The Hinduism assimilated and accepted all the people coming from outside. It was a typical generosity. But what is prevailing in the society today is a subject of serious anxiety and it is for this reason that I support this Bill. If the makers of our constitution had not made the provision of secularism, the country could have witnessed religious fanacitism coupled with armed struggle and many other agitations. But the makers of our constitution had a foresight for all these things.

I think that we all should be happy for the introduction if this Bill. There would be no trace of any caste, creed,religion or party, if there is no nation. Keeping all this in view I support the bill. As it is a progressive bill it should be passed unanimously.

I want to say one more thing. Religion, I think, is a personal thing. So far as the question of worshipping of visiting a place of worship is concerned, anyone can offer his prayers anywhere according to his belief. But it is beyond my comprehension that religion should be pinted in the colour of communalism. The religion that creates obstacles before the human beings in the matter of their prosperity cannot be regarded as a religion.

What I want to say is that the people who talk of creating religions frenzy cannot make this country a country of a single religion. The people who donot understand religion are the ones who spend a pompous life and work towards distintegrating the nation. Humbly I would like to tell them that they would bot be forgiven by history. We should be on guards lest we should start following other nations and fall a victim of destruction

[Sh. Ram Sunder Das]

in the process...(*Interruptions*) There are people in the country who are theist while many others are atheist. But, the contribution they have made to the country through their ideals cannot be forgotten. This is a country of composite culture and multilingual people where all of us have been living unitedly and protecting the nation. In support of this bill I would say briefly that it should be implemented carefully lest it should fall in the doldrum and meet the fate of many similar bills. Ours is a secular country. What is the reason that we could not run the country in keeping with the declared policies? There must be some reasons. Perhaps politics or the political gains are the reasons. It is for this reason that we could not adhere to those cherished principles. The bill would, no doubt, get through,but if it is not implemented firmly, we cannot protect secularism. The framers of the Constitution had declared that if the rights provided to people in the Constitution are not actually given to them, they would lose faith in the Constitution in the course of time. The ruling party has brought froward this bill - better late than never. I support the bill and express my gratitude to you for having given me an opportunity to express my views. I wanted that I should have been given time a bit earlier, as this was my maiden speech in this House.

[*English*]

SHRI K.P UNNIKRISHNAN: Mr. Speaker, Sir I wholeheartedly welcome this very significant legislative measure, which should have been passed long back.

Sir,ever-since our independence in 1947 and more so, after we become a republic within a democratic Constitution, we have taken certain steps, sometimes faltering but a steady effort was set in motion seeking to divorce religion from the States and to assure minorities,not merely religious minorities but also linguistic minorities that the faith they professed, the religion they followed or the language they spoken or in a broader sense, the way of life they followed or the values they had, shall have no bearing on their rights. Their legal status, their civil rights and secularism would be the binding cement of Indian society. But that is sought to be upturned. It is not to say that there are no elements in minority communities who are propagating minority fundamentalism or minority communalism whether it be in Punjab or elsewhere. But today the fact remains that Hindu revivalism is sought to be dressed up as Indian nationalism. Not only that. They claim to speak on behalf of the majority of Hindu community. I do not know who has given them the authority to do so. If they win with a microscopic vote to the total national vote and population and they come here and tell us that they can speak on behalf of the great Hindu religious faith and the Hindus, they are mistaken. I have no doubt that history will prove that they are mistaken. But it is these people who called Ayodhya a national shame. Were this movement to succeed, the danger is that secularist concept, secular framework, secular unity that we have sought to build up would be strangled and India would straightaway be handing for a Fascist take-over. They are laying siege to the basic concept to which we are committed. On this there can be no compromise. I know that they call some of us as pseudo secularists. I would say and repeat that I am proud to be a called pseudo secularist.

The focus of the belligerence of this small Hindu group, the revivalist group, claiming to represent the majority community in this country, has been the Babri Masjid in Ayodhya in Uttar Pradesh. Now I want to say that we cannot revert to the medieval politics. We can revert as some people have shown to medieval politics. We can revert as some people have shown to medieval way. But this country as a nation cannot revert to medieval politics. It cannot be allowed to

destory places of worship whether there was worship or not - as long as some people regard it as such - under any circumstances.

It is true that demolition had taken place; vandalism had taken place. Are we to go back and repeat the vandalism? That is the question before us today. Today the attention is centred on a mosque which has its historic antiquity. Bit it has also been established that Hindus had destroyed Buddhist and Jain shrines.

PROF. PREM DHUMAL (Ajmer): Where?

SHRI K. P UNNIKRISHNAN: In Bihar, U.P If you want, we shall discuss it separately. How far back in history are you going to go? And who is going to interpret it as to which should be destroyed and which should not be destroyed?

Secularism is more than the faith, concessions and special considerations. It is not the concession that we make to somebody. It is the right that minorities have in this country. It is also for the majority and for everyone's state of mind, a kind of instinctive feeling such as existed, by and large, for many centuries in India, when Hindus, Muslims Christians and followers of other faiths lived side by side and brought up in this country in general harmony.

The known history of Ayodhya does not indicate that what is claimed as the Janamsthan was, in fact, the birth place of Sri Rama, the Purushotma, or that a temple existed there. I do not want to go into the background of this. But Sardar Vallabhbhai Patel - I am sure, they do not reject him as I had heard them yesterday - wrote to Shri Govind Ballabh Pant on 9th January 1950 that no unilateral action by any group on an attitude of aggression can be allowed or countenanced. This is what he wrote on this very very question.

17.00 hrs

It is not that I do not have no quarrel. But, for some people it has been that they accept. It is a matter of faith. But, for some people, even those who had accepted Valmiki, those who had accepted Shri Ramachandra, even for them whether he is a history figure, it has been questioned. Well, I do not want to enter into this dispute. I accept him and I am proud of him. I am proud of great heritage of Valmiki of Ramayana and Shri Ramachandra. I am sure late Sardar Ballab Bhai Patel will not reject this. Shri Aurobindo was asked whether Shri Ramachandra was a historical figure. His answer was "There is no ground to believe that Rama is a historical figure". Then again he asked "Do you believe a kind marches to Lanka with an army of monkeys? Valmiki may have taken it from tradition that existed then or from imagination and, created figures which so well suited the Indian temperament that the whole race took them into it consciousness and assimilated them'". He says "There were Ramayanas before Valmiki's because elements or Ramakatha was present even in Vedas and that even in the Veda you find Rama symbolsing the divine and Sita standing for the earth. It also may be that Valmiki brought it over from some Daivic plane to this earth". He concludes, "Shri Rama might have lived but one cannot say definite". This is from Evening Talks with Sri Aurobindo, Second Series recorded by A.B. Purani, page 209. (Interruptions). It is important that the background should be debated in this House.

MR. SPEAKER: We have not allowed other Members to speak on that.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN: It is not a concession. I have never spoken in this House earlier on this subject. (*Interruptions*)

MR.SPEAKER: I have not allowed other Members also to speak.

SHRI GUMAN MAL LODHA (Pali): We do not require his teachings.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN: Nobody is going to teach me how to speak in the House. If I have to learn from you the rules of procedure on patriotism...(*interruptions*).

SHRI K.P. UNNIKRISHNAN: The question of validity, I do not want to go into all these details. The question of Janmasthan or anything

(*Interruptions*)*

MR. SPEAKER: This may not go on record.

(*Interruptions*)

SHRI K. P . UNNIKRISHNAN: Prof. Barua is considered to be an authority on ancient Indian Geography and he says after his research...

MR. SPEAKER: Mr. Unnikrishnan, I have disallowed other Members because the time is very short and there are other Members who want to speak.

SHRI K.P. UNNIKRISHNAN: I Will try to be very brief. He says that according to his calculations based on Valmiki's Ramayanas Vth Chapter...

MR. SPEAKER: Why Ramayana. The Bill is not a Ramayana.

SHRI K.P UNNIKRISHNAN: And he said that there is no Janmasthan within this. It could have been in what he says in that is called Nandigrama, It is outside. Therefore the point is that we are not going into this dispute. But this is being sought to be utilised by people to says that they represent the majority points of view on this question and they represent the nationlist point of view on this question.

A question was raised earlier here as to who was responsible for partition of this sub-continent. I do not want to go into this question. But undoubtedly everbody who is well acquainted with history knows that not only Mr. Jinna and his Muslim League but also Hindu commuanlism of which Veer Savarkar was the promoter for whom I have great respect i hold him in great esteem as freedom fighter- was responsible for introducing the concept of militarising Hindutava which is followed by the RSS

(*Interruptions*)

MR. SPEAKER: No, no. All this is off the mark and it is not necessary.

SHRI K.P. UNNIKRISHNAN: Who are behind this Bill? Why this Bill has been necessitated?

MR. SPEAKER: Mr. Unnikrishanan, please help us. We have some other business and it was greed in the meeting of the Members.

(*Interruptions*)

MR. SPEAKER: Please allow me for one minute. It was agreed that we are going to pass two more Bills today and I hope that we will be continuing to sit in the House and pass two more Bills. Time is very short. So, Please be brief.

MR. K.P UNNIKRISHNAN: Therefore, it was Guruji Golwalkar who said...

*Not recorded.

SHRI RAM NAIK: I want to put it properly. (*Interruptions*). The best way to put it on record would be that Savarkar was not for militarising Hindutva, Savarkar was for militarising the nation. He never said that Savarkar wanted to militarise Hindutva. Why should it be wrongly quoted? (*Interruptions*)

SHRI K.P. UNNIKRISHNAN: Sir, I have quoted from his speech of Hindumahasbha Session, Ahmedabad Session, 1937. Sir, Guruji Golwalkar Said...

MR. SPEAKER: No, I am not allowing these things to go on record, because, you know, if you say it then there will be reply to it and there will be a counter-reply.

(*Interruptions*)

MR. SPEAKER: You come to the Bill.

SHRI K.P UNNIKRISHNAN: That is not the way. If I am saying something unparliamentary, you can ask me and say that it is not going on record. (*Interruptions*). I am saying that this is root of the problem.

MR. SPEAKER: Please come to the provisions of the Bill.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN. Why this Bill, I have to explain. Why the background, i have to explain,. You cannot dictate on the Members.

MR. SPEAKER: No, I have to guide the Members. Members cannot always take objection to the guidance given by me.

SHRI K.P. UNNIKRISHNAN: No, not that is not the point. Guidance should be such...

MR. SPEAKER: I have to take in to account the entire business of the House.

SHRI K.P UNNIKRISHNAN: Yes, business of the House can be regulated.

MR. SPEAKER: Please help me.

SHRI K.P. UNNIKRISHNAN: Yes, I am trying to help you, but you should not interrupt me. (*Interruptions*).

MR. SPEAKER: You are not on the provisions of the Bill, but you should to come to the provisions of the Bill.

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN: I thought you would follow what I am saying.

Sir,Guruji Golwalkar says:

> "The non-Hindu peoples in Hindustan must either adopt the Hindu culture and language, must learn to respect and hold in reverence Hindu religion, must entertain no idea but those of glorification of Hindu race and culture, that is, they must not ungratefulness towards this land and its age-long traditions, but must also cultivate the positive attitude of love and devotion to Hinduism and they must cease to be foreigners".

This is from *We or our Nationhood Defined*— nationhood to which my esteemed friend, Shri Ram Naik, had referred. And said this as a solution.

Sir, Guruji had a favourite book. It is not *Mahabharata* or *Ramayana*, you will be surprised. Guruji's favourite book, as he himself said , is *Mein Kempf* of Hitler and the solution of Judaic Hitler gave to the world.

(*Interruptions*). My point is that this is not necessitated, but it is because if this attitude of the followers that today we had to

[Sh. K.P. Unnikrishnan]

bring forward this Bill. On the contrary, Sir, we are proud alike...

MR. SPEAKER: Only on the provisions of the Bill.

SHRI K.P. UNNIKRISHNAN: I will come to the Bill. We are proud alike of the Tajmahal and Ajanta, of the delicate lines of the Agra masjid or temple or the authenticity of that great temple at Konarak. Well, they should go to Konarák and revive it. It is one of the magnificent structures that we ever think of , that any art or civilization has produced anywhere.

Sir, our religion has nothing to do with what is going on in the name of religion. The essence of our religion,the thrust of our religion is not based on any revelation. All attempt is being made to make induism as religion on the basis of Judaic or on the basis of Semitic mould, though it is not. We have no revelation.

Sri Ramakrishnan practised Islamic Sadhanas. He says: "Then, I used to repeat the name of Allah, wear my cloth in the fashion of Mohammedans and recite Namaz regularly. He says. "And I have found that it is the same Good towards whom all are travelling, only they come through diverse ways".

MR. SPEAKER: I did not allow Saleem Saheb; 1 did not allow Digvijaya Singh to make points off the mark, Please you also stick to the points in the Bill.

(*Interruptions.*)

SHRI K.P UNNIKRISHNAN: This Bill has been necessitated by those clements who have been fighting not merely secular way of life but also misinterpreting 'Hindu religion. Therefore, these elemants will have to be kept in chock. These elements will have to be fought. Only if secularism prevails. India would be able to come out of its age old era of deprivation, filth, squalor and misery.

[*Translation*]

SHRI RAM SHARAN YADAV (Khagaria): Mr. Speaker, Sir, I am grateful to you for giving me the time to speak.

MR. SPEAKER: Please conclude within two minutes. After that Shrimati Malini Bhattacharya will speak and then the hon. Minister will reply to the debate.

SHRI RAM SHARAN YADAV: Mr. Speaker, Sir, our ancestors called this country a secular State and made a provision to this effect in the Constitution also. Then what necessitated to bring this Bill? People belonging to all religions i.e. Hindus, Muslims Sikhs and Christians live here. Sir, this Bill had to brought due to the Ramjanma Bhoomi Babri Masjid dispute.... (*Interruptions*)

MR. SPEAKER: Please keep Babri Masjid and Ramjanam bhoomi out of it.... (*Interruptions*)

SHRI RAM SHARAN YADAV: Mr. Speaker, Sir, it is said that Rama was born at Ayodhaya. Tulsidasji has written in Ramcharitmanas–

"Bhaye prakat kripala deen dayala kaushalaya hitkari"

Some people say that Kaushalaya gave birth to Rama and some others believe that he was born as his mother has eaten *kheer* in the utensil of Shringi Rishi. I would like to say that only his mother Kaushalaya and father Dashratha knew the exact place where he was born. Nobody else knows it. Just now, when my friend made a mention about Ramjanambhoomi, some Members from this

side attacked him. In the same way, these people attack the Scheduled Castes, Scheduled Tribes and the poor and suppress them. About Rama, Tulsidasji had said at one place–

"Tum pavak mein Karahu nivasu,
jab take karajhun nishachar naasu"

When they returned to Ayodhya Sitaji was pregnant but she was made to sit on fire. Then who brought her to Ayodhya. (*Interruptions*)

It is a matter of justice. It should be seen that Sitaji was sent to forest in the state of pregnancy. Once a Shudra named Shambuk was doing penance.. Bu on the saying of a Brahmin Rama killed him, because the Shudra did not have the right to penance. In the regime of Rama, the Scheduled Castes and Scheduled Tribes were not allowed to learn, to listen to the recitation of Vedas or to perform other religious 'Sonskaras'. Due to this reason only, Rama killed Shambuk. Once Shri Jagjivan Ram went to Banaras to unveil the statue of Shri Sampunranand. When he left the place after the ceremony, the Brahmins there purified the statue with cowduing. Is a human being more unholy than animal excreta? This conspiracy of the Brahmins is going on for thousands of years. This is the justice of their Rama.

In Bihar, there is a Shiva temple known as Baijnath Dham. For thousands of years, it was known by this name only. The statue of Baiju, which was installed between the statues of Shiva and Parvati for thousands of years was removed and kept at a distance of one kilometer away by the priests because Baiju Gop belonged to a backward class. Its name has been changed to Deoghar. I demand from the Government that its original name Baijanath Dham should be restored.

[*English*]

SHRIMATI MALINI BHATTACHARAYA (Jadavpur): Sir, Thank you for allowing me time. I will not say anything not pertaining to the Bill and I will just keep myself confined to some objections which have been made to the Bill because I have been supporting this Bill.

Firstly, those who are opposing the Bill make out that in some way or other this Bill is going to hurt the Hindus. It will endanger the Hindus in some way. Now, Hinduism is the religion of at least 70 per cent people in our country. It has been going on for 3,000 or 4,000 years. If this is the charge, this is a very serious charge and we should ponder what dangers arise to the Hindus from this Bill.

Let us look at the Bill. Let us look at Clause 3 which is an effective Clause. Clause 3 prohibits the conversion of one religious place into the place of worship of a different community.

Now, I ask you, do Hindus want to convert the places of worship of a different community into their own -place of worship? have they ever wanted that? Do they now want it? There may be one or two such Hindus here and there. I do not want to mention their names. But generally Hindus never wanted that and, as such, they cannot be hurt by this Bill.

On the other hand, if we even admit theoretically that Hindus are afraid of their own places of worship being converted into something else, if as some of our friend say Hinduism has suffered most as a result of all these conversions and demolitions, then, of course, Hindus should all the more welcome this Bill because it prevents their places of worship from being further converted. The other point is about Jammu & Kashmir. This point has been raised. It has been asked why Jammu & Kashmir has been excluded. I

[Shrimati Malini Bhattacharaya]

would say that if this bill excludes Jammu & Kashmir, it excludes Jammu & Kashmir for the same reason for which Ayodhya is excluded. Jammu & Kashmir is a special case. It need not have remained a special case but for whatever reason the integration of Jammu & Kashmir into the whole of the nation has not properly taken place and so it has remained as a special case, thanks to the politicisation of religion and now one more special case has been created in Ayodhya arisen. Let me say that we do not want the especial cases to go on increasing. We want to put a stop to that and that is why we wanted this Bill to be brought forward and passed. There should be no more special cases.

Sir, Clause 4 states the cut-off date is 15th August, 1947 . Some speakers have said that the cut-off date should not be that and it should be from the time of Babar or from 1000 A..D. or whatever it is when temples were being demolished. But temples were being demolished even before that. It has been mentioned that Hindu temple, have been demolished by Hindus (*Interruptions*) The Martand temple in Kashmir was destroyed by Hindus - I am sorry to say – supposidly by the Hindus from Bengal. Bhudhist temples were demolished and appropriated by Hindus. The British also pilfered temples and mosque equally...(*Interruptions*) If you want to go backwards into history then certainly we can say that no just a temple but a whole civilization, the civilization of Mohenjadaro, by some accounts, was destroyed by the Aryans. So, you can push back dates indefinitely. But I think this August 15, 1947 is crucial because on that date we are supposed to have emerged as a modern, democratic and sovereign State thrusting back such barbarity into the past once and for all, From that date, we also distinguished ourselves from Pakistan as State which has no official religion and which gives equal rights to all the different religious denominations. So, whatever may have happened before that, we all expected that from that date there should be no such retrogression into the past. Of course, there has been much burt done in the past. But to prevent more hurt being caused by unscrupulous, power-hungry politicians this immunity is being offered to places of worship of all communities.

Sir, it has also been objected that this Bill placates Muslims or it capitulates with the Muslim fundamentalist sentiments. I do not agree (*Interruptions*) This is what I am coming to. Of course, if our friends on this side have been notorious for promoting fundamentalism of one kind, our friends on the other side have been equally notorious for promoting fundamentalism of many different kinds. So, if some fear is there, I don't think that it is entirely unjustified. But let us look at the Bill.

SHRI RAM NAIK: Sir, I don't think it is proper to call one section of the Members as notorious. (*Interruptions*)

SHRIMATI MALINI BHATTACHARYA: If you object to the word 'notorious' I will replace it by the word 'famous'

(*Interruptions*)

SHRI K.P. UNNIKRISHNAN: It is not an unparliamentary expression.

SHRIMATI MALINI BHATTACHARAYA: Sir, the question is: Does this Bill grant any special favour to Muslim places of worship? I am so sorry that, we have been talking in this way. For the last two days, it has seemed that there are no other communities in India apart from Hindus and Muslims. It is not true. That is why, we are discussing this Bill. But anyway, does the bill grant any special favour to Muslim places of worship? It does not. Or would these people

be satisfied only if Muslim places of worships were excluded from this Bill? Is that what they want?

Earlier on, on the question of the Muslim Women's Act, a big Hindu backlash had been deliberately fomented on the ground, that is placated Muslims, and discriminated against Hindus. But by now, not only the Muslim women, but also the poor Muslim, the middle-class Muslim whose divorced daughters have been returned to them without means of subsistence, know that the Muslim Women's Act which was supposed to placate them has not benefited them in any way.

This Bill is quite different from Muslim Women's Bill. It makes no discrimination between places of worship of one community and another. This is the most important thing. Of course, the Bill aims to inspire confidence among the minorities. And this is one of the most important pre-conditions of a democratic State.

We have been hearing a lot about emotional integration these days. But emotional integration cannot be achieved through fear and coercion. It has to be achieved through mutual tolerance. Our people know this. They do not mind side by side co-existence of temples, mosques, gurudwaras and churches. theirs is an emotional integration which is achieved through united struggle against their common exploiters. So I would say that this Bill is not a stricture on our people. It is only a stricture to protect the people from the games played by politicians around them. And I am glad that the Congress (I) is putting this stricture on themselves too. We are very glad about it. This is precisely why we have no amendments to include Ayodhya in this Bill. (*Interruptions*)

Although we think that Ayodhya is not an exceptional case. It has merely been inflated into one. We would have said, do not make a special case of Ayodhya. But what can we do? Already a special case has been made of Ayodhaya. But since this is the situation, it is better that this issue should be settled through peaceful negotiations failing which it should be settled through court verdict rather than through a parliamentary act which may seem to be imposed from above. But if because, Ayodhaya has been excluded from this Bill, some people think that they can use this exclusion of Ayodhaya to appropriate the disputed structure and the site either by the State Government's diktat or by the whipping up popular sentiments, then, Sir, they are very much mistaken. And they can be sure that if they try to do this, we are going to oppose it with all our might.

Since 1949, taking advantage of Government's weakness, inch by inch they have been moving into the disputed site even while litigation is going on. I would call upon them to call a halt on this process now once and for all and support the Bill. And if they find time hanging heavy on their hands, then let them send their *Kar Sewaks* to Marathawada where in 70 per cent of temples, the Scheduled Castes are not allowed entry and let the *Kar Sewaks* go and fight there for the right of entry of Scheduled Castes into the temples. If you do that, then the nation will bless you. In the meantime, please do not try to oppose the Bill.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Sir, I must express my gratitude to the Members, on both sides of the House, particularly, all those hon. Members who have expressed their support without any reservations and tried to elucidate in their own way, the provisions of the Bill.

Specially, my hon. friend, Shri Mani Shankar Aiyar, had told the entire history of Hinduism from 7,000 years and came to the Advaita philosophy, preached by Adi Shankaracharya. I hope the hon. Members who are

[Sh. S. B. Chavan]

sitting on the other side, at least, believe in Adi Shankarcharya and his philosophy and the legacy which he had left for us.

(*Interruptions*)

[*Translation*]

SHRI. JASWANT SINGH (Chittorgarh): Mr. Speaker, Sir, the hon. Minister should also speak on this Bill (*Interruptions*)

[*English*]

SHRI S.B.CHAVAN: I thank the hon. Members who have participated in the discussion and have given their valued comments and observations on this momentous Bill. (*Interruptions*)

SHRI BUTA SINGH (Jalore): Is talking about Hindu religion, the prerogative of the BJP only? Can anybody else not speak about the Hinduism? I take a strong objection to the remarks of Shri Jaswant Singh. We are good Hindus as you are. (*Interruptions*)

SHRI S.B. CHAVAN: In fact, I am more interested in getting this Bill passed rather than go into the controversy. You know about the prophecies of Shri Adi Shankaracharya and his philosophy. I need not tell you all that. My only request to all of you is, please do not create a feeling of animosity between different sections of the society and mixing religion with politics, which in fact has been mainly responsible for bringing this Bill of this nature.

But, it is for you hon. Members, to consider this momentous Bill, which has been brought by the government in pursuance of the promise in the election manifesto of the Indian National Congress (I), and the declaration made by the President in his address to the joint session of the Parliament on 11th July, 1991. I am very happy that in this endeavour we have received the wholehearted support from most of the hon. Members of the House.

We see this Bill as a measure to provide and develop our glorious traditions of love, peace and harmony. These traditions are part of a cultural heritage of which every Indian is justifiably proud. Tolerance for all faiths has characterized our great civilization since time immemorial.

These traditions of amity, harmony and mutual respect came under severe strain during the pre-independence period when the colonial power sought to actively create and encourage communal divide in the country. After independence we have set about healing the wounds of the past and endeavoured to restore our traditions of communal amity and goodwill to their past glory. By and large we have succeeded, although there have been, it must be admitted, some unfortunate setbacks. Rather than being discouraged by such setbacks, it is our duty and commitment to take lesson from them for the future.

I recent years, however, we have noticed with anxiety an alarming rise of intolerance which is propagated by the certain sections for their narrow vested interests. One of the methods being used by such elements to further their interests is taking resort to forcible conversion of places of worship to create new disputes and to rake up old controversies which have long been forgotten by the people. We consider it necessary to take steps to put an immediate end to such unfortunate conflicts and foreclose any new controversies. This Bill, which we hope to enact into law with the help of all progressive forces represented in this august House, seeks to achieve this objective.

The Bill prohibits any person from con-

verting any place of worship of any religious denomination or any section thereof into a pace of worship of different section of the same religious denomination or of a different religious denomination or any section thereof. It also declares that the religious character of place of worship existing on the 15th day of August, 1947 shall continue to be the same as it existed on that day. Penalties have been prescribed not for contravention, but also for attempts and abetment.

This Bill, thus, seeks to prohibit and make punishable forcible conversions of places of worship. Thereby it strives to further safeguard the freedom of religion guaranteed by Articles 25 and 26 of the Constitution. There cannot be any doubt about the constitutional validity of the Bill.

We have taken note of certain apprehensions and misgivings that have been expressed about the likely impact of this Bill. It has been said that this Bill, particularly the provisions of Clause 4, will lead to a spate of controversies where the religious character of a place of worship has changed on the normal course. A careful perusal of clause 4 will quickly dispel this misgiving. I would like to draw the attention of the hon. Members to sub-clause (3) of clause 4 which lists the exemptions. Ancient monuments or archaeological sites or remains covered by the Ancient Monument and Archaeological Sites and Remains Act, 1959 and similar legislations are out of the purview of this Bill. So are those places of worship in respect of which any suit, appeal or proceeding has been finally decided before the commencement of this act. Similarly sites in respect of which such disputes have been settled by the parties amongst themselves are excluded. Conversion by acquiescence effected before the commencement of this act are also excluded. Finally those conversions which are time barred under any law of limitations are also excluded.

Thus, it would be seen that far from generating such controversies this Bill will effectively act to achieve the central objective, i.e. to foreclose any new controversy about the religious character of a place of worship.

With these remarks I strongly commend this Bill to the Members of this august House and request them to pass it unanimously.

MR. SPEAKER: There are two amendments moved for the consideration of this Bill. Shri Girdhari Lal Bhargava and Shri Madan Lal Khurana have moved those amendments.

Now Shri Girdhari Lal Bhargava.

[*Translation*]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Speaker, Sir, a lot of discussion has already taken place on it. I would like to draw the attention of the House only to 2–3 points. First of all, the State of Jammu and Kashmir...

MR. SPEAKER: Why it should be sent for circulation. As this is your amendment, you have to speak on this. Please be brief.

SHRI GRIDHARI LAL BHARGAVA: Mr. Speaker, Sir, the statement of objects and reasons in this Bill says that the Bill will help solving he disputes and bringing amity among the communities. But in my opinion, there will be adverse results. During the Muslim rule in our country, thousands of temples were demolished and mosques were built in their place. (*Interruptions*)

The same was done by the Muslim during the partition also, but the Hindu community has never lost its balance. No Hindu ever demolished a mosque.

[Sh. Gridhari Lal Bhargava]

Mr. Speaker, Sir, the issue of Ram temple has been kept out of the jurisdiction of the Bill, but will any person belonging to Hindu community believe that Lord Krishna was born at Idgah near Agra? Three parts of the Vishwanath temple were demolished. The mosque that was constructed over it can be seen even today. What I mean to say is that the cases of temples where the demolition is clearly visible such as the birth place of Lord Krishna and the Vishwanath temple which was demolished by Aurangzeb and a mosque constructed there must be considered. These three places...(*Interruptions*)

Therefore, this will only increase the enemity between the Hindus and the Muslims and the objective of the Bill is actually not going to be fulfilled. The Congress has only adopted the policy of appeasement towards the Muslims. (*Interruptions*) The Government is playing with the feelings of crores of Hindus. Therefore, I would like to submit that in deference to the feelings of the Hindus and to stop the quarrel between the Hindus and the Muslims, this Bill should be withdrawn as there is no need for such a bill.

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, my submission is that none of the riots which took place in the country since 1947 was based on this issue...(*Interruptions*)

[*English*]

MR. SPEAKER: I would request you please to allow him to speak. He has as much right as you have.

[*Translation*]

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir, I would like the House to come out with an instance since 1947 where a riot has taken place in the name of a temple or a mosque. (*Interruptions*)

MR. SPEAKER: If you object, he will give a long speech.

SHRI MADAN LAL KHURANA: Mr. Speaker, Sir my submission is that till now, no riot has taken place in the country in the name of demolishing a temple or a mosque. Therefore, there was no need to bring such a Bill. The riots have taken place due to other reasons. It should be seen what those reasons were. The Home Minister should tell about a single riot since 1947 which has taken place in the country in the name of demolishing a temple a mosque or a church. That is not the reason for the quarrel. (*Interruptions*)

[*English*]

MR. SPEAKER: Now I am putting the Amendments to the Motion for Consideration, moved by Shri Girdhari Lal Bhargava and Shri Madan Lal Khurana, together to the vote of the House.

The Amendments were put and negatived

MR. SPEAKER: The question is:

"That the Bill to prohibit conversion of any place of worship and to provide for the maintenance of the religious character of any place of worship as it existed on the 15th day of August, 1947, and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted

MR. SPEAKER: Now, the House will take up Clause–by–Clause consideration of the Bill.

Clause 2

SHRI. S.B. CHAVN: I Beg to move:

"Page 1,—

(i) After line 9 *Insert* —

'(a) "Commencement of this Act" means the commencement of this Act on the 11th day of July, 1991;".

(ii) line 10, —

for "(a) *substitute* "(b)

(iii) line 12, —
for "(b) '*Substitute* "(c) (2)

SHRI KAMLA MISHRA MADHUKAR (Motihari): I beg to move;

"Page 1, line 13,—

after "monastery" *insert*—

Malang-Sthan, Brahm–Sathan, Devi-Sahan"(9)

PROF. RASA SINGH RAWAT (Ajmer): I beg to move: "Page 1, line 13,—

after "monastary" *insert* "Dargah" (25)

[*Translation*]

SHRI KAMLA MISHRA MADHUKAR (Motihario(: Mr. Speaker, Sir, I fully support this Bill as well as the view expressed by our party leader on this Bill. Sir, I would like to move a short amendment in it. Hon. Minister of Home Affairs is requested to give a serious thought to it. There is a place named Malang in Bihar, Hindus and Muslims were claiming that the place belonged to them respectively. A Hindu-Muslim riot could be avoided with a great difficulty on this issue. After consulting the 'Vishwa Hindi Shabd Kosh', I found out the meaning of the word, 'Malang'. This word has its origin from the Sufi rsect of Islam. The names of certain saints appear in this sect, who led their lives almost like Fakirs. Thus the places are named as 'Malang' after the names of saints and these places are found mainly in north Bihar and Uttar Pradesh. On those places both Hindus and Muslims offer their prayers even today but the word 'Malang' has not been included in this Bill. Like–wise, there is a Brahma–Asthan almost in each village, which is often established on some Gair-Mazarua land, so, the word 'Math' also must be inserted in the Bill so that the land of the Brahm-Asthans may not be encroached by any one. Thus, I think there is remote chance of any quarrel between Hindus and Muslims.

PROF. RASA SINGH RAWAT: I would like to speak on the clause1.

MR. SPEAKER: You, sit down please.

[*English*]

MR. SPEAKER: I shall now put Amendment No. 2 moved by Shri S.B.Chavan to the vote of the House.

The question is :

"Page 1.

(i) *after* line 9 *insert*—

(a) "commencement of this Act" means the commencement of this Acct on the 11th day of July, 1991.

(ii) line 10—

for "(a) "*Substitute*" (b)"

(iii) line 12,—

for " (b) *Substitute*: (c)" (2)

The motion was Aadopted

MR. SPEAKER: I shall now put Amendment Nos. 9 and 25 moved by Shri Kamla

Mishra Madhukar and Shri Rasa Singh Rawat respectively the vote of the House.

The Amendment No. 9 and 25 were put and negatived

MR. SPEAKER: Now I am putting Clause 2 as amended to the vote of the House.

The question is:

"That Clause 2, as amended, stand part of the Bill".

The mtion was adopted.

Clause 2, as amended was added to the Bill

Clause 3

MR. SPEAKER: There are five amendments to Clause 3 to be moved by Shri Syed Shahabuddin, Shri E. Ahmed and Shri Sait. Are you moving your amendments.

SHRI SYED SHAHABUDDIN: Yes Sir, I beg to move:

Page 1, line 16, –

After "worship" *insert*

"*Or* any other part thereof," (11)

Page 1, line 19,–

add at the end –

"*Or* into a place of residence or work of for any other use or purpose"(l2)

SHRI E. AHAMED: I beg to move:

Page 1, line 16,–

after "convert" *insert* "or alter" (32)

Page 1, line 16,–

after "worship" *insert* -

"or any part thereof" (33)

Page 1, line 19,–

add at the end –

"For any purpose other than that of a place of worship"(34)

[*Translation*]

SHRI SYED SHAHABUDDIN (Kishanganj): The amendment which has been moved by me has been discussed yesterday and today also. It appears from the wordings of clause 3 that a religious place belonging to a particular religion has been converted into another religious place belonging to some other religion. This sort of act will bound to be objected : But if any religious place is converted into a place of residence or shop, or a wine shop or a place to the used for any other purpose except religious purposes then there is no objection... You have bust now passed the clause regarding conversion. It is written in that clause that :-

[*English*]

Conversion includes any alteration or change of whatever nature.

[*Translation*]

This clause should be made more comprehensive and specific by adding some words"or into a place of residence or work or for any other use or purpose", so that objections may also be raised on the conversation of such religions place into a place to be used for any other purpose other than the religious purpose. At present the clause allows the objection to be raised on the conversion of Mosque into temple and vice-versa. I think these words have been left unintentionaly in the clause. It may be a

mistake of translation. I do not have any doubt on the intention of the Government, But I apprehend that the bureaucrats might not have imparted a proper and adequate advice to the Govt. That is why the clause could not be made specific, so the lacunae must be removed by adding the words:-

[*English*]

or into a place of residence or work or for any other use or purpose.

[*Translation*]

These words should be inserted in the clause. Shri Inderajit had also suggested the same thing yesterday. And today also many of the hon. members have made their submissions on this line. Hence, I would like to request the hon. Minister to give his full consideration on my suggestion.

[*English*]

SHRI E. AHAMED: In view of what Shri Shahabuddin has already said, I do not want to make a speech. My only purpose is that the hon. Home Minister may kindly add at the end the words "for any purpose other than that of a place of worship". I say this because sometimes some sections belonging to a religious denomination might have used a part of the place of worship either for shops or for something else. Therefore, my contention is that these words "for any purpose other than that of a place of worship" be added. This type of conversion into shops or something other than places of worship should not be permitted.

SHRI S.B. CHAVAN: I would like to clarify the position with regard to the point raised by Shri Shahabuddin and Shri Ahamed. Shri Indrajit Gupta also stated that there were certain cases where religious places of worship have been used for other purposes. He mentioned that when some people had gone across the border to Pakistan, certain places of worship had been converted into cow sheds or residential accomodation. The entire purpose of the Bill is to foreclose the places of worship being converted into places of worship of another religion. If for any other work they have been converted and if there is any dispute it will be decided according to Section IV (1).

MR. SPEAKER: Now, I shall put amendment numbers 11 and 12 to the vote of the House.

Amendments No. 11 and 12 were put and negatived

SHRI. E. AHAMAD (Manjeri): I seek leave of the House to withdraw my amendment 32, 33 and 34.

MR. SPEAKER: Has the hon-member taken leave of the House to withdraw his amendments.

SEVERAL HON. MEMBERS: Yes

The Amendment No. 32, 33 and 34 were by leave, withdrawn

MR. SPEAKER: Now, I shall put Clause 3 to the vote of the House.

The Question is:

"That Clause 3 stand part of the Bill."

The motion was adopted

Clause 3 was added to the Bill

Clause 4

SHRI SYED SHAHABUDDIN: Sir, I beg, to move that:

Page 2, line 1, –

[Sh. Syed Shahabuddin]

for "It is hereby declared that the" substitute "*The*" (13)

Page 2, line 1,–

after 'religious' insert

"or denominational" (14)

Page 2, line 1,–

after "*character*" insert "*or identity*" (15)

Page 2,–

(i) for lines 4 to 10, substitute-

"(2) On the commencement of this Act, no suit or other proceeding seeking to alter or change the religious or denominational character or identity of a place of worship as existing of the 15th day of August, 1947 shall lie in court, tribunal or other authority."

Provided that if any suit, appeal or other proceeding instituted or field on the ground that conversion has taken place in the religious character or identity of a place of worship before the 15th day of August, 1947 is pending on the commencement of this Act, such suit, appeal or other proceeding shall be disposed of in accordance with law as then in force.

(ii) line 11,-

after "*Provided*" insert "*further*" (16)

Page 2, line 15,-

Omit "Shall not so abate and every such suit appeal or other proceeding" (17)

Page 2,-

Omit lines 19 to 22 (18)

Page 2,-

omit lines 29 and 30,- (19)

PROF. RASA SINGH RAWAT: Sir, I beg to move that:

Page 2,-

(i) line 2,

for "*15th day of August*, 1947' substitute-

"*26th day of January, 1990.*

(ii) line 6,-

for "*15th day of August, 1947*"

substitute- "*26th day of January, 1950*'"

(iii) line 14,-

for "*15th day of August, 1947*" substitute-"

26th day of January, 1950" (26)

Page 2,-

after line 35, insert-

"(f) anyplace of worship which has been deserted, rejected, dilapidated or otherwise remains without any title of ownership due to large scale exodus of population from India to Pakistan and *vice-versa;*

(g) any place of worship which has been converted into place of worship by another community and where worship by that par-

ticular community has constantly been going on and which is under the ownership of that community for the past 40 years; and

(h) any place of worship which has been built on the land belonging to another community or disputed land allotted by the Rehabilitation Department after partition of India". (27)

MR. SPEAKER: Mr. Ahamed, your Amendments no. 35 and 36 are the same as 15 and 18 respectively which have already been moved. Are you moving Amendment number 37?

SHRI. E. AHAMED: No, Sir, I am not moving.

SHRI. SYED SHAHABUDDIN: Sir, permit me to explain it to the House.

MR. SPEAKER: As a matter of right you to not speak. For hours were allotted and it already took 8 hours.

SHRI. SYED SHAHABUDDIN: I did not open my mouth in the debate. Sir, the basic point that I wish to make is that I will not emphasise all my amendments. The basic thing I am saying is that the Bill makes a distinction between the events of conversion that have taken place before 15th August, 1947 and those which have taken place after 15th August, 1947. It rightly says that no suit shall lie in future based on a claim prior to 15th August, 1947. Everyone in this House has practically accepted this. But when a case is lingering, when a legal proceeding is pending in the case of those conversions which have taken place after 15th August, 1947 the Bill says that the legal proceeding shall continue and in the cases where the events have taken place before 15th August, 1947 it puts an arbitrary ban on it and says that the cases will abate.

I think this distinction goes against the spirit of the rule of law. It stifles legal proceeding without any reason whatsoever and, therefore, my submission is that cases which are pending, whether they relate to events prior or after, should be permitted to be decided in accordance with the law. That is the basic amendment that is contained in Amendment number 16 and 17. And the rest are its logical consequences.

[*Translation*]

PROF. RASA SINGH RAWAT: Mr. Speaker, Sir, our country was divided into two nations— India and Pakistan- on the 15th August, 1947- the day India became independent. Lakhs of people came to India from Pakistan and lakhs of people went to Pakistan from India at that time making the situation of our country very odd. Such circumstance led to certain changes in the situation several places of worship belonging to a particular community. In the circumstances, I would like to suggest that it would be proper if a decision will be taken on the places of worship taking into account the situation prevailing on the day on which India became Republic i.e. the 26th Jan. 1950 because on this day we adopted our own Constitution.

18.00 hrs

[*English*]

SHRI. E. AHAMED: This Bill strengthens the secular character of our country and everybody, from all sections of the House, have welcomed it. Section 15(4)(1) is the most important Section.

It says: "It is hereby declared that the religious character of a place of worship existing on the 15th day of August, 1947 shall continue to be the same as it existed on that day."

[Sh. E. Ahamed]

My humble request to the hon. Home Minister is that after the words *"religious character"* the words "or identity" be added. It will be quite appropriate and it will only strengthen, more the secular character. There is absolutely nothing wrong in it.

SHRI. S.B. CHAVAN: Sir, the whole concept is that all cases pending on that particular date, that is, 15, August, 1947, shall abate. If we try to make a distinction between those cases which have been abated on 15 August, 1947 and those cases which have been pending as on 15 August, 1947, there will be an insidious distinction. That is why, I feel that there is hardly any justification for accepting this Amendment.

SHRI SYED SHAHABUDDIN: Sir...

MR. SPEAKER: No. I am not allowing a debate on it. Please take your seat.

SHRI SYED SHAHABUDDIN: The question is not whether the case has already been abated. You are abating this, under this Bill and I am saying abatement in one case and continuance in the other, is arbitrary and wrong.

MR.SPEAKER: I shall now put the Amendments number 13, 14, 15, 16, 17, 18 and 19 moved by Shri Shahabuddin Syed to the vote of the House.

Amendment Nos. 13,14, 15, 16, 17, 18 & 19 were put and negatived

SHRI. E. AHAMED: I am not...

MR. SPEAKER: You don't have to, because your Amendments number 35 and 36 are identical to that of Amendments number 15 and 18, which are already negatived.

I shall now put Amendments number 26 and 27 moved by Shri Rasa Singh Rawat to the vote of the House.

The Amendments Nos. 26 & 27 were put and negatived

MR. SPEAKER: The question is :

"That Clause 4 stands part of the Bill".

The motion was adopted

Clause 4 was added to the Bill

[*Translation*]

SHRI MOHAN SINGH (Deoria): I beg to move ,

Page 2,-

for clause 5 supstitute

"5. (1) That the dispute involving the place (s) of worship commonly known as Ram Janam Bhoomi-Babri Masjid shall be adjudicated by a special bench of the Supreme Court and the final judgement delivered within six months from the date of reference.

(2) All suits, appeals and other proceedings, involving the place or places of worship commonly known as Ram Janam Bhoomi-Babri Masjid, pending before any court, tribunal or other authority shall be transferred to the special bench of the Supreme Court, in pursuance of sub-section (1) and no

other court shall have the right to entertain any suit, application, petition or appeal involving the adjudicated place.

(3) (a) The decision of the court shall be binding on all parties notwithstanding anything contained in any law for the time being in force.

(b) Defiance by any association or body or party or organisation or an individual of the decision of the Supreme Court shall make such association, body, party, organisation or individual liable or action under the National Security Act, 1980".

[*English*]

SHRI SHAHBUDDIN SYED (Kishanganj): I beg to move:

"Page 2, line 36,-

for "Ram Janma Bhumi-Babri Masjid" *substitute* -

"Babri Masjid, which is claimed to be Ram Janam Bhoomi" (20)

SHRI RAM NAIK (Bombay-North): I beg to move:

Page 2, line 37,-

after "Ayodhya" *insert*-

"and Krishna Janmabhumi situated in Mathura and Kashi Vishwanath situated in Varanasi."

PROF. RASA SINGH RAWAT (Ajmer): I beg to move:

"Page 2,–

after line 38, *insert*–

"(2) Nothing contained in this Act, shall apply to,—

(i) the places of worship commonly known as Krishna Janma Bhumi in Mathura, Vishwanath temple in Varanasi in Uttar Pradesh and Somnath temple in Gujarat; and

(II) such places of worship as have been converted by another community due to partition of the country and exchange of population from one country to another and if such places of worship have been so converted for the last 30 years or more. (28)

[*Translation*]

SHRI MOHAN SINGH: Sir, the Amendment I have moved here has some specific purpose. The largest controversy regarding place of worship which arose after 15th August, 1947 was due to conversion of a Mosque into a temple, and if we let the issue unnoticed, the very purpose of moving this Amendment Bill in the House is defeated and particularly in the circumstances when the Uttar Pradesh Government openly says that it has got the public mandate for constructing the temple on that controversial site. (*Interruptions*) There is a clear statement on this issue...(*Interruptions*)

MR. SPEAKER: Confine yourself to the Amendment only and be brief.

SHRI. MOHAN SINGH: They say that no mosque existed there; they will definitely construct a temple there at any cost...(*Interruptions*) If we rely on the reports appealed today in the 'Jan-Satta', construc-

[Sh. Mohan Singh]

tion of the said temple has already started there. (*Interruptions*)

In such circumstances, if we let the issue unnoticed, the very objective of this Bill will be defeated. So, I would like to suggest that this entire issue of the Ram-Janam-Bhoomi-Babri Masjid may be entrusted to a constitutional bench of the Supreme Court and the Bench should deliver its decision within 6 months; The decision of the Court shall be binding on all. Only by doing so, we can achieve the purpose of this Bill.

I would like to conclude my submission with one more sentence. Our Guruji, Shri Dixit for whom

I have a great regard, has just quoted:

"JAKE PRIYE NA RAM VAIDEHI,
TAJIYE TAHI KOTI BAIRI SAM,
YADYAPI PARAM SANEHI".

In this context, I would like to point out that he has left worshipping Vaidehi and started worshipping Shri Ram only; so I also left him. Secondly...(*Interruptions*)

MR. SPEAKER: No, Mohan Singhji, do not indulge in such a long speech. Please take your seat. Shri Shahabuddin.

SHRI SYED SHAHABUDDIN: Mr. Speaker, Sir, I have put a simple Amendment as it is mentioned in this clause:

[*English*]

"The places or place of worship commonly known as Ram Janma Bhumi-Babri Masjid."

Now I want to tell you that in the affidavit filed in the court by the district magistrate on behalf of Uttar Pradesh Government the disputed building has been mentioned as Babri Masjid. The affidavit also says that this building has always been known as Babri Masjid. I want to say that the appropriate words for that building were:

[*English*]

"Known as Babri Masjid, which is claimed to be Ram Janam Bhoomi".

[*Translation*]

These were the appropriate words and this is the objective of our brethren as well. They say that the Babir Masjid is the birth place of Ramchandra jee. That is why the words used in the Affidavit are different from the Government record. So my submission is that-

[*English*]

A correction should be made. It should be brought in line with the official record of the Government of Uttar Pradesh and the Government of India.

[*Translation*]

SHRI RAM NAIK (Bombay North): Mr. Speaker, Indians, particularly the devotee of Rama, have a particular attachment for Ram Janma Bhoomi. Similarly, the people of all religions have pious feeling for the temple of Kashi Vishwanath and Krishna Janmabhoomi that is why I say,...

[*English*]

"and Krishna Janmabhumi situated in Mathura and Kashi Vishwanath situated in Varanasi."

[*Translation*]

I want to say that as Ram janmabhumi

has been kept out of the purview of the bill, similarly Krishna janmabhumi and Kashi Viswanath temple must be kept out of its purview. With this intention I have moved my amendment and I want that the House should accept it.

PROF. RASA SINGH RAWAT: Hon. Speaker, faith and belief can not be changed with the force of law. I have moved my amendment to this clause with this intention. Many of our brothers said in the House that BJP stands isolated on this issue. I will give an example. A tree was set on fire by mischievous person. Thousands of birds were sitting on it. A wise person like you, Mr. Speaker, who was passing by said to the birds–

"Aag Lagi Is Virksha Ko, Jaine Laage Paat,
Tum Kyon Jalte Pakshio, Pankh Tumarhe Saath."

The birds, who were as wise as our Advani jee replied:-

"Phal Khaye Is Virksh Ke, Gande Kine Paat,
Yehi Hamara Dharam Hai, Jalange Isike Saath."

India is a nation and our culture is its soul. The Lord Rama, Lord Sh. Krishna and the Lord Shiva of Kashi Vishwanath are the ideals of our culture. My amendment is that the birth place of Lord Sh. Krishna, Mathura and Kashi Vishwanath, Shivashankar's temple be kept out of the purview of the bill just as the Ram Janma Bhumi has been kept out.

[*English*]

MR. SPEAKER: Now I shall put amendment No. 8 moved by Shri. Mohan Singh to the vote of the House.

Amendment No. 8 was put and negative

MR. SPEAKER: I shall now put the Amendment No. 20 to Clause 5 to the vote of the House.

Amendment No. 20 was put and negatived

MR. SPEAKER: I shall now put the Amendment no.22 to Clause 5 to the vote of the House.

Amendment No.22 was put and negatived

MR. SPEAKER: I shall now put the Amendment no. 28 to Clause 5 to the vote of the House.

Amendment No. 28 was put and negatived

MR. SPEAKER: The question is:

"That Clause 5 stand part of the Bill."

The motion was adopted

Clause 5 was added to the Bill

Clause 6

SHRI KAMLA MISHRA MADHUKAR: I beg to move:

Page 2, lines 42 and 43,—

for "(2) Whoever attempts to commit any offence publishable under sub-section (1)"

Substitute-

"(2) Any offence punishable under sub-section

(1)shall be recognizable offence and whoever attempts to commit the offence"(10)

PROF. RASA SINGH RAWAT: I beg to move:

Page 2, line 40,—

for "three" *substitute* "two" (29)

[*Translation*]

SHRI KAMLA MISHRA MADHUKAR (Motihari): Mr. Speaker, Sir the purpose of my amendment is to strengthen the bill which embodies your feelings. you have referred to the amendment in this clause. Those who violate this Law will be liable for punishment. I suggest that the Government must make it a cognisable offence and initiate action at there own-government must not depend on others so that the laws could be implemented properly. This is because you have heard the speeches in the House, which have challenging tone their own will. Therefore, Mr. Speaker, Sir, my amendment may please be accepted.

PROF. RASA SINGH RAWAT: Mr. Speaker, Sir, this bill as a whole and its all clauses make it a black law in the history of India. I am stating it because this bill was discussed in the House for eight hours. The atmosphere was tense during the debate on this Bill. So when this bill will be passed, the same atmosphere will be created in the whole country. (*Interruptions*)

The people of Congress, Janata Dal and leftist parties are playing the politics of power. My plea is that our country will remain a secular country so long as Hindus are in majority in this country. The day Hindus are reduced to minority, the country will cease to be a secular one (*Interruptions*)

This country will received. Today what is happening us Iraq and Iran? This is our mother land. I wish that my amendments should be accepted.

[*English*]

MR. SPEAKER: I shall now put the Amendment No. 10 to Clause 6 to the vote of the House.

Amendment No. 10 was put and Negatived

MR. SPEAKER: I shall now put the Amendment No. 29 to Clause 6 to the vote of the House.

Amendment No.29 was put and negatived

[*Translation*]

MR. SPEAKER: The question is:

"That Clause 6 stand part of the Bill"

The motion was adopted
Clause 6 was added to the Bill

Clauses 7 and 8 were added to the Bill

Clause 1

SHRI. S.B. CHAVAN: I beg to move:

Page 1, line 7,—
for "It shall be deemed",

Substitute: "The provisions of section 3,6 and 8
shall come into force at once and the
remaining provisions of this Act shall
be deemed" (1)

SHRI RAM NAIK: I beg to move:

Page 1, lines 5 and 6,—

Omit " except the State of Jammu and Kashmir:"(21)

PROF. RASA SINGH RAWAT: I beg to move:

Page 1,-

Omit lines 7 and 8 (24)

SHRI RAM NAIK: I beg to move :

That in the amendment proposed by Shri. S..B.Chavan and printed as S. No. 1 in List No. 1 of Amendments,-

for "at once" substitute-
"from Ist January, 1992" (30)

[*Translation*]

Mr. Speaker, Sir, my amendment is regarding omission of Jammu and Kashmir. My amendment is that the provision "except State of Jammu-Kashmir" should be omitted. I know that this clause is always included in the Acts. Yet, I have suggested the amendment because I want to know from the Government whether this house and the Government has the right to introduce a bill in this regard. When hundreds of temples have been destroyed in Jammu-Kashmir during last three or four years, despite the fact that there is no assembly in Jammu-Kashmir. Hence, bringing this amendment before the House, I want to know from the Government that if it has the constitutional right to introduce a bill for Jammu and Kashmir, whether it will introduce a bill regarding those temples also which have been destroyed in Jammu-Kashmir. I know that there are only 5-6 days for prorogation of the session. You will bring an ordinance in this regard and even then we are ready to support your ordinance. What does the Government want to do in this connection?

PROF. RASA SINGH RAWAT: I too hold the same opinion. I agree with Shri Nayakjee and I would like to request that Jammu and Kashmir should also be included in this bill because the situation which has arised in Jammu and Kashmir is very dangerous for the unity and integrity of the country. Whether Jammu-Kashmir is not an integral part of India? Similarly, Vishwanath temple of Kashi and and birth place of Lord Krishna in Mathura should also be included in this.

One thing I would like to say that the members belonging to ruling party and their allies must be feeling happy that the B.J.P. is left alone here. Genius is always emerges from among millions. There are many stars in the sky but the moon and sun alone can remove the darkness. One pestle becomes enough to deal with several grains in the mortar. Only one lion is enough among several animals in the forest.

[*English*]

SHRI. S.B.CHAVAN: Entry 28 of Seventh Schedule is still not applicable to Jammu and Kashmir. The claim is being made by some of the hon. Members that hundreds of Mandirs have been destroyed. My information is that there are no cases pending in any of the courts of law. So, this Bill when it is converted into another. (*Interruptions*). I think you have to listen what I have to say. You may or may not agree. But my point of view is for making applicable any of the enactments passed by this House, there is a special procedure laid down. Government has not still taken any decision on that.

MR. SPEAKER: The question is that Amendment No. 30 which is an amendment.... (*Interruptions*)

SHRI RAM ANIK: Amendment to amendment, I have to speak. I have not spoken. I have only spoken about Jammu and Kashmir.

MR. SPEAKER: I said that you speak on both of them.

[*Translation*]

SHRI RAM NAIK: Mr. Speaker, Sir, I have put an amendment to the amendment brought by hon. Home Minister. It has been said in the original amendment that this bill should be enacted immediately. For this, I have given an amendment.

[*English*]

It should come from Ist January, 1992.

[*Translation*]

Mr. Speaker, Sir, When this bill was introduced in this House, you know that we raised an objection that we have not been given time to study it. That time the statement read:-

[*English*]

In view of the importance of the Bill very careful consideration and scrutiny of the draft was necessary. This delayed circulation of the Bill immediate introduction etc. etc.

[*Translation*]

Mr. Speaker, Sir, in all there are 8 sections in this bill. It has been said that this draft has been prepared very carefully. If it is so then —

[*English*]

Within 5-7 days the Government comes to us and say that they want to amend four clauses.

[*Translation*]

Thus the specimen of the drafting a legal document he has presented here is unique in itself. It has been said in it that it will come into force with effect from 11th July. You will find that.

[*English*]

If it were come like that

[*Translation*]

What is there in clause No. 3?

[*English*]

No person shall convert any place of worship of any religious denomination etc, etc.

[*Translation*]

It reads that this Act would have come into force with effect from 11th July. My objection is that you are not serious about it. It requires proper attention. Therefore, I told that time that this black bill is being brought in a haste. What has compelled you to amend it now? I have put up an amendment because Government should have drafted it properly. The House must be unanimous on this issue. So, I urge the House to support my amendment to amendment.

[*English*]

SHRI S.B. CHAVAN: Sir, I would like to clarify. All other sections they are going to be applicable from 11 July, 1991.

But the punitive section cannot have a retrospective effect. That is why only that section will have prospective effect. That is the only purpose.

SHRI RAM NAIK: Why?

SHRI S.B. CHAVAN: Do you want it to be retrospective?

SHRI RAM NAIK: But why did you not think about it when you brought this Bill? That is what I am asking.

MR. SPEAKER: I am now putting amendment No. 30 moved by Shri Ram Naik to the vote of the House.

Amendment No.30 was put and negatived

MR. SPEAKER: I shall now put Government amendment No. 1 to the vote of the House. The question is:

Page 1, line 7,

for"It shall be deemed",

Substitute" The provisions of sections 3,6 and 8
shall come into force at once and the
remaining provisions of this Act shall
be deemed." (1)

The motion was adopted

MR. SPEAKER: I now put amendment No. 21 moved by Shri Ram Naik to the vote of the House

Amendment No. 21 was put and negatived

MR. SPEAKER: Now I am putting amendment No. 24 moved by Shri. Rasa Singh Rawat to the vote of the House.

Amendment No. 24 was put and negatived

MR. SPEAKER: I shall now put Clause 1, as amended, to the vote of the House, The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted

Clause 1, as Amended, was added to the Bill

MR. SPEAKER: The question is:

"That the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted

The Enacting Formula and long title were added to the Bill.

MR.SPEAKER: The Minister may now move that the Bill, as amended, be passed.

SHRI S.B. CHAVAN: Sir, I beg to move:

"That the Bill, as amended, be passed".

MR. SPEAKER: Motion moved:

"That the Bill, as amended, be passed".

[*Translation*]

SHRI LAL K. ADVANI (Gandhi Nagar): Mr. Speaker, Sir, although we thought that the discussion on this bill would be completed in four hours yet it took more than double the expected time. I regret that the bitterness was created during the discussion. In fact, it should not have been here. Both the sides should present their views and accept the decision of the House. But the topic was such that members' sentiments were attached to it. At times the members even get excited, emotionally.

I would not like to go into the details of this Bill. Most of my colleague have discussed its various aspects. My personal opinion is that there won't be any meaningful gain. But during the discussion it was also asked that why have we not done anything about Ayodhya or Rama Janam bhoomi

[Sh. Lal K. Advani]

while we were in the government which has now become a big issue and people are agitated over it throughout the country. I remember that in all the elections held since 1952, 10 general elections have been held to the Lok Sabha, I participated as a worker of BJP. But I remember it vividly that except the last two elections of 1989 and 1991, the issue of Ramjanam Bhoomi and Ayodhya never became an issue for the elections. (*Interruptions*) You may not agree to what I am going to say now, but sometime there must have been some reference...(*Interruptions*)... Mr. Speaker, Sir, I won't speak, I do not have any need to speak. But fact is that nobody has ever made any reference to it till 1984 elections. Neither Hindus nor Muslims nor any political party had ever said that Ayodhya problem, which has assumed bigger dimension, should be solved. When the Government took a decision in Shahbano case in 1985, there was a reaction throughout the country and later on Babri Action Committee was formed in 1986, because prior to that...(*Interruptions*)

SHRI MOHAMMAD YUNUS SALEEM (Kathihar): First the lock was opened.

SHRI LAL K. ADVANI: If the lock was opened it was done by the Government...(*Interruptions*)**

MR. SPEAKER: No, Mr. Advani, please do not say like this.

[*English*]

SHRI LAL K. ADVANI: I am sorry, I withdraw my words.

MR. SPEAKER: That will not form part of the record. Reference to the judge will not form part of the record. (*Interruptions*)

[*Translation*]

SHRI LAL K. ADVANI: But the decision of opening the lock was delivered by the court and after that Babri Masjid Action Committee was formed, and there began efforts to change the secular reality - which was there since 1949 - that an idol was placed at the birth place of Rama and was worshipped daily. There was demand that the Babri Masjid should be returned to them. It was as a result of that that there was so much resentment, and anger and all these agitations in the country.

My submission is that if there is one norm for every citizen then secularism would come to stay permanent in India. But there are two norms or standards in the country which we have observed this morning in this very House. My friend from that side has said a wrong thing and I demanded that those words should be expunged. But I was observing that the rest of the whole House started making protests, as if anything wrong was said and efforts were made to justify the remark made from other side. I just said that if my party is getting support now a days through out the county that is because of the dual policy adopted by your people. You should not forget that my party his made more sacrifices than any other party to maintain the unity and integrity of the country.

We should not forget that there were leaders like Gandhi, Pandit Nehru and Sardar Vallabh Bhai Patel. But in spite of their efforts the partition could not be prevented. (*Interruptions*)

[*English*]

SHRI MANI SHANKAR AIYAR (Mayiladhuturai): Mr.Speaker, Sir, I am on a point of order. When Shri Salahuddin Owaisi, M.P., mentioned the Ramjanam bhoomi-

**Expunged as ordered by the chair.

Babri Masjid issue, you had ruled him out of order saying that this Bill does not deal with that subject. I request you to repeat exactly the same ruling in respect of Shri Advani.

MR. SPEAKER: Let us understand, this is the stage when we are passing the entire Bill as such, and I am not upholding the point of order raised by him.

[*Translation*]

SHRI LAL K. ADVANI: Mr. Speaker, Sir, I do not know how much helpful this Bill would be but I certainly know that we are not solving those problems which are behind all the tension and we are passing this Bill to create tension at the places where it is not existing.

I and my party do not want to be associated in passing of this Bill. Therefore, Mr. Speaker, Sir, with your permission we walk out of the House.

(At this stage, Shri Lal K. Advani and some other hon. Members left the House.)

(*Interruptions*)

[*English*]

SHRI DIGVIJAYA SINGH (Rajgarh): Sir, this cannot be allowed. It is highly objectionable. Their conduct is highly objectionable. The Chair must take note of this (*Interruptions*)

MR. SPEAKER: Please take your seats.

SHRI DIGVIJAYA SINGH: Sir, it is disgusting. Their behaviour has always been disgusting (*Interruptions*)

MR. SPEAKER: Please take your seats.

Now, what has been done by some Members in the House is most reprehensible and I think the House would like to condemn it.

(*Interruptions*)

[*Translation*]

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker, Sir, I would like to say that the leader of the Opposition speaks in this House, he does so in a manner similar to that of Mahatma Gandhi as if his party is quite unprofessed, disciplined and the remaining people i.e., we people are indisciplined and any person who is in the Chair is unable to pass a remark.

Mr. Speaker, Sir, I would like to say that we should condemn the manner in which BJP functioned in the present session and lowered the dignity of the House. (*Interruptions*)

[*English*]

MR. SPEAKER: I am not going to allow discussion on this point.

THE MINISTER OF STATE IN THE MINISTRY OF STEEL (SHRI SANTOSH MOHAN DEV): Not discussion, but...

(*Interruptions*)

MR. SPEAKER: You are a Minister. Please understand, you are not to work only one day in the House.

SHRI SAIFUDDIN CHOUDHURY (Katwa): Not on this. As we are now going to pass the Bill just as a matter of...

MR. SPEAKER: On the Bill; I am not on the procedure on those things.

SHIR SAIFUDIN CHOUDHURY: No, no. I wish Shri Advani had been here. He

[Sh. Saifuddin Choudhury]

referred to the double standard that has been practised by some of the parties and the Ruling party. I tend to agree with that. He referred to the Shah Bano case. At that time, I remember many of us objected to the conduct of the Government. While the Government was trying to amend the law to change the verdict, I remember, at that time, We wanted the Government of that time to honour the court verdict and not to capital of to fundamentals. Advaniji's party also took the similar stand. Now you find the double standard. The party of Advaniji which at that time said, "We cannot do anything to change the court verdict" forgets what stand it took at that time. Now in the case of Ramjanam Bhoomi Babri Masjid issue, they openly say that they would not abide by the court verdict. This is the double standard. The people of this country must understand this double standard that BJP is adopting. They will be exposed.

I feel bad, they were not here while I am speaking; I wanted them to be here to understand what kind of double standard they practice. The people must expose them.

SHRI SYED SHAHABUDDIN: I want to say about the Babri Masjid Action Committee...

MR. SPEAKER: At this stage of passing of the Bill, why it should be passed and why it should not be passed, that is the only question which is discussed.

Please understand, there are other Bills to be passed.

SHRI SYED SHAHABUDDIN: The issue began in 1949 and not in 1986. It began because of the illegal occupation... (*Interruptions*)

SHRI SONTOSH MOHAN DEV: Still some Members from the BJP are peeping in.

MR. SPEAKER: If they want to come back into the House, they can come back.

Now the question is:

"That the Bill, as amended, be passed".

The motion was adopted

18.42 hrs

CENTRAL EXCISES AND CUSTOMS LAWS (AMENDMENT) BILL

[*English*]

MR. SPEAKER: Now we take up the other Bill at Serial No. 8. The Minister may move the Bill for consideration.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI RAMESHWAR THAKUR): On behalf of Shri Manmohan Singh, I beg to move*:

"That the Bill further to amend the Central Excises and Salt Act, 1944 and the Customs Act, 1962, be taken into consideration."

MR. SPEAKER: Motion moved;

"That the Bill further to amend the Central Excises and Salt Act, 1944 and the Customs Act, 1962, be taken into consideration"

Shri Giridhari Lal Bhargava — not present

Shri Prem Kumar Dhumal — not present

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*Moved with the recommendation of the President.