

LOK SABHA DEBATES

(English Version)

Ninth Session
(Thirteenth Lok Sabha)



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LOK SABHA DEBATES

LOK SABHA

Saturday, March 16, 2002/Phalguna 25, 1923 (Saka)

The Lok Sabha met at Eleven of the Clock

(MR. DEPUTY SPEAKER in the Chair)

COMMITTEE ON PETITIONS

Fourteenth Report

[Translation]

SHRI BASU DEB ACHARIA (BANKURA) : Mr. Deputy Speaker, Sir, I present the fourteenth report of Committee on Petitions. (Hindi and English Versions)

STATEMENT BY MINISTER

11.01 hrs.

[English]

Revision in the Price of Domestic LPG

THE MINISTER OF PETROLEUM AND NATURAL GAS (SHRI RAM NAIK) : As hon. Members are aware, the Finance Minister had, in his Budget speech on 28th February, 2002, announced in this august House reduction in the retail prices of diesel by around 50 paise per litre and of petrol by around Re.1 per litre. Increases in the retail price of domestic LPG by about Rs.40 per cylinder and of kerosene oil under public distribution system by about Rs.1.50 per litre were also announced. These changes in prices were given effect to by the oil companies with effect from 1st March, 2002.

After the revision in the consumer prices that I have just now mentioned, hon. Prime Minister received representations from various sections of society including political parties and consumer groups. They had requested the Government for reducing the burden on consumers due to the recent increase in price of domestic LPG. The Government, after considering all aspects of the matter, have now decided to reduce the retail selling price of domestic LPG by about Rs.20 per cylinder. ... (Interruptions)

SHRI K. YERRANNAIDU (SRIKAKULAM) : Sir, all political parties are requesting for roll back. ... (Interruptions)

SHRI RAM NAIK : This would benefit over 6.3 crore

urban and rural households using LPG for cooking. The reduction in the price will come into force from the midnight of 16th/17th March, 2002.

I may mention here that the oil prices over the last few weeks have been showing an upward trend. The price of Brent crude oil, which was around \$20 per barrel in the last week of February 2002, is presently over \$23 per barrel. The prices of petroleum products in the international market have also moved upwards over past three weeks. In spite of the increase in the oil prices in the international market, the Government have, with a view to reduce the burden on consumers using LPG for cooking, decided to reduce the prices that I have just now announced. The subsidy burden due to this price reduction would increase around Rs. 700 crore during the year 2002-2003.

SHRI K. YERRANNAIDU : Regarding the price of LPG and Kerosene, we want a roll back. ... (Interruptions)

MR. DEPUTY-SPEAKER : Shri Yerrannaidu, the Statement has been made by the hon. Minister.

SHRI K. YERRANNAIDU : I am not seeking any clarification on the statement. My submission is on behalf of my Telugu Desam Party. Please allow me two minutes. I want to make a submission. ... (Interruptions)

MR. DEPUTY-SPEAKER : I am not allowing anybody to seek clarification. In our House, no clarification is permitted after a Statement is made. You are not to seek any clarification without my permission. The Minister has got my permission and he has made the statement.

... (Interruptions)

MR. DEPUTY-SPEAKER : Shri Basu Deb Acharia, I have called Shri Bansal to speak.

SHRI BASU DEB ACHARIA (BANKURA) : Why there is a reduction of Rs.20 only? Why not the entire amount increased be withdrawn? We want a response from the hon. Minister.

MR. DEPUTY-SPEAKER : Shri Acharia, do you want him to withdraw even this Rs.20 reduction?

... (Interruptions)

SHRI BASU DEB ACHARIA : Let him withdraw the entire amount of Rs.40/-.

MR. DEPUTY-SPEAKER : He is not prepared to do it. Shri Bansal to speak now.

...(Interruptions)

SHRI K. YERRANNAIDU : In respect of LPG and Kerosene, *status quo* should be maintained.

MR. DEPUTY-SPEAKER : Shri Yerrannaidu, when the General Budget comes up for discussion, you can speak on this. On Tuesday, we have slated the General Budget for discussion.

...(Interruptions)

MR. DEPUTY-SPEAKER : This is a Statement made by the Minister. I am not allowing you to seek any clarification. He is not expected to give any clarification.

...(Interruptions)

SHRI SOMNATH CHATTERJEE (BOLPUR) : He is an important ally of the NDA. They have kept this Government in power. What are the views of the allies? We want to know about that. ...(Interruptions)

MR. DEPUTY-SPEAKER : Shri Yerrannaidu, there is no such rule to permit you now. You know about it. You are a senior Member.

SHRI K. YERRANNAIDU : I am making a submission. I am not seeking any clarification. ...(Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN) : Sir, there is no precedent like this. When the Statement is made, it is made. We are going to discuss the General Budget. If somebody has to say anything, he can say that at that time. ...(Interruptions)

MR. DEPUTY-SPEAKER : Shri Yerrannaidu, if you make any submission, he will have to react or make a statement.

SHRI K. YERRANNAIDU : Anyhow, the hon. Minister of Petroleum and Natural Gas has made a statement just now. I am not seeking any clarification. The important point is that LPG and Kerosene are the poor man's commodities. Already, the Petroleum Minister has written letters to all the Chief Ministers in the country asking them to implement the *Deepam Pathakam* in their States. That is why, we never asked them to decrease the diesel and petroleum prices. We never asked them to increase the prices of LPG and Kerosens. After taking into consideration the demand of all

the political parties, NGOs and the public, anyhow, they have reduced Rs.20/- We are demanding the Government, through you, Sir, that *status quo* should be maintained, particularly in respect of LPG and Kerosene. That is our request. ...(Interruptions)

[Translation]

DR. SUSHIL KUMAR INDORA (SIRSA) : Mr. Deputy Speaker, Sir, through you I would like to request the Government to completely roll back the increase in the prices of LPG and Kerosene. ...(Interruptions)

[English]

SHRI BASU DEB ACHARIA : This should be reviewed. *Status quo* must be maintained. The Minister should respond to this. ...(Interruptions) This is the demand of the entire House. ...(Interruptions)

[Translation]

SHRI DEVENDRA PRASAD YADAV (JHANSI) : Mr. Deputy Speaker, Sir, through you I would like to say that kerosene should also be included in the resolution moved by Shri Naidu. This country is facing the problem of electricity and the poor use kerosene for light in their houses. This matter is related with the 40 percent of the population of the country. ...(Interruptions)

KUNWAR AKHILESH SINGH (MAHARAJGANJ, U.P.) : Mr. Deputy Speaker, Sir, the 50 percent of the population in this country are still deprived of electricity, they use kerosene. ...(Interruptions)

[English]

MR. DEPUTY-SPEAKER : Shri Devendra Yadav, please resume your seat.

Mr. Minister, when you read out the statement, you read it as Rs.20 per cylinder.

...(Interruptions)

SHRI RAM NAIK : I have modified it, Sir.

MR. DEPUTY-SPEAKER : Mr. Minister has amended it and the amended version is there.

...(Interruptions)

SHRI SONTOSH MOHAN DEV (SILCHAR) : But it is Rs.15 in the statement. He must correct it. ...(Interruptions)

MR. DEPUTY-SPEAKER : That is amended now and he would correct it.

...(Interruptions)

SHRI PRAMOD MAHAJAN : Nothing is circulated. The copies were prepared but while coming to the House, the Minister became more liberal and instead of Rs.15, he has made it as Rs.20, as a concession. So, what he said was final. ...(Interruptions)

SHRI SATYAVRAT CHATURVEDI (KHAJURAHO) : What a prudent generosity he has made? You should have withdrawn it entirely and completely. ...(Interruptions)

MR. DEPUTY-SPEAKER : Mr. Minister has added Rs.5 more.

...(Interruptions)

SHRI RAM NAIK : While reading the statement also, I have read it as Rs.20. I have amended it.

MR. DEPUTY-SPEAKER : The copy of the statement before me only says Rs.15 per cylinder. I heard the Minister reading Rs.20 and that is why I wanted clarification.

SHRI RAM NAIK : What you heard is right, Sir.

MR. DEPUTY-SPEAKER : Now, let us go to the next item. Shri Acharia, let us not waste the time of the House. It is settled now.

...(Interruptions)

SHRI BASU DEB ACHARIA : What about withdrawal of the entire amount of Rs.40? Sir, Rs.40, which has been enhanced, should be reduced and status quo should be maintained, as suggested by an ally of the NDA. The Minister should respond to that. ...(Interruptions)

MR. DEPUTY-SPEAKER : Let us end this up now.

[Placed in Library See No. LT 5197/2002]

11.13 hrs.

INDIAN POST OFFICE (AMENDMENT) BILL

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND
MINISTER OF COMMUNICATIONS AND INFORMATION

TECHNOLOGY (SHRI PRAMOD MAHAJAN) : Sir, I beg to move :

"That this House concurs in the recommendation of the Rajya Sabha that the Lok Sabha do agree to leave being granted by the Rajya Sabha to withdraw the Indian Post Office (Amendment) Bill, 1986, which was passed by the Houses of Parliament and returned by the President for reconsideration under the proviso to article 111 of the Constitution of India".

MR. DEPUTY-SPEAKER : Motion moved :

"That this House concurs in the recommendation of the Rajya Sabha that the Lok Sabha do agree to leave being granted by the Rajya Sabha to withdraw the Indian Post Office (Amendment) Bill, 1986, which was passed by the Houses of Parliament and returned by the President for reconsideration under the proviso to article 111 of the Constitution of India".

Shri Pawan Kumar Bansal wants to object to this. Shri Bansal, normally we do not allow any objection to withdraw the Bill. But I have given you permission. Please be short in your submission.

...(Interruptions)

SHRI PAWAN KUMAR BANSAL (CHANDIGARH) : Sir, I have given notice seeking permission to speak on Item No.3.

At the outset, I would like to submit that there is an apparent contradiction. ...(Interruptions)

MR. DEPUTY-SPEAKER : Now, Shri Bansal.

SHRI PAWAN KUMAR BANSAL : Sir, a discrepancy has been pointed out in the earlier statement. The same is the case with the statement made by the hon. Minister for Communications and Information & Technology. There is an apparent contradiction between paras 3 and 4. In para 3, he is referring to the need to bring up certain salutary changes in the Bill, which was introduced in 1986. While in para 4, it only says that the Indian Post Office (Amendment) Bill, 2002 only seeks to provide for registration of courier services. I would like to know from you as to what is the intention of the Government about this. Is this only a mistake here or is that all that the Government is wanting to do?

Again, in the last para, where they are trying to

overcome this mistake, they only say that amendments now proposed are provisional. 'Provisional' is something of a temporary nature. I would only like the Minister to clarify this point. ...*(Interruptions)* Is this how the Government should function? ...*(Interruptions)* This should not be treated in a casual manner. ...*(Interruptions)*

SARDAR BUTA SINGH (JALORE) : The Minister should correct the mistake. ...*(Interruptions)*

SHRI PRAMOD MAHAJAN : Your mistake is corrected yesterday. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : We are now in the next item, Shri Akhilesh Singh. Nothing will go on record.

*(Interruptions)**

[Translation]

KUNWAR AKHILESH SINGH : Mr. Deputy Speaker, Sir, the kerosene is used by the poor. Even today, fifty percent population of the country is deprived of electricity and is dependent on the kerosene. Therefore, you should roll back the increase in the price of kerosene. ...*(Interruptions)*

[English]

SHRI PRAMOD MAHAJAN : Mr. Deputy-Speaker, Sir, the Indian Post Office (Amendment) Bill, 1982 was introduced in the Seventh Lok Sabha. That Lok Sabha was dissolved and so the Bill lapsed. In 1986, another Amendment Bill was introduced. That was passed by both the Houses of Parliament, but unfortunately it could not get the assent of the hon. President and he returned it back to the Rajya Sabha under article 111 of the Constitution. It remained there for the last 12 years or so. Now, the Government is intending to bring about a comprehensive amendment to the Indian Post Office Act which is more than 100 years old.

SHRI BASU DEB ACHARIA (BANKURA) : When are you bringing that?

SHRI PRAMOD MAHAJAN : Very soon, if you allow me to bring.

The new Bill is referred here just as a framework and these are not the details of the Bill because the Bill has not yet been introduced. It is with the Cabinet and the moment

the Cabinet approves, it will be introduced in the House. This Statement of Reasons for Withdrawal gives the Members only a sketch of what the new Bill is likely to be. So, while withdrawing the Bill, the Government is explaining as to what the new Bill is likely to be, but it will take a final shape only after the Cabinet approves it. Then, it will be introduced here in this Session itself. As I said, the Bill being a comprehensive one, definitely it will go to the Standing Committee for its opinion and thereafter we will pass it. So, the things mentioned here are meant to give just a sketch because when I introduce the Bill, somebody will ask me whether a new Bill is coming up. Therefore, I am just giving a sketch of the new Bill. I will introduce the Bill when it is approved by the Cabinet. Before that, I have to withdraw this Bill.

MR. DEPUTY-SPEAKER : The question is :

"That this House concurs in the recommendation of the Rajya Sabha that the Lok Sabha do agree to leave being granted by the Rajya Sabha to withdraw the Indian Post Office (Amendment) Bill, 1986, which was passed by the Houses of Parliament and returned by the President for reconsideration under the proviso to article 111 of the Constitution of India".

The motion was adopted.

11.17 hrs.

MATTERS UNDER RULE 377-LAID*

[English]

MR. DEPUTY-SPEAKER : Matters under Rule 377 are treated as laid on the Table of the House.

- (i) **Need to Provide Stoppage of Uttaranchal Express At Palanpur Railway Station, Gujarat**

[Translation]

SHRI HARIBHAI CHAUDHARY (BANASKANTHA) : Sir, the rail service between Okha and Deheradun is known by the name Uttaranchal Express. This rail service connects pilgrimage places Dawarka and Haridwar. It arrives at Palanpur in my Parliamentary Constituency before time. People having faith in Haridwar and Dwarka reside in a large number in my parliamentary constituency. If Uttaranchal Express is provided stoppage at Palanpur railway station, it

*Not Recorded.

* Treated as Laid on the Table.

will also prove beneficial not only for the people of my Parliamentary Constituency Banaskantha but for the pilgrims of areas like Sabarkantha and Barmer. Most of the people of my parliamentary constituency travel by private vehicles to Dwarka and Haridwar.

I would like to request the Government through this august House to provide stoppage of Utranchal Express at Palanpur railway station at the earliest.

(II) Need to introduce a Train between Basjalla and Rajkot in Gujarat.

SHRI G.J. JAVIA (PORBANDAR) : Sir, approximately 600 poor people from the backward area of my parliamentary constituency go to Rajkot daily to earn their livelihood. Some go there to purchase raw material, and some for selling the manufactured goods and by this way 600-700 families make their livelihood.

The problem is that most of their earning is spend in the bus fare. These poor people are unable to bear the high fares of State Transport and private buses.

If a small train is introduced which shall start at 6 a.m. from Basjalla and reach Rajkot at 11 a.m. and then again come back from Rajkot in the evening, it would be a great relief to these poor hawkers.

The meter gauge line and other facilities are available there. A small train of five coaches can easily ply over there. It will not add much to the expenses of the Railway. The employment opportunities are also reducing.

Therefore, I would like to request the Minister of Railways that the rail service between Basjalla and Rajkot should be restarted at the earliest.

[English]

(III) Need to handover the land belonging to Ministry of Defence to Mumbai Municipal Corporation for early construction of flyover at Kanjur Marg Junction.

SHRI KIRIT SOMAIYA (MUMBAI NORTH-EAST) : Attention to Defence Ministry is drawn towards the delay in giving clearance and NOC to land required for completion, construction of flyover bridge at Kanjur Marg Junction, Mumbai. Civilian Colony, Navy can easily give the land demanded by Mumbai Municipal Corporation and State Government of Maharashtra for early completion of construction work of flyover bridge at Kanjur Marg Junction.

I request the Union Government to take necessary action immediately.

(iv) Need for early completion of Electrification Work and Laying of Double Rail Line in Udhna-Bardoli and Bhusawal Rail Sector in Gujarat.

[Translation]

SHRI MANSINH PATEL (MANDVI) : Sir, the work of electrification of Surat Udhna-Bardoli and Bhusawal rail line of Southern Gujarat is taking place at very slow place. It is an Adivasi dominated area and people from many areas travel to Surat for employment. The electrification of this rail line will help in starting the EMU rail service, and after that journey to Surat will become convenient for the people of this area and with time traffic on these rail lines is increasing. Another thing is that there is a single line in this area and due to increase in traffic demand for laying double rail line in these rail sectors is being made for many years. The fulfillment of these two demands would be in the interest of Adivasi people of this area.

Therefore, I would like to request the Government to review the electrification work of these rail sectors with a view to expedite it and grant permission for laying double line at the earliest.

(v) Need to restart rail service on Ankaleshwar-Jhagarla-Raj-Pipla and Kosamba-Umarpara rail lines in Gujarat.

SHRI MANSUKHBHAI D. VASAVA (BHARUCH) : Sir, there was flood in my parliamentary constituency, Bharuch in 1968, due to which the rail line between Ankaleshwar-Jhagarla-Raj Pipala and Kosamba-Umarpara got damaged. It was due to this that rail service on these rail lines was discontinued. Since then, the rail service over here has not been restarted. Many people from neighbouring villages of these rail lines go to the industrial areas of Bharuch and Ankaleshwar for work. People are facing great inconvenience due to non-availability of rail service on these rail lines, moreover, this is an Adivasi dominated area. Due to non-availability of rail service on these rail lines, the development of the area is not taking place. Earlier, the rail service had been available here for many years.

Through the House, I would like to request the Government to restart the rail service on these two rail lines at the earliest so that Adivasis of these areas may get opportunity to develop.

(vi) Need to lay rail line between Katangi and Tirodi in district Balaghat of Madhya Pradesh.

SHRI PRAHLAD SINGH PATEL (BALAGHAT) : Sir,

Katangi rail line in Balaghat district of Madhya Pradesh has been narrow gauge line before independence. There is broad gauge rail line from Tumsar to Tirodi in Balaghat, 14 kilometres ahead Katangi. In these circumstances, the gauge conversion from Balaghat to Katangi is going to take place and if the rail line is laid between Katangi and Tirodi, then the rail route between Gondia and Katangi-Tirodi-Tumsar via Balaghat will be completed. There is no computerised rail reservation centre in the Balaghat district Headquarters.

(English)

- (vii) **Need to accord clearance to the proposal of Karnataka Government to avail of the PHRD World Bank grant in health sector.**

SHRI G. PUTTA SWAMY GOWDA (HASSAN) : Karnataka State has taken the initiative to formulate an initial project proposal in the health sector. The State has made significant improvements in the health sector, several health and nutrition indicators such as infant and maternal mortality rates remain unacceptably high. It has set up a task force, comprising several experts and NGOs, who have identified several crucial gaps especially in the area of primary health. The State desires to adopt a convergent strategy in the health sector and the project seeks to focus on a new approach to the establishment of an integrated primary health care system that encompasses health, nutrition and family welfare services supported by a well functioning referral systems. The new proposed project is a logical follow up of the health system project currently under implementation. The tentative project size is likely to be Rs.800 crores. The Ministry of Health and Family Welfare has already sent the Technical Assistance grant proposal to the Department of Economic Affairs for approval. I urge upon the Hon. Finance Minister to clear this immediately and enable Karnataka to avail the PHRD World Bank grant amount Rs.3.17 crore towards Technical Assistance for project preparation.

- (viii) **Need to declare Udupi in South Karnataka as an independent district Telecom Centre**

SHRI VINAY KUMAR SORAKE (UDUPI) : My district and constituency Udupi in South Karnataka has made rapid strides in the development of telecom services. Since the bifurcation of the erstwhile Dakshin Kannada district into separate districts of Mangalore and Udupi, district offices of many public utilities are still functioning at Mangalore. Thus Udupi is still covered under the District Telecom offices operating from Mangalore.

Udupi district has many important commercial,

pilgrimages and education centers and attracts a large number of tourists. Manipal is considered to be the nerve centre of medical education, medicare and banking.

Udupi has grown big enough in telecom facility density to aspire for an independent district telecom authority divested from the jurisdiction of the existing Mangalore District Telecom set-up. I urge upon the Centre to recognize my district's claim to be made an independent District Telecom authority by virtue of its growth record in telecom field.

- (ix) **Need to ensure air safety in private helicopters and smaller aircrafts**

SHRI JYOTIRADITYA M. SCINDIA (GUNA) : During the past two years, we have witnessed a series of over a dozen air-crashes involving private helicopters and small aircraft. Our country runs the risk of losing its carefully nurtured leadership who may well be flying on the wings of a prayer. This raises the question of flight safety regulations and errors on the part of pilots, machines or their maintenance.

A Committee was set up by to undertake a comprehensive review of the system and procedures for the maintenance and operation of small aircrafts under the Indian Airlines Chairman, Shri Sunil Arora. A sub-committee was then formed to oversee the implementation of the findings. The reality is that inquiry committees are constituted without any desirable effect and lives are continually lost. An autonomous investigative agency of accident/incident prevention such as the National Transportation Safety Board (NTSB), separate from any regulatory agency, is urgently needed if we are to make a paradigm shift toward safer air travel.

It is clear that most of these accidents take place due to adverse weather conditions, human errors, age of aircraft or technical snags. Meteorology weather reports are currently conveyed with a 2-3 hour time lag to pilots. A more efficient and real-time dissemination of such information may make the crucial difference, especially in visual flight rated (VFR) aircrafts such as helicopters. The synchronous link between upgradation of technology and commensurate training for pilots, periodic training for adverse weather conditions and stringent controls and checks on maintenance according to the Federal Aviation Agency (FAA) standards could lower the probability of such mishaps.

I would request the Hon. Minister of Civil Aviation to inform the House regarding the recommendations of these Committees and the status of their implementation.

(x) Need to declare Bagalkot as a separate telecom district in Karnataka

SHRI R.S. PATIL (BAGALKOT) : The telephones in Bagalkot district come under Bijapur district in Karnataka. Now, Sir, Bagalkot is a separate district in the State. Both Centre and State have to allocate more funds for the development of this new district. We had, in fact, earlier written to the then Hon'ble Minister of Communication requesting him to make Bagalkot district a separate telecom district. This is a genuine request and most of the revenue (communications) for Bijapur area comes from Talukas of Bagalkot district. The subscribers also are facing lot of problems. They have to go to Bijapur all the way even for a small transaction. The subscribers particularly from rural areas are not in a position to go to Bijapur to settle their bill accounts etc. Even accounts section with an Account Officer has not been set up in Bagalkot till today despite our repeated requests. Hence there is an urgent need to form Bagalkot as a separate Telecom district.

I, therefore, urge upon the Hon'ble Minister of Communications to declare Bagalkot as a separate Telecom District without any further delay.

(xi) Need to take steps to check erosion caused by the Ganga river in Phulpur parliamentary constituency, U.P.

[Translation]

SHRI DHARM RAJ SINGH PATEL (PHULPUR) : Sir, agricultural land, village inhabitation, crops in villages particularly Leelapur and several villages near Jamunipur Kotava all covered under Bahadurpur block in my parliamentary constituency Phulpur being affected by erosion caused by Ganga river and thousands of hectares of land is going waste.

I would like to urge upon the Government of India to construct dam or take any other measure to check erosion in above mentioned villages of my parliamentary constituency, so that the erosion could be checked and the people of this area get relieved.

(xii) Need for construction of a railway over bridge at Nandan Sega railway station in Buldana Parliamentary Constituency, Maharashtra.

[English]

SHRI ANANDRAO VITHOBA ADSUL (BULDANA) : This is to bring to the notice of the Government about the construction of over bridge at Nandan Sega (Central Railways) in Buldana Parliamentary Constituency (Maharashtra). Nandan Sega is an important town centrally located and the construction of over bridge at this railway station is a long pending demand from the local people. All the important express/super fast trains stop here and hence the passenger/goods traffic is considerably high at this railway station. In the absence of the said over bridge, lot of accidents are happening. An over bridge will be of highly helpful to regulate the passenger/goods traffic movement in this railway station. This is a matter of public importance and needs the immediate attention of the Government. Hence it is requested that the matter may kindly be considered immediately.

(xiii) Need to make provision for light and sound programme at Barabati Fort of Cuttuck of Orissa

SHRI BHARTRUHARI MAHTAB (CUTTACK) : Barabati Fort of Cuttack is a silent witness of Orissa's past glory, valour and sacrifice. The citadel of Orissan empire had witnessed many upheavals of national importance ranging a span of more than a thousand years, since 10th century to this day. The history of this Fort is the history of Orissa of last one millennium. The Archaeological Survey of India (ASI) had done some excavation in the Fort area and have established that the Fort has a past much beyond the 10th Century AD.

Barabati Fort was the citadel of power not only of Oriya monarchs but later on when Orissa was subjugated by Muslim rulers. It has left its footprints on the sands of time. So also the Mughals, Marathas and the British. The Fort also was a mute spectator of the glorious freedom struggle that went on relentlessly since 1807 till the tricolour was unfurled on 15th August 1947 on the ramparts of the Fort.

Keeping the historical importance of Barabati Fort in mind, may I urge upon the Government to make provision of light and sound programme which will not only attract tourists to Cuttack in large number but will also educate people about their struggle, sacrifice and strength.

(xiv) Need to grant permission for running STD/ISD/PCO booths throughout the State of Jammu & Kashmir

SHRI BHAN SINGH BHAURA (BHATINDA) : The

Central Government has withdrawn the permission for running STD/ISD PCO Booths throughout the State of Jammu & Kashmir on security reasons, stating that these booths can be used by the militants.

But on the contrary the Central Government is itself providing facilities of ISD/STD to individual/private household on a liberal basis. Moreover the Government has accepted the fact that the militants have their own channel of communication through which they operate. Therefore, the closing down of the STD/ISD booths results only in unemployment to the persons related with these booths, specially the unemployed youths.

Moreover, as a major portion of the trade is credit-based, lakhs of rupees are lying unrealized as the booths are not operating anymore.

Therefore, I would like to draw the attention of the Government to take appropriate steps to review the situation and grant the necessary permission so that these booths can operate again and the youths connected with these can earn their livelihood.

- (xv) **Need to declare Grikpar area in Sirmaur district in Himachal Pradesh as a Scheduled Tribe Area**

[Translation]

COL. (RETD.) DR. DHANI RAM SHANDIL (SHIMLA) : Sir, the people of all subcastes of "Haati" Tribe residing in the Grikpar area in Sirmaur district of Himachal Pradesh have been raising the demands to declare this area as the Scheduled Tribe area for last 25 years in peaceful manner.

The proposed castes of 'Haati' Tribe of Himachal Pradesh fulfil all the eligible conditions, which are considered essential by the sociologists, intellectuals and experts for giving Scheduled Tribe status to any community/caste. The basis for raising this demand is the accordance of Scheduled Tribe status particularly to Jonsar-Baber area of Dehradun district, and not giving this status to the "Haati" Tribe of the Gujarat area though, the life-style, art and culture, dress, food, customs, language and festivals of these two areas are similar to each other.

In addition to it, "Haati" Tribe is extremely backward from social, economic and education point of view. In spite of abundance of natural resources, this area is not having any industry. This issue has been pending for a long time with Social Welfare Department of the Union Government.

Sir, keeping in view the above mentioned facts, I would like to request the Union Government to carry out constitutional amendment for declaring this area as Scheduled Tribe area.

11.18 hrs.

MOTION OF THANKS ON THE PRESIDENT'S ADDRESS—CD.

[English]

MR. DEPUTY-SPEAKER : Now, we take up the Motion of Thanks on the President's Address.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN) : Mr. Deputy-Speaker, Sir, if you can tell us as to when the reply and voting will take place, it will be convenient for the Members to be present in the House at that time.

MR. DEPUTY-SPEAKER : We tentatively fix the reply at 3.00 p.m., because we will have to take up the Discussion under Rule 193 at 4.00 p.m.

SHRI PRAMOD MAHAJAN : At about 3.00 p.m. the Prime Minister will reply and then the voting will take place.

MR. DEPUTY-SPEAKER : Yes.

We wanted to exhaust the list of speakers yesterday. In the meanwhile, there was a suggestion given by Shri Pawan Kumar Bansal which was supported by Dr. Laxmi Narayan Pandeya. If they had deliberated upto 11.00 p.m. yesterday, they could have accommodated four or five speakers more. Now, there is not much time. Therefore, the House has to dispense with the Lunch hour today. Is that the pleasure of the House?

SEVERAL HON. MEMBERS : Yes.

MR. DEPUTY-SPEAKER : Shri Ajoy Chakraborty was on his legs yesterday. He can continue his speech now.

SHRI AJAY CHAKRABORTY (BASIRHAT) : Mr. Deputy-Speaker, Sir, I started speaking yesterday and when the House was adjourned, I was mentioning about the Ayodhya dispute. In the hon. President's Address, it is stated that the Government is determined to maintain the status quo in respect of the Ayodhya dispute and also the

Government would abide by the court's order. The same thing was repeated by the hon. Prime Minister in this august House. The Prime Minister assured this House that the *status quo* would be maintained. He also assured that the Government would abide by the orders of the hon. Supreme Court. But I am sorry to point out what happened in the Supreme Court. The Attorney General to the Government of India, Shri Soli Sorabjee, appeared before the Supreme Court on behalf of the Government of India and sought for permission from the apex Court for offering *pūja*. We are happy that the Judges of the hon. Supreme Court were pleased to reject the prayer of the Attorney General, who represented the Government of India.

The Attorney General had taken the plea that this was not a version of the Government of India and he, in his personal capacity, pleaded in such a fashion. My point is that the Attorney General, the Advocate General and other competent lawyers cannot advance their arguments before the Court as per their own will. They advanced their arguments before the Court as per the instructions of the Government of India. Shri Sorabjee had not appeared in this case as *amicus curie*. He represented the Government of India. If he has gone beyond the version or the policy of the Government of India, he ought to be removed from his post. It has appeared in the print media and also other media. He had a secret meeting with the Prime Minister, the Minister of Law and discussed everything. My submission before this House is that he advanced his arguments as per the instructions of the Prime Minister and the Law Minister. I am sorry to say that the Prime Minister has misled not only this House but also the entire country.

Yesterday, at the time of starting my speech, I mentioned that this Government had utterly failed on all fronts and in all walks of life, such as, agriculture, unemployment, industry and so on. So far as its policy regarding agriculture is concerned, our farmers, who are producing crops, are not getting remunerative prices. In many States – including hi-tech. States also – the farmers have committed suicides. There has been a reduction in the subsidy on fertilisers not only in this Budget but earlier also. The prices of fertilisers have been rising day after day. The Government is not bothering about the farmers even though the economy of our country is based on agriculture.

So far as industry is concerned, what is its attitude in regard to industry in our country? They have set up the

Department of Disinvestment. In the name of disinvestment, they are taking away all the public sector units one by one and transferring these units to the private sector.

This Government is now demolishing, killing and distracting the public sector, which was built long years back at the cost of thousands and thousands of rupees of public money. Even the profit making public sector units are being sold, demolished and the basic structure of the country is being dismantled.

Not only the Indian Iron Steel Company, which was referred by hon. Shri Somnath Chatterjee, but also Salem Steel and Vizag Steel Industries and the fertilizer factories are also being closed down by this Government.

They told the people during last elections through their manifesto that they would provide one crore jobs for our unemployed youth. But I would like to know where are the jobs now. On the contrary they have taken away the jobs. The jobs of the workers and the employees who are working in different industrial and other institutions, their jobs have been taken away. Hundreds and hundreds of industries are being closed and thousands and thousands of workers and employees are out of job to stay out under the blue sky. This is the industrial policy of the Government.

They are not bothered about the common people, they are taking a callous attitude towards the people. They are very much bothered and eager to satisfy the big industrial houses. I am compelled to say that this Budget was prepared at the instructions of the CII, ASSOCHAM, FICCI and other big houses. They are eager to satisfy Reliance, Tatas and other big houses. They are not eager to satisfy the common people of this country.

Just now, Shri Ram Naik made a statement before this House that the Government is reducing the price of LPG by Rs.20. We are happy that the Government is doing so. But as Shri Yerrannaidu and Shri Devendra Prasad Yadav have said, the increased prices of LPG and kerosene should be fully rolled back. Kerosene is consumed by the poor people, lower middle class people in the villages, in the semi urban areas and even in the urban areas also. This Government has raised the price of kerosene and I think, it is very much modest demand to fully roll back the increase in kerosene and LPG also.

Sir, such is the education policy of the Government. What attitude they have taken is that they want to saffronise the entire education system of the country. They have introduced astrology, vedic arithmetic, etc. It is neither arts

[Shri Ajoy Chakraborty]

nor science and they are trying to change the history and geography of the country.

The other day Shri Pramod Mahajan misled the House and interpreted the version regarding Guru Teg Bahadur, which was written by a very famous historian Satish Chandra. I have no time to discuss this in the House, but I can convince this House that whatever has been told by Shri Mahajan about Shri Chandra's version of Guru Teg Bahadur is totally misconceived and totally misinterpreted.

He would be happy that Shri Satish Chandra is not a Member of this House. Had he been a Member of this august House, we could have brought a Privilege Motion against Shri Pramod Mahajan. I can cite examples. As per Oxford Dictionary, that was not a fact. But due to constraint of time, I cannot describe all these things. So, this Government has utterly failed.

In respect of Gujarat, I was told yesterday that yesterday also there was a killing. A nephew of one hon. Member was killed by rioters. This Government is not for the common people. So, we can easily presume that going by the results of the four States that the people of the four States have totally rejected this NDA Government led by the BJP.

Lastly I want to say about the policy of this NDA Government led by the BJP. The people are very much anxiously waiting how soon this Government will go. If this Government is continued, there will be a possibility of tension in the country. I urge friends and partners of the NDA to please come forward. Do you not consider that what your Government is pursuing is anti-people policy? They are taking anti-people policy.

MR. DEPUTY-SPEAKER : Shri Ajoy Chakraborty, please conclude now.

SHRI AJAY CHAKRABORTY: That is why, I am sorry to say that I am unable to oblige Dr. Vijay Kumar Malhotra and I strongly oppose and disapprove the Motion of Thanks on the President's Address moved by Dr. Vijay Kumar Malhotra. I oppose strongly the policies of the Government which have manifested through the Address of the hon. President. Sir, I strongly oppose the Motion which was moved by Dr. Vijay Kumar Malhotra.

SHRI E. PONNUSWAMY (CHIDAMBARAM) : Hon. Deputy-Speaker, Sir, before I say something on the Motion

of Thanks on the hon. President's Address, I crave your indulgence and my hon. Colleagues just for five or six minutes time. Yesterday, everyone was speaking at length. That is why, we could not conclude the business on time. That is why, I have come prepared with a typed matter and want to just read it.

Sir, by sheer selflessness of sincerity and commitment to sacrifice of my leader, Dr. Ramadas, I entered this august temple of democracy which I never even dreamt of entering into at 62 years of my age, more so, as a Minister. Yes, my leader, Dr. Ramadas suddenly called me into politics, till then, a social worker, writer, author, translator, etc., and he made me an MP, more so, a Minister under the leadership of our Shri Atal Bihari Vajpayee.

Our democracy is such a wonderful one which gives an opportunity equally to both the rich and the poor, the high and the low like me who stands before you in this august House, who had gone without food, cloth and books in early years and has been kept miles away from the mainstream of life as an untouchable. My dear leader, Dr. Ramadas gave me a face and Dr. Ambedkar gave me a voice. My leader, a non-Dalit like Mahatma Gandhi, Jothiba Phule and many others gives everything that he has for the welfare and upliftment of the poor and the weak.

Sir, I do not stand here to preach or teach anything but to learn more from my hon. colleagues here to do more and better to better the situation in and out of this august House.

But somewhere in my heart, there is a pain and guilt that we are not even able to finish our agenda and transact our business on time. Though every one of us is trying our best to voice the concerns of our people, I am afraid whether we are adhering to the rules and discipline as representatives while keeping our promises to the people. I really feel that we in this House, either in the Treasury Benches or in the Opposition can certainly learn and reflect with out patient listening from this side and valuable suggestions from the opposite.

I have had no occasion to speak for the first sixteen months as I was a Minister of State and this is my second chance to express myself. When I had an opportunity to speak last time, I was hurried away in two minutes. In two minutes' time, I could not complete my speech. Hence, I have a humble submission to this august House. For a change, why could the smaller parties not be given priority to express their views first, in the ascending order, based on numerical strength instead of the present practice of descending order? Thus we can say the few words that we

would like to say in an abundantly relaxed mood and need not be hurried away in the closing moments of the discussion or debate. As such, I have come with a prepared speech for confining myself within the time that would be given to me. It would last hardly for three to four minutes.

I am immensely happy to note that the hon. President's Address has echoed the nation's sentiments on all issues of vital concern. His resolve and determination to meet the current national and international challenges facing India deserve wide applause and acclaim.

I join him in condemning the subversive activities of cross-border terrorism and extend my full support to the Government in its battle against terrorism, whether it is in Kashmir or the North-East or Nepal. We should cultivate and reflect the values of patriotism and nationalism, which are assuming greater importance today than ever before.

India has a cultural ethos and heritage reflecting unity in diversity in our multi-religious society and I am indeed grateful to the hon. President for the package of measures outlined for restoring and maintaining communal peace and harmony in this hour of crisis, on the conflicting interests of Ayodhya. The hon. President has announced the creation of an Ayodhya Cell reflecting the earnestness of the Government to find a lasting and, amicable solution to this nagging issue. The hon. President has also underlined the need for negotiated settlement of the peace process in the North-East and Nagaland for which a special Ministry has been set up for the development of that region.

The hon. President has expressed the resolve of the Government to deepen and broaden economic reforms but we should also take note of the trends of marginalisation of small men everywhere in the country with the implementation of economic reforms. We should take safeguards to avert a situation of rising poverty and misery in the midst of prosperity.

Although the target of eight per cent growth rate in the Indian economy appears to be ambitious in the backdrop of the dismal performance in the last fiscal year, the creation of an enabling environment, especially the infrastructure and social sector development, can make the envisaged high growth rate possible.

The bumper output of 210 million tonnes produced by our hapless and helpless farmers has enabled the economy to achieve 5.4 per cent growth in the economy. Logically therefore, he has underlined the importance of hitherto

neglected agriculture, which holds the key to productivity, employment and food in the hinterlands of India. I appreciate the move of the Government to remove the restrictions on inter-state movement of agricultural commodities, which would certainly help farmers to receive better prices for their products.

The intention of the Government to modify the Essential Commodities Act to free Indian agriculture from the barriers of the past, ensuring gainful prices to sugarcane farmers, increased flow of timely and adequate credit to farmers and strengthening of rural co-operatives are well conceived measures to accelerate the pace of agricultural development. The emerging industrial stagnation in the economy, the harvest and post-harvest losses in agriculture and the need to ensure food security to the poor have received considerable attention of the hon. President.

However, it would have been more appropriate if the deteriorating fiscal condition, as witnessed by the whopping fiscal deficit of 5.3 per cent of the GDP and mounting public debt and other monetary problems had been indicated by the Government. Although we have defended our economic interests at the WTO Ministerial Conference at Doha last year, we should ensure that they are translated into real gains to India so that India is enabled to participate in a really competitive international framework. No agreement would be considered fair if western countries continue to protect their industries and preach that India alone should free its economy to be exploited by Western interests.

The President has highlighted infrastructural reforms and the consequent augmentation of infrastructure facilities of various services like telecom services, National Highways Development Project, construction of rural roads under the Pradhan Mantri Gram Sadak Yojana and setting up of Inland Water Transport Development Council, and also mentioned dismantling of administered price mechanism, creation of Technology Upgradation Fund for textile sector and the New Tourism Policy.

When we talk about the construction of rural roads, I would like to say that out of 1,400 villages of my constituency, more than 1,000 villages go without the connectivity of a road and not even a walkable road.

While the hon. President is quite right in underlining disinvestment of public sector, the consequences of disinvestment in public sector do not seem to have been

[Shri E. Ponnuswamy]

emphasised. The disinvestment process should offer guarantee of employment to the Backward Classes and Scheduled Castes in the emerging private Industries and the strong safety net for the workers of Public sector undertakings. My opinion is that the commanding heights of the Indian economy should not be degraded or devalued at the cost of the nation and we should understand the grain of truth in the wide protests and the signals emanating from the working class.

His Address also contains measures for devolving more powers to the Panchayat Raj institutions to improve education, health, sanitation, establishment of Fast Track Courts, welfare of the Scheduled Castes and other Backward Classes and minorities. Creation of Empowered Action Group to oversee population growth, declaration of 2002 as the 'Year of Quality Education', *Nirmal Bharat Abhiyan*, a Forest Commission, *Krishi Shramik Samajik Suraksha Yojana*, Micro Financing Programmes, Grain Bank Scheme to cover all the 1,14,000 tribal villages, would undoubtedly contribute to the social development of the people. The Foreign policy of the Government with a resolve to help the war-ravaged Afghanistan, and the improvement of our relationship with Nepal, Bhutan, Bangladesh, Sri Lanka, Russia, China, South Asian countries, Europe, the United States and Africa deserve our appreciation.

MR. DEPUTY-SPEAKER : Shri Ponnuswamy, kindly conclude now.

SHRI E. PONNUSWAMY : I am concluding, Sir.

To sum up, the President's Address to the nation reflects the Indian reality, indeed. But many of the deeper issues concerning the poor, oppressed and depressed, clamouring for social justice and empowerment could have been paid more attention so that the process of impoverishment could be reversed. We should realise that the heart of India beats in villages and the upliftment of the villages should be the central piece of our strategy of social, political and economic development of India.

Sir, let me finish with a quote of a para of a poem of Robert Frost :

"Woods are lovely, dark and deep

But I have promises to keep

Miles to go before I sleep

And miles to go before I sleep."

Which was liked and loved by Nehru Ji and by every one of us.

With these words, I support the Motion of Thanks moved by My hon. colleague, Shri Vijay Kumar Maihotra on the President's Address.

SHRI S. BANGARAPPA (SHIMOGA) : Mr. Deputy-Speaker, Sir, I rise to oppose the Motion of Thanks moved by the hon. Member, on some of the issues, since the very Address has failed to address some of the issues pertaining to the national cause. It has failed on many fronts. In my speech within the short span of time which has been given to me, I would like to touch only three or four points.

The first issue is the Nuclear Missile Defence System. The second is the World Trade Organisation matter. The third is the secularism matter and the last point will be the very composition of this Ministry which is created under the Constitution, under the leadership of BJP and the point whether it is capable of addressing the national issues or not coupled with unity and granting of social justice to the needy people of the society.

I am not speaking on any of the other subjects like the Railway Budget or the General Budget. In fact, I will make a request to my other friends to address those issues. As far as the President's Address is concerned, I am now dealing with the Nuclear Missile Defence System (NMDS). This system was announced by the President of the United States of America Mr. George W. Bush. But long before that when Mr. Bill Clinton was the President of the USA, he mooted this. But after the attack of 11th September on the Twin Towers of America, Mr. George W. Bush, the President of the USA is in a hurry to go ahead with this NMDS which is detrimental to the world peace, according to me. Many of the nuclear scientists have opposed this idea. In fact, we must thank our nuclear scientists also who have tested the nuclear device in Pokhran desert. But this Government should not take credit for this. This was the achievement made during our Congress regime headed by Shrimati Indira Gandhi, Shri Rajiv Gandhi and Pandit Jawaharlal Nehru. Actually we have kept all the device ready and also the match box. What our BJP friends in the Coalition Government did at that time was they just fired it. That is all. To be frank, this is all the achievement made by this Government.

But the aftermath of that testing of the device in Pokhran desert, in fact, was that Pakistan went ahead with

testing of two of their devices Shaheen and Ghouri. Later on we have also tested our missiles. We must thank our nuclear scientists for this. But the whole world is completely reeling under the nuclear threat which is hanging on our neck not only throughout the country but also in the world.

Who are the members of the Nuclear Club in the world? They are USA, Russia, China, France and the Great Britain. When Mr. George W. Bush announced this NMDS (Nuclear Missile Defence System) this was opposed to by his own friends like Great Britain and France and the traditional opponents like China and Russia. But our Government, headed by Shri Atal Bihari Vajpayee, welcomed it so hurriedly. I cannot understand this one. That shows the callousness on the part of the Government and the height of irresponsibility when this Government immediately welcomed the NMDS. This shows how careless this coalition Government headed by the BJP is. Later on they withdrew that after they came to know that the traditional friends of U.S. like Great Britain and France have opposed the statement made by Mr. George W. Bush about NMDS.

Of course, naturally, China and Russia have opposed it. This is why I am trying to make out that our Government is committing a great and grave mistake – that has already been committed – by welcoming the statement made by Mr. George W. Bush. This shows that care has not been taken by the Government with all the confidence at their command. They have gone back on that earlier statement made and that shows the irresponsibility of this Government. This is my first point.

Why is it that Mr. George W. Bush going ahead with this? After the Cold War, the former Republic of USSR has broken into Russia, Kazakhstan, Ukraine, Uzbekistan etc. It is broken away into Independent States. But still Russia is a big nuclear force in the entire world. I think America knows this. They are our friends. U.S. is also our friend. There is no problem.

We condemned the attacks made by some people on the Twin Towers of World Trade Centre in the U.S.

Likewise, we condemn the killing of innocent people, ladies and children in Afghanistan by the US-led military campaigning done in Afghanistan which is supported by NATO forces also. There must be some limit. In fact, we condemn international terrorism. We condemn the attack made on 13th December on our Parliament. We condemn killing of our Muslim friends and all the Hindu friends in Jammu and Kashmir area by the terrorists, but it does not

mean that U.S.-led coalition of military campaigning supported by NATO forces can kill even innocent ladies and children in Afghanistan.

Sir, therefore, if we allow the NMDS to go ahead as Mr. George W. Bush feels, you take it from me, it is my feeling that U.S. is going to control the entire nuclear power in the world and would be able to go against the cause of other peace-loving countries. In fact, NAM was created by Pandit Jawaharlal Nehru, Yugoslavia President, Marshal Tito and Abdul Gamel Nasser of Egypt, but it is given a complete go-by by this Government. Therefore, Sir, this NMDS goes, against the very provision made under 1972 Anti-Ballistic Missile Treaty. If this is gone, I think, this is going to threaten the world peace. According to me, this is definitely going to threaten the world peace.

They want to enter the space. They have reached there and they want to weaponise the space. That is going to be very dangerous thing because every inch of the sky has got an eye to pinpoint even a pin on the ground. That is the latest nuclear technology backed by nuclear science. Therefore, Sir, what I appeal to this House, through you, is that we should not support this NMDS. There must be some limitations on this subject also.

It is opposed to by Russia and China. Russia has got more than 2,000 nuclear missiles coupled with nuclear warheads. This quantity is lesser than what is available with U.S. China has got about 20 nuclear missiles. Pakistan and India have got between two and five nuclear missiles. Therefore, I urge upon the Government, through you, Sir, not to support this NMDS announced by Mr. George W. Bush, because this goes against the very concept of peace as stated by Father of the Nation, Mahatma Gandhi, Shri Abul Kalam Azad, Pandit Jawaharlal Nehru and millions of other people who have sacrificed their lives in order to get freedom and peace for this country. This is about world peace. Therefore, Sir, I now seek your indulgence to prevail upon this Government to say to Mr. George W. Bush not to go ahead with NMDS plan because U.S. wants to control ultimately the entire military zone of this country, which will threaten the world peace.

Sir, since I have got very little time, I cannot go into the details of WTO matter. I know that. Our first economy is agriculture economy which is dependent on agro-climatic conditions. My point is this. Recently, there was a meeting in Qatar and our Commerce Minister had gone there to attend the meeting. We would like to know the outcome of that meeting. Actually, no details are given to this House, at all.

[Shri S. Bangarappa]

Sir, not even a single agriculture commodity is getting a good price in the open market. You take the case of paddy, you take the case of areca. We were selling areca. It is produced in my constituency, Shimoga. Likewise, it also comes from Tamil Nadu, Kerala and so many other southern parts of the country. We were selling areca to the northern parts of the country, including Pakistan, Afghanistan, Bangladesh and so many other countries. Now, it is completely cut off. Traders have gone back and merchants have completely sold it off. Same is the case with paddy and so many other agricultural commodities. Where exactly does our agriculture economy stand when our poor farmers are completely left in the lurch by this Government?

Thirdly, there has been a greater threat to the secular fabric of our society. This is not a small matter. Take the Ayodhya matter; take the Gujarat matter; take the Jammu and Kashmir matter; and take happenings in other parts of the country also. It has completely threatened the secular fabric of our society. Therefore, I demand that this Government should mend itself so as to suit the basic tenets of secularism which is one of the main pillars of our Constitution given by the Committee headed by Dr. Babasahab Ambedkar. This is another aspect.

Now, I come to the composition of this Ministry. This Ministry suffers from so many internal grievances, quarrels, dissensions and is headed by no less a senior person than Shri Vajpayee. Still, we have got the highest respect for Shri Vajpayee. But the point is this. He has spent many years to see all the warring factions of his Ministry stay and come to such an understanding on certain matters. Sir, I would like to know whether he is able to carry on his Ministry, whether he is really able to carry on with the warring factions of the Ministry headed by him.

In fact, we pity him, but at the cost of national interest, we cannot pity him. Therefore, I demand that let the Prime Minister come out with a true statement of the very exact composition of his Ministry wherein these warring factions are, everyday from morning till in the evening, completely immersed in warring among themselves. Therefore, there is no unity at all. They have failed to rule this country, keeping in view the basic tenets of our Constitution and the requirements of the Constitution.

In fact, Shri Vajpayee has spent many years. We have seen Shri Vajpayee and we have got the highest respect for him. Shrimati Shyama Singh, to celebrate his birthday, every year, our Prime Minister is burning many of

the candles. I think, his burning of candles has become costlier than the very cost of the cake itself. Therefore, I pity him, rather I condemn him. But he is unable to carry on his Ministry to address the important, pressing issues of the nation that are faced with by the common man, the poor man.

With these words, I conclude my speech.

[Translation]

SHRI PRAHLAD SINGH PATEL (BALAGHAT) : Mr. Deputy-Speaker, Sir, the motion of thanks on the President's address delivered in Central Hall of Parliament on 25th February is the old tradition of the House. Before me many senior Members and experienced politicians have expressed their views. I would like to begin my speech with the words of respected Shri Baba Shri. I think it is necessary to say after listening the speeches delivered yesterday that hon'ble Members of the House shower ponder over it that there is a great difference between the habit and nature of the individual. The nature of man is not bad, the habit may be bad, and if the habit becomes nature, it would not be good neither for individual nor for the society. Today, all of us are becoming victim of this practice. Therefore, discussion should be held on the policy implied in the address as per the convention, but we have made it a mean to express our own interests.

The emphasis on internal security has been given in paragraph 13 of the hon'ble President's Address. Wherein it has been said that now the internal security has become an integral part of the National Security. The Union Government, with the cooperation of State Governments have been taking necessary measures to strengthen the internal security in the country. Today, terrorism and organised crimes is serious danger to the internal security.

Mr. Deputy-Speaker, Sir, I hail from the naxalite affected State. There is great danger to the internal security in that district, you cannot call the situation prevailing in that district the situation of law and order. The strong political will is required to fight terrorism.

12.00 hrs.

The Union Government's resolution and increase in the number of security forces is not enough to fight with it. In the absence of will power State Governments can not protect internal security.-(Interruptions) We have to consider on the participation of State Governments in its compliance. In this way, the question arises that if due to

political prejudice relations between Centre and State Governments turn sour. It would be difficult to implement any policy. The House should pay attention in this regard.

Mr. Deputy-Speaker, Sir, the matter of internal security is of such nature. It is a problem of law and order. Whether any problem can be solved by criticising the State Governments in the House? Both are equally responsible. A policy could not be success until the Union and State Governments share equal responsibility. The issue of Ram Janam Bhoomi is also associated with internal security. Yesterday, everybody raised this issue in his own way. I would also like to say that if we express our own opinion or our party's opinion on the dispute related to Ram Janam Bhoomi, then I feel that we are not thinking about the solution of this problem. I would like to thank the Government, Ram Janam Bhoomi Nyas, Vishwa Hindu Parishad for yesterday's 'Shiladaan' Programme. Conducting this programmes peacefully by them on account of the apprehensions created by our speeches in the entire country and society have been laid to rest to a certain extent. As far as the issue of Ram Janam Bhoomi is concerned, the NDA Government, being run in the leadership of Bharatiya Janata Party has assured to maintain status quo. But the issues raised on the party lines in the speeches which I had listen, do not match with this. I would like to mention the incident that took place in Sivani district of Madhya Pradesh on 22 and 23 February. The leader of opposition of the House herself has attended it. The Chief Minister of Madhya Pradesh, himself was the organiser of the function. The State Government itself got printed the cards and announced for organising of 'Sant Sammelan' to settle the issue of Ram Janambhoomi. Shankracharya was advocating it. Jayant Saraswati who has asked as mediator was also present in the programme. The Shankracharya of Puri was also present there. It was totally a Government's Programme. The Chief Minister of Madhya Pradesh made the arrangement by getting the cards printed and the leader of opposition also attended the programme. It is a different thing that Shankracharya was not present in the programme and there was nothing like 'Dharam Sansad.' Articles were published in this regard, in "The Times of India" of dated 22, 23 and 25 but the people of Congress Party themselves were making different kinds of comments on it. How far they would mislead the House and the country? Whether mentioning of that thing would not be appropriate? Is not the tendency of making matter complicated? Under such circumstances the country and the House have to consider in this regard. We have come long way on the path of democracy. In fact, we would have tackled this issue in a better way, rather we are passing through a crucial phase.

We are not in a position to take decision on any issue under the circumstances, in which the NDA Government is running would be fruitful for democracy. We could define it in both way, but we should not define it according to our own convenience. Various Parties having different ideologies have formed this coalition government, but it is a good sign of democracy. In regard to the changes, everybody has one's own thinking. As when an earth quake occurs, everybody calls it calamity but I do not share their views because everyone has one's thinking so. I take it as a natural change and it will continue to happen. It is a testing time for every person who calls himself a leader. If he is able to take society out of difficult circumstances, then he is an successful leader, and if he is unable to do so, then it becomes calamity for the person, leader and society. This situation is prevailing even today. The kind of situation in which the Government is being run, and the kind of issues which are before us reflects that there is no coordination between the political parties. The Government should be congratulated for the way by which it has taken out the country out of Ayodhya crisis and we have achieved success by proving wrong the apprehensions being expressed in and out of the House. It is another thing that we have not congratulated the Government due to party reasons, but it is not good for the democracy. This much bitterness should not be in democracy. Such situation should not be created that forget national unity, whether it is internal security or external security.

Mr. Deputy-Speaker, Sir, I would like to say one thing about the farmers. The Hon'ble President has given thanks to the farmers. In Sanskrit it has been said - "Ati Sarvatra Varjayate" which means excess of everything is bad. Today there is no shortage of foodgrains, in our country rather it is getting rotten. The farmers are not getting reasonable price for their agricultural products and nobody can deny this fact, it can not be ignored. It will not be appropriate, if we hold Union Government responsible for it. I hail from the Balaghat district of Madhya Pradesh, which is the big producer of paddy. 50 percent of production could not be procured there. There is no storage facility there, and the State Government could not provide this facility adequately. If we criticize this, problem will not solve. We have to decide that if the House does not consider on the crop cycle of the farmers, and if we continue to count each other's failure criticise each other, and congratulate each other, then the farmers will compel to commit suicide and would get remunerative price of their price agricultural products. Therefore, I want that the House should consider on crop-cycle of the farmers so as to save the farmers and the country and it will lead to the prosperity of the farmers.

[Shri Prahlad Singh Patel]

Mr. Deputy-Speaker, Sir, the third thing is that it has been said that we should constitute livestock commission in regard to livestock. Whether the House will not consider in this regard. We make fun of the religious faith as far the issue of progeny of cow and livestock is concerned. It is not only the question of religious faith, but it establishes the coordination between agriculture structure, agricultural policy and ecological balance. If we do not deny this thing in this direction, then we will not be able to make progress. It is a different issue whether the House will consider in this regard or not. If any NGO or any organisation work in this field, then it is a different issue. If the consideration is not held in this regard under national policy, then I feel, the discussion would be meaningless, it will lose its relevance and it will affect their faith to conventions adversely.

Mr. Deputy-Speaker, Sir, in 1951, there were 436 cattles per thousand people and in 1991 this number got reduced to 257, and in 2001, it further got reduced to 50-60. If you look at their number, in 1947, there were 36 crore animals at the time of independence in the country, which at present are only 8-10 crores, whereas our population has crossed the number of 100 crores, and livestock has reduced to one-fourth. This imbalance is not good for country, whether it should not be considered? We are talking of export, we talk of opening the slaughter-house. When we talk of this, it is opposed and it is said it is a religious issue, it is a issue of VHP and Bajrang Dal. We are not ready to consider it as the national issue. It is the result of our wrong thinking. The habits which we have developed are not in our nature. It will not be favourable for parties, nor to the country.

Mr. Deputy-Speaker, Sir, many points have been mentioned in the President's Address. It has been said, how we can reform ourself, but success could not be achieved by making allegations against the Union Government. For instance, Panchayati Raj Act was passed in the House, the states were given responsibility to implement this. I hail from the Balaghat district of Madhya Pradesh, where a new system on the name of district Government has been introduced. In my district government, our party is having thumping majority and minister in-charge is its Head. I have not seen any such government whose head is not having support of any members. All Members are of opposition party. The result is this that District Government is unable to set up any sub-committee and if there is any Chairman, it will be of opposition, which is having the support of BJP. It is widely propagated there, that Panchayati Raj system is functioning successfully there.

It is not a good sign. It should be discussed. The question is not of prejudice. If you agree that the representatives of the people should get their actual right, then who will hold consideration in this regard. The Union Government makes laws, but the State Governments are wholly responsible for implementation of those legislation.

Mr. Deputy-Speaker, Sir, my district Balaghat is naxalite affected area. People including myself level allegation and counter allegation against each other, but the State Government is not having the will power. The people who have faith in democracy. Whether they may be in opposition, first of all it has to be decided that if they want to fight with naxalism, they have to act unitedly. You are the supporter of votes and the power getting by votes. But before this we should stop fighting with each other, because one man can not fight alone against the terrorism. A good beginning has been made in my parliamentary district Balaghat. The S.P., DIG, and IG are appointed there, because Balaghat district is passing through the difficult phase of naxalism. IG began the 'Pad Yatra' between the 17-28 dates. The naxalites announced that any people's representative or person would not join that 'pad yatra'. All of you would be surprised to know that I joined that 'pad yatra'. That area is represented by 8 MLS who would not gather courage to join that 'pad yatra', it is noteworthy here, that the people there have witnessed 'Death', they have seen 17-20 murders. They have been the victim of naxalite violence, even then 100 per cent people joined the 'pad yatra'. It proves that the fear of death is imaginary. Political workers, even if they have been elected by the people should speak truth even at the cost of their life. Somewhere, there a fear of death is being created. People comment on us, they laugh at us, it hurts our faith, but instead of feeling sad, we have to consider as to how to create free environment. Today, we are losing the faith of common people.

Mr. Deputy-Speaker, Sir, the Supreme Court had remarked that it is not Lok Sabha, it is Supreme Court. We are compelled to accept this because we have not changed our habits. In real terms it is a contempt, but it cannot be voiced in the House, because in the live telecast people are watching us, our side is not strong. The Supreme Court has directed on the issue of Ram Janam Bhoomi, as to how to maintain the status quo on that day and the ban was imposed on the disputed land. As there are great differences in the House, we were unable to make comments, we were unable to consider it. This situation is like throwing challenge at the verdict of the court. Attention should be paid, the matters which should be decided by the House, are decided by the Court. Court consider that it

has monopoly on it. I understand that being the member of the House consideration is needed in this regard. Even if we discuss it in parts, but the discussion on it will remain irrelevant.

Mr. Deputy-Speaker, Sir, it is not for the first time that hon'ble President has addressed the House. But it is the established tradition and it will continue to happen in the time to come. But the way in which the peoples are losing their confidence and faith in this practice, the House will have to restore it. Therefore, I would like to request the Members of the House that we should hold consideration to many issues of development including internal security and external security. Which have been mentioned in the address, whether if we consider on bio-diversity bill or plant varieties we would find that the laws related to such important issues have not been enacted even after 10-12 years. But these laws have been enacted today, it has been done by this Government. This Government has made the cycle of roads, we have to accept it. In last Rail Budget I said, whether a golden class can not be made in the railways, it can be made. Till we will consider in this regard, our point will not hold any relevance.

Mr. Deputy-Speaker, Sir, I would conclude after saying last thing about the district from where I hail. I allege in the House that power politics has been played in industrial policy formulated during the last 50 years. We have selected only our areas for setting up industries. We did not care whether it will benefit the country in the long run or not. The live example of it is the Malajkhand project of Hindustan Copper Limited situated in my area. The company is running in loss for many years. But even today Malajkhand project is producing copper at lower rates than international prices. Whereas eight kilogram copper is extracted out of hundred kilogram of ore, and remaining part is silver and gold in other country.

MR. DEPUTY-SPEAKER : After you, names of five Members are remaining. They will not get a chance.

SHRI PRAHLAD SINGH PATEL : Mr. Deputy-Speaker, Sir I am concluding in one minute. I was talking about copper. While in abroad seven kg. copper and gold and silver are extracted from hundred kg. of its ore, Malajkhand Project of India extract only 2.7 kg of copper out of the hundred kg of its ore. In spite of that is it not important that in international competition our cost of production is lower as compared to other countries. Certainly it is an important thing. However smelting plant is proposed to be set up at Khetri where its ore is not available. It is wrong decision

that has compelled us to reconsider thereon. Such decision should not be taken. Priority should be given to set up such industry as per the location of the areas.

At the end I support the motion of thanks moved by Shri Vijay Kumar Malhotra and conclude my speech.

SHRI RAMJI LAL SUMAN (FIROZABAD) : Mr. Deputy Speaker, Sir, I extend my thank to you that you gave me time to speak. I would like to oppose the motion of thanks on President's address moved by Shri Vijay Kumar Malhotra. There is nothing in the President's address that can be claimed as achievement by the Government. The period of survival of the Government is not important. How long we have survived is not important. It is direction of the functioning and achievement of the Government that is more important and so far as the direction of functioning of the present government is concerned, certainly, I can say that the working of the present government has disappointed the common people. The President merely fulfil the formality. But in real terms the President's Address projects the policy of the Government. It explains the course of action of the Government for the coming one year.

Mr. Deputy-Speaker, Sir, the report of the Scheduled Castes and Scheduled Tribes Commission was presented. It has been mentioned in the report that the incidents of atrocities on Dalits have increased. Farmers are suffering. We claim with pride that the production in our country is increasing. However while on the one hand the wheat in FCI godown were getting rotten, the people were dying of starvation. They were compelled to eat the Kernel of mango. We should consider on all these things. In earlier President's address it was mentioned that employment will be provided to one crore people in coming one year by Shri. Atal Bihari Vajpayee's Government. In 1998 the Prime Minister had announced from the rampart of Red Fort that he would provide employment to ten crore people in the next ten years. But there is no mention of providing employment to unemployed in the present Address. A task force was constituted by him under the leadership of Shri Montek Singh Ahluwalia and it was said that all possibilities to provide employment to the people would be explored. So far as my knowledge is concerned, in the recommendations of Ahluwalia

Committee possibilities to increase employment has not been considered rather than it has considered the possibilities to reduce the employment. The number of persons getting employment in our country has increased at the rate of 2.29 percent per year while the employment

[Shri Ramji Lal Suman]

opportunity available in the country is nearly 1 percent. In the President's Address there is no mention about the provision of providing employment to the people, educated people of the country.

I would like to humbly submit that though the Government talk about protection to the agriculture sector, however there is no coordination between support price and cost of production of wheat as the support price of wheat have increased 7 times since 1971 till date. While its cost of production has increased 15 times. There is no mention about irrigation in the basic infrastructure of development. The Minister of Water Resources is present here. The entire water flows to sea and there is no arrangement to collect it. On the one hand while the present Government have breached the faith of the common people, on the other hand the important thing is that brotherhood, social harmony and religious tolerance are being disobeyed by the Government. Every body thinks that this Government will not be able to restore social harmony.

Sir, the discussion on Gujarat has been held in the House. All the hon'ble Members have expressed their views on this issue. Hon'ble Minister of Home Affairs said that Narendra Modi has done well and so far Advaniji is concerned, he always does well. Through you I would humbly like to ask the Government as to what is the concept of a state, why did state come into existence? Why was state made? The function of a state is to check anarchy, to protect life and property of the people and to protect their prestige and dignity. It was for this purpose that state came into existence. I would like to know as to who is responsible for whatever has happened in Gujarat? My submission is that the good or bad social activities are based on the temperament, tradition and the way of thinking of the person who holds the post of Prime Minister or Chief Minister. The day one Shri Narendra Modi was appointed the Chief Minister of Gujarat, Rashtriya Swamsewak Sangh, Shiv Sena, Bajrang Dal and Vishwa Hindu Parishad started thinking that the tenure of Narendra Modi as a Chief Minister of Gujarat is a golden period for them. Through you I would like to know about the present condition. There are two ministers in Gujarat Government, Shri Ashok Bhatt and Shri Purushottam Solanki. The role of Shri Solanki was doubtful when Christians were attacked and Bible was burnt. The name of Shri Purushottam Solanki also figured in the report of Shri Krishna Commission which was constituted after the demolition of Babri Mosque and consequent riot in Mumbai.

Through you I would like to submit that the situation that has arisen and the type of the people who are holding offices is certainly a matter of concern. Rajbhawan become the centre of RSS. The role of Governors are also doubtful and we can not expect any thing good from them. Where was state administrator when properties worth Rs. 6000 crores were destroyed and people were insulted in Gujarat? 200 telephone calls were made from the residence of Shri Ahsan Jafari that they were in danger and asked for protection. Even today there is tension in Ahmedabad and violent incidents are happening. What is duty of the State? Is State planning its meaningful role in this regard? I would like to submit that the State is not functioning in a responsible manner.

Mr. Deputy Speaker, Sir, we should seriously think over the present condition of the country. Presently Sangh is holding its meeting in Bangalore. Immediately after the Godhra incident the Minister of Home Affairs commented that it was reaction of the Godhra incident and efforts are being made to say the same thing in Sangh meeting, presently being held in Bangalore.

Sir, if an Indian whether he is Muslim or Hindu is killed, it is loss of the country as both are the son of Bharat Mata. We have equal suffering in both the cases. They say that we have not condemned the Godhra incident, I would like to draw your attention to the fact that it was me who had moved Adjournment Motion in the House following day of the Godhra incident however, it is being propagated all over the country that we did not condemn the Godhra incidents.

Sir, Who is responsible for whatever happened in Godhra, how one and half to two thousand people were gathered, where was their intelligence system? I mean to say that whatever happened in Gujarat was engineered and sponsored by the State Government.

Sir, through you I would like to submit that after the Godhra incident and attack on minority community in Gujarat riot some of our colleagues were chanting slogan in the House that 'only those who will talk about Hindu cause will be allowed to rule the country. The freedom struggle continued since 1857 to Naval revolt. The struggle for independence of the country was fought under the leadership of Mahatma Gandhi. Netaji Subash Chandra Bose organised Azad Hind Fauj. The country got independence under the leadership of the Mahatma Gandhi and Hindu, Muslim, Sikh and Christians all had gathered under the banner of Tiranga. We got independence only

after the entire nation stood against the British rule. Had these people, Shiv Sena, Bajrang Dal and Vishva Hindu Parishad fought in freedom struggle? The people belonging to every class, caste and religion participated and contributed in the freedom struggle of the country. I would like to know as to what do they mean when they say that those who will talk about the Hindu cause will rule the country, should we expel Christians, Sikhs and Muslims from the Country? This is their approach to unite the country. Through you I would like to humbly submit that they are enemy of the country. Those who can not represent the entire masses, those who can not represent the people belonging to all the castes and religion of the country can not rule the country for a long time. 'Hayat leke chalo, Kainat leke chalo, Chalo to sare Jamane ko sath leke chalo' Unless the entire masses are united the country can not be strong.

SHRI RAMDAS ATHAWALE (PANDHARPUR) : Mr. Deputy Speaker, Sir, the difference is that they are taking into confidence all the parties but not rest of all the religions. ...*(Interruptions)*

SHRI RAMJI LAL SUMAN : Mr. Deputy Speaker, Sir, through you my submission is that RSS meeting is being held in Bangalore. The issue of conversion is also being discussed in the meeting and whenever the issue of conversion is comes up they make much noise however through you I would like to humbly tell the reason of their anxiety. Why conversions is taking place in India? Maharshi Dayanand Saraswati, Swami Vivekanand and thereafter Mahatma Gandhi had said that if Hindu religion could not become the symbol of equality, then they preferred destruction of such religion. That is why I am submitting that their own attitude towards other people is responsible for the past and the present conversion in India. They are supporters of Varna System.

Sir, their philosophy is also different and grand. In their system the persons who build temples are not allowed in the temple once the temple is constructed on the pretext that their god will get angry. Similarly the persons who dig the wells are not allowed to draw the water from the wells as the water of the well will get impure. It is due the hypocrisy and misdeeds of this class that conversion is taking place in India. So I would like to humbly submit that these so called custodians of religion are sufficient to destroy the Hindu religion. They do not need the help of any other people. Through you I would like to submit that some of our colleagues have described about the activities of these people. On 7 March 14 MPs had written a letter to the Prime Minister regarding Ayodhya issue. I would like to

read two lines out of that letter just in order to show you how they are maintaining unity in the country. They have written that it is a matter of concern that the situation is gradually deteriorating. The annoyance of the people is increasing. The discontent is reflecting and people are demonstrating on the street against the Government. The situation may become more explosive once the patience of the people would cross limit and they become aggressive and it would take the form of mass movement against the government or a particular class. It simply means that the Prime Minister should keep the situation under control and should work for it otherwise the people would become aggressive then they will kill the Muslims. People belonging to all class and religions live in India and whenever the moment of ordeal has come before the nation or the prestige of the nation is at stake the contribution of Muslim is no less than any other people in the country. They are threatened. They have dual standard. They intentionally try to implement their hidden agenda in every matter.

Through you I would certainly like to ask them as to what they are doing? No any Member of National Conference is present here. Shri Vinay Katiyar is a very vocal Member of Parliament of their party. He is seriously trying to fan Ayodhya dispute. He works for Bajrang Dal however he is the Member of Parliament of BJP. I have no confusion that Bajrang Dal, Shiv Sena and Rasthriya Swamsewak Sangh are different organisations rather they are different forms of the same problem. They are not different one rather they are the same. There is tension in the entire Jammu-Kashmir. Their Member, Shri Vinay Katiyar gave statement that the hair kept in Hajrat Bal does not belong to Prophet Mohammed rather it belongs to some other saint. You know that the leaders of National Conference has registered their protest in this regard. There is tension in Jammu & Kashmir. The riots have occurred there. Who is inciting the riots? It is a serious issue. I allege that brotherhood and communal harmony cannot be maintained in the country as long as such Government is in power. Recently, while taking to Journalists, Shri Vijay Kumar Malhotra told that Shri Katiyar did not say anything like this. Though media persons are claiming that he had said like this.

Mr. Deputy-Speaker, Sir, Shri Vijay Kumar Malhotra keeps on playing a bit more trickets. We are aware of his pain as he was not made Minister so he speaks more. Probably, he may succeed in pleasing Shri Atal Bihari Vajpayee. I mean to say that the present environment prevailing all over the country is the creation of Bhartiya Janta Party Government.

[Shri Ramji Lal Suman]

Hon. Prime Minister is following a dual policy. A strange drama is going on. Last time, when the hon. Prime Minister was in the USA two years ago, he was given a public reception there. But none of the institutions giving him reception belonged either to Christians or Muslims. Does Shri Atal Bihari Vajpayee visit foreign countries as the Prime Minister or as a leader of RSS? Does he visited foreign countries as the Prime Minister or a Hindu leader? Is he a sevak of the RSS or the Prime Minister of the country? Wherever Shri Atal Bihari Vajpayee went and was given public reception — not a single Christian or people of the minority communities are invited to those meetings. When he went there a year ago, he attended a meeting of Vishwa Hindu Parishad and he was in the company of Sadhu-Sants there. The Prime Minister Shri Atal Bihari Vajpayee has lowered the prestige and glory of the country. One does not expect this from a Prime Minister. The situation has come to such a pass that these people are now trying to commit organised riots in the country. Neither they do have a policy nor do they have any programme. Politics cannot run by sentiments. Politics cannot be run by inciting emotions. One can take advantage of caste and religion only for once, but in a country like India, only that Political Party can survive which has its own philosophy, policy, principles and programmes. The BJP does not have any philosophy or policy. In this House, the Bhartiya Janata Party had just two Members in 1985. They had 16 Members in the Uttar Pradesh Legislative Assembly. They did not come to power by raising the issue of farmers and labourers. They came to power by inciting Hindu sentiments and they have the compulsion to keep Vishwa Hindu Parishad, RSS in good humour. They speak in different tones. They do so to ensure that the order of court is obeyed and simultaneously the VHP and their coalition partners are also kept in good humour and the Government also survives.

I would like to recite a couplet on the condition of Prime Minister Shri Atal Bihari Vajpayee.

"Main Khaali Jaam Rakh Kar

Isliye Aansu Bahata hoon

Tumhari baat rah jaaye

Mera Paumaana Bhar Jaaye"

This is what is being done by Shri Atal Bihari Vajpayee.

Through You, I would like to submit, that as long as this Government is in power, brotherhood, communal harmony cannot be maintained, the workers will continue to be fleeced and the job opportunities for the educated youth

will continue to go down instead of an increase in them.

Therefore, I oppose the motion of thanks on the address of the President moved by Dr. Vijay Kumar Malhotra.

[English]

SHRI H.D. DEVE GOWDA (KANAKAPURA) : Mr. Deputy-Speaker, Sir, I would like to pay my homage to our beloved Speaker, the late G.M.C. Balayogi and the brave Jawans who lost their lives to protect this greatest democratic institution.

I would like to confine myself to the recent events. I do not want to deliberate on various burning issues which are now before the country. The most important issue is the maintenance of unity of the country - whether the unity is going to be maintained at all costs or the unity of the country is going to be damaged by the present Government.

I carefully went through the President's Address to the Joint Session of Parliament last year. In that they had not mentioned anything about Ayodhya. But when the President addressed the Joint Session of Parliament on 25th February, in which he particularly mentioned the Ayodhya issue, the results of the Uttar Pradesh elections and elections to the other three States were out. I do not wish to quote from his speech as several hon. Members have already quoted paragraph 14 of his speech where he spoke about the need to strengthen the bonds of national unity. I suspect whether the national unity is going to be strengthened or going to be weakened now.

Shri Atal Bihari Vajpayee came to power on 19th March 1998 after the collapse of the UF Government. I was also in office for about ten and a half months. I do not want to take credit for myself. The entire UF Government was responsible to maintain communal harmony in this country. With all our internal contradictions, we tried to project our unity in the Cabinet and there was no question of any open difference among ourselves.

I do not want to take credit on myself as I have told earlier but in the last four years, barring about four-and-a-half months of the Care-taker Government which was also headed by Shri Atal Bihari Vajpayee, the total tenure of his office is nearly four years. What are the achievements? On all fronts, I can prove with facts and figures the failure of the Government except on one issue in which they have succeeded to run the Government for four years. That is

the credit we must give to Shri Atal Bihari Vajpayee. He has managed. I have no grouse. In fact, for the last two years, I was not here and the people of Kanakapura have given me an opportunity to come to this House again to ventilate their feelings and not my feelings.

I would like to trace as to why Ayodhya issue is one of the major issues not for the survival of the NDA but for the survival of the BJP. In 1984, BJP got two seats in the same House. They thought that this was not going to help them and that they must then try to inject religion into the body of politics. The intoxication of what they tried to inject in the minds of the people of this country paid them rich dividends. In 1989, they adopted a resolution. For the first time, the BJP adopted a resolution to go all out to support the Vishwa Hindu Parishad so far; as the temple issue is concerned. In 1996-97 or 1998-99 elections, ultimately they reached the strength of about 182 in this House. After knowing the results of the elections in some States, particularly from where my former colleague Shri Baalu who is sitting here has come from and I know the administration given by a mature leader like Dr. Karunanidhi, he has to suffer. I do not like to take the names of others. Now, they realised that they are sinking.

Sir, I would like to draw the attention of the House to what the Prime Minister had told on 28th December, 2000. He had said that the temple issue is a national sentiment. After ten days, he went to Kerala for rest. There, he tried to set it right saying that he had not said like that. He tried to revive his stand as if he was committed to secularism and wanted to satisfy his NDA partners. I do not want to go on narrating his contradictions. At one stage, he said that Shri Advani, Dr. Murli Manohar Joshi, Minister for Human Resource Development and Kumari Uma Bharati had gone to Ayodhya to protect Babri Masjid. I was shocked to hear it from the Prime Minister. He is a mature man and a senior most leader. I do respect him. We were in jail during emergency. Shri Atal Ji, Shri Advani and myself were all together. He was there for a short period and came to Delhi because of his ill health.

He had the courage to tell the nation that these three leaders went to protect the mosque. If his intentions were true to his conscience, as he wants the country to believe, then why is there an attempt again to create problem in the same disputed place? I am not going to blame VHP and I am not going to blame RSS because they are the people who gave you the power. The power was drawn from VHP and RSS. You cannot go against their wishes. That is their plan. It is their commitment that they will go to any extent to

achieve their goal. The BJP has accepted the National Agenda for Governance to satisfy all other secular parties. I am not going to blame the coalition partners, like the Trinamool Congress or the DMK saying that they are committed to this type of fanaticism. We worked together and we know what they are. Today, Shri Atal Bihari Vajpayee has to satisfy his parental organisations. He has no other option. Either he has to vacate his Chair by antagonising them or he has to continue in Office by satisfying them. Now, there is no need to satisfy other alliance partners because they are not prepared to face the elections. After having come to know the results of the several State elections, they are not prepared to go for elections. I can understand their agony. They must be thinking that they have committed a mistake by supporting this Government, and by trusting the promise made by Shri Atal Bihari Vajpayee, from the same seat where we have sat. He promised the country that he would abide by the National Agenda for Governance, he would drop the three issues which are primarily the issues of BJP, defer those issues and would govern the country with conscience. This is the promise that he has made. I have not forgotten those words that he has uttered in this House from his seat.

Yesterday, the emissary of the Prime Minister went to Ayodhya and received those stones, *shilas*. What does it indicate? What message does it convey?

DR. C. KRISHNAN (POLLACHI) : This is only to prevent bloodshed in the country.

SHRI H.D. DEVE GOWDA : Sir, I know what issues have to be raised during the discussion on the President's Address. I have at least that much of a background to understand that.

Yesterday, till afternoon it appeared in the media that the Commissioner of Faizabad was going to receive the *shilas*. But he refused. I think he had the courage to refuse. Then the Prime Minister's emissary goes there and receives the *shilas*. Those *shilas* are meant to be fixed as per the design and architecture in the *Garbagriha* of the temple. The VHP said that we are going to conduct *pooja* everyday. Where will these *shilas* be fixed? Where are these *shilas* now? Under whose custody the *shilas* are?

Are the *shilas* in the custody of the police? Or, are they in the custody of the Prime Minister's Office? Where are those *shilas*? How are the people going to perform *pooja*? Is the Prime Minister going to allow *pooja* every day to those *shilas* which have been handed over by the VHP and the *sants*? The deadline given is 2nd June. There is a

[Shri H.D. Deve Gowda]

hardly a time of 70 days. Is the problem going to be solved either by the court or by negotiations by then? Or, is 2nd June another black day for this country? These are some of the issues which cropped up in our minds after yesterday's events. So, the hon. Prime Minister has to clarify the position in his reply. Otherwise, it is very difficult for us to trust the *bona fides* of the Government.

On the *Godhra* issue, I wrote a letter on 6th and 10th March respectively demanding the Prime Minister to appoint a Supreme Court judge under the Commission of Inquiries Act to probe the matter. Why I have come to that conclusion was that the State Government has not acted impartially. It has taken sides, according to Press reports. That is why, the media has expressed its views. On that day, the Chief Minister asked his establishment not to go to the rescue of the minorities. It is a State-sponsored terrorism or it is goondalism or by whatever name you may call it. I do not want to call the *Ram Bhaktas* or the *Kar Sevaks* by using any unparliamentary word. But it is a known fact that the Gujarat Government has totally connived with those people or it is totally callous, indifferent and it tried to support this type of arson, looting and killings. Whether the victims are *Hindus* or *Muslims*, I am not going to take sides. But the damage that has happened is something enormous. Nobody can assess the quantum of damage. Somebody says it is about Rs.3000 crore while somebody else says it is about Rs.4000 crore. Who is going to compensate those victims? Is the State Government going to compensate and rehabilitate the victims? Or, is the Central Government going to take the burden on itself? So, it is a matter about which we want to know from the hon. Prime Minister while he is going to reply to this debate.

About the inquiry, I would point out that a retired High Court Judge has been appointed. Can he do justice? When a sitting High Court Judge by name Shri Khadri or so - who has a mother of 80 years - rushed to the neighbouring houses for protection, what will be position of a retired Judge? When such is the situation, can a retired Judge be allowed to give a free verdict? That is why, I wrote a letter to the hon. Prime Minister demanding him to constitute an inquiry under the Commission of Inquiries Act by appointing a Supreme Court Judge to be assisted by an impartial investigating agency like the CBI. It is a must.

Now, I would like to quote the achievements made by the UF Government. It would make one or two points. These are not my figures. These figures have been published by the Government in the *Economic Survey*

presented to this House. I am sorry, without his permission, I take it. He was sitting there. The only thing which I would like to just mention is this. I do not want to take the Budget Speech here for discussion now. In the discussion on the Budget, I will quote the other issues.

Coming to the point, I would point out the growth in respect of agriculture and allied sectors. In 1996, we were there for a short duration of eleven or ten-and-a-half months.

It is in page 186, Table No.8(1) of the *Economic Survey* - 2001-02 wherein the figures from 1992-93 up to 2001-02 were given. For 1996-97, they had given the GDP growth - 7.8 per cent; the GDP, agri and allied sectors - 9.6 per cent; and the growth of foodgrains production - 10.5 per cent. This is the document published by the NDA and presented to the House. The figures for the subsequent years were 4.8 per cent for 1997-98, 6.5 per cent for 1998-99, 6.1 per cent, for 1999-2000, and 4.0 per cent for 2001-02; and for 2001-2002, 5.4 per cent.

During the Congress rule, it was 7.3 per cent for 1994-95, 5.9 per cent for 1993-94 and 5.1 per cent for 1992-93. I wanted to quote only these figures because some people tried to express that this time more weightage is given to agriculture. It is not so. When I speak on the Budget, I would express my views about how the farming sector had been neglected by this Government for the last four years.

I would like to impress upon the Government about unemployment. The area of unemployment has totally been neglected. The Prime Minister has promised to provide one crore job every year. In the last four years - I am not going to say 1999 onwards as he came to power from 19th March, 1998 and has almost completed four years - till today no progress has been made in this direction. Educated unemployed youths have no option to join any type of movements sponsored by various organisations. This would damage the unity of the nation. You may call them extremists or terrorists or whatever name you give. These unemployed youths have no source of living and have no job opportunity. They can be termed as misguided youths. They would be the greatest burden on the nation and to the peace of the nation. You have to find out the solution for more than 6.1 crore unemployed youths who have registered in the employment exchanges. That is the problem. I appeal to the Prime Minister to think over it because we are now going in for disinvestment; closing down the public sector understanding. On the one hand, this is adding to the number of unemployed persons who have registered their names in the employment exchanges, and on the other

hand, we are adding more and more people who are losing their jobs because of disinvestment. The Government has vigorously implemented disinvestment.

The unity of the nation is of paramount importance. All of us have to apply our minds. I am not going to oppose construction of temple. The problem is as to how are we going to do it. The Prime Minister says that he would try to solve the problem by way of discussion among the two communities. That has not materialised. On the one hand, he says that we would abide by the court verdict. Today in Bangalore, the VHP and RSS have criticized the decision of the Supreme Court. We can understand all these things. Unless he tries to make the leaders of the RSS and VHP to drop this idea and the Government take efforts to solve the problem, either by mutual discussion between the leaders of the two communities or to abide by the verdict of the court, it would be very difficult. Mark my words - they have set the date as June 2nd.

13.00 hrs.

I do not think he has consulted all his NDA colleagues before sending his emissary to receive the *shila* at Ayodhya. I can understand the situation. What can he do? He is helpless. But anyway it is the responsibility of the Prime Minister to see that the country's unity is strengthened, not damaged.

[Translation]

SHRI RAMJIVAN SINGH (BALIA, BIHAR) : Mr. Deputy Speaker, Sir, discussion on the motion of thanks is going on. I share the sentiments expressed by the mover of the motion. I support the facts and arguments expressed by him at the time of moving the motion. Elections in four states were held last month. The Hon. President greeted the newly elected Legislators. I also associate myself with the greetings of hon. President and expect that the elected Legislators, would discharge their duties within democratic limitation. I extend my best wishes to them. I also congratulate the Election Commission and the administration of states concerned for peaceful and fair elections. Besides, I also expect that they would keep up this spirit in future also.

Sir, I have had the opportunity of watching elections from close quarters right from the first general elections that were in 1952. At that time I was an activist of my party. I was 20 or 21 at that time. My work was to sell the newspaper of my party and distribute handbills and posters. At that time, each party went to elections with their manifesto

and so their slogans and songs were based on their policies and manifesto. But it has changed drastically now. I have seen the present election process and the campaigns. And I have seen that not any the small parties, which do not have any political heritage, but also the major political parties, which claim to form government at the centre and in the states, also indulge in petty stunts. It is very unfortunate. Sir, I respect both the art and the artists. They have their own place and the people see them by buying tickets. An election platform is not relevant for them. The parties which use them, appears to have lost their confidence on their policies and leadership, and so they are becoming dependent on them. Why are we turning elections into a cultural show? Don't make elections a show, maintain its dignity, otherwise people will lose confidence in democracy.

Sir, a government could not be formed in Uttar Pradesh. Many of my friends and colleagues from this Samajwadi Party are sitting here. I have had the opportunity of working with them for many years during the Samajwadi movement.

They are distressed, because they could not form their Government there. It is quite natural to feel distressed- "Ka Dikhai Prabhu Kah Dikhawa"- Sir, those who talked of running the Government are walking on the roads today. Their anger is quite natural. Just now, Akhileshji has left. It is good that he has come here. He works hard. I appreciate him. Yesterday he was angry that biggest party over there had not been given the opportunity to form the Government. He asked if Shri Atal Bihari Vajpayee was given opportunity to form the Government in 1996 why they were not given the opportunity to form the Government though they were also the biggest party? It is true, but if hon'ble Akhileshji had been present here, I would have told him, Akhileshji, you have just read one chapter of the Ramayan, if you had read another also, you would have come to know.
...(Interruptions)

MR. DEPUTY-SPEAKER : Your party has been given 8 minutes. 6 minutes are already over, therefore please conclude.

Please do not interrupt now.

SHRI RAMJIVAN SINGH : When hon'ble Prime Minister was invited to form the Government, the members of our party were also part of the alliance, and many things were said in the Rashtrapati Bhawan. But an experiment was done and the biggest party was invited to form the

[Shri Ramjivan Singh]

Government. But that Government fell within 13 days. Then another alliance was formed in 1998, and that alliance of BJP got majority in the elections. But it did not get invitation from the Rashtrapati Bhawan to form the Government till its allied Parties gave support to the Government in writing you might be remembering that Sushri Jayalalita did not give support to the Government for two days, though she was the part of the alliance. At that time the country was in a very difficult condition. Similarly, an example of S.R.Bomai case is cited. In the year 2000, Shri Nitish Kumar was given an opportunity to form the Government, but that Government too fell. We people had made a lot of efforts. Therefore, I want to tell my colleagues of Samajwadi Party, though the number counts in the House, but the arithmetic of that number is prepared outside the House. It is true that the party having the support of 203 members out of 403 members, will form the Government. A clear figure was not emerging, even by including the members of all alliances. The matter could be solved either by defection or through some other alternative. ...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : Shri Ramjivan Singh, please conclude.

(Interruptions)

MR. DEPUTY-SPEAKER : Now, you are to speak. You could also be heckled like this.

(Interruptions)

[Translation]

SHRI RAMJIVAN SINGH : Sir, another question is raised why President rule was imposed.

13.09 hrs.

(SHRI P.H.PANDIAN in the Chair)

It is said that people had supported secular forces. You agree that BJP alliance was in power there and you do agree that it is a communal party. The people have defeat it. In 1996, Shri Narsimharao's Congress party was in power. All political parties stood to fight against Shri Narsimharao's Government in the election as a result of which Congress came in minority. But even after that it was asked to form the Government. At that time it was said that people have supported secular forces. The fight was against the Congress. Was it not a communal party, which was

over thrown by people. But when the question of forming the Government was formed with the help of the Congress which was overthrown by the people and at that time, our party had acted like an opportunist. If alliance is formed before election, then there is a faith behind it, but if any alliance is formed after the election, then it is an opportunism. There is a character behind faith and shrewdness behind opportunism. Shrewdness benefit an individual and character benefit a country and society. Therefore, do not do this with the country and democracy. *(Interruptions)* Everybody is aware, that two Governments fell in 24 months, therefore do not do this. ...*(Interruptions)* I would like to appeal to all the political parties not to let this kind of thing happen in the name of socialism and communalism. The country has many basic problems. They should pay serious attention to solve those basic problems. ...*(Interruptions)* They should try to raise the basic issues and not commit such deeds which may create misunderstanding. I would like to submit to my colleagues of B.J.P. to stick to the pre-election agreement, and to follow the national agenda. Those who pretend to be their well-wishers and call themselves non-political organisations are creating a situation by raising such issues which could be harmful for the country. Today Godhra and other parts of Gujarat are burning. I would like to appreciate the peaceful organising in Ayodhya yesterday, but this issue sparked the entire country and also affected Gujarat. I would conclude after mentioning an instance. ...*(Interruptions)* Once, in Yampuri a dismayed messenger went to Yamraj and said, the situation on earth is very distressing. Yamraj asked what is happening. Messenger replied, Sir, the people on earth have started understanding the difference between righteousness and unrighteousness, faith and superstition. And if they understand this, nobody will come to Yampuri. Yamraj said, don't panic. The Mahant of temple, Mullah of Mosque, priest of Church are our agents. They will not let people understand these difference. And thus the baffled people will continue to come to Yampuri. I would like to urge upon all the political parties not to give politics in the hands of Mahant and Mullahs. If they do this, there will be no existence of democracy and this country. With these words, I support this resolution.

[English]

SHRI A.C. JOS (TRICHUR) : Mr. Chairman Sir, I am thankful to you for having given me this opportunity. At the outset, I express my very sincere and heartfelt condolences to the hundreds of families who have lost their dear ones in the recent week in the incidents in Gujarat.

The Gujarat incident is a dark blot on our body polity.

The dastardly killings happened in the State of Gujarat, which gave birth to the father of our nation who really struggled and fought for secularism and died for secularism. I am all the more sorry and with anguish I am stating that the reaction of the Chief Minister is more shocking than the killings. The Chief Minister has stated that it is the Newton's Law that is functioning there, that is, 'every action has a reaction and action and reaction are equal and opposite in direction'.

Sir, how can an administrator, an elected representative, head of a State, who is to give protection to each and everybody make such an irresponsible statement saying that it is the Newton's Law that is functioning there? That is why, our hon. Leader of Opposition stated that it is an affront to the democracy and should be checked out immediately. He will not give justice to the victims of that place. The minorities are to stay here.

I take a word from the hon. President's Address on the eve of Republic Day this year. He says .

"Swami Vivekananda had declared that the chief cause of India's ruin has been the monopolising of the whole education and intelligence of the land among a handful men. He added that, we have to give back to the nation its lost individuality and raise the masses. The Hindus, the Mohammedans, the Christians, all have trampled them under foot."

If you cannot infuse conviction, faith and security in the minds of the minorities, then this country will not move. So, my humble submission at the outset itself to the Government is that the minorities are an insecure lot now. They should be infused with confidence.

We are following the Westminster parliamentary democracy. Every year, the Head of the State, the Head of our country, the constitutional custodian comes to both the Houses of Parliament and gives a speech which gives the direction for the next one year of the Government. It is not the speech by Shri K.R. Narayanan. It is the speech modulated, formed by the Cabinet and sent to the President. If at all there is correction, he sends back and finally the Cabinet approves and the President speaks. So, the President's speech gives the direction and the aim of the Government for the next one year.

Sir, I have gone through the speech of the President. Is there any direction or aim of the Government reflected in the President's speech? What are the woes and illness of the Government, of the nation now? To which place our

nation is being directed or taken by this Government? It has not come out from the President's speech.

What is the basic problem of this country? It is nothing but poverty. Everybody knows that our country is one of the poorest countries in the world and more than 40 per cent — that is disputable, whether it is 30 per cent or 35 per cent — or at least 35-40 per cent of the people are below the poverty line. What does this Government do for alleviating the poverty? There is no mention in the President's Address. How are we going to tackle the age-old woe of this country, that is, poverty?

The President speaks or the President is made to speak about agriculture. The President congratulates the *kisans* that our *kisans* have produced 210 million tonnes of foodgrains this year. First of all, with humble pride, may we claim that this bumper crop has been the product of Indian National Congress? The policies pursued by the Indian National Congress for the last 40 years in the Congress rule right after Independence made the very foundation of our agriculture. That resulted in these 210 million tonnes of foodgrains which the *kisans* have produced this time. Can you point out a single thing which was contributed by this Government to produce these 210 million tonnes of foodgrains? Our granaries are full and overflowing.

A rough estimate is that we have got more than 2.25 million tonnes of foodgrains which are stocked outside. But what is the result? The result is, even now our people are living below the poverty line. Many people go to bed without a supper. So, what is this Government doing with the surplus foodgrains which were produced by our *kisans*, for which the President has congratulated? They are not doing anything. With this much of foodgrains, suicides are taking place throughout the country.

I come from a State which produces cash crops of India. We have enough coconut. The very word 'Keralam' comes from 'Kera'. Kera in Sanskrit is coconut. Keralam is the store house of Kera. That is why, our bread and butter is in coconut. But we do not have any value for that. Prices are coming down, with the result, last year itself more than 200 people had committed suicide. We have urged this Government that something has to be done. There is a Coconut Mission envisaged during Shri Rajiv Gandhi's time about which the Prime Minister also reiterated in his musings from Kerala that this Coconut Mission would be implemented.

Nothing has been done about it.

[Shri A.C. Jos]

In Kerala, 95 per cent of the nation's rubber is produced but we are now starving because there is no price for rubber. In the Budget, the hon. Minister of Finance has mentioned that latex would be given concession. It is good but concession to latex would be applicable only to some rubber-growers who produce latex whereas every rubber-grower produces rubber sheets. Now, rubber could be imported without any restriction. Unless excise duty is imposed on rubber sheets, the rubber-growers would not be benefited.

In the field of agriculture, we have a paradoxical situation. Though agricultural production is going up, poverty is also going up. However much you give, it does not reach the poor. They have no purchasing power.

The second most important issue today is unemployment. I have gone through the entire speech of the President. There is not even a single mention about unemployment in this country. We have about one billion or one hundred crore people in India. Out of them, 40 crore are youngsters with two hands and a mouth. You are not able to give employment to these many pairs of hands. So, 40 crore of our youths are loitering in the streets, looking around for some kind of work. I would request the hon. Prime Minister, when he replies, to state how much employment has been created after this Government came to power. Unemployment is mounting. The very of the policy of the Government, if at all there is any policy, is to dispense with all the public sector industries. Unless there is investment in the public sector, there cannot be any employment generation. We have invested a lot in our public sector industries. We have invested about Rs.3 lakh crore in the public sector and that has only created employment. What is the investment that is taking place now?

The Government is speaking about foreign investments coming up. Most of the foreign investors are financial institutions, insurance companies, lending companies and mutual funds, which cannot produce any employment in this country. I am sorry, in the speech of the President, there is no mention about unemployment. What is the biggest subject that has been debated in this country for the past three years? It was who is to build temple and who is build mosque. It was not about the poor man. We are also equally responsible and culpable. This House controls the destiny of the nation but we are not discussing about economic problems facing this country.

In the last Session, we have made an amendment to the Constitution making education compulsory. At this stage, I have to make a deviation and say that my State, Kerala is famous for its 100 per cent literacy. We have got enough arts colleges but we do not have technical education.

SHRI SURESH KURUP (KOTTAYAM) : They are closing down schools there.

SHRI A.C. JOS (TRICHUR) : That is another issue. We will discuss it later.

We have enough schools but we now want technical education, engineering colleges and medical colleges. This House would be interested to know that every year, students from Kerala go to neighbouring States and spend about Rs.300 crore to Rs.400 crore for education in engineering, nursing, paramedical and medical colleges. This year, after the formation of the new Government, we have decided to open the gates of technical education to everybody, in private sector also. Many private sector colleges have applied for approval by the All India Council for Technical Education and the Indian Medical Council. To our dismay, this All India Council for Technical Education and the Indian Medical Council are putting unnecessary obstructions in the way of our opening new technical and medical colleges in Kerala. We have serious doubts that some lobby is functioning in the All India Council for Technical Education and the Indian Medical Council. Even the Supreme Court has said that the Indian Medical Council is a den of corruption and to remove that corruption, the court itself has appointed somebody to look after the affairs of this and the other Councils. So, the Council is creating innumerable objections and obstructions in the way of sanctioning new colleges. 34 colleges have applied for recognition, but some bureaucrats are sitting in the All India Council for Technical Education who are not accountable to anybody, who are not listening to the Minister's or the Government's contentions. They put all sorts of obstructions, with the result that this year we could not start even a single college. This has resulted in our students again running to other States for getting admission. According to us, there is a lobby which functions against higher education in Kerala because the students from Kerala are going out for seeking all kinds of education in different States. If we start private colleges, then many of the private colleges which are functioning in other States will be wanting students. So, we feel, there is a strong lobby which is functioning against Kerala, because of which the All India Council for Technical Education or the Indian Medical Council are not giving permission to Kerala.

As I mentioned, the President read out the speech of

the Cabinet. If you look at pages 7 to 17, there is not even a single word about the burning problems of this nation.

Next, I come to nourishment. Everybody knows that our infants are under-nourished. More than 40 to 50 per cent of our children are poorly nourished or insufficiently nourished, without any food or anything. The President has not mentioned even a single word about the condition of the health system in this country. He has mentioned one paragraph on Ayodhya. He said, Ayodhya is the most contentious issue:

"The Ayodhya dispute is one of the contentious issues before the nation. Its amicable and speedy solution is crucial for communal harmony and national integration."

After the advent of this Government for the past three years, this country has nothing but to discuss about Ayodhya. Day before yesterday, the whole nation was surcharged whether *shilany* as will take place or not, and he says, the Government is clearly of secular nature etc. He goes on to say. But let me tell you that an officer from the office of the Prime Minister of this country, an emissary of the Prime Minister, goes to Ayodhya and accepts a *shila* from the people. What is this? Is it a secular country? A Prime Minister's emissary is specially sent to Ayodhya. That means the Government is conniving with all these activities. It gives a message to the minority community that the Government is siding with them. It is against the position which has been mentioned openly by the Prime Minister here in the House that they will be absolutely impartial, they will be obeying the court's order. Whether court's order is obeyed or not, that is a highly technical issue, but what has come out today is that a special emissary of the Prime Minister was sent to Ayodhya and on an agreed point, he accepts the *shilas*.

It is just like that the *Shilas* for the temple have been accepted by the Government. What is this? In his Address the hon. President says that ...*(Interruptions)*

DR. C. KRISHNAN (POLLACHI) : The intention of the Government should be appreciated. They have prevented bloodshed in the country. It is being appreciated all over the country. ...*(Interruptions)*

SHRI A.C. JOS : That is exactly what I am saying. I am thankful to you. The intention of the Government is to side with the construction of the temple in that block. Just because the Court has intervened, just because you are

afraid of the Supreme Court, just because you are afraid of the nation that you have resisted yourself and you came and said : "We will be obeying the Court order". But, by some technical reason, the intention of the Government had been proved.

MR. CHAIRMAN : Shri Jos, please conclude. The time allotted to you is over.

SHRI A.C. JOS : Yes, Sir. I am concluding. I am specifically saying that the intention of this Government was communal; the intention of this Government was to help a particular section of the people, those from where they come. Even now our hon. Minister of Home Affairs is sitting on the *Rath* which he was riding some time back. The hon. President of India has mentioned in paragraph 15 of his speech that : "The Government of India, being the statutory receiver, is duty bound...."

It is not the intention. They are duty bound to do that, not because that they should be secular but they are duty bound. ...*(Interruptions)* I am not going into any other issue. I will specially mention one point and then I will conclude.

It is regarding disinvestment. They are disinvesting everything. In Kerala we have the Cochin Shipyard which is one of the best industrial concerns of the South India in the ship-building industry making profit year after year. They are now going to disinvest it. At the same time, we have Binani Zinc factory in Kerala. The Government have imposed duty both on the raw material as well as on the finished product with the result that this factory is also on the verge of closure. The result of this is — whether it is by disinvestment or whether by imposing duty or cutting the duty or whatever it is, the people are becoming unemployed. The gates of the factories are closed, the production is coming down and the unemployment is increasing. So much is sufficient on this.

Regarding tea also, we have tea estates. This is also in doldrums now. Hon. Member Shri Sontosh Mohan Dev will be speaking more about it.

I am saying that this Address of the hon. President is only depicting the sorry state of affairs and we cannot support it.

[Translation]

SHRI THAWAR CHAND GEHLOT (SHAJAPUR) : Sir, the letter "Tha" in Thawar Chand is same which is used for writing Thailand or you may say "Tha" used for writing "Thapa" i.e. General Thapa. Sir, to ensure that you

[Shri Thawan Chand Gehlot]

remember my name very well, I would like to tell you that in Malwa, Gujarat and Maharashtra, "Thawar" means Saturday. Since you gave me an opportunity to speak, therefore, I would like to thank you in advance.

Mr. Chairman, Sir, I rise to speak in favour of Motion of Thanks on Presidential address, made by Hon'ble President on 25 February in the Central Hall of Parliament which has been moved by hon'ble Vijay Kumar Malhotra and seconded by Shri Anant Gangaram Geete.

Mr. Chairman, Sir, no Member, barring a few, have expressed displeasure or any sort of opposition to the Presidential address, though some Members have no doubt opposed the Motion of Thanks. I do not agree with them. As per the tradition of Parliament the achievements of the Government during last year and Governments tasks for the ensuing year are highlighted by the Hon'ble President in his Address. The Motion of Thanks deserves support. As all of us are aware, we have lots of problems in our country, which are unending. But, the efforts made by the Government to address the burning issue, a mention of which has been made by the President in his address, are no doubt, praiseworthy. This august House should praise it and the Motion of Thanks should be passed unanimously.

Sir, a lot of things have been said in the House about terrorism and I would like to tell that this Government is committed to root out terrorism and it has made several attempts to finish terrorists. Last year's Kargil war won with joint efforts of Military and the Government. This year also, Defence Budget has been increased adequately to strengthen the armed forces. Last year, the Government conducted several nuclear tests to build up deterrent power for protection of the sovereignty of our country. Several missile tests have been successfully conducted this year. On this account, I would like to thank the scientists and the Government.

I would like to say one thing in this regard, though hon'ble Members of Samajwadi Party are not present in the House. When India conducted nuclear tests, Pakistan also conducted tests as a reactionary step, then leader of Samajwadi Party Shri Mulayam Singh had said in the House that since India conducted the tests Pakistan was forced to carry out tests. Pakistan spent Rs.2000 crore on the tests. He demanded the Government of India to pay Rs.2000 crore to Pakistan. This shameful demand was made by Shri Mulayam Singh Yadav, leader of Samajwadi Party. How far it is justified, we are forced to think over. I condemn his statement and his demand as well.

Mr. Chairman, Sir, the country needs the strongest law to root out terrorism from the country. With this purpose, the Government decided to bring POTO. When a Bill to this effect was brought in the House, the reaction of opposition parties and their behaviour was un-parliamentary. I condemn that and I would like to add one more thing — previous Governments made certain mistakes while rooting out terrorism and tackling Jammu and Kashmir issue. Of course these were committed during independence period. Article 370 was enforced there. The Bhartiya Janata Party had mentioned in its Election Manifesto that Kashmir problem cannot be solved without abrogating Article 370. Today, it is no more item of NDA agenda. I would like to tell that Article 370 confers special status to Jammu and Kashmir and that's why terrorists sneak into this state finding it a safe haven. This issue needs to be reconsidered so that it can help in rooting out the terrorists at the earliest.

Mr. Chairman, Sir, a lot has been said on communalism and Ayodhya as well. I would like to say that BJP and its allies have been charged with pursuing communal ideology. I want to make it clear that the BJP and its allies believe in equality of all religions and they pay due regards to all the religions. If there is any party in the country working on communal lines, it is the Congress Party. Whatever decisions have been taken by the Congress Party after independence, have been taken on the basis of communalism.

People struggling for freedom of India might have never thought that India would be divided after independence. Erstwhile leadership of India, which belonged to the Congress Party, either for the sake of capturing the Premiership or under some compulsions divided the country in two parts on ethnic basis. It was said that Hindustan is for Hindus and Pakistan is for Muslims, but it was not implemented. As a result thereof, an atmosphere of bitterness developed in the country. Though we need a uniform civil code; yet the previous Government did not implement it. It also became a reason for hatred among the people.

We are not against anyone, but I would like to say that it is not good to provide facilities to a particular community and deprive others of that facility. I would like to add that the Government of India provide Haj subsidy to the pilgrims visiting Mecca-Madina. The Present Government have regularly enhanced Haj subsidy. Though, I do not oppose enhancement of subsidy, yet I would like to say that if anyone desires to visit one's holy place, he should bear the expenses on his own. But, if anyone is not in a

position to bear the expenses, the Government can extend help. Subsidy is paid to haj pilgrims, but if any Hindu desires to visit Kailash Mansarovar, not a single paise is paid to him. Not only that, one has to undergo medical fitness test and if declared unfit, he is not permitted to undertake the journey in hilly areas. My submission is that the Government should consider this aspect and financial assistance should be provided to pilgrims visiting Kailash Mansarovar.

The issue relating to construction of Ram Temple was very much in BJP agenda during election time, when it was not with the allies. Even today, emotionally, we are attached to that issue, but since NDA chalked out an agenda and formed a Government, this issue was deleted and we are running the Government literally as per NDA's agenda. In this regard, I would like to appreciate Atalji. Not once, Atalji has repeated several times that the Government would literally follow NDA's agenda and the agenda provides that the Government would accept Court's verdict on Ayodhya issue or any other solution reached through talks.

Today I am saying it with conviction and appreciating Atalji that we are complying with the decision of the Court in its letter and spirit.

We saw the situation in Ayodhya yesterday. The Court order has been made to be complied in toto. The Members of opposition were thinking that a lot of disturbances will take place in Ayodhya after 15th resulting in RSS and Vishwa Hindu Parishad turning against the Government and Atalji will lose at both the fronts and he will find himself in a nowhere situation. But these assumptions have proved baseless and the windfall did not take place. No such incident as was perceived by these people took place. ...*(Interruptions)* I will resume my seat in a while. You know it and grant me five more minutes.

Yesterday, some Members said that the Government spend a lot of money on the Kumbha Mela and also provide financial assistance to the pilgrims who attend Kumbha Mela. I would like to clarify that though the Government spends on the management of Kumbha i.e. life transportation etc. but neither a single pie is given in grant nor any assistance is provided to any saint or the pilgrim taking part therein.

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) : The saints and seers travel ticketless without spending any money.

SHRI THAWAR CHAND GEHLOT : Do you travel on

ticket. I don't want to provoke Raghuvansh Babu, however I would like to say that though he, as an parliamentarian, is entitled to travel free with his spouse or companion only but as per the information I have, he travels with 6 to 8 persons without ticket and he has no right to criticise others on this ground. He has given a blow to the dignity of the parliamentarians. We also have to bear a lot of criticism due to his misdeeds and the public also criticizes us and this is all owing to his misdeeds.

DR. RAGHUVANSH PRASAD SINGH : Mr. Chairman, Sir, I challenge all the members of NDA and those belonging to BJP that they are to conduct a probe into it. I challenge him. Those who were travelling without ticket were fixed. I challenge NDA to hold a probe into it. ...*(Interruptions)*

SHRI THAWAR CHAND GEHLOT : He criticised me. One, I want to say that the fairs are the source of earning in lakhs for the Government. Government do not spend on fairs and do not provide personal grants.

Here a lot of things about the elections and democracy were said. The elections were held in 3-4 states including Uttar Pradesh. The whole electoral system and the election campaigning process witnessed by us was highly objectionable and as a cause of concern. When the credibility of the leaders of some of the political parties was thwarted and the possibility of defeat loomed large then the actors of filmdom were brought for assistance. We don't have any objection of the film actors having an affiliation with the same political party and indulge in campaigning for it by making speeches like politicians, but the Samajwadi Party brought in Amitabh Bacchan. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Gehlot, your time is over, please conclude.

[Translation]

KUNWAR AKHILESH SINGH (MAHARAJGANJ, U.P.) : He has served as a Member of this House. ...*(Interruptions)*

SHRI THAWAR CHAND GEHLOT : I have due regard for the acting acumen of Amitabh Bachchan. However at one time he was elected Member of Lok Sabha as a Congress nominee. Why did he shift towards Samajwadi Party certainly needs pondering. He was also seen handing over a check of two crore 61 lakhs in favour of Prasar Bharti which he owed against it, with the leader of Samajwadi Party Amar Singh and it was shown on 'Aaj Tak' T.V. News Channel. On one side, it was Amar Singh

[Shri Thawar Chand Gehlot]

who was shown to be holding the check and on the other it was held by Amitabh Bachhan as was done in 'Kaun Banega crorepati show'. It shows that you have bargained for the support of Amitabh Bachhan in favour of your party in lieu of two crores and 61 lakhs. I demand from the Government to amend the statute and for the state funding of elections or else the persons having a moto of serving the people cannot enter the House. On this occasion I want to say. ...*(Interruptions)*

KUNWAR AKHILESH SINGH : I support him. The Government should bring the Bill on the state funding of elections. We will support you. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Amitabh Bachhan is not a Member of this House now. You cannot level any allegations against a person who is not a Member of this House because he would not be able to defend himself here. Conclude now.

[Translation]

SHRI THAWAR CHAND GEHLOT : I am not levelling any allegation against him nor that I levelled any allegation. However a very renowned film actor had come to campaign for their party and he owed some dues against Prasar Bharti and not only the people of our country but the entire world saw it on T.V. that a check of Rs. two crore 61 lakhs was being held from one hand by Amar Singh and from the other by him and both of them collectively handed over that check to 'Prasar Bharti.' Why is he giving and even today he has to pay maximum dues of income tax in the country. ...*(Interruptions)* Mr. Chairman, Sir, why are you doing so, why are you doing injustice with me? ...*(Interruptions)*

KUNWAR AKHILESH SINGH : You called on Hema Malini to campaign in elections in Punjab. How much money did you give to her?

[English]

MR. CHAIRMAN : I have done the maximum justice to you. You have exceeded your time. The time allotted to you has been over. Conclude now.

[Translation]

SHRI THAWAR CHAND GEHLOT : I would try to speak in short after getting your point on this occasion. The Indian agriculture and the economy has also been affected due to the industrial recession in international market. The Government of India have taken not one but several steps

for the welfare of the farmers and the small industries. A credit worth Rs. 30 thousand crores has been distributed among the farmers within two years by issuing credit cards to them. An opportunity to invest that rupees 30000 crore has been provided. Such a big amount was never given by any Government to the farmers for investing it in agriculture.

KUNWAR AKHILESH SINGH : It is why the farmers are committing suicides.

SHRI THAWAR CHAND GEHLOT : The suicides are taking place owing to the faulty policies of your Government and of the previous Government. No suicide has been either committed or reported in the last two years, the farmers who were ridden under the debt earlier had committed suicide. This is the result of your faulty policies. Kisan credit scheme was started to promote the small scale industries. The owners of the small scale industries are being given this facility and a scheme named Credit Guarantee fund scheme has been launched by the department headed by Shrimati Vasundhara Raje. The Government have launched both these schemes to come out of the industrial recession.

The country cannot be made prosperous without protecting and developing agriculture in our agriculture based country. The Constitution makers of India had made a clear provision under the article 48. Our Government have taken the pro-farmers steps at WTO forum also and the farmers have been benefited from it. The Government have taken not one but several decisions to come out of the industrial recession. Efforts have been made to revive the sick or dysfunctional industries through the process of privatization. The Congressmen do not have any right to speak in this regard. When Nehruji became the Prime Minister of the country he paid attention towards industries instead of the agriculture and set up a capitalist system. However no congressman opposed it at that time. Similarly when Shrimati Indira Gandhi became the Prime Minister she talked about the nationalisation only.

[English]

MR. CHAIRMAN : Shri Thawar Chand Gehlot, there are four Members from your party who have yet to speak and the hon. Prime Minister has to reply the debate at 3.00 p.m. so please conclude now.

[Translation]

SHRI THAWAR CHAND GEHLOT : Then Shri Narsimharaoji and Shri Manmohan Singhji came and all

the Members kept on supporting them. We are the supporters of the motion that the job of Government is not to trade but to run the administration. Even our ancestors maintained that - 'Desh ki sarkar, vyapar, Desh ki Janta Bhikari' i.e. If the Government of a country assumes the role of a trader then the people will turn into beggars. Therefore, we do not want the Government to function as a trader. We want to strengthen the economy. Hence the boost is being given to the disinvestment.

A constitutional reform Commission has been constituted to suggest the radical changes in the constitution barring the chapter on the Fundamental Rights. There is a need to revise as to why the system did not function and failed to deliver as per the intention of the Constitution makers despite it being in operation for the past 50 years, and also whether there has been ladden with many shortcomings. The opposition is trying to mislead the people that it will be against the interest of the people belonging to the Scheduled Castes and Scheduled Tribes. I can say it with conviction that it will be in favour of the Scheduled Castes and tribes. This Government has provided the facility of reservation to the people of Scheduled Castes and Scheduled Tribes and have also carried constitutional amendment for it. These are several such things besides this one. 'Valmiki Sudhar Yojana' and the Nirmal Abhiyan Yojana has been launched for the people belonging to the Scheduled Castes and Scheduled Tribes. Education has been included as a fundamental right. Has this been done by the previous Government the entire country would have become literate and would have been leading country among the developing country. But it is to say regretfully that nothing such was done. The previous Governments have only indulged in misleading the people in the 'name of the development of the country.

Mr. Chairman, Sir, not one but there are several issues which I could have mentioned but it is not possible due to the paucity of time. The decision taken by our Government will definitely lead our country on the path of progress.

With these words I support the Motion of Thanks on the President's Address and also congratulate Atalji's Government for doing such good work in such a short time which even a Government with two third majority could not have done.

[English]

SHRI S.D.N.R. WADIYAR : Sir, I would like to speak on the Motion of Thanks on the President's Address.

At the outset, I would like to state that the President's Address should be opposed as it falls short of dealing with various burning issues that are now present in our country.

Firstly, I would like to say that the President's Address takes note of the attack on 13th December on the Indian Parliament. It subsequently deals with the recession in the economy of the world due to the collapse of the World Trade Centre Towers, and the need for the Government to counter terrorism. But there are certain aspects which the President's Address has not really addressed.

One major issue and the burning problem that concerns a large number of people in the rural areas regarding rural development, rural health, rural sanitation, rural water supply and rural education is this. A number of schemes in the form of dole outs have been granted. The President's Address also talks about doing away with the Essential Commodities Act and things like that. I think, it is not adequate.

A large number of our population lives in the rural areas. A large number of our farmers have, no doubt, produced 210 m.t. of foodgrains - thanks not to the efforts of the Government, but it was because of the vision of late Madam Indira Gandhi that we are self-sufficient and we have surplus stock of foodgrains; secondly, it is due to the efforts of the farmers who have on their own done it.

Today, a large quantity of foodgrains are destroyed or dumped into the sea because of lack of adequate storage facilities. On the front of cold storage, we seem to be lagging far behind than what other modern countries have got. It is our duty to create adequate infrastructure needed for storing foodgrains that is produced by agricultural labour.

Rural health and rural sanitation are very important. Every now and then we hear about the spread of various communicable diseases, especially because of lack of adequate sanitation. I have undertaken visits to various rural parts and I find that in many places, sanitation is very bad and water supply is inadequately poor. The demand of every rural villager is that he needs adequate water supply and adequate sanitation. It is the duty of all of us as well as the Government to think in terms of trying to improve the quality of rural lives. Due to the inadequate attention given to rural development, we find mass migration of people from rural areas to urban areas. This phenomenon is not good; none of our urban areas have the capacity to take such huge exodus of people from rural areas. So, improving

[Shri S.D.N.R. Wadiyar]

the quality of people living in rural areas is a very important factor and we must pay attention to it.

Rural health is also very important. There are many places in villages which even do not have primary centres. I personally feel that unless we tackle this issue, we cannot go forward. Many a time we find that there are health centres and health units in rural areas without adequate number of doctors, without staff or compounders or some other assistance who can help the doctors and things like that.

14.00 hrs.

Even some of them do not have the laboratory facility. I feel that the Government should come out with a formula to tackle this particular issue.

Important diseases prevalent nowadays, like heart attack and diabetes, are found even in rural India. In the Finance Minister's Budget speech and also in the President's Address, there has been a mention of the rural health insurance, which I feel is not adequate. The Government has proposed, about Rs.30,000 per annum as the insurance amount or Rs.2000 as medical expenses which is awfully low. I feel today even an ordinary medical procedure or the open-heart surgery costs you anything between one lakh-and-a-half to two lakhs. This includes medication and hospitalisation etc. So, the Government should think in terms of having the limit of over Rs.3 lakh as the insurance sum for the medical expenses that they are likely to incur, which may be payable or reimbursed to the farmers or the agricultural labourers or people living in rural areas. If the Government is facing any problem in raising the money, let them raise it by way of a surcharge on direct taxes or on various other forms of taxes. Already, the Municipal Corporation has levied taxes such as health tax and other tax. I do not see any reason why the Government cannot mobilise a special fund for the purpose of health insurance for the larger people of India.

14.01 hrs.

(SHRI BASU DEB ACHARIA *In the Chair*)

One other important aspect, which I feel we have got to tackle, is the water supply. I think digging bore-wells is not good. Too many bore-wells can also cause earthquakes. We have seen the super-cyclon in Orissa and also what happened in Gujarat. All this shows that we are very poor as far as disaster management is concerned. There is no agency in our country to manage the disaster. No doubt

the Prime Minister is the head of the Disaster Management Group but the Ministry of Agriculture, the Chief Ministers and the district-heads are also there. But which agency should be implementing the disaster control measures? I would feel that in States, an independent fire service or fire brigade should be equipped in this regard. An independent charge to the person of the rank of the Director General of Police at every district and rural level may be given to help and assist in the disaster management. They should be well-equipped for the disaster management and assist people with all the necessary equipment. I think the fire department would be a good agency through which such implementation can be carried forward.

The internal security is being talked about. We have also talked about the integration of military with the civilian forces. Unfortunately, our civilian police force is so inadequately equipped that they have archaic weapons. Many of them are also not well-trained. I think it is essential that the police should be well-equipped. What we have to learn from U.S. is the value of human life, especially of the defence personnel and also that they should be well equipped. I also feel that the civilian forces and the police should be given adequate training in equipment. There is also a need to modernise them with weapons including guns, protective gears and things like that to help them fight insurgency.

Regarding insurgency and terrorism, we are talking about counter-terrorism. I find there is hardly anything in the form of counter-terrorism measures being undertaken by our agencies here. I think what we require the Intelligence Agency to do is to have the intelligence officers, both at the Central level and at the State level, who should be trained in the art of gathering intelligence and feeding intelligence. They should be well-equipped so that intelligence can be gathered routinely and fed to various agencies so that they can keep track of what is happening.

I think a special independent intelligence agency with trained officers is the need of the day. For better intelligence and surveillance, all the important installations and areas of the town, shopping and commercial areas where people go around and all other sensitive areas should have video cameras for recording so that we could know what is happening. It would reduce the burden to some extent. Even the Railway Stations should be dealt with in this particular manner. Dog squads should be used for surveillance and for the purpose of detecting bombs and explosives. It is another thing which has to be done. This is something where we failed.

The Government also talks of Wild Life Protection Act. But unfortunately nothing is said about pollution. The levels of pollution are rising in this country. One of the reasons for this is the lack of good public transport system. Our country lacks good public transport system. Whatever public transport system is there, it is only in the form of bus. Unless we have a good public transport system, the pollution level in our country is going to rise which would, in turn, give rise to various diseases. The Government should think in turn of road infrastructure. They should also consider having good public transport system so that pollution which is caused due to excessive use of vehicles like scooters, cars, and other vehicles could be reduced.

I would also suggest that it is now imperative that the Government revamp Wild Life Protection Act. We find that there is a large number of poaching and theft of good trees, fauna, flora, and other forest wealth. So, adequate action should be taken and punitive measures should be taken against the perpetrators of such crime.

The Government has talked of quadrilateral roads and things like that. I think unless you have private participation, it is not possible to maintain the roads in good and useable condition. No doubt, Pradhan Mantri Gram Sarak Yojana is there for rural areas but still I feel that it is not adequate and it will not be able to cover all the rural areas of India. As I said, a large number of people live in India. It is essential that we provide good roads and many link roads. Many State highways are in bad shape because adequate funds are not available for the maintenance of roads. I feel the President's Address should have paid more attention to these internal areas.

Lastly, I feel that the education in rural areas is one important factor to which we should pay maximum attention. Sir, education seems to be concentrated in larger in urban areas. The rural areas have basically got schools run by Government. Many times such schools do not even have blackboards, teachers, seats, and some of them did not even have books. When this is the case, you are talking of literacy and making education compulsory for the children. I think that will have a meaning only if you provide education to the students in the rural areas and see that there are teachers, blackboards, seats, uniforms, playgrounds, and other equipment that are required to make education meaningful to the rural masses.

Sir, there are many other points which the President's

Address seems to have not touched upon. I would have liked to deal with them. But unfortunately, Sir, you are ringing the bell informing me of the fact that my time is over. I would just like to say thanks to you and I, in my personal capacity, would like to oppose the President's Address as it does not touch various core and burning issues that are troubling this country.

[Translation]

DR. SUSHIL KUMAR INDORA (SIRSA) : Mr. Speaker, Sir, as is the tradition, the hon. President in his address at the beginning of Budget session mentions about the policies of the Government and also the achievement of the Government in past and what it intends to do in the future. As per the convention the House discuss the address of hon. President and the whole country wants to know as to what the Members on the treasury benches have to say and also as what shortcomings are pointed out by the opposition. The importance attached to these lacunas and also the opinion to be expressed by the Members belonging to various parties.

Mr. Chairman, Sir, the Government bears a responsibility and as has been pointed out in the Address that the Government bears a moral responsibility to safeguard the borders of the country besides being cautious about the internal security of the nation. I am happy that the Government have reiterated this resolve and have underlook this responsibility with gratitude and full commitment. The Government is fully capable of defending the borders of the country. It is also ready to fulfil its resolve to maintain the harmony and fraternity among the people.

The Government also bears the responsibility to fulfil the basic needs of the people and to maintain the social unity and cohesion besides ensuring the development and strengthening the economic condition of the country in tune with maintaining the harmony and co-ordination among the various sections of society and consonant to the development of the country.

Sir, every citizen of our country is aware that ours is an agriculture based country and whatever basic facilities we get is provided to us by the farmers. Every section of society is associated to the farmers. I would like to thank the farmer of Punjab and Haryana for making the country not only self-reliant in the matter of foodgrains but also to produce surplus food-grains filling up godowns through their hardwork and will to work. This is but the result of the efforts put into by the farmers.

[Dr. Sushil Kumar Indora]

Simultaneously, I would like to add that the Government are not able to handle foodgrain stock. There is a problem somewhere. As far as pulses and edible oil is concerned, we have to import. The farmers can contribute a lot hence the Government should provide them whatever possible help it can. If the farmer does not even get cost of his produce, what shall be his fate? My submission is that like every year, this year too, minimum support price should be announced now. The Government have not taken any initiative in this regard so far. Efforts should be made to provide remunerative price to the farmers and to make agriculture as a popular industry. Basic needs of farmers should be met. A farmer needs water for irrigation and the power as well. The hike in price of fertilizers, diesel and petrol adversely affect him. It should be controlled for betterment of farmers. Directly or indirectly we should help the farmers in this regard. Unless we help farmers, we are not going to prosper. A comprehensive policy should be framed in this regard. Several times debate was held on agriculture policy but I think, so far as agricultural policy has not been given a proper shape. We often hear that farmers and committing suicide. The Government should take it seriously and should address the problems faced by farmers. Today several projects, particularly related to irrigation have been lying pending for the last several years whereby their cost has escalated by four-five times. For example, I would like to mention Satluj-Yamuna link canal. Though, now hon'ble Court has ordered to complete it within a year. Though its cost has escalated several times, yet in view of hon'ble Court's verdict in this regard, the Government should take initiative for completing it within a year.

The Government should fulfil basic needs of poor, labour, farmers, traders and employees without any discrimination. I am happy that there is a mention in the Address of hon'ble President that the quantity of foodgrain being provided to person belonging to BPL has been increased to 25 kgs per family. Many times, it has been observed that the criteria adopted for identification of poor people is not fair. It would be clear if compare Haryana and Punjab to North Eastern States and Bihar. Different criteria have been adopted for issuing Yellow and Pink Cards. Today in Haryana, the poorest of the poor are provided basic infrastructure for construction of a dwelling unit and he can even have electric connection. But, as per the criteria, a person having a mud-house, though he may have electricity connection, is a poor person. May be in Bihar.

MR. CHAIRMAN : Now you conclude. Hon'ble Prime Minister is to make a speech at 3 O'clock.

DR. SUSHIL KUMAR INDORA : Mr. Chairman, Sir, there are five Members from my party and out of them I am the only person to speak, so kindly do not discriminate against us in such a way.

MR. CHAIRMAN : You have already taken 15 minutes.

DR. SUSHIL KUMAR INDORA : Mr. Chairman, Sir, when I raise an issue relating to the interest of farmers or suicide by farmers, I am not given time, whereas Shri Gehlot ji has taken so much time.

MR. CHAIRMAN : Hon'ble Prime Minister is to give reply at 3 O'clock, so there is no time. 7 minutes time was allotted for your party whereas, you have already spoken for 15 minutes. We have given you double time. ...*(Interruptions)*

DR. SUSHIL KUMAR INDORA : I am concluding.

MR. CHAIRMAN : You are concluding within half-a-minute. Shri Shaheen.

DR. SUSHIL KUMAR INDORA : What I mean is that the rate of unemployment is higher than the rate of growth in the country. The Government should ponder over this serious issue so that unemployment can be removed. The Government itself have admitted that Rs.70 thousand crore are spent on production, transportation, distribution and economy. ...*(Interruptions)*

MR. CHAIRMAN : Indoraji, I have called Shri Shaheen ji, so you may take your seat.

SHRI ABDUL RASHID SHAHEEN (BARAMULLA) : Sir, closer to the conclusion of this debate on the Motion of Thanks to the President's Address, I will strictly confine myself to one or two references made in this Address to Jammu and Kashmir, about its internal security, external security and certain other related issues. In this august House, we have heard several knowledgeable speeches of hon. Members and they have dealt with many important issues at length. I would like to place on record my thanks to all the Members who have made kind references to Jammu and Kashmir and to the plight of the people who are under a heavy burden of terrorist violence and many pressures.

In the President's Address, at para 8, it has been mentioned that the Government has a clear strategy to

deal with the internal situation in Jammu and Kashmir. As far as the internal situation of Jammu and Kashmir is concerned, the people are groaning because of three or four factors. Our voice is stifled unfortunately inside the State and in various democratic foras, including this House. Sir, if you refer to the proceedings of this House, almost all the parties have spoken on important issues relating to Jammu and Kashmir except the National Conference. I am thankful that you have given me time to speak today. I would draw your attention to the internal situation of Jammu and Kashmir. Its internal situation is an unfortunate state of affairs because of terrorist violence from across the border. This unfortunate scenario has been created by the radical religious fundamentalists during the last twelve years or so. Second factor is the economic deprivation of the State. It has its root right in the history.

The third factor is the unfortunate situation which we are in because of the compulsion of the combating security forces. Their actions boomerang in many areas and it is again an infliction on the people of Kashmir and the innocent people suffer.

The fourth factor is the unemployment problem of the youths. In Eighth paragraph, the hon. President has been kind enough to refer to three things, namely, one, to stamp out terrorism; second, to look to the economic development of the three Provinces of the State; and, three, to address the unemployment problem of the youngsters in Jammu and Kashmir.

According to a Press Note issued by the Information Department of Jammu & Kashmir Government on 20th August, 2001, terrorist violence, so far, has taken a toll of 29,000 civilian lives; more than 21,000 people have been injured and most of them were rendered helpless because of the wounds that they have received. So, a big number of people were killed and a big number of people got into a situation of which they cannot live as normal human beings. That is what we carry on our hearts. But, so far, the situation around our border is not that stable.

I would like to invite the attention of the hon. Members to the recent developments after the terrorist attack on the World Trade Centre in the U.S. and the vicious attacks on the Assembly of Jammu & Kashmir, and the Indian Parliament. Some of the people think that, that scenario has changed. But it has not changed for Kashmir. We have the cross-border terrorism. We have the cross-border infiltration. We have all signs of terrorist violence alive. It may be dormant for the time being. So, the suspicion and threat is there.

I would like to deal with the external threat but because of the limited time available to me, I will not be able to deliberate at length. But I would invite your attention to only one paragraph of the recently published report after the developments in Afghanistan. It was published in an American journal which is being published from Oak Brook, Illinois, in the USA. It has been written there :

"The gunfires were traced to Afghan refugee settlements."

This is about the gunfires which the helicopters and the warplanes of the U.S. got from the North-Western Frontier Province and Baluchistan in Pakistan. This paragraph relates to that :

"The gunfires were traced to Afghan refugee settlements. The US ordered Pakistan to relocate them for the duration of the war. Pakistan has moved these refugees to Pakistan-occupied Kashmir. Pakistan claims that those who have been moved are refugees. But we have intelligence that these are trained Afghan fighters. Pakistan's Interior Ministry trucked these fighters to POK in the night. They are being minded not by police but by the Inter-Services Intelligence agents. It is feared that Pakistan will insert them into Kashmir to prevent them from turning on it for supporting the US war against the Taliban."

I will not carry my statement any further than this because in this august House, there are hon. Members who are experts on foreign affairs and the matters relating to our borders.

Another important factor which makes us helpless in Jammu & Kashmir is the so called kindness of our own people, the uncalled for expert advice given on article 370; the unfortunate statements made about the sanctity of *Hazratbal* and then about other things relating to our state.

We are a secular force fighting out, for our own conviction, the violence, and the threat of sophisticated guns from across the border. More than 9,483 active workers, legislators, former Ministers of my party have been massacred in this style but we faced it. We fight the elections. Our workers and supporters go into the field of election to hold high the flag of Indian democracy at the cost of their lives. When we have discussions, our friends say that we have no free and fair elections. What is free and fair election? Of course, we are in support of that. Free and fair election means that we should not have the threat of terrorist violence and that we should not have any danger to the lives of our workers, relatives, friends and others. But what to do? When we look to Ahmedabad and

[Shri Abdul Rashid Shaheen]

other sources highlighted from different groups, who adorn the mantle of secularism, unfortunately the worms of bigotry. Creep out from somewhere and they made a situation very unfortunate, we fumble in defending our secularism.

In this Address, it has been mentioned that different delegations have gone to different countries to explain the cause of this country. I was one of the Members in one of the delegations and some of the people who are 'India Watchers', journalists and others when they talked to me, they time and again asked me a question. How do you go together in such a diverse situation in India? But I said with pride that unity in diversity is the greatness of India and is the greatness of our democracy. Nobody can challenge us. Then, I had to dispel from their minds the conception that Kashmir is a small area of Muslims dominated; I had to explain that we have three cultural identities, separate provinces where we have all the people. Say Muslims, Hindu, Bodhs, Sikhs and others. This is a mini-India. That is why our great leader, the legendary who lived during my life Late Sheikh Mohammed Abdullah had taken a decision with conviction that we would fight at any cost but stand by the secular liberal democratic order.

My humble submission is that allegations and counter-allegations cannot help us; cannot add to the prestige of this country; and cannot dispel the fears of those people outside our country who envy our great nation and great democracy. I can understand if some of the developed countries, who are smaller in number, would say as to how do we handle such a big democracy and as to how we maintain it. I told them we do it. But now Ahmedabad etc.-what-now? This time, we have all the problems around which are heart breaking. I would humbly request that the mention in this Address about employment provisions to the youth of Jammu and Kashmir is a great favour. I thank for this favour, Youths of Jammu and Kashmir, for the last over 12 years, are unfortunately at the door of desperation and hopelessness. The number of suicides, because of unemployment, has been increasing in Jammu and Kashmir. The technocrats, qualified boys and girls are languishing away hopelessly, without any hope for their employment, they feel frustrated.

We were expecting in this Address from the President of India that in Jammu and Kashmir, people of this side and people of the other side (Pak) can have social relations, through porous border, and have conversations and think for themselves as to how the integrity and the sovereignty of both the countries remaining in tact. We could talk about

the issue and sort them out but that did not happen. But there is a silver lining. The former Prime Minister of Pakistan, Mrs. Benazir Bhutto has mentioned it. Now, I feel that the fire brand politicians like Mrs. Benazir Bhutto and others in Pakistan have started thinking that we must go categorically for the solution of the problems and think to take proper direction without violating the sovereignty of India and Pakistan and without violating the prestige of any person or institution in this country and in their country.

MR. CHAIRMAN : Shri Dalit Ezhilmalai, please conclude your speech within two or three minutes because your leader has spoken for more time than what is allotted to your party.

SHRI DALIT EZHILMALAI (TIRUCHIRAPPALLI) : Mr. Chairman, Sir, I thank you very much for giving me at least two minutes to participate in this debate. I will try to stick to that. I will confine myself to only two or three things. Many of my hon. friends have already spoken on various subjects. I would like to mention that the Address of the hon. President which runs into 76 paragraphs covers all the important aspects. Just a few minutes back, Dr. Sushil Kumar Indora described the Address of the President as a Vision Paper which lists out the achievements as well as the proposals of the Government. Anyway, whatever are the achievements, they are on one side, but on the other side, I would like to point out what the Government has failed to mention in the President's Address.

Sir, the present Government can, at least, take the credit of passing an amendment to the Constitution relating to the welfare of the Scheduled Castes and the Scheduled Tribes without a single Member opposing it. It is a different matter whether it is effective or ineffective or implemented fully. But still they have brought an amendment to the Constitution and passed it. We all have extended our support to that amendment. I think the Government should have referred to the passing of that amendment to the Constitution in the President's Address.

Sir, in paragraph 55 of the hon. President's Address there is a passing reference to the Scheduled Castes and the Backward Classes. In the total population of the country, the Scheduled Castes and the Scheduled Tribes themselves constitute more than 35 per cent and the Backward Classes constitute about 52 per cent. This is a big social segment of the total population of our country, but it has a very limited space in the President's Address. Even while referring to them, he said that the Ministry of Social Justice and Empowerment has stepped up implementation of various programme for the welfare of the Scheduled Castes, Other

Backward Classes and Minorities. These three groups are invariably combined together. When it comes to these three groups of our population, not only during the tenure of this Government, but till date during all the previous Governments, every single law and rule pertaining to the welfare of the Scheduled Castes, the Scheduled Tribes, the Backward Classes and the Minorities are violated.

Recently, while speaking about the massacre in Gujarat, the Prime Minister said that it is a blot on the nation. When there was a massacre in Bihar in 1977, the then Prime Minister also said the same thing. There is a reference here that in one hour the country is capable of giving thousands of telephone connections. On the one side this is an achievement, but on the other side, in a single hour hundreds of women are being abused, raped, ostracized and we see hundreds of people being burnt alive and thousands of houses destroyed in our country today. India is a country of 104 crore people. Among this massive population, 35 per cent of the people suffer these inequalities day in, day out but the Government has given very little space to them in the President's Address.

Sir, on the one side, I have to congratulate the Prime Minister for having amended the Constitution to say that it is a Government which stands for the welfare and protection of the Scheduled Castes and the Scheduled Tribes. But on the other side, we have nothing to see here. What is this all about? When the population is 35 per cent, at least, in your allocation, they must show that this much of allocation is being made for betterment of the Scheduled Castes, Scheduled Tribes, Backward Classes and minorities.

MR. CHAIRMAN : All right. You have made a very important point. Thank you very much.

...(Interruptions)

MR. CHAIRMAN : Now, I would call the next speaker. You please conclude. The time is over.

SHRI DALIT EZHILMALAI : Please give me a minute. ... (Interruptions) Everywhere in the international scene, they claim that they have status, stature and go on mediating in the international scene. But what has happened in our country day in and day out? The river waters dispute has been going on for the last several decades. Since 1924, they have not settled this dispute.

MR. CHAIRMAN : I will call the next hon. Member. Please take your seat.

SHRI DALIT EZHILMALAI : Every day, our fishermen

are being killed by the neighbouring country week after week. The fishermen are being killed in the mid-sea because we have offered Katchathivu Island to the neighbouring country without the consent of the people. Without consulting the concerned State, that island has been given.

MR. CHAIRMAN : Please take your seat now.

SHRI DALIT EZHILMALAI : On the one side, we appreciate the approach of the Government. But on the other side, we regret that the people belonging to the Scheduled Castes, Scheduled Tribes, Backward Classes and the minorities are being given very negligent importance.

DR. C. KRISHNAN (POLLACHI) : Mr. Chairman, Sir, I thank you very much for giving me an opportunity to speak about the Motion of Thanks moved by hon. Member, Dr. Vijay Kumar Malhotra. The Address was delivered on 25th February, 2002.

Much has been said about cross-border terrorism. We have to fight against cross-border terrorism with all our efforts. Terrorism is being sponsored and financed by Pakistan for fighting against India. On 13th December, 2001, they made an entry into the campus of Parliament which is a temple of Indian democracy and worshipped by us.

We should pay our heartfelt homage to the nine brave souls who have sacrificed their lives to safeguard our Parliament and the hon. Members present in the House at that time. This attack was rather identical to the terrorist attacks against the Twin Towers in the United States of America on 11th September, 2001.

We will certainly fight against terrorism with all our enthusiasm. We certainly appreciate the United Arab Emirates for handing over a key accused in the Kolkata Airport attack. I demand that Islamabad should hand over 20 terrorists to our country named and identified by our Government. They have committed grave crimes in our country and are now enjoying shelter in Pakistan. In this connection, the internal security has now become an undisputed necessity for national security. In this context, the promulgation of Prevention of Terrorism Ordinance, 2001 is very much a necessity of the time.

Further, it is to be mentioned here that communal harmony and peace are to be maintained at any cost. It would speak well of our great democracy.

Ayodhya issue has been amicably and very smoothly

[Dr. C. Krishnan]

handled by the Government, thank God, without any bloodshed. This Ayodhya issue as it is today has given fruitful hopes for all other sections of the people in the country, a very good hope to live in India with real communal harmony.

In this context, I also feel very bad about the burning of five Railway bogeys in Godhra on 1st March 2002. The further developments that occurred in Gujarat should be condemned and the incidents of that nature should be prevented by the Government.

Sir, I am proud and happy to note that India is among the five fastest growing large economies in the world. Our farmers are producing sufficient foodgrains. This needs to be profit earning for the poor farmers and this has to be looked into.

The formation of National Highway Development Project is a welcome step. The Government is promoting road development on a massive and unprecedented scale. The golden quadrilateral connecting four metros, that is, Delhi-Mumbai-Bangalore-Chennai-Kolkata between North-South corridor and West-East corridor between Srinagar to Kanyakumari and Porbander to Guwahati is a triumph of plans for the future generation of our country.

Sir, no doubt India is progressing to prosperity with all its available resources under the leadership of our beloved hon. Prime Minister, Shri Vajpayee. I am speaking on behalf of MDMK, headed by our beloved leader Shri Vaiko of Tamil Nadu.

SHRIMATI RENUKA CHOWDHURY (KHAMMAM) : Mr. Chairman Sir, I rise to thank the hon. President for his Address before the commencement of this Session. We are today sitting here collectively, hopefully also that we will introspect, use this opportunity to see where we are supposed to reach; directions which have been given but not been addressed.

I was dismayed to see that we have spoken of people who have died defending Parliament. Our heartfelt condolences to all those vallant men and women who defended our Parliament House. But no word has been said, not even one passing reference to the hundreds of soldiers who died protecting millions of unknown Indians, not one word has been addressed to families who have fed this country and who have no recourse other than to commit suicide, not one word has been referred to hundreds of women who have been compelled to die because they

were less dispensable than any other commodity. I wish to take this opportunity to condole all those people who have died for this country because of problems that have been addressed and work that has not been done.

I was also dismayed to see that the President had referred to the Ayodhya dispute and he said that the maintenance of communal harmony and adherence to the secular ideals of our Constitution are the bedrock of our national ethos.

Is it then that this act of governance, this politics of convenience, this coalition of compromises that has been cobbled together by virtue of not being elected to power en bloc now suffer from the lack of governance, the inability to be able to see India as a cohesive whole? The fact that some of the people here wanted to be patted on the back that yesterday passed off peacefully, how tragic, how the mighty fall! Yesterday was not an achievement; it was an aberration, an obscenity that has been put on to this nation that though we, the people, as we are empowered by the Constitution, we Indian, now speak with forked tongue on the floors of this Parliament that we talk of atrocities against the *Muslims* and the *Hindus*, but we do not talk about dividing a secular nation.

The first failure of this Government starts there that there has been no understanding, no comprehension of what it means to govern. The principles of governance are by the people, for the people. You are here to serve and not to rule and hence by default, you misrule. We have allowed this country, even as we are being threatened on our borders by the enemies around, that they have the audacity to advance. Why do they do that with this Government in rule? It is because they know the inherent weaknesses of our system. If they do not, then we take good care to inform them.

Ayodhya has denigrated the status of our country, not just internally but externally too. People have called from all over the world to ask what is happening, what on earth is happening inside India. We are talking about controlling terrorism. Is this the time for our organisations to get up and start building temples and transporting pillars even as we see our enemies advancing towards us? Is this the kind of security that we spell to the nation? Is this the kind of assurances you are going to give your students who are not going to be eligible to participate in half the entrance exams? Is this the education system that we propagate to our youths? The day we stopped talking about socio-economic development of the country, we forgot the

social responsibilities of what it means to govern in our country.

There is only a cursory mention of women—women of 50 per cent of the population—in the Address. We do not want women in Parliament to replace men because that would only mean that we lack ambition. We want to be participating in decision-making because it affects our lives as well. What kind of governance is this that they keep 50 per cent of the population out from decision-making, and men make decisions that affect our lives? You do not do this with the Scheduled Castes. You do not do this with the Scheduled Tribes. You do not do this with the minorities but you do it with women. You leave out half the country and you do not want to empower them in Parliament.

The President made mentions of women in the *Panchayat*. Sir, the credit for this goes to late Shri Rajiv Gandhi who put his money where his mouth was. He said : "Women need to be coming into decision-making." One million women went to poll during the Panchayati Raj elections. Today in the country at grass-root level, we have women participating in decision making yet Parliament is not going to see the light of the day of the Women's Empowerment Bill. These are women whose 16.5 million children are involved in hazardous jobs.

These are women against whom science and technology has discriminated and amniocentesis ensures that female foeticide takes place, that girl children are not even allowed to be born as a result of which we have a sex ratio drop. There are fewer women today in the country than a few years ago. These are women who are denied property rights. These are women who are shifted to in-laws' homes and seen as transferable commodities. These are women against whom crime is perpetrated in rising percentage every year. This is the plight of women that the Supreme Court had to take cognisance and declare them as natural guardians of children but not the Government of India. This is the status of women and Rashtrapati ji was forced not to acknowledge that, by giving us this passing reference, this trivial acknowledgement of us being half of this country, of us being the nurtures of Prime Ministers and of us being the mothers of politicians. Along with us, we carry our children and hence the youths of this country.

This Address has not even referred to the youths. The educated unemployed youths of our country have no direction to go other than to implode within our nation. The jobs are non-existent. Let us forget about one crore jobs or whatever it is, the Government has taken away one crore

jobs through closure of public sector undertakings, lack of FDI investments within our country, non-establishment of industry that promotes employment and absolutely no awareness of self-employment. You have not even taught the youths that they could be self-employed. Instead of changing history and writing questionable historic facts, why is it that you have not done away with the BAs and MAs that are obsolete? Why is it that you have not addressed unemployment along with compulsory education and vocational guidance and counselling for the youths? Why is it that MPLADS funds could not be used as medium credit for self-help groups comprising of educated unemployed youths in rural areas? Why is it that we cannot give them credit even as we give micro credit to women? These issues need to be addressed. Unemployment being mentioned here is not the answer. We want solutions to the unemployment problem. It lies in the SSI sector of industry. It is only the small scale sector that needs to be motivated to have agricultural linkages so that we can keep our rural youths employed. This would answer or address this problem and give you a part solution.

When we come to agriculture, it is a farce that people celebrate our buffer stock. This Government has no idea of how many hectares of land have been shifted from food crops to cash crops. You are not aware that your intentions and postures do not get reflected in your Budgets. The pittance that you have given for agriculture today in India is a national shame. You want the farmers to gear up to deal with the WTOs but they still wait on the roadside for post-harvest technologies, for trucks to go over their dry crops so that they can harvest it, because no other facilities are given to them. Women in rural areas cannot access credit, if the man dies. Seventy-two farmers have killed themselves just in the month of February, in the district of Anantapur in Andhra Pradesh. Has this Government addressed the socio-economic causes of what happens to the farmers?

15.00 hrs.

(MR. DEPUTY-SPEAKER in the Chair)

When you have a myopic vision, when you cannot see the truth and when you would not address the reality, we are really left to the care of God. Perhaps Ram has to give the solutions for this Government to continue because the people do not see this Government in continuation.

We are all children of destiny, but in our lifetime, we remain accountable to the people of this country. You have not been empowered to rule. You have got together this act so that you can fool the people of this country to suit your own limited political aims. You do not know what it is

[Shrimati Renuka Chowdhury]

to attain freedom for this nation. You know even less how to respect the women of this country. Your behaviour is only a reflection of your governance and we can see the future of yours in the temples, in the churches and in the mosques because in this country, Indians pray together, they celebrate festivals together and they die together. May the truth prevail 'Satyameva Jayate'. Jai Hind.

[Translation]

SHRI RAMDAS ATHAWALE (PANDHARPUR) : Mr. Deputy Speaker, Sir, the way I rise to oppose 'Motion of Thanks' on Presidential Address, the same way I would like to thank the Government for taking steps for maintaining peace in Ayodhya and whole of the country yesterday. But, I would like to oppose it on the account that we are a secular country and the Prime Minister wants to make efforts for strengthening national integrity. But the problem is that he is under pressure from 24 parties within the House and outside House he is in clutches of VHP and Sangh Parivar and whatever he wants to do, he want to do for betterment of poors.

Atalji garibon ki chahte hain bhalayi

To aapko kami hogi ameeron ki kalai,

Samata, Mamata, TDP aur DMK ko hi,

Aap de rahe hain sari malayi,

Isiliye Atalji aapne dhai saal tak sarkar chalayai,

Agar ye malai nadete to Sarkar bhi nahi chal pati

Aap ne to dhai saal sarkar chalayai,

Magar dhai saal main VHP aur Sangh Parivar ne,

Aap ki asmita mitti mein milayi,

Kyonki ve nahi chahte aapki bhalai.

What I mean to say that for the last four years, every year, we have been talking of national integrity through Presidential Address, yet we saw tragic attack on our Parliament on 13 December. Merely opposing it unitedly and just talking about it is no solution to it. My submission is that we should teach a lesson to Pakistan since it has thrust terrorism on us. Therefore, Atalji, our army is sitting idle at the border. It should be assigned this job. The Government have deployed army at the border and Pakistan sponsored terrorists come to India and attack our Parliament. It means the epitome of our country has been attacked. Three months have passed since then and we are just sitting quietly.

Therefore, I want to submit that you need not be afraid. We are with you in war with Pakistan. If you want a war with Pakistan then everybody is with you be it Sonia ji, Mulayam Singhji, Somnath Chatterji or I. If you are ready for a war with Pakistan, we are with you with all our might. So you ought to do something. We are with you only in case of war with Pakistan, otherwise we are not with you. All I want to say is :

"Sarkar ko chalate chalate, atalji aapko ho gaye saadhe Teen Saal

Aur Saadhe Teen Saal mein Desh Ka ho gaya hai Bura Haal,

Agar ham Ek Saath Milkar Chalenge, Bahut badi Chaal,

To NDA ke kuchh mitron par, Ham Daal denge Apna Jaal."

Sir, on the issue of Ayodhya we do not have any opposition to Ram temple. You always say that we oppose Ram temple and Hindus. If we did so, we would never be able to govern. Our objection is to Hindutva and Casteism. If you want national integrity and unity, you will have to stop the atrocities that are being perpetrated in the villages. Atal ji, you should give slogans for uprooting casteism. Unity should be brought by bringing all people together. Ram temple cannot be constructed if the court does not allow it. If you will try to construct Ram temple there, I will bring Muslims of the whole country there and try to build the masjid. Our opposition is not to Ram temple. Construct Ram temple by all means, but constructing Ram temple by demolishing a masjid is against our constitution. You say there was located a Ram temple, but in 1947 a Masjid was there. If you want to go in the history, it was a Buddhist place and a buddhist vihar may have been there. They don't want to go in history and just say that there was a Ram temple, but is there any proof for it? It is upto you to believe that Ram was born in Ayodhya and Valmiki's Ramayana narrates history – this right has been given to you by Baba Saheb Bhimrao Ambedkar in the Constitution. You may worship Rama, Krishna or any other but you need to think about the history of Ram. Simply fighting for it is not going to suffice. We don't want any fight. Therefore, I want you to bring to reason Ramchandra Paramhans, Ashok Singhal and Giriraj Kishore – because I also belong to the same creed. You cannot construct Ram temple unless Supreme Court announces its verdict. That is what I want to say.

Sir, with these words, I conclude.

SHRI SUKDEO PASWAN (ARARIA) : Mr. Deputy

Speaker, Sir, I thank you for the opportunity you have given me for speaking on the motion of thanks on the President address. I pay homage to the 9 security men who sacrificed themselves during terrorist attack on glorious Indian democracy on 13th December. I also pay homage to Late Balayogi ji, the Speaker of Lok Sabha, whose untimely death left the whole country shell shocked.

Mr. Deputy Speaker, Sir, we need to consider that most of the public undertakings are running in losses not from a few days but from many years. Bihar is the most backward state of the country. Bihar should also be given the status of special State as was given to Jharkhand. The flood havoc created by the rivers originating in Nepal cause damage amounting to crores of rupees every year by destructing the crops and demolishing roads, bridges etc. The water coming from Nepal wreaks havoc all-over the state. Neither the power condition, nor any other condition is up to mark there. Therefore, Bihar should be made a special category state.

Mr. Deputy Speaker, Sir, when Jharkhand was separated from Bihar, all the MPs of Bihar went to meet hon. Prime Minister under the leadership of Shri Nitish Kumar and demanded a special package for Bihar since only that would be able to bring Bihar out from the situation of backwardness. But no progress could be made, so far, on the question of special package. About Bihar, I want to say that the primary and secondary schools which were sanctioned 20-25 years ago have not become functional yet. Population is increasing day by day but no schools has been approved in Bihar. That is why the rural children are deprived of education. How they will become are deprived of education. How they will become educated? The farmers of Punjab and Haryana are prosperous but they are not organised in Bihar and other States hence they are in pitiable condition. I also belong to the family of a farmer. Nobody cares about the crop of farmers. Last year, there was nobody to purchase paddy from farmers. We demanded in Lok Sabha that F.C.I. procurement centres should also be set up in Bihar. We were given assurance in Lok Sabha that any government agency would procure paddy and some centres would also be opened in some district headquarters but the farmers had to suffer innumerable problems due to not opening of purchase centres. The states with regard to poverty line is bad throughout the country. Especially in Bihar, 30 to 40 percent of poor people do not have their names on the below poverty line list. An instruction was issued by the Union Government that a list be made of the people living below poverty line in all the states, but it was not done in Bihar. That is why the

name of poors in Bihar could not be included in the list of the people living below poverty line.

Mr. Deputy Speaker, Sir, MPs get Rs. two crore and MLAs in Bihar and many other States get Rs. one crore. Through you, I want to submit that it should be increased to Rs. 5 crore, so that proper development could be made in the villages. The impending tragedy in Ayodhya on 15th March was averted due to the intervention of Supreme Court. Kar Sevaks were not allowed to enter Ayodhya on 15th March. Not a single untoward incident took place there because of cooperation from Shri Ramchandra Paramhans, Vishwa Hindu Parishad, hon. Prime Minister, hon. Minister of Home Affairs and the Government of India. I want to congratulate Government, Vishwa Parishad and all the people of Ayodhya for saving India from a tragedy. People used to wonder about what is going to happen in Ayodhya on 15th I want to congratulate NDA Government for this through you. The incident was averted and the whole country was saved from communal tension. With these words, I support the President Address.

CAPT. JAI NARAIN PRASAD NISHAD (MUZAFFARPUR) : Mr. Deputy Speaker, Sir, I am the first person to speak on behalf of my party and that is why it would not be fair if I am given merely two minutes time to speak.

MR. DEPUTY-SPEAKER : If you think it is unfair, let it be, even then, I am giving you two minutes. All your time is exhausted.

CAPT. JAI NARAIN PRASAD NISHAD : Mr. Deputy Speaker, Sir, I rise to support the Motion of Thanks. Dr. Malhotra ji has expressed his concern over election reforms, and in that context only, I wish to say that the entire election system has come into the clutches of money and might. Approximately one thousand people having muscle power participated in the elections held in Uttar Pradesh and no political party in the country hesitated to give ticket to criminals. Nexus between criminals and politicians is for bogus voting, booth capturing and for Winning the elections. Politicians are helpless. Their number would not increase if they do not give ticket to people having muscle power. Sir, through you, I urge upon the leaders of all the political parties and the Government to check the practice of bogus voting and booth-capturing. But they are also helpless due to the system that is prevailing. All must have noted that voting took place in Muzaffarnagar for four times. Firing took place there and people were prevented from voting. Even then 83.5 percent of voting took place. I request that some of my suggestions, which do not require any change

[Capt. Jai Narain Prasad Nishad]

in law, may kindly be accepted. Now-a-days, voting is carried through electronic system. Identity Card may be put in a box and then the button of voting machine may be pressed. The number of votes should tally with the number of identity cards at the time of counting. This would curb bogus voting and there would not be any need for the force which is normally deployed there.

Second reason is replacement of booths. This sometimes become a cause of fake voting, as happened in Muzaffarnagar. The Voting Booth was far off from the village and the villagers were prevented from going there. They were stopped midway. Bullets were fired and one person was injured, who was immediately taken to hospital. Therefore, the booth should be replaced.

Identity Card has been made compulsory. Arrangements should be made for preparing Identity Cards throughout the year. The Government should make efforts to prepare the I Cards even one month prior to the elections. I also wish to submit that elections should not be held at the constituencies where MPs and MLAs tender their resignation. And the candidate placed second in the previous election should be declared as MLA or MP. The parties impose candidates from the centre in the elections, be it the BJP, Congress or any other party. And that is why I say that the candidate placed second in the elections should be declared as MLA or MP after the resignation of the first one. The Government incur unnecessary expenditure on holding elections. Such a system would prevent unnecessary expenditure. A system should be evolved which may lead to the completion of full five year term of the Government in Lok Sabha and State Legislative Assemblies. It is necessary to introduce changes in Anti-defection Law in order to avoid mid-term polls. At the time of formation of the Government all the allied parties or independent candidates who constitute part of that Government should be considered as one unit. Party having majority should be considered as the party in power. In Lok Sabha, a party having 272 MPs from the Government, and if 91 MPs collectively quit that Government they would come under the Anti-defection Law. The quitting of 91 MPs means that the Government has lost its majority. Once they leave this side and go to other side, they would form the Government there. Under such circumstances, there would be no question of midterm polls. Under the Anti-defection Law the Prime Minister or the Chief Minister spend five years of their tenure managing their own party. One or the other member of the party gets annoyed every now and then. And under such circum-

tances, they are unable to perform their duties of public welfare. I sincerely wish that amendments should necessarily be made in the Anti-defection Law.

So far as the security of the Parliament is concerned, the Government have deployed security guards at many gates but no care has been taken towards the fact that there are many retired Generals in the House who have won many battles. They should have been consulted in this matter. Definitely lot of security measures have been taken at the inner gates but the outer side gate is freely open. Terrorists would not seek permission before entering. They cannot easily enter through the inner gate but can directly reach the Parliament through the outer gate. Terrorists apprehended in Mumbai had revealed that there was plans to attack the Parliament. If you were well aware of this fact then why did you not take concrete steps. This should be investigated upon that why did not the officer take action for tightening the security when he had prior information of this plan? Now, at the Annexe building the MPs have to walk a long distance for reaching the building. All this is being done to harass the MPs. How is it possible for the MPs of 80-90 years of age to walk off from their cars? MPs are being harassed on the grounds of security. The security at airport. ...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : Shri Nishad, are we talking about security or President's Address? You are a senior Member. Please stick to the subject.

[Translation]

CAPT. JAI NARAIN PRASAD NISHAD : I am speaking in support of the motion of Thanks on the hon. President's Address. The hon. President's Address, whether written or not, is for the welfare of the entire nation and that is why I have expressed my view point. With these words, I conclude my speech.

SHRIMATI RENU KUMARI (KHAGARIA) : Mr. Deputy Speaker, Sir, I express my thanks to you for giving me an opportunity to speak. I rise to support the proposal submitted by Dr. Vijay Kumar Malhotra, alongwith this, I pay my homage to late Shri Balayogi ji, who met an untimely death. I pay tribute to all my brothers and sisters who have given their lives on the borders of the country defending the country.

Mr. Deputy Speaker, Sir, as there is paucity of time, I would put my view points in a very short span of time. All

incidents occurring in the country are really creating a very unfortunate situation, be it the Godhara or Ahmedabad incidents in Gujarat, or the Ayodhya incident. This is a matter of concern. The Members from the treasury as well as opposition benches have expressed many views with regard to Mandir and Masjid. I would like to say that every citizen of India, Hindu or Muslim—all are our brethren and friends. Shedding of blood of any person would be a loss of an Indian citizen which is not good at all. Rama, Rahim, Prophet Mohammad or Jesus Christ all have been great persons. They all have established an ideal for the country and lead the society to adopt a good path. I recall a few lines of Iqbal: "Mazhab Nahin Sikhata Aapas Mein Bair Rakhna." Iqbal Saheb's soul would be crying for the situation now in India that how people are fighting with each other, shedding each other's blood. I recall a few lines of Kabir which he wrote for the Hindus :-

"Pahan pooje Hari Mile to Main Poojoun Pahar,

Taase to Chaaki Bhal, Jaka Peesa Khaaye Sansaar."

Similarly, he said the following lines for the Muslims :-

"Kankar pathar jod ke Masjid liye Banaaye,

Ta Chadhi Mulla Baang De, kya, Bahra
Hua Khudaaye."

Mr. Deputy Speaker, Sir, today there is no one to fight for the poor. There is nobody to organise dharna at the statue of Mahatma Gandhi for the cause of alleviating poverty, unemployment or illiteracy.

Today problem of Jammu and Kashmir has become cancerous for the country. Nobody brings motion in this House as to how it could be solved? Democracy has been treated as the rule of migni. There is no law and order in Bihar. The incidents of kidnapping are taking place, every day. Yesterday a doctor, Ashok Kumar Jain was kidnapped from my area Khajuria. Ten days ago another doctor was abducted from Begusarai. No one raise voice against such incidents. The Government of Bihar is unable to manage the situation. These abductions become the incidents of murder. No one goes before the statue of Mahatma Gandhi in protest of these incidents.

Mr. Deputy Speaker, Sir, population of our country is increasing day by day. Is there not any provision to make amendments in the Constitution of India to check population explosion. Except a woman, no other person has raised any voice in favour of women welfare. Should a dharna not be staged before the statue of Mahatma Gandhi for welfare of women.

Mr. Deputy Speaker, Sir, in the Presidential Address, a mention has been made regarding farmer. Farmers are backbone of the country. No concrete measures have been taken by the ruling party as well as by the Opposition parties for promoting White, Blue and Green revolution in the country. The Government should pay attention towards this.

Mr. Deputy Speaker, Sir, in the Presidential Address, a mention has been made regarding Prime Minister Gramin Sarak Yojana. I would like to say that in Bihar not a single paisa was spent for this purpose last year and the money allocated for this year is also lying with the State Government. State Government has not to make any contribution for this scheme even then the State Government is unable to spend this money. I request the hon'ble Prime Minister to allow MPs for spending this fund so that roads could be constructed there. Every year Bihar gets funds but the Government could not spend that. ...*(Interruptions)*

DR. RAGHUVANSH PRASAD SINGH : Sixty Members from Bihar had collectively given a memorandum to the hon'ble Prime Minister for providing economic package but so far no package has been given. ...*(Interruptions)* All the Ministers from Bihar in this Government are busy with their works and so far no package has been given. ...*(Interruptions)* This injustice is being committed to Bihar. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Please do not create Bihar like situation here, now conclude.

SHRIMATI RENU KUMARI : Mr. Deputy Speaker, Sir, the rivers originating from Nepal cause flood in Bihar every year. Therefore, I request the hon'ble Prime Minister to discuss this matter with Nepal Government to find out some solution of this problem.

Mr. Deputy Speaker, Sir, every M.L.A. gets Rs.1 crore for development of his or her constituency each year but the funds allocated to MPs comes to Rs.33 lakh for a Legislative Constituency which is a meagre-amount. I request the hon'ble Prime Minister to enhance this allocation or withdraw the allocation of Rs.2 crore. We do not require this amount.

In the end I would like to say that all should be equal before the Law. There should be uniform civilization, culture and education system throughout the country, only then the future generation would not be divided as Hindu or Muslim but become an ideal human being, with this I conclude.

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : First of all, I would like to pay homage to the former Speaker of Lok Sabha Shri Balayogi. At this moment of sorrow I got a chance to visit his birth place. I was surprised to see that while conducting Business of the House efficiently and representing the country in international conferences, he worked very well for development of his parliamentary constituency. He is an example for us. I also pay homage to those security personnel who sacrificed their lives to save the Parliament and Members of Parliament. 90 days have passed since the incident of 13th December and sometimes it seems that we are forgetting that incident. The attack on Parliament was a challenge for the entire nation and sovereignty of the country. It was condemned throughout the world but the guilty persons could not be caught as yet and our efforts have continued. Voice against terrorism is being raised throughout the world and we are supporting that. We should intensify our efforts. Hon'ble President addressed the House on 25th February and on 27th February Gujarat tragedy occurred. Later on Ayodhya controversy arose, which caused resentment and anxiety throughout the country. Will the country stray from its path? Will we not be able to protect our freedom and sovereignty attained after great sacrifices. But it is a matter of satisfaction that with the internal power, the country is overcoming these challenges and making progress. No single party can be credited for that and even criticism by a party cannot reduce its importance.

Today, rehabilitation is the need of hour for Gujarat. Thousands of people are living in camps. The team of MPs which visited Gujarat has seen the situation actually. People can not go back to their houses as their houses are damaged or looted. There are not proper arrangements in camps. I have suggested to the Gujarat Government to constitute an all party Committee under the chairmanship of the Governor and proper arrangements should be made for the victims. The situation has improved to an extent but that could not be termed adequate. The lacunae should be removed. We have decided to make contribution from the Prime Minister's Relief Fund for this purpose. Gujarat also suffered the tragedy of earthquake and whole humanity came forward to help the earthquake victims in the same manner the whole country should come forward to help the victims of this tragedy in Gujarat.

We should not go in controversy as to how it happened. We all know what happened in Godhara but what happened afterwards can not be rationalised. One criminal cannot prove another criminal as an innocent

person. Counter violence cannot yield good result. I would like to say that situation of Gujarat should be monitored constantly and centre Government as well as State Government should work for relief and rehabilitation of all victims.

It is my submission that one should be cautious in selecting words while raising Gujarat issue. Some hon'ble Members have developed tendency of using such word whose meaning is known to them only and not to others. Such words cause disaster. This is a place to express sentiments and not a place to show one's intellectual.

I would like to say to the leader of opposition that use of word 'genocide' is not proper in case of Gujarat. That is a different word. This word is used when a caste or nation is destroyed. In Gujarat Hindu as well as Muslims, both have been killed. People belonging to both the Communities have been killed in police firing. One should try to understand purport of the word. This word can be used at international fora. ...*(Interruptions)*

[English]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND MINISTER OF INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN) : We heard your leader with rapt attention. This is not proper. I took special care on that day. We too had many objections to many of the things that she said. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : He is not only the Prime Minister, he is also the leader of the House. This is not the way.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, the situation has improved now. With its inner strength, the country is overcoming the challenges and moving forward. Ayodhya controversy has been resolved. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : Shiladaan has taken place. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : Do you have any objection to that?

Mr. Deputy Speaker, Sir, we learnt from the past experiences and formulated policies on that basis. We showed rigidity wherever it was necessary but at the same

time we have respected public opinion also. The Members of Parliament belonging to my party were not allowed to go to Ayodhya, rather they were arrested. I know that Members of my party are sad due to that. But it is the duty. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : Shri Vinay Katiyar has left the House. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : Shri Vinay Katiyar played a very constructive role there. I myself had to bear abuses from the people. Pamphlets were distributed among the Members in Parliament House. ...*(Interruptions)* that dictatorship will not be tolerated. Who can be a dictator in a democratic set up. We abide by the constitution and made others also to follow it. Simultaneously, 'Shila Puja' took place. When one goes to a temple to perform Puja, he makes offering to God in the form of Gold, silver, flowers, fruits etc. If someone offered 'Shilalekh', it was necessary to accept it. Accordingly arrangements will have to be made to place it at an appropriate place. ...*(Interruptions)* Paramhansji got annoyed and refused to talk to me. Later he was pacified and blessed me with a long term for my Government. ...*(Interruptions)* I do not know as to the extent to which these blessings will work but when I saw Sonia ji saying reverential salutations to Shankracharyaji, I thought there is something in his blessings and I should not deprive myself of it. The Ayodhya dispute. ...*(Interruptions)*

[English]

SHRI SOMNATH CHATTERJEE (BOLPUR) : That is why she has won the last elections.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, the Ayodhya dispute has to be resolved. Efforts have to be made for a speedy hearing and early settlement of this dispute. This problem should be solved at the national as well social levels outside the court precincts because it is posing a great challenge to the communal harmony in the country. Such a matter can become an election issue but by that nobody loses or gains in the elections. Now people are understanding the things. It is not appropriate that this pernicious matter should linger on this. The matter should be solved at an appropriate time before it becomes a sinus. We want success of the efforts being made to resolve the dispute. We are ready to make our contribution to it. A controversy has also arisen regarding the role of the Attorney General. That will be discussed in the evening,

that's why I am not mentioning it. Several other issues were also included in the discussion.

President's Address was a critical evaluation of the situation prevailing in the country and the policies of the Government. The Members have expressed their views on several issues. I would like to make a mention of a few of them. The Leader of the Opposition made a mention of our relations with Pakistan and has raised certain important question also.

Indo-Pak relations are still tense. There has been no let up in the flow of infiltration to our country from across the borders. We have to see what will be the situation when snow starts melting congenial atmosphere for a meaningful dialogue can only be created. If infiltration stopped completely at the line of control and at the international border.

Shrimati Gandhi had asked about the progress made in the demand made to Pakistan to hand over the 20 terrorists wanted by India. Our efforts in this regard are on but no progress has been achieved in this regard. It is a test whether Pakistan is actually willing to fight terrorism or not. We want to make it clear to the people of the world who urge us time and again to take initiative for holding a dialogue, that we do not have any objection in holding a dialogue rather we believe in holding a dialogue but what is the use of holding dialogues when objectionable activities continue to take place. On this point we get international support and those who urge us to hold a dialogue agree that terrorist activities should stop.

We treat Pakistan as a member of the 'SAARC. Recently Shrimati Sushma Swaraj attended the conference of Information Ministers. In her visit to Pakistan, she successfully presented India's stand point for which she should be commended. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : We have appreciated her.

SHRI ATAL BIHARI VAJPAYEE : Dada, sometimes you do a good job.

SHRI SOMNATH CHATTERJEE : You should always do a right thing, doing it some times causes trouble.

SHRI ATAL BIHARI VAJPAYEE : Pakistani rulers work in a specific style. First we saw in Kathmandu and then in Islamabad. He makes a surprise announcement at the right moment. This time also he did the same thing. He

[Shri Atal Bihari Vajpayee]

said they were ready to resume flights between the two countries and sought her views in that regard. Shrimati Swaraj said that she belongs to a democratic country. Where there is no military rule. She has to consult others also. She abide by the principle of collective responsibility. If there is a concrete proposal, we will definitely consider it. They want to win in the war of propaganda. Now we have also become clever.

There will be a SAARC Ministerial Conference on poverty. This process will be going on and we hope that impediments coming in the way of healthy Indo-Pak relations will soon be removed in near future. In this connection, I would like to make a mention of Sri Lanka where a radical political change has taken place. That change has been welcomed. We hope peace could be restored in Sri Lanka by that. We wish them good luck. Sri Lanka is our nearest neighbour. We have cultural and religious relations with them. We have helped Sri Lanka at the times of crisis. We put the life of our soldier in danger just to save the integrity of that country. We made full efforts in this regard. We want Sri Lanka to be able to solve its problem and pave way for the country's progress by providing equal opportunities to people speaking different languages while protecting the country's integrity. It should prove further on the path of development.

Mr. Deputy Speaker, Sir, certain financial matters were also raised during this discussion. Though the Budget will be presented in coming days and the House would get an opportunity to discuss the economic situation, but I would like to mention one thing here. Shri Somnath Chatterjee raised a question very emphatically as he always does. It was mentioned in Shrimati Sonia Gandhi's speech also as to why profit making public sector undertakings are being closed down. It is but natural that such a question would be raised. It is a misconception that profit making undertakings are being closed down because the Finance Minister heads funds to abridge the deficit. There is a logic behind this move. If only loss making undertakings will be sold then who will purchase them.

SHRI SOMNATH CHATTERJEE : Do modernization!

SHRI ATAL BIHARI VAJPAYEE : Funds are required for modernization and disinvestment is being done for collecting funds. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : It is not being done.

SHRI SOMNATH CHATTERJEE : Please look into this matter.

SHRI ATAL BIHARI VAJPAYEE : All of you are aware that I raised the matter in Moscow even for the revival of the Iron & Steel company. We neither want closure of this company nor do we want to put labourers in any problem but we are concerned about economy also.

SHRI BASU DEB ACHARIA : Please do it.

SHRI ATAL BIHARI VAJPAYEE : You think of labourers many a time but I think of the entire society. However, we also want to make the labourers understand the situation for which the cooperation of the august House is required.

SHRI SOMNATH CHATTERJEE : Please show us by action. Please agree to it.

SHRI BASU DEB ACHARIA : Please make an announcement to this effect today.

SHRI ATAL BIHARI VAJPAYEE : There should be a consensus on this issue. Economic reforms were not initiated by us rather we have inherited them from the previous regime. Today, Shri Ram Naik has made some announcement regarding gas but so far as I have been told opposition did not welcome that step. ...*(Interruptions)* Opposition only wants to topple the Government. The Congress Party is facing the same problems in West Bengal which we are facing here.

SHRI SOMNATH CHATTERJEE : You have more powers.

16.00 hrs.

SHRI ATAL BIHARI VAJPAYEE : We seldom want economic reforms by inviting impopularity. But we know that what seems wrong or unpopular today will be right and popular tomorrow. Today people are feeling difficulties but later on they will understand it. The march should not halt because of difficulties.

SHRI SOMNATH CHATTERJEE : Will the Indian Iron and Steel company get the money?

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, so far as the bill regarding women reservation is concerned, we are ready to bring it again on the consensus of all political parties. Earlier when the bill was brought, a suggestion was made to evolve consensus by making the quota of reservation less than 33%. There was some delay in presenting it before Sonia ji. I am going to revive that proposal and will again present the bill on women reservation before the House, but not for publicity.

[English]

SHRI SOMNATH CHATTERJEE : If any different percentage is suggested by some, let them bring an amendment. The House will decide. You cannot have it outside the House.

SHRI ATAL BIHARI VAJPAYEE : I entirely agree with you.

SHRI SOMNATH CHATTERJEE : Please bring it before the House. Let us see which amendment, which percentage is passed.

[Translation]

SHRI ATAL BIHARI VAJPAYEE : I accept your advice hundred percent. Look at your left side also.

SHRI SOMNATH CHATTERJEE : Please ask the Members on your backside.

SHRI PRAMOD MAHAJAN : Members sitting on his back side will listen, but those sitting by your side will not listen.

KUNWAR AKHILESH SINGH : If a provision of reservation for women belonging to backward classes and dalits is made, we will support the Bill.

SHRI ATAL BIHARI VAJPAYEE : Mr. Deputy Speaker, Sir, there should be no more delay in the matter. Sometimes it appears that we are not serious about the matter and only propagating the matter but women are benefited by the reservation in Panchayats and local bodies. Women are already prepared to take the lead in Parliament and Legislative Assemblies. Awareness gained during the freedom struggle helped women to participate in politics. We want to introduce this bill and get it passed with your support.

I would like to thank Shri Vijay Kumar for moving the Motion of Thanks on President's Address. I request the august House to support it.

[English]

MR. DEPUTY-SPEAKER : A number of amendments have been moved by hon. Members to the Motion of Thanks on the President's Address. Shall I put all the amendments together to the vote of the House? Or, does any hon. Member want any particular amendment to be put separately?

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI) : I want my amendment No.1054 to be put separately.

MR. DEPUTY-SPEAKER : All the other amendments can be put together except yours.

SHRI MANI SHANKAR AIYAR : Sir, I moved the following amendment :

"That at the end of the motion, the following be added, namely-

"but regret that there is no mention in the Address about any proposal of Union Government's compensation to the farmers and farm labourers of the Cauvery delta where harvested and ripened crops have been severely damaged by heavy unseasonal rains in the first week of February, 2002."

Sir, the losses were suffered by the farmers in the Cauvery delta in the summer *kuruva* season owing to the non-implementation of the Cauvery Tribunal Award. The heavy unseasonal rains have severely damaged the winter *samba* harvest. Both the harvested crop and the *samba* crop, which was ripe for harvesting, have been damaged. While the State Government has paid a meagre compensation of Rs.2500 per hectare to some farmers against an income loss of ten times that amount, the Union Government has not done anything. ...*(Interruptions)* I would just finish it. I would just make two sentences. The Union Government has done nothing to compensate the State Government. When they give it for Punjab, why can they not give it for Tamil Nadu? The Union Agriculture Minister is too preoccupied with Uttar Pradesh to visit Tamil Nadu. So, I request him to come to my constituency to see himself the position. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : I shall now put the amendment number 1054 moved by Shri Mani Shankar Aiyar to the vote of the House.

The amendment no. 1054 was put and negatived.

...*(Interruptions)*

SHRI MANI SHANKAR AIYAR : You are the Chairman of the Standing Committee on Agriculture. ...*(Interruptions)* This is anti-farmers. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : I shall now put together all the other amendments, which have been moved, to the vote of the House.

...(Interruptions)

The amendments were put and negatived.

[English]

MR. DEPUTY-SPEAKER : I shall now put the main Motion to the vote of the House.

The question is :

"That an Address be presented to the President in the following terms :-

'That the members of the Lok Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on February 25, 2002.'

The motion was adopted.

16.08 hrs.

[English]

DISCUSSION UNDER RULE 193

Current situation in Ayodhya in the wake of Supreme Court Judgement

MR. DEPUTY-SPEAKER : The next item is discussion under Rule 193.

The hon. Members, the discussion on the statement made by the hon. Prime Minister regarding the current situation in Ayodhya in the wake of the Supreme Court judgement under Rule 193 has been admitted in the name of Shri Mani Shankar Aiyar. He has requested me to allow Shri S. Jaipal Reddy to raise this discussion on his behalf. I have allowed Shri S. Jaipal Reddy to raise the discussion.

...(Interruptions)

Hon. Members, order please. Hon. Members can go out or remain in the House but they do not block the way.

SHRI S. JAIPAL REDDY (MIRYALGUDA) : Sir, I rise to initiate the discussion on the statement made by the Prime Minister on the 14th of March. ...(Interruptions) But, Sir, a lot of water has since flowed in Yamuna. On 15th of March, that is, yesterday, we were apprehending a lot of

things to happen. It was a fateful day it was to put in the famous words of Shakespeare, the Ides of March. But happily the 15th of March turned out to be a glorious day in the history of Indian democracy. It is happily behind us.

On 15th of March, the majesty of law has triumphed and therefore, the peace has prevailed however precariously for the present. The tribute for this historic achievement should be paid to the resilience, the genius of Indian democracy.

The credit must be given to the Supreme Court which has become the last bastion of our secular democracy.

Before I deal with the implications of *shila daan* to which our Prime Minister has kindly referred, let me try and put the problem in perspective. Our Prime Minister has long remained a jigsaw puzzle. There is a humongous hiatus, a gigantic gap and a Gargantuan gulf.

MR. DEPUTY-SPEAKER : You seem to be very fond of the word 'humongous'.

SHRI S. JAIPAL REDDY : There is a Gargantuan gulf between this public image and private reality. What is the public image of our Prime Minister? It is that of a reasonable moderate. What is the actual reality? In my considered view, I could be absolutely wrong.

SHRI VAIKO (SIVAKASI) : You are always.

SHRI S. JAIPAL REDDY : In my considered view, his image is that of a flexible hard-liner. I never subscribed and, at any rate, I long since ceased to subscribe to this myth that our Prime Minister is a malleable moderate.

Sir, each time he rises to speak he flaunts the NDA Agenda as though it is a panacea. During the last four years, everything has been implemented except the NDA Agenda. The BJP-led Government has been implementing its parallel agenda, that is, the so-called hidden agenda which is no longer hidden.

Sir, when I referred to 6th December a couple of days back, I was not referring to 6th December of 1992. I was referring to 6th December of 2000. It is on that day our Prime Minister was bold to say that *Ram Janma Bhoomi* movement was a manifestation of national sentiment; and that led to a new controversy on account of which this House witnessed a heated, protracted debate. But at that time our Prime Minister was given one year's reprieve by the *Sangh Parivar*. He then said : "I would settle the

problem in one year from now". He secured this reprieve at that time and when that one year was over, the V.H.P. went to the Prime Minister through the good offices of Shri George Fernandes, who is a man for all seasons and all reasons.

The Prime Minister said, "He would refer the 1994 judgment to the Law Minister." Please note, Sir, he did not say: "He would refer to the Law Ministry." There were many Press reports in the first and second weeks of March. The Government was of the view that symbolic *puja* could be permitted. None of these reports was contradicted. The silence bespeaks volumes of the conspiracy.

Then, Shri Vishnu Kant Shastri arrived on the scene. I have no problem with him. I do not mind calling him a paragon of constitutional punctiliousness and incarnation of gubernatorial judiciousness. ...*(Interruptions)* Since I have been asked to avoid negative expressions, I am using perfectly positive expressions. He met the Prime Minister and came out. He did not lose even five minutes. He went before all the TV crew and the Press — national, international, regional, vernacular or whatever it is — and said: "What is wrong in doing *puja*? ...*(Interruptions)* How can anybody stop?" I am not going into the past of Shri Vishnu Kant Shastri.

[Translation]

SHRI SOMNATH CHATTERJEE (BOLPUR) : He was a class friend of mine.

[English]

SHRI S. JAIPAL REDDY : Shri Somnath Chatterjee says, "He was his class-friend." I do not know whether he feels scandalised.

SHRI SOMNATH CHATTERJEE : He was good so long as he was with me.

[Translation]

He was ruined when he went there.

[English]

SHRI S. JAIPAL REDDY : Shri Vishnu Kant Shastri went a day before the matter was heard by the Supreme Court. As the Governor of Uttar Pradesh, when Uttar Pradesh is under President's Rule, he stated clearly and categorically that *shila puja* could go on.

16.19 hrs.

(DR. RAGHUVANSH PRASAD SINGH in the Chair)

Now, everybody knew what the Government was up to. But after the Attorney-General pleaded in the Supreme Court in a manner he pleaded, what did Shri Sorabjee say to the Press? He says : "He made it clear that he was not airing anyone's view - I am quoting from the Hindu of 14th March - neither of the Government nor that of the Vishva Hindu Parishad. He was otherwise giving out his own view.

May I quote *The Hindu* of the same day, March 14th? The Attorney-General had argued in the court earlier in the day. This is by the Prime Minister. "The Prime Minister, Shri Atal Bihari Vajpayee today made it very clear that the Attorney-General, Soli Sorabjee, had presented the Government's view in the Supreme Court in the matter of allowing a symbolic *puja* on acquired land in Ayodhya."

So, the Attorney-General was arguing more outside the court than inside the court. He addressed the international Press for more than an hour. One could hear him speak on live TV. I would like to know as to who was being correct. Was the Attorney-General misleading the country or was the hon. Prime Minister misleading the country?

Now, I will come to another thing. There was a similar contradiction between what the Law Minister said on 13th March in Rajya Sabha and I will quote from what the Law Minister said.

SHRI VAIKO : He cannot quote the proceedings of the other House.

SHRI S. JAIPAL REDDY : Under rule 345, I can refer to any policy statement made by the Minister. I am quoting the rule. I was ready with Shri Vaiko's point of order.

This is what the Law Minister said on 13th itself in Rajya Sabha. "The Attorney-General appeared on behalf of the Government of India, on being asked by the court about the Government's stand stated, on the Government's reading, an interpretation of judgement in Farooqi's case, temporary user of the undisputed land for performing a brief *puja* was not *per se* prohibited." It was the case of the Law Minister that this was the position of the Government.

SHRI SOMNATH CHATTERJEE : Of course, has to be!

SHRI S. JAIPAL REDDY : However, the Attorney-

[Shri S. Jai Pal Reddy]

General was saying, he was not arguing the Government's case, he was offering his view as *amicus curie*, as great friend of the court, indeed a great friend of the court! When the whole House and the country rose in indignation against this contradiction, the Prime Minister on 14th March, when he made a statement in the House, said the following :

"It is the constitutional duty of the Attorney-General to interpret a law or a judgement of the court. When asked by the court to do so, this is what Attorney-General did. When the Supreme Court asked him yesterday, even the symbolic puja on the undisputed land in Ayodhya was permissible."

There is a contradiction between what the Law Minister said in Rajya Sabha and what the Prime Minister said in Lok Sabha the following day. Sir, these are huge contradictions which cannot be wished away at all.

I know, my friend Shri Arun Jaitley who is erudite and resourceful will rise and say, 'Shri Jaipal Reddy, you are dull-witted, you do not discern the delicate distinction between the disputed site and the acquired land.

I would like to say as a literate layman to this legal luminary that the Government is the statutory receiver both for the disputed site and the acquired land. You said it in the President's Address. Since you are the statutory receiver, you would maintain the *status quo*. That promise of maintenance of *status quo* was squarely applicable to both the places and this distinction was not only dubious but also it was dangerous.

After the somersaults and shenanigans by the Government and its Attorney General, the NDA partners reacted like jilted lovers. The NDA was taken for granted. The country was taken for a ride. We have been saying this for the last four years. I said this in 1998.

AN HON. MEMBER : Were you in Congress at that time?

SHRI S. JAIPAL REDDY : No. I have been consistent. I was not in the Congress Party. I was in Janata Dal and said that. This NDA is not a case of love marriage. Love marriage in our tradition is called *Gandharva Vivah*. It is a case of forced marriage. It is not a marriage of conviction. It is a marriage of compulsion. This marriage of compulsion in our tradition is called *Rakshash Vivah*.

Our Prime Minister was complaining about my huge English phrases. When I used this Telugu phrase or Sanskrit phrase in Hyderabad, my TDP friends and BJP friends rose in revolt.

SHRI K. YERRANNAIDU (SRIKAKULAM) : What is your marriage in Bihar?

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU) : I have a point of clarification. I want to know this. What is meant by *Rakshash Vivah*? *Rakshash* means *Asura*. Kindly withdraw this word. It is not correct on the part of a parliamentarian like Shri Jaipal Reddy.

16.28 hrs.

(MR. DEPUTY-SPEAKER In the Chair)

It is not fair on the part of you to call the NDA partners as having *Rakshash Vivah*. It is not correct. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : Our Prime Minister is a Sanskrit scholar in his own way. ...*(Interruptions)* According to our Vedic tradition, it is called *Rakshash Vivah*. If the phrase is permissible in our Vedic tradition, I do not know how it is impermissible here.

SHRI T.R. BAALU : No, it is very much un-parliamentary. He should withdraw his word.

SHRI KHARABELA SWAIN (BALASORE) : Shri Jaipal Reddy, what about your marriage with the Congress? Is it *Rakshash Vivah* or not?

MR. DEPUTY-SPEAKER : I will find out. If it is un-parliamentary, I will expunge it.

...*(Interruptions)*

SHRI KHARABELA SWAIN : You were so far in Janata Dal. What about your marriage with the Congress?

MR. DEPUTY-SPEAKER : Shri Kharabela Swain, please.

...*(Interruptions)*

MR. DEPUTY-SPEAKER : I will find out.

SHRI S. JAIPAL REDDY : I would like to make one thing clear. ...*(Interruptions)*

KUMARI MAMATA BANERJEE (CALCUTTA SOUTH) : He had got the best parliamentarian award last year. But he is using some filthy language. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : Sir, I am not yielding. ...*(Interruptions)*

KUMARI MAMATA BANERJEE : He cannot say that the NDA is a *rakshasa*. ...*(Interruptions)* He cannot use that word. It should be expunged. Otherwise, he should not be allowed to speak.

SHRI VAIKO : He is fond of *gandharva vivaha*. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Shri Vaiko, if it is un-parliamentary, I will expunge it.

SHRI SOMNATH CHATTERJEE : You do not refer to the marriage; you refer to the offspring.

SHRI VAIKO : He is fond of changing parties. He does it very often. ...*(Interruptions)*

KUMARI MAMATA BANERJEE : How can he abuse everybody?

MR. DEPUTY-SPEAKER : I have already gone on record. If it is unparliamentary, I will expunge it. I will look into it.

...*(Interruptions)*

SHRI S. JAIPAL REDDY : Sir, please organise some coaching. I am prepared to offer my services. ...*(Interruptions)*

[Translation]

SHRI LAL MUNI CHAUBEY (BUXAR) : Mr. Deputy Speaker, Sir, he has used un-parliamentary word and the word he used day before yesterday has also the same meaning. It is wrong. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : I have already stated that the objectionable word will be expunged.

SHRI LAL MUNI CHAUBEY : Mr. Deputy Speaker, Sir, they are feeling inferiority complex.

[English]

SHRI S. JAIPAL REDDY : It is only a figurative expression. ...*(Interruptions)*

SHRI VAIKO : Sir, he has attributed the word '*rakshasa*'. ...*(Interruptions)* He said that we were united by force but on our own we have come together. We are united by cohesiveness, with all love and affection but what about their relationship in Bihar with Shri Lalu Prasad? Let him explain that. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : Sir, I wish to clarify to my old friend Baalu and to Mamata didi that I never said anything against NDA partners. I described the NDA in my own figurative language. ...*(Interruptions)*

SHRI VAIKO : Do not indulge in wordplay now. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : Do you want to impose a censorship on metaphors and figures of speech? ...*(Interruptions)*

SHRI VAIKO : He used a very bad word yesterday and he has been allowed to speak today. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : I did not say anything – I am making it clear – by way of political reflection on any single NDA partner. I merely made a comment on this strange creature called NDA.

SHRI S.S. PALANIMANICKAM (THANJAVUR) : How do you explain your alliance with the CPI(M) in most of the States? You explain that first and then come to talk about NDA partners. ...*(Interruptions)*

SHRI VAIKO : It was he who called the Congress party a Nazi party.

SHRI S. JAIPAL REDDY : First of all, I never said that. I repudiate that. ...*(Interruptions)*

Our Attorney-General has been decorated with the Padma Vibhushan. For his fabulous forensic feat on the 13th in the Supreme Court, I suggest that he be decorated with the Bharat Ratna.

Whatever the kind of speeches we make here, they would not cause any disturbance in the States. My friend Shri Vinay Katiyar is not here. I have no personal animosity here. None of us harbours any animosity towards anybody. I really admire the power of his speech. He made one combustible comment and set the Dal Lake on fire. The ornate orations of Jaipal Reddy or pedantic perorations of Somnath Chatterjee can do nothing.

Therefore, we are very weak. We are meek people. We are not as powerful as people like Vinay Katiyar. We are not opposed to *yagnya*. What this country needs is Mahayagnya for peace for communal concord, harmony for the progress of the country. Please perform the *yagnya*, we shall all participate in that. ...*(Interruptions)*

I come to *shila daan*. Nobody is opposed to *shila daan* that took place yesterday.

SHRI SOMNATH CHATTERJEE : No, I am.

SHRI S. JAIPAL REDDY : If it happens among the community leaders, among the leaders of religious groups, among private citizens, it is perfectly okay. Because it has happened outside the acquired land, it did not involve the order of the Supreme Court. I am happy to say and repeat that the Supreme Court's order was not violated. That redounds, as I said before, to the resounding glory of the Indian democracy. But the snag is, an official from the PMO looking after Ayodhya Cell was flown in to receive it. Therefore, *shila daan* was polluted by illegal activity. It is not only that, Sir. It is not only a grave illegality, I am afraid, it started another vicious circle, I am afraid, this *shila daan* will become another mill stone around this Government's neck. My leader is saying no, it is another albatross around the neck of the Government. Therefore, my plea to the Government, to the hon. Prime Minister, through you, Mr. Deputy-Speaker, Sir, is that if it is a millstone around the neck of the Government, we would not bother. Please see that it does not become a mill stone around the neck of the nation.

SHRI KHARABELA SWAIN : Sir, I rise to congratulate the hon. Prime Minister for the very apt decision he has taken for obeying the order of the Supreme Court. Supreme Court means, the order of which is supreme. I think after the hon. Prime Minister has made his speech while replying to the Motion of Thanks on the Address of the hon. President and while he has very elaborately replied to the questions with regard to Ayodhya issue, there is hardly any scope of any debate. It is a virtual drag. The discussion is a totally useless, unnecessary thing after the hon. Prime Minister has already replied to all the questions. But it has got to be a drag because there are hon. Members from the other side who will have to express their command over English Victorian English. People will have to utilise their English words, like *faux pas*, humongous, gargantuan gulf, punctilious etc.

They used such words and such words were being utilised so that even persons like Shri Sonmath Chatterjee and Shri Sontosh Mohan Dev will also not be able to understand them. ...*(Interruptions)*

SHRI VAIKO : He himself does not understand. ...*(Interruptions)* That is the problem. You ask him the spelling. ...*(Interruptions)*

SHRI KHARABELA SWAIN : So, such words like 'committed by the hon. Prime Minister on the nation' were

used. Then the Press would say : 'Oh, what a master of English'.

SHRI VAIKO : Sir, those remarks have been expunged. Those remarks should not go on record.

SHRI A.C. JOS (TRICHUR) : No, they have not been expunged. ...*(Interruptions)*

SHRI VAIKO : They have been expunged. You see the record. ...*(Interruptions)*

SHRI KHARABELA SWAIN : Sir, I mean to say that such words will be utilised so that everybody will say, the English media will say : 'what a master of English - he has been attacking the Prime Minister of this country and he is not even apologetic about it'. Sir, it is only a self-elevating affair, just trying to prove that 'I am such a great master of English, I know the Victorian English and I can utilise it and I can befool everybody'. This is the thing. Otherwise, without those high-sounding words, I did not find a single sentence, a single word of any importance which has not been told outside, which has not been told in the Rajya Sabha or which has not been told here also.

He has made a reference that the whole country rose in indignation. I am particular about the use of the word 'indignation'. Sir, I will show you the 4th February, 2002 issue of the magazine *The India Today*. I will just quote from it. The heading is : 'Mood of the nation - return of the militant Hindu'. Now, this *India Today* people almost every five to six months conduct an opinion poll and they say as to what is the mood of the nation. Here, in this article on 'Mood of the nation' the question asked was : 'VHP has threatened to start the construction of Ram temple at Ayodhya from 12th March. Do you want the temple to be built immediately?' Forty-three per cent of the people have supported it. For the question on the courts to resolve the matter, the support was 20 per cent. For the question on the Government to initiate dialogue, the support was 16 per cent and for the question whether the Babri Masjid is to be rebuilt, the support was five per cent. For the question on maintaining status quo, the support was only four per cent. I repeat, the support was only four per cent for the question on maintaining status quo. It is not an indignation. The country was happy that the Hindu mind has been respected and both the hon. Prime Minister and the hon. Attorney General have agreed. I fully agree with this sentence said by the hon. Prime Minister when he proudly said earlier that *Ram Janam Bhoomi* is a manifestation of national sentiments. It is true. I say that 85 per cent of the Hindus

and even the Sikhs, the Buddhists, some of the Christians and even some of the Muslims have supported what the hon. Prime Minister has said.

It is not an indignation. The indignation might be with some of the people sitting on the other side portraying themselves to be the so-called secularists. This is not the mind of this country. This is not the mind of the people of this country.

I am coming to the point that let us go to what the Attorney General has interpreted the law with regard to Farooqi's case in 1994. The Attorney General has interpreted it in this way :

"The temporary use of the undisputed adjacent land for the purpose of performing *Puja* was not per se prohibited and would not violate the *status quo* order passed by the Supreme Court as this *status quo* order was reasonable, referable only to the disputed site and not to the acquired land."

Is it untrue? Is it not the judgement which was given by the Supreme Court in 1994? If that is so, with regard to embargo, hon. Jaipal Reddy said that there was a distinction between what the hon. Law Minister said, what the Attorney-General said and what the hon. Prime Minister said. What is the distinction? They said that there was an embargo. What is that embargo? The embargo is that the Supreme Court has said that :

"This property cannot be transferred until all the suits are finally settled. Until the litigation comes to a final conclusion, there will be no transfer of property."

I agree that the Supreme Court had given this verdict like this only. But what does the property mean? The embargo on transfer till adjudication relates only to the disputed areas, while transfer of any part of the excess area. ...*(Interruptions)*

Sir, I know that Shri Somnath Chatterjee is a very good Advocate. Even if nobody solicits his advice, he simply goes on just prompting others. I do not require his help. Let him be a great Advocate in the Supreme Court. I do not require his help. ...*(Interruptions)* Sir, I would appeal to you that he always chastises me in this House for just opposing him sometimes. Kindly ask him to behave also. He is a very senior man. This is not expected of him. ...*(Interruptions)* It is because I also know how to use my tongue and he has got the taste of my tongue in the past. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Now, you come to the subject.

SHRI KHARABELA SWAIN : Sir, I will appeal to you to ask him to keep quiet.

The thing is that the embargo on transfer till adjudication relates only to the disputed land, while transfer of any part of the excess land, retention of which till adjudication of the dispute relating to the disputed area, may not be necessary is not inhibited till then. There have been so many Governments from 1994 to 2000. Any Government could have transferred that acquired land to the *Ram Janma bhoomi Nyas*. *Ram Janmabhoomi Nyas* is the sole owner of the property which has been acquired by the Government of India. Anyway, this has not been transferred by any of the Governments. But is it not a fact that these 67 acres of area is undisputed area? With regard to this particular judgement of March 13 also, what did the Supreme Court say? I am just quoting what the Supreme Court has also said this time :

"At present, even if it is the correct reading of 1994 order, we will not allow any pooja which will escalate the situation."

What does it mean? It means that legally, the Government is correct, but because it may escalate the situation, because it may create tension, they have not allowed it. And the Attorney General was also perfectly all right when he also interpreted it in such a way.

Let me tell you, Sir, that the Attorney General is not a Secretary; he is not a Government employee; he is a constitutional entity; he is a constitutional authority. He can also go to the court and say that this is his correct interpretation of the law. He cannot always be guided by what the Government says. He can always say that this is the law. Attorney General is the Law Officer not only of the Government; he is the Law Officer of the country; he is the Law Officer of the nation; he is the Law Officer of the people of this country. He has also got an independent right to interpret the law and he has interpreted it in his own way. He has told this on the television. He has made his comments in front of the foreign media and everybody and said that he had interpreted the law in that way. So, I mean to say that the interpretation of the Attorney General of India is absolutely perfect because he has already gone through the minds of the people.

Sir, finally, why the Attorney General said so, I just

[Shri Kharabela Swain]

want to put forth one of the reasons before you. The hon. Members in the Opposition say that the entire country is against this, the entire country is indignant. May I ask them the question : "How did we come to power then?" They have all opposed us, they made us untouchables, they went against us and they wanted to consolidate the Muslim votes against us. That is the reason for which the Muslims always resort to tactical voting. Who can defeat us? They may just go on voting for them, and that is all right.

They created such a situation in this country, that the majority community of this country thought that there is a party which, at least, after 50 years of Independence, is speaking for the majority people of this country.

Sir, I am proud to be a Hindu. One of the foreigners, one of the outsiders, attacked us, destroyed our most beloved place of worship and built a mosque on that. We kept quiet because we could not retaliate at that time. The structure was a blot on our mother India. It is a matter of shame that such a structure was there. As a Hindu, I can proudly say that it was a matter of shame.

I will give you one simple example. When the Russians vacated Poland, after a long time of subjugation, do you know what the Poles did? They destroyed the Church that was constructed by the Russians. The Poles are also Christians, and the Church is a Christian religious institution. However, the Poles first destroyed it because they thought that this was a national indignity, this was a blot on the Polish nation. That is why, they destroyed it.

Hon. Atalji is here, hon. Advaniji is here. They have said that it was a shame because they did not want the structure to be demolished in such a way. I agree. They are leaders, but for millions and millions of Hindus of this country, that was a matter of a dream coming true, that was a matter of great pride that such a blot had been removed. I can dare say in this House that I am not ashamed that such a thing happened.

I will conclude with one sentence that the people of this country have given a mandate to Shri Atal Bihari Vajpayee to rule this country with 25 other parties as partners in the National Democratic Alliance. We have a mandate, we have a Common Minimum Programme. He is ruling the country according to that, and he will go on ruling this country according to the Agenda of the National Democratic Alliance. I agree that the rulings of the Supreme Court are supreme. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : Sir, I am on a point of order.

MR. DEPUTY-SPEAKER : What is the point of order?

...*(Interruptions)*

MR. DEPUTY-SPEAKER : He is raising a point of order.

SHRI KHARABELA SWAIN : The Supreme Court's rulings are also supreme.

MR. DEPUTY-SPEAKER : He is raising a point of order.

...*(Interruptions)*

THE MINISTER OF STATE OF THE MINISTRY OF ROAD TRANSPORT AND HIGHWAYS (MAJ. GEN. (RETD.) B.C. KHANDURI) : Sir, can we have the rule under which the point of order is being raised? Can we have the rule please?

SHRI S. JAIPAL REDDY : The rule says. ...*(Interruptions)*

MAJ. GEN. (RETD.) B.C. KHANDURI : Which rule? Please quote the rule. ...*(Interruptions)*

SHRI S. JAIPAL REDDY : The rule says that no hon.. Member can make allegations against a particular community, and what is more, he is justifying the demolition of the Babri Masjid, which has been admitted as a crime both in law. ...*(Interruptions)*

SHRI KHARABELA SWAIN : Sir, you ask him the rule. I am having the rule book, let him quote the rule. ...*(Interruptions)* I conclude with these two simple suggestions. Sir, the hon. Prime Minister has already told that he appealed to the hon. Court.

MR. DEPUTY-SPEAKER : If any objectionable things are there, I will look into it.

...*(Interruptions)*

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVA-GANGA) : But a Hindu loves all the people. Vedic studies say that a Hindu should love all the people and that there should not be any discrimination. ...*(Interruptions)*

SHRI KHARABELA SWAIN : Sir, as the hon. Prime Minister has already said, the Government has appealed to

the Allahabad High Court to hold day-to-day hearings on the Ayodhya case and give its verdict. Through this House, I also appeal to the hon. Supreme Court and the hon. Allahabad High Court not to sit over the case, but to give a verdict. Whether it goes in favour of Hindus or somebody else, let the court give its verdict.

My last suggestion is, Shri Atal Bihari Vajpayee and Shri L.K. Advani should continue the process of dialogue. The process of dialogue with the Muslims and Hindus, which was started by His Holiness Shankaracharya of Kanchi Kamakoti Peetham, should continue. Through that process of dialogue Shri Atal Bihari Vajpayee's Government can bring in cohesion and provide a just settlement to the Ram Janam Bhoomi issue.

SHRI SOMNATH CHATTERJEE : Mr. Deputy Speaker, the poison that has just now been spread even inside the House is from a BJP Member. He has said these things in the presence of the Leader of the House, the Prime Minister of India; another very tall leader of BJP Shri L.K. Advani, the Home Minister of India; and other senior leaders of the BJP and none of them raised any objection or made any protest! I repudiate it. I repudiate the sordid attempt that is being made to spread the cancer of communalism, hatred, and bigotry, taking advantage of the floor of this House. I can only request my friends who consider themselves secular — whichever side they may be on, I am not pointing out to anybody — to ponder over it and decide for themselves which way they want the country to go.

Mr. Deputy-Speaker, this matter is not such a naive matter. We have all respect for the Prime Minister, in spite of Shri Jaipal Reddy's description of him as a flexible hard-liner. This is the first time a Government-sponsored, Government-arranged, direct attack on the secular character of this Constitution took place where the Central Government is involved up to its neck. We all know the genesis of this dispute. How did it reach the flash point resulting in that act of national shame of 6th December, 1992?

Mr. Home Minister has, only the other day at Amritsar, publicly proclaimed that he came to be the Home Minister of India because of the Rath Yatra he undertook. He said that that Rath Yatra had resulted in the assumption of power by BJP in this country. They may extol it. But it is because of that, that today the Parliament of India, the highest democratic body in the country, is discussing a specific Motion as to the future of this country, as to whether this country will remain united or not.

How are things happening? Why is so much discussion

taking place on this when the matter is sub judice? The Prime Minister, or the Government, through the President's Address has made his commitment. Then, why do we have to discuss it again?

17.00 hrs.

Then why do we have to discuss it again? It is because those are becoming anti-assurances. So far as these issues are concerned, this Government says one thing but does quite to its opposite. It is because they want to keep it alive. This is the issue which has given them the taste of power. They know how at appropriate times it has to be revised and revived. Sometimes they have to keep it low and sometimes they have to show that they have given up their real agenda so that this flock may be kept together. But from time to time they go on instigating, sometimes through VHP, sometimes through Nyas, and sometimes through Bajrang Dal. This is happening repeatedly one after another.

Sir, about the recent incidents why there is so much concern throughout the country; why the Government of India have to send para-military forces under the special provisions for the maintenance of law and order at Ayodhya? Why? It is because they cannot control them as they would not listen to the Supreme Court order.

Even yesterday a VHP representative said : "We are not bound by the Supreme Court order." They are confabulating with the Prime Minister regularly. Even after the Supreme Court order of 13th, yesterday it was said by the VHP. A venerable man, Mahant Paramhans threatened to commit suicide because he was not satisfied with the Supreme Court order as well as the Government's stand. The International Secretary-General of VHP says : " Well, however, we are committed ourselves ever after the Supreme Court judgement." It was said by the International Secretary-General of VHP; if I am wrong, please correct me.

Therefore, extraordinary precautions were taken. Obviously, Shri Atal Bihari Vajpayee cannot afford another '6th of December 1992' to happen in this country because they know that otherwise their Government would go in a day, whatever may be the so-called affinity between them, they knew that.

Therefore, you had to take extraordinary precautionary steps, not for love of maintenance of status quo but for the sake of your Government, Mr. Prime Minister! We had been repeatedly requesting you, Mr. Prime Minister what was the basis on which you gave the assurance to the

[Shri Somnath Chatterjee]

people of this country, to the nation that by 12th March, 2002 this issue would be, resolved? ...*(Interruptions)*... It is in the record of the House that you were already holding discussions with various persons. Did you expect to resolve it? You hoped to resolve it. Very well, I concede your hope to resolve it. But there must have been some basis for your hope. It just did not come up or come down from the air. We asked you that very day here, "Mr. Prime Minister, with whom are you talking? How do you hope and what is the basis of your hope?" But you did not divulge and we really did not press it because we thought that as Prime Minister, you must have the authority, must have the full opportunity to do it; as the Leader of the House and the Head of the Government, you must be having information and you must be knowing which are the parties or which are the organisations with whom to talk to. But never ever we were reported thereafter that there was no chance of any solution by negotiations until you, Mr. Prime Minister, decided to address a BJP election meeting in Lucknow on 15th February, 2002 that there was no longer any chance of a solution by negotiations. Therefore, the only thing left was -- as mentioned during the President's Address - It should be done either through negotiations or it should be decided through the court.

In spite, of your categorical statement through the President's Address delivered by the President of India, the VHP, the Bajrang Dal, the Nyas, etc. have been openly threatening to go on with some sort of *shila puja* inside the acquired land. They say that they are paying respect to the court order, so far as what is described as the disputed land is concerned, where the mosque stood which was ruthlessly demolished, and that *shila puja* must be done. They say that some sort of foundation will be made. Naturally, the entire country showed concern. Are we going back? In spite of all the protestations by the hon. Prime Minister of India, are we going to have another holocaust in this country? Naturally everybody was worried. The Prime Minister has been assuring and saying not to worry; court's order will be respected by all the organisations, which have been his cohorts and still are, in different capacities. Shri Atal Bihari Vajpayee has never concealed his prior preference for RSS compared even to the Government of India's *gaddi* that he is holding. He has said openly to the intentional community that he was the *swayam sevak* first; the Prime Minister's *gaddi* may come and may go; it does not matter. Therefore, his priorities are also well known. But how can -- in spite of the clearest legal and constitutional position in view of the Supreme Court order -- these threats be made? When on 13th we had the Supreme Court order, it came as a boomerang for them.

As I said, Shri Soli Sorabjee is one of my very good friends; we have known each other; but I am very sorry to say that he has -- for the sake of what, I do not know -- compromised the position of the Attorney-General of India. I will come to that later.

Suddenly, the *shila puja* became a *shila daan*. Whose ideas were these? We have been hearing about it before the 13th of March. It was not a new or an innovative solution which was suddenly carved out by the Attorney-General, out of his so-called legal interpretation of the judgement. We had been hearing about that. They said that at least *shila daan* must be made. Lo and behold *shila daan* was held.

The Prime Minister said something; I was waiting for him to give the explanation. What he said today is something very serious for the people to consider in this country. He said :

[Translation]

As it was offered to God, it was necessary to accept it. Why, why should you accept it? Why it was essential? I noted down his words not in Hindi but in Bangali Script. It was essential to accept it otherwise where it would have been kept but what was your role in all that.

[English]

He could get a brother at least in the name of Ram; therefore, he sent Shri Shatrughan Singh. This is amazing! I could not really imagine it. I sent him a letter day before yesterday, on that day itself. I thought he might not have been told; something may be kept behind him or done at the back of him. So, I immediately wrote a letter at 2.40 p.m. I marked the time also and sent it immediately to his Office, with a request to tell his staff that, that was a very urgent letter. I wrote that I have heard it in the TV just now; please see that it does not take place because it was not permissible. But obviously it was thrown to the waste paper basket. It had been held and we heard about it. Somebody went on a special plane and got down there.

Was it the duty of the Government? Actually, the *puja* had gone on. I do not know whether it is the consecrated or defiled stone slab but it has now got a special value because the *mahant* has performed some *puja*. It is the consecrated or defiled stone slab because yesterday itself the *puja* had started over this. Nowadays everything is being shown. The officer, who had gone there, had paid his obeisance on behalf of the Government of India. Is this the

job of an officer of the Government? Was he discharging his official duty? It is unimaginable. Therefore, there is no question of flexibility.

He is a diehard-liner. I am very sorry to say Vajpayee ji that you have given a great shock to the people of this country. Now it has been kept somewhere as you are searching for some temple. It has to be kept somewhere. What is your job? Either under that Act or under the Constitution of India, is this your concept of secularism that you take part in religious ceremonies in this country? Who will perform the *puja* henceforth, you will have to tell us Vajpayee ji. Under what arrangement was the Government of India a party to the arrangements of holding of regular *pujas*? Will there now be *puja* or no *puja*? Some *pujari* has to be there. Who will pay him the salary or the *parami*, as you call it.

May I ask with all humility, could you have sent a Muslim, a Christian or a Sikh officer? The Government of India had to choose an officer of a particular religion to discharge this duty. You are objecting to *rakshas vivah*. I am not supporting it. You have your own objections, Balu Garu. Is your conscience not disturbed? You are a Minister in a Government which is spending money to take part in religious ceremony. On behalf of the Government you are holding the so-called consecrated *Shila*. It is entirely for people like you. At least you are known to be secular.

Therefore, I say that this is a deliberate attack on the secular structure of the Constitution and of the Government of India. I have said it earlier also and I repeat it here, it is a Constitutional sacrilege and the Prime Minister and all his Ministers, who had taken oath for the preservation of the Constitution of India, have breached that oath. Nowadays, a lot of explanations or definitions of secularism are being given. One sample of which we had a little while ago. If that is the secularism being contemplated by our Constitution then I would say that the Constitution has lost all its relevance. If I give a meaning to the word secularism, you will not accept it. All sorts of snide remarks are being made.

Sir, I am reading a few passages from the Supreme Court judgements. Mr. Law Minister, you have got all the copies with you. I am quoting from page 401 of 1994, Volume VI of the Supreme Court cases where there is a quotation from S.R. Bommal case. After referring to the Satalvad Lecture, he stated :

"Religious tolerance and equal treatment of all religious

groups and protection of their life and property and of the places of their worship are an essential part of secularism enshrined in our Constitution. We have accepted the said goal not only because it is our historical legacy and a need of our national unity and integrity but also as a creed of universal brotherhood and humanism. It is our cardinal faith. Any profession and action which go counter to the aforesaid creed are a *prima facie* proof of the conduct in defiance of the provisions of our Constitution."

Mr. Prime Minister, you are guilty of doing that. Now I read from page 402. In the same case Justice Ramaswamy stated :

"The concept of secularism of which religious freedom is the foremost appears to visualise not only of the subject of God but also an understanding between man and man. Secularism in the Constitution is not anti-God and it is sometimes believed to be a stay in a free society. Matters which are purely religious are left personal to the individual and the secular part is taken charge by the State on grounds of public interest, order and general welfare. The State guarantee individual and corporate religious freedom and deal with an individual as citizen irrespective of his faith and religious belief and does not promote any particular religion nor prefers one against another. The concept of the secular State is, therefore, essential for successful working of the democratic form of Government. There can be no democracy if anti-secular forces are allowed to work dividing followers of different religious faith flaying at each other's throats."

Sir, the next paragraph is also from same Justice Ramaswamy's judgement which says :

"It would thus be clear that the Constitution made demarcation between religious part personal to the individual and secular part thereof. The State does not extend patronage to any particular religion, State is neither pro particular religion nor anti-particular religion. It stands aloof, in other words maintains neutrality in matters of religion and provides equal protection to all religions subject to regulation and actively acts on secular part."

Therefore, it has nothing to do with religion. Justice B.P. Jeevan Reddy in the same context in the decision stated :

"While the citizens of this country are free to profess, practise and propagate such religion, faith or belief as they choose, so far as the State is concerned, i.e., from the point of view of the State, the religion, faith

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or belief of a person is immaterial. To it, all are equal and all are entitled to be treated equally. How is this equal treatment possible, if the State were to prefer or promote a particular religion, race or caste, which necessarily means a less favourable treatment of all other religions, races and castes."

It further says :

"Secularism is thus more than a passive attitude of religious tolerance. It is a positive concept of equal treatment of all religions."

What happened on the 15th March? Was it not a preference to one particular religion or group professing one particular religion which are openly against the minority?

Its protagonists are VHP. They never tried to suppress their anti-minorityism. Is it not that today the Government of India has openly favoured one particular religion? It has emanated from the Prime Minister's Office. It was not the response of a nervous junior officer at the site. It is upon deliberation that it has been done. Because that was the understanding obviously with the Sadhus or the Nyas or the VHP. Special arrangements were made. That is why they said, at least you can make *shila dan*; we shall make arrangements. That is why my good friend Shri Soli Sorabjee has made the greatest mistake of his life, I think. I hope he realises it.

Justice Verma, at page 403 quoting from Justice Jeevan Reddy said :

"Any step inconsistent with this constitutional policy is in plain words unconstitutional."

That is my humble submission. This Government is guilty of the grossest type of unconstitutional act. There are other quotations and very important passages; but I do not want to take the time of the House quoting them. At least the hon. Law Minister has read them.

Now everybody is taking shelter under the Attorney-General's *suo motu* statement before the Supreme Court as the Law Advisor of the nation, as if he is the spokesman. I just now heard that he is the Attorney-General for the people of India. Peculiar concepts are being made. He is very much the Attorney-General for the Government of India. What is his job?

"It shall be the duty of the Attorney-General to give advice to the Government of India upon such legal matters and to perform such other duties of a legal

character as may from time to time be referred or assigned to him by the President and to discharge the functions conferred on him under this Constitution or any other law for the time being in force."

Where is it stated here that the Attorney-General can go on making *suo motu* legal interpretations of law and that will be binding on the people of this country? Amazing contentions are being put forward. It is being said 'Well, it is his duty'. Our Law Minister is in agony, I know that. He is caught in his own web. He must also have made a mess of his advice because he was a party there. The Prime Minister summoned him and the Attorney-General. Why did he summon the Attorney-General if everything was left to the Attorney-General to decide and he need not follow the advice of the Government of India? That is what we have been told. He could ignore everything. He is a *sul juris*. He is very much appearing there on behalf of a client and the client is the Government of India. The Supreme Court has not appointed him as an *amicus curiae*, friend of the court, as is being said. He was there holding the brief of the Government of India, as a lawyer of the Government, his client. It has been admitted by the Law Minister and the Prime Minister of India that what he said was on behalf of the Government of India and that he has not given any gratuitous advice to the Supreme Court. But, we have been told, 'Well, in his own wisdom he has interpreted the law. How can you take objection?'.

Sir, which law has provided that 56 sadhus can go in? Which law says that you can stay there for three hours? Which law says that it will be merely a *shila daan*? These are essentially instructions on facts and any lawyer, even the junior most lawyer, will know what is an interpretation of law and what is a statement of facts. Obviously, we take instructions on facts from the clients. I have also had some humility, very very humble not compared to the eminence of the Law Minister or the Attorney-General. We know what is meant by instructions from the clients. We take instructions on the facts really on certain course of action. But what I shall argue and what law will be argued, obviously I would not take instructions from a lay client. We have made distinctions between lay clients and professional clients. When we had the system of solicitors in Calcutta High Court, as barristers we could not appear without a solicitor and the solicitor is a professional client because he has to pay my fees. But obviously, we discuss law with them. When we were junior lawyers, very senior solicitors used to tell us that these are the points of law on which you can argue. But I know no lawyer worth the name who will take instructions on

questions of law from a lay client. But at least, without knowing the facts, how can you argue on a factual position? And that is what the Supreme Court wanted to know as to what is the factual position of your client. Is it a matter of law that 50 or 60 or 200 or 2000 people will go in for a *puja*?

Another distinguished lawyer in the Government is Shri Mukherjee. I am very happy and proud that he is one of the leading lawyers in Calcutta High Court and also in India. This is something so amateurish to be thought of. It is nothing but gives an impression to me that Shri Atal Bihari Vajpayee, with all eminence, is trying to take shelter or cover under Attorney-General's office. And this is nothing but cowardice.

Now, it is a very significant omission in the statement which he read out on the 14th.

"No affidavit or written submissions were filed on behalf of the Government. It was only after the conclusion of the petitioner's Counsel's arguments, on being asked by the Court, that the Attorney-General submitted that."

What was said by the Law Minister and what was said by the Prime Minister? The words "on being asked by the court on the Government's stand" are missing from the statement. I have no manner of doubt that it is a conscious omission and I charge this Government that they are trying to take this House and the country for a ride. Ask him about what? The legal interpretation of what? The judgement? Is there any reference in the judgement about any *shila daan* or *puja*? .../(Interruptions) I know that and I will come to it. You need not grin, Mr. Law Minister. I know what you are going to refer to and I shall myself read it out. I will read the relevant and not the irrelevant portion because somebody may be feeding some Members to read out what they would like to be read out. The Law Minister said in the other House as "on being asked by the court on the Government's stand and the Government's case". The Prime Minister also said that in his statement, which has not been contradicted so far, that Attorney-General Soli Sorabjee has presented the Government's views in the Supreme Court in the matter of allowing symbolic *puja*. Whose idea was to hold a symbolic *puja*?

Symbolic *puja* was the idea of VHP. Is it a matter of law? Suddenly, Shri Soli Sorabjee had some divine input in him, divine inspiration in him that he said, let us have *puja*, symbolic or otherwise. Sir, I am sorry to say that such a mutilation has been made in the statement. It is a deliberate

suppression. The whole intent is to make a limit on the Attorney-General's inspirational gratuitous advice without consulting the client. Another attempt is being made that Supreme Court has not prevented the disposal of this acquired properties, as if the Supreme Court has permitted them to do whatever they wanted to do, at any point they liked. This is deliberate misreading of the judgement. Otherwise, in their agony, they cannot find out any foothold. So, interpret the judgement wrongly. I was amazed when I heard on the television the former Law Minister's speech trying to give a way out and the Prime Minister's commendation complementing the Law Minister that "sometimes you do some good. Why did you not advise me earlier? I would have done it." Some times lawyers become handy to this Government and sometimes NDA allies become handy to this Government.

MR. DEPUTY-SPEAKER : Shri Chatterjee, Law Minister is going to follow you.

SHRI SOMNATH CHATTERJEE : Mr. Deputy-Speaker, Sir, at least let me have the satisfaction that I have placed these things before the House.

Now, let me come to paragraph 45, which is your favourite paragraph. You are quoting everywhere these two paragraphs, 45 and 46. This is a transitory provision. The scheme is the Government has acquired the land. The actual dispute is whether the mosque which was demolished belongs to Hindus or Muslims. That would depend upon the determination. But for proper enjoyment of the actual structure that may come up, either the mosque or temple, the Supreme Court may have to give the decisions with regard to proper user of the temple or the mosque. The Supreme Court will decide and till then the Government of India can give it to some parties, if it so thinks fit, only for the purpose of this act, not for anything and everything. Let us see how the Supreme Court is reading it. I will read it :

"Section 7 as we read it, is a transitory provision, intended to maintain *status quo* in the disputed area, till transfer of the property is made by the Central Government on resolution of the dispute. This is to effectuate the purpose of that transfer and to make it meaningful avoiding any possibility of frustration of the exercise as a result of any change in the existing situation in the disputed area during the interregnum. .../(Interruptions)"

MR. DEPUTY-SPEAKER : This is a caution for you to conclude now.

SHRI SOMNATH CHATTERJEE : I do not think that

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think that by doing this act, I can be put off. I did not realise it. Further :

"Unless status quo is ensured, the final outcome on resolution of the dispute may be frustrated by any change made in the disputed area which may frustrate the implementation of the result in favour of the successful party and render it meaningless."

Then, I invite your attention to page 407. Kindly come to that. My dear young man, do not be impatient. Sir, he is much younger to me. Maybe he is more learned than I am. Further :

"The justification given for acquisition of the larger area including the property respecting which title is not disputed is that the same is necessary to ensure that the final outcome of adjudication should not be rendered meaningless by the existence of properties belonging to Hindus in the vicinity of the disputed structure in case the Muslims are found entitled to the disputed site."

Please come a little lower down to this which says :

"Obviously, it is for this reason that the adjacent area has also been acquired to make available to the successful party, that part of it which is considered necessary, for proper enjoyment of the fruits of success on the final outcome to the adjudication. It is clear that one of the purposes of the acquisition of the adjacent properties is the ensurment of the effective enjoyment of the disputed site by the Muslim community in the event of its success in the litigation; and acquisition of the adjacent area is incidental to the main purpose and cannot be termed unreasonable."

It is for the proper enjoyment of the disputed site whoever wins. It is to ensure the effective enjoyment of the disputed site.

It was contented that the dispute is to that portion of the land and why had the Government taken so much land. The Supreme Court is answering that question. It is for the proper enjoyment of the disputed site. Ultimately, if it is going to the Muslim community, it is necessary; and it is proper that this acquisition should be made.

Sir, kindly see paragraph 50 which says:

"However, at a later stage when the exact area acquired which is needed, for achieving the professed

purpose of acquisition, can be determined, it would not merely be permissible but also desirable that the superfluous excess area is released from acquisition and reverted to its earlier owner."

This is the position when the Supreme Court has decided what will be the exact area of the acquired site that would be need.

Therefore, it says that when it is found out that any part of the acquired area is no longer necessary because adjudication has already been made, then it can be released and it should be released. Why should the Government keep it?

It further says :

"The challenge to acquisition of any part of the adjacent area on the ground that it is unnecessary for achieving the objective of settling the dispute relating to the disputed area cannot be examined at this stage but, in case the superfluous area is not returned to its owner even after the exact area needed for the purpose is finally determined, it would be open to the owner of any such property to then challenge the superfluous acquisition being unrelated to the purpose of acquisition."

The Supreme Court says that it cannot be so unless it is finally decided.

Suppose the Supreme Court finds that it belongs to the Muslims and if they need that another 40 acres should be given to them, then it would decide. Whether it is 25 or 27 acres or whatever it may be, if that is not given and returned, then the owner can go to the court. This is the clearest intention now. There are a few paragraphs under the heading "Conclusions". What have those paragraphs said? It is absolutely clear. Please refer to paragraph 10 in page 423. ...*(Interruptions)* If you want to listen, you can listen. Please do not go by the wrong information given to you. ...*(Interruptions)* Sub-paragraph (6) says about the vesting of the adjacent area. This is the summary of the conclusion of this judgement given by the Judges themselves and not by others.

Paragraph 6 says :

"The vesting of the adjacent area, other than the disputed area acquired by the Act in the Central Government is absolute."

There is a question. They say that this can be made over any time they like and all the rights of the previous owner remain and that is being solemnly argued. ...*(Interruptions)*

[Translation]

SHRI LAL MUNI CHAUBEY : Mr. Deputy Speaker, Sir, what is left in the matter. When the court's decision is about to come, there is no relevance of what the hon'ble member is saying. ...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : The Law Minister is also here. He would give the reply.

...*(Interruptions)*

[Translation]

SHRI LAL MUNI CHAUBEY : Mr. Deputy Speaker, Sir, all the members have read it and all are aware of all this, then what is the use of dragging the issue. It is wastage of the valuable time of Parliament.

SHRI SOMNATH CHATTERJEE : It further says :

"The vesting is absolute with the power of management and administration thereof in accordance with sub-section (1) of Section 7 of the Act, till its further vesting in any authority or other body or trustees in accordance with the Section 6 of the Act. The further vesting of adjacent area, other than the disputed area, in accordance with Section 6 of the Act has to be made at the time and in the manner indicated, in view of the purpose of its acquisition."

I do not know whether the attention of the Prime Minister has been drawn to paragraph 9. It says :

"The challenge to acquisition of any part of the adjacent area on the ground that it is unnecessary for achieving the professed objection of settling the long-standing dispute cannot be examined at this stage."

Why not? It is being said by eminent lawyers that at this stage means after the judgement, it can be. It further says :

"However, the area found to be superfluous on the exact area needed for the purpose being determined on adjudication of the dispute, must be restored to the undisputed owners."

If any land is extra, upon the determination of the dispute, it can be returned to the owner.

Now, it is being contended. Any time, the successive

Governments have failed in not returning this extra land. How can the Government take a decision when the matter is before the court? This Acquisition Act has been upheld. The necessity of acquiring adjacent area has been upheld. The Supreme Court said that it is necessary and it cannot be determined at this stage. It can only be determined on the final determination of the dispute. Then, how all these theories are being adumbrated? How this organised campaign is being made? It is said that it could be easily restored. The successive Governments have failed in returning them and they could not touch any inch of it. It has become a matter of law, whether you like it or not. Would you give an illegal interpretation? You cannot try to give the lawful or legal interpretation.

Therefore, this is a deliberate attempt to take the country for a ride, trying to say that the Government in any event had the right to give it to anybody it likes, without determination, and the Supreme Court has now made it clear. Therefore, the Supreme Court at least now saved this country from being torn apart. I charge that this Government has deliberately, want only compromised with one religion, taking active part in the religious ceremonies, pandering to the communal elements just because they want to have their own brand of *Hindutva* to pursue because they survive with their support.

It is being said as the majority are Hindus, the black spot should be removed. Is it not a pluralistic society? The Prime Minister say day in and day out that it is a secular country and we have a secular Constitution and the Government is bound to uphold it.

Is this the way secularism is being upheld? Are you thinking of the minorities? Gujarat is in flames again. This is the result of this poison that is being spread; this is the result of this compromise, unconstitutional, unethical, immoral compromises that are being made for the sake of remaining in power. Mr. Vajpayee, save this country; do not surrender yourself to these fundamentalists and fanatics. The nation will never absolve you from this.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY) : Mr. Deputy-Speaker, Sir, I am very grateful to you for having permitted me to intervene in this debate. This discussion was originally scheduled for the 14th in a different format. It could not take place and thereafter, yesterday, on the 15th, even though some prophets of doom had predicted the worst, the entire programme at Ayodhya passed off peacefully. Ordinarily, we would have thought that, after the peaceful

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conclusion of the functions at Ayodhya yesterday, the whole issue, for the time being, at least, required no further debate, but going by the speeches from the Opposition Benches that I have heard, I think, there is a considerable disappointment that nothing happened yesterday. ...*(Interruptions)*

Sir, after listening to the speech of Shri Jaipal Reddy, I was almost certain that he was humongously disappointed. He was humongously disappointed because one would normally have thought that there is a very major issue on which this House must assemble on a Saturday afternoon and sit till late hours on Saturday evening — something which we normally do not do — and I expected some very strong points, maybe some humongous logic. But verbosity is never a substitute for logic. He was struggling today not merely to find out where the point was, not merely to make a mountain of where there was not even a molehill, but because nothing happened yesterday and eventually all he did was to hair-split words and then made two points.

The first one was this. Was the Attorney General appearing for the Government of India? Was the Attorney General an *amicus curiae*? Was the Attorney General giving his own interpretation of law or was it as per my statement in the Rajya Sabha on the 13th? Was he making a statement when asked to interpret on behalf of the Government of India? All he did was hair-split and then he suddenly became jealous of the marriage, which he said, that exists between the NDA partners.

Sir, he called it a marriage of convenience, a marriage of compromise, a marriage of compulsion and then probably imagined a devilish marriage also. We agreed on a Common Minimum Agenda of the NDA. We called it the NDA Agenda. We entered into this solemn arrangement after publicly stating before the entire country that we stand by every word of the NDA Agenda. It was a political alliance which came into existence before the last elections and we have categorically said — the Prime Minister, in his statement, said — that we stand by every word that is said in the Agenda. But I may remind him that when political parties which are accountable to the country come together on a particular agenda, it is a promise that they make to the nation.

Our position is very dissimilar to the position in which he finds himself. He belongs to a political party that suddenly evaporated from the national political scene.

SHRI S. JAIPAL REDDY : May I make a point?

SHRI ARUN JAITLEY : As many as you will make a point to NDA.

SHRI S. JAIPAL REDDY : The Prime Minister made this point. I resigned from the Congress Party in 1974 against Emergency. You did not appreciate it. Why have you staged a U-turn now? I do not have to go into the whole logic. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Please do not interrupt the Minister of Law.

SHRI ARUN JAITLEY : I quite admire and also sympathise with my friend's position. On what happened during the Emergency, he resigned from the Congress Party. We compliment him for that. Emergency was a great political development. He agrees with us and not with his colleagues on that. What happened in 1984? Probably, you agree with us and not with your present company. When the Bofors scam exploded, you agreed with us and not with your present company. ...*(Interruptions)*

How should I describe this marriage? Shall I call it compulsion? Shall I call it convenience? You called it devils' marriage. But I may remind him that there are different kinds of marriages that exist in several jurisdictions. In the State which I represent in the Rajya Sabha, they call it the '*maitri kara*'. For a temporary convenience, you come together. You may agree or may not agree. Therefore, every time, you make this point about the NDA partners. They have publicly proclaimed it. As political parties, on a common agenda, we have come together and we stand by every word of the agenda.

SHRI SOMNATH CHATTERJEE : Come to the point.

SHRI ARUN JAITLEY : I am certainly coming to the point. I have pointedly come to the point because I must make it his point which, Shri Somnath Chatterjee, you made.

SHRI SOMNATH CHATTERJEE : About marriage?

SHRI ARUN JAITLEY : I was only referring to his marriage.

SHRI SOMNATH CHATTERJEE : Young man, you are still excited about marriage.

SHRI ARUN JAITLEY : After referring to what he has to say, I will certainly refer to what you have said about the office of the Attorney-General and what you had to say about the 1994 judgment.

I quite appreciate your position also because, at times, I find myself in a dilemma. Keeping too much away from courts, we start getting those withdrawal symptoms. We start arguing the court cases in the House itself.

SHRI SOMNATH CHATTERJEE : It has to be argued. You are making the point of politics a point of law.

SHRI ARUN JAITLEY : I will certainly put the point across to you.

Shri Jaipal Reddy, the principal question you put to us was and you said that you were a layman. I do not claim to be any authority of law.

This is the question that has been arising for the last few days. What is the position of the Attorney-General? I must say, Shri Somnath Chatterjee, I was disappointed when that position came from you. Is the Attorney-General merely a spokesman of the Government? Is he merely an Advocate for the Government and he has no independent stature independent of that?

Before I come to this question, please remember the history. The history of office of the Attorney General is that it was a constitutional office that was created — an independent constitutional office outside the Government. Why did they think of considering it outside the Government? They wanted the Government to have benefit of an independent legal advice and not merely an advice on every occasion which the Government would like it to suit its stand.

SHRI SOMNATH CHATTERJEE : You are absolutely right. But here he was appearing for the Government.

SHRI ARUN JAITLEY : Please do not interrupt me for a moment. We have had in this country earlier precedents. I remember one that Shri Setalwad quotes in his book:

A question arose under the Government of India Act. What is the position of an Advocate-General or an Attorney-General.

Under the Government of India Act, there was a joint parliamentary committee and the joint parliamentary committee of our predecessor institution very clearly stated that this is an institution which must operate independent of the politics and the political fortunes of the Government of the day. He cannot tend his advice merely because the government has this stand or the Government has some alternative stand. It is for this reason when Shri Setalwad

was one of the premier occupants of this office, the then Law Minister, Shri Sen, had a proposal, in fact, to abolish the office and merge the two offices of Law Minister and Attorney-General into one. There was a national debate, every jurist expressed his opinion, all bar associations debated and the then Prime Minister Shri Nehru sided with the opinion of the Attorney-General to say, 'you cannot combine these two offices because you need an independent constitutional authority outside the Government machinery which can stand up and even tell the Government, here I consider that you are wrong on this particular issue'. On the question of law, the Government is not supposed to direct the Attorney-General, they are not supposed to direct the Advocate-General.

One of the tallest lawyers of our generation, Shri Seervai, who for more than 17-18 years was the Advocate-General of Maharashtra — one of the distinguished constitutional lawyers India has seen — when directed by the Maharashtra Law Minister to take a particular legal stand in a court, he clearly took up a position and the whole country and the legal judicial fraternity supported him that as far as a matter of law is concerned, the Government is seeking the advice of the Attorney-General. Government may or may not find themselves bound by that advice. But that is an independent advice.

Even in the court, the Attorney-General can give an interpretation of law which may not suit the Government of the day. In fact, there are precedents and somebody with your experience would know that law officers have the authority to stand up before the court and say that I feel in this case my client does not have a case and sit down. Ordinary lawyers normally do not do that, but that is the level of fairness which is expected from the Attorney-General and these officers.

They are right, there is no confusion. The Government of India is a respondent in the petition which has been filed before the court. The Attorney-General appears for the Government of India and when the court asked him what is your interpretation of the 1994 judgement, under the 1994 judgement, do you find there is any prohibition on a symbolic puja, the Attorney-General must take the stand which he considers to be correct and not what Shri Setalwad writes, 'be dependent upon the politics of the same'.

SHRI S. JAIPAL REDDY : What about the hon. Minister's statement in Rajya Sabha?

SHRI ARUN JAITLEY : Yes — my statement in Rajya

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Sabha — if he does not hair split again, it is clear, he did appear for the Government of India.

SHRI S. JAIPAL REDDY : The stand of the Government!

SHRI ARUN JAITLEY : Yes, the Attorney-General endorsed it. When the Attorney-General appears on a question of law, he takes a stand which the Attorney-General considers to be the correct stand.

SHRI SOMNATH CHATTERJEE : Please yield for half-a-minute.

We have a great respect for him. He is one of the brilliant lawyers this country has produced. We all respect him. But what I have said, that is the glory of the office. There have been certain pitfalls, which the hon. Minister also knows. It is unfortunate. Everybody is not Motilal Setalvad. Unfortunately, there have been aberrations in between. What I have been saying is whether 50-60 sadhus going there sitting there for three years, hold a *puja* or giving a *shila-daan*, is not a question of interpretation of law. These very figures have emanated from the Prime Minister's office as a solution. These are questions of fact. How many people should go? How long they will stay? Is it a matter of legal interpretation? ...*(Interruptions)*

KUMARI MAMATA BANERJEE : Sir, there are so many speakers, please allow them also to speak.

MR. DEPUTY-SPEAKER : He has yielded.

SHRI S. JAIPAL REDDY : I am quoting from the policy statement made by the Law Minister in Rajya Sabha.

18.00 hrs.

"The Attorney-General of India appeared on behalf of the Government of India." The Attorney-General was not asked to interpret the judgement of Supreme Court delivered in 1994. Then, on being asked by the court about the Government's stand, the Attorney-General says: "On the Government's reading, on interpreting the judgement" — the Government also interprets the judgement — "In *Farooqi's* case, the temporary use of the undisputed land for performing a brief *puja* was not *per se* prohibited."

I am reading from the statement made by the hon. Law Minister in the other House as late as 13th of March.

SHRI ARUN JAITLEY : I am very glad my two very

distinguished colleagues have sought this matter again and wanted a clarification on this. Yes, the Attorney-General appears, as I said, in the case on behalf of the Government of India. When the Attorney-General appears on behalf of the Government of India, it is a clear precedent that when he interprets law, it is the Attorney-General's interpretation that he gives. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Shri Basu Deb Acharia, he has already yielded. He is not yielding.

SHRI ARUN JAITLEY : The Attorney-General, appearing on behalf of the Government, when he interprets law, in the matter of interpreting the law, he does not take any instruction as far as the Government of India is concerned.

Now, Shri Somnath Chatterjee has asked about this. The Attorney-General then gets up and makes a plea in court that in case at any stage the court is inclined to permit the *puja*, then having considered the whole matter, these are the tight restrictions which I believe should be imposed. ...*(Interruptions)* It is not for you.

SHRI BASU DEB ACHARIA : What is the Government of India's interpretation?

SHRI ARUN JAITLEY : The Attorney-General, in matters of interpreting the law, — interprets the law in his own right and not on any legal instruction of the Government. This is a clear precedent which has existed throughout. As the Attorney-General himself has said that any law officer with any amount of dignity on matters of law does not accept instructions or directions of the Government. He interprets the law as far as his own rights as Attorney-General are concerned.

Two very interesting arguments have been raised by Shri Somnath Chatterjee. First, he says, is that insofar as accepting of a *Shila* by an officer is concerned, this itself amounts to something which is unsecular in character. He has read out paragraphs from the judgement of the Supreme Court. But we do not need the Supreme Court itself to tell us what secularism is. We may have different interpretations of meaning of secularism. For one side, we are all very clear about that. In terms of secularism, the State has no religion. Secularism rejects the concept of theocracy or concept of a State religion. The State does not discriminate on the basis of religion. But he goes a step further and says if in any religious function or if any religious procession comes, the State accepts through its officer a *Shila* in order

to see that tensions are defused and India acquires an unsecular character. Sir, may I remind him?. ...*(Interruptions)*
That is the direct consequence of what we gave.
...*(Interruptions)* Sir, I recollect that it was no ordinary functionary from the civil service who was sent there in order to make sure that tensions are defused. If Shri Somnath Chatterjee looks to his right, he will remember that when the *Shiladaan* was performed in 1989.
...*(Interruptions)* Please look to your right.

SHRI SOMNATH CHATTERJEE : That was wrong.

MR. DEPUTY-SPEAKER : Please do not interrupt. Let him say. His interpretation and his viewpoints should be recorded uninterruptedly.

...*(Interruptions)*

SHRI BASU DEB ACHARIA : Our stand is consistent.

SHRI ARUN JAITLEY : Your company is inconsistent.
...*(Interruptions)*

When the *shilanyas* was performed, it was no small officer who went to observe what was happening. You had a Minister of the Central Government present there to watch what was happening. The *shilanyas* was attended by the Home Minister of the Government of India at that time.

SARDAR BUTA SINGH (JALORE) : It is absolutely wrong; it is totally false.

SHRI MANI SHANKAR AIYAR : He cannot be allowed to get away with this. The Home Minister of the time has stated here that the allegation is completely false.
...*(Interruptions)*

SARDAR BUTA SINGH : It is totally false. I have never visited Ayodhya.

SHRI MANI SHANKAR AIYAR : If Shri Arun Jaitley is right on facts, Shri Buta Singh is telling untruth. If Shri Buta Singh is right on facts, the Law Minister — I use my words very carefully — is telling untruth, unless he withdraws it.

SARDAR BUTA SINGH : It is absolutely false. Let him prove it.

[Translation]

SHRI RAM NAGINA MISHRA (PADRAUNA) : Mr. Deputy Speaker, Sir, I was also there. At that time Shri

Rajiv Gandhi was the Prime Minister. Foundation stone was laid on his orders. The work was started but later on it was stopped as per the orders of hon'ble Minister.
...*(Interruptions)*

[English]

SHRI ARUN JAITLEY : I have absolutely no difficulty if Shri Buta Singh says I that he did not go there.
...*(Interruptions)*

SARDAR BUTA SINGH : It is totally false.

SHRI ARUN JAITLEY : If he says that he was not present, I accept it. There is absolutely no difficulty. He is a senior Member. I accept what he says but let me remind this House that in 1989 the entire *shilanyas* was performed with the complete blessings of the Central Government. This is something that Shri Buta Singh cannot deny.

We have not one religious denomination but almost every religious denomination. The State does not accept religion. There is no State religion or theocracy but at times from a distance without in any affecting this impartiality the State is itself a facilitator. We have the Wakf Boards, which the State constitutes. We have elections to religious institutions, which the State conducts. We have official delegations of the Government to the Haj. We have assistance of the Government for the performance of the yatras. I am not for a moment questioning them. We have civil service officers of the Government — Tirupati is an example — deputed and sent to those organisations. The great temple of Lord Venkateswara is an example. The State does not lose its secular character. ... *(Interruptions)*

SARDAR BUTA SINGH : Those are done by Acts. He does not know anything. What is he talking about?

SHRI ARUN JAITLEY : I am very grateful to Shri Buta Singh who said that these were all done by Acts, though not all of them are done by Acts. Participation in the Haj is not by an Act. Assistance in terms of finances is not done by an Act; it is done by an executive decision of the Government. He is right about the Administrator at the Tirupati temple, the Wakf Board Act and the SGPC Act.
...*(Interruptions)*

SHRI A.C. JOS : Here, it is a question of participating in a ceremony.

MR. DEPUTY-SPEAKER : Let him say whatever he wants.

SHRI BASU DEB ACHARIA : Can Government officials participate in religious ceremonies?

SARDAR BUTA SINGH : This very Parliament has passed Acts to protect the interests of minorities. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : He is not yielding.

...*(Interruptions)*

SARDAR BUTA SINGH : He does not know anything about law. ...*(Interruptions)*

SHRI ARUN JAITLEY : I was trying to find out how the offerings at the Ayodhya makeshift temple are maintained today under the directions of the Courts. The temple is continuing under the directions of the Courts. It is the Commissioner who is the authorised officer. ...*(Interruptions)*

SARDAR BUTA SINGH : He is a Receiver. ...*(Interruptions)* You cannot mislead the House. The Government always appoints a Receiver. ...*(Interruptions)* You should not mislead the House. The Court orders are there. ...*(Interruptions)*

SHRI ARUN JAITLEY : Sir, I need protection. This kind of things cannot go on.

MR. DEPUTY-SPEAKER : Sardar Buta Singh, the hon. Minister is not yielding.

SARDAR BUTA SINGH : Sir, he is misleading the House. Being a lawyer, he is misleading the House.

MR. DEPUTY-SPEAKER : But he is not yielding to you.

...*(Interruptions)*

SARDAR BUTA SINGH : Even if he is not yielding, he has no right to mislead the House. We cannot allow this. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Sardar Buta Singh, let me tell you.

...*(Interruptions)*

SARDAR BUTA SINGH : We cannot allow this. He is misleading the House. Being a lawyer he has no right to do it. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : If he is misleading, you have the option to move a privilege motion against him.

...*(Interruptions)*

SARDAR BUTA SINGH : In any way we will do it. But he is misleading the country. ...*(Interruptions)*

SHRI ARUN JAITLEY : Sir, we are a multi-religion and pluralistic society. I have a list where not by Acts of Parliament or State Legislatures, regarding the religious institutions, where the Government only acts from a distance as the facilitator without.

SHRI A.C. JOS : It is participating in a ceremony. Mr. Minister, do not fool us. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Shri Jos, the hon. Minister is not yielding. You cannot interrupt like this unless he yields to you. You cannot interrupt like this.

...*(Interruptions)*

SHRI A.C. JOS : He is twisting the point. It is participating in the ceremony. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Unless the hon. Minister yields, you cannot go on record. Nothing except the speech of the hon. Minister goes on record.

*(Interruptions)**

MR. DEPUTY-SPEAKER : I will not allow you.

...*(Interruptions)*

MR. DEPUTY-SPEAKER : Shri Kharabela Swain, please take your seat.

SHRI ARUN JAITLEY : Sir, we understand our secularism very clearly to be that the State does not discriminate in matters of religion; the State has no religion of its own. But there are several religious activities — I have a list of all of them — there are States where processions of a religious character have been customarily received or let off by Commissioners of Police and by Collectors. There are important occasions of this kind and it is not that we are making a grievance out of it nor does that dilute the secular character of India. Therefore, it is to say that it is merely because it is an attempt to diffuse attention from a religious group, their demand in terms of the State was

accepted by an officer so that the secular character of India has been acquitted. In fact, the secular character of India is not going to be affected by these kinds of arguments. ...*(Interruptions)*

SARDAR BUTA SINGH : How can you do it when the matter is *sub-judice*? The hon. Supreme Court is hearing it. How can the hon. Prime Minister send a delegation there? The hon. Supreme Court is in possession of the case. ...*(Interruptions)* The hon. Prime Minister cannot send an officer. It is a *sub-judice* matter. I cannot agree this. ...*(Interruptions)* It is in your custody.

MR. DEPUTY-SPEAKER : Sardar Buta Singh, kindly do not disturb. We do not have time.

SHRI ARUN JAITLEY : I come to the question raised by hon. Member Shri Somnath Chatterjee. He read extensively from the judgement.

SHRI BASU DEB ACHARIA : You quote the 1994 judgement.

SHRI ARUN JAITLEY : In fact, on the paragraph which he read out, if we really analyse it, I think those in favour of the temple in the VHP should be grateful to him.

SHRI SOMNATH CHATTERJEE : Very well.

SHRI ARUN JAITLEY : The 1994 Act which was legislated is there. If I read one sentence from the statement of objects of that Act, that will make it clear on the land being acquired. The Statement of Objects said :

"It was considered necessary to acquire the site of the disputed structure and suitable adjacent land for setting up a complex which could be developed in a planned manner wherein a Ram temple, a mosque and amenities for pilgrims, library, museum etc. could be constructed..."

SHRI SOMNATH CHATTERJEE : It is the Statement of Objects.

SHRI ARUN JAITLEY : Yes. Shri Somnath Chatterjee, if your logic is correct, then the State acquiring land for building a temple, the State acquiring land for building a mosque, the State acquiring a land. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : Sir, what is it that he is talking?

SHRI MANI SHANKAR AIYAR : He is clearly misleading the House. ...*(Interruptions)*

SHRI ARUN JAITLEY : I very well understand the point I am trying to make. It is only a very inconvenient point for them. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : Sir, of course, he is trying to say something else. It is well established by the hon. Supreme Court long time back. ...*(Interruptions)*

SHRI ARUN JAITLEY : Therefore, these lands can be acquired. These lands have been acquired for a particular purpose. ...*(Interruptions)* Shri Somnath Chatterjee's argument was, as I understand, that he was citing a particular viewpoint. ...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI) : Shri Somnath Chatterjee, we heard all of you with rapt attention. Let us hear the other side of it. Why do you not have the patience to listen to the other side? It is not the court of law; it is Parliament where everybody would intervene. ...*(Interruptions)*

SHRI ARUN JAITLEY : Sir, Shri Somnath Chatterjee emphasised three or four paragraphs. I just wish to read five to seven lines from the entire judgement. The Attorney General took a particular view. The argument, as I understand, is that the judgement was very clear. This view was just not possible. For this land, you have to wait till the suits are over. There is a dispute pending in a title suit in respect of the disputed land. It is a very small piece of land. Some say that it is of 80 feet by 40 feet and some say, it is a maximum of 0.31 acre. This land is the frozen land whose future depends on what the Allahabad Court, Lucknow Bench will eventually decide. I do not think that there were ever two views by anybody on this question.

Sir, Shri Somnath Chatterjee read paragraph 45 and also section 7. He was right. Section 7 of the Act itself, if Shri Somnath Chatterjee re-reads it, only refers to status quo in the Act in relation to the structure where originally the disputed structure stood. It did not refer to the entire 67 acres or 71 acres of land. Section 7 reads:

"In managing the property vested in the Central Government under section 3, the Central Government or the authorised person shall ensure that the position existing before the commencement of the Act in the area on which the structure commonly known as the Ram Janmabhoomi - Babri Masjid stood in village Kot in Tehsil district is maintained."

So, what existed on 7th January, 1993 with regard to

[Shri Arun Jaitley]

the disputed structure, *status quo* would be maintained. He read from this paragraph and said that this completely answered against what the Attorney General had said. The sentence is this. Section 7 which has been read is the transitory provision intended to maintain *status quo* in the disputed site. So, paragraph 45 which he read and pointedly drew our attention to page 405 is only section 7 relating to that small piece of area. ... *(Interruptions)* That is factually correct. I just read three sentences from paragraph 49. It reads :

"The narration of the fact indicates that acquisition of properties under the Act affects the rights of both the communities and not merely those of the Muslim community. The interest claimed by the Muslim community is only over the disputed site where the mosque stood before its demolition. The objection of the Hindus to this claim has to be adjudicated. The remaining entire property acquired under this Act is such over which no title is claimed by the Muslim. A large part comprises of those properties of Hindus, which are not even in dispute."

Then, they say that the justification is, which he rightly read out, that adjacent lands may be required for various reasons, for the beneficial enjoyment of whoever wins the title suit of the small property, for security, for access so that the fruits of the winning party are not deprived to him. That is why, the remaining land is required to be acquired. Then, the Court says :

"At a later stage when the exact area acquired which is needed for achieving this professed purpose of acquisition can be determined, it would not merely be permissible but also desirable that the superfluous excess area is released from acquisition and reverted to its original owner. The challenge to acquisition of any part of the adjacent area on the ground that it is unnecessary for achieving the object, the dispute relating to disputed area, cannot be examined at this stage."

...*(Interruptions)* Sir, I am reading let me allow to read. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : He is reading. Why are you disturbing?

...*(Interruptions)*

SHRI ARUN JAITLEY : Sir, I will read this paragraph because this paragraph will make Shri Somnath Chatterjee,

probably, the first choice of the VHP to engage in the case before it. It further says :

"The challenge to the acquisition of any part of the adjacent area on the ground that it is unnecessary for achieving the objective of settling the dispute relating to the disputed area cannot be examined at this stage. But in case the superfluous area is not returned to the owner even when the exact area needed for the purpose is finally determined, it would be open to the owner of the property to then challenge the superfluous acquisition being unrelated to the purpose of acquisition."

Sir, the court divided the land into three parts. The first part is the disputed area for which the Government is the receiver and a *status quo* is to be maintained. The second part is some adjacent land which is to be determined as to how much adjacent land is required for the protection and for the enjoyment of the disputed land. The third is the superfluous land which is to be returned. The only question, which Somnathji arises, which is not answered in this paragraph, is when the superfluous land is to be really returned. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : Please come to the conclusion part.

SHRI ARUN JAITLEY : It is answered in a paragraph which you conveniently chose not to read, that is, paragraph 56.

SHRI SOMNATH CHATTERJEE : If you charge me with deliberately misleading the House, it is a very serious charge. Sir, if you give me the time, I will read the entire judgment.

SHRI ARUN JAITLEY : I withdraw my statement. I will say that Somnathji did not read that.

SHRI SOMNATH CHATTERJEE : Please read the concluding portion then. It is a very serious charge that I have deliberately withheld something.

MR. DEPUTY-SPEAKER : He has already withdrawn that statement.

SHRI ARUN JAITLEY : Please take it that you did not read that paragraph.

SHRI SOMNATH CHATTERJEE : There are so many paragraphs, and there were so many interruptions when I was reading this.

MR. DEPUTY-SPEAKER : He has already accepted your position.

SHRI ARUN JAITLEY : There are more interruptions when I am reading it and I am still reading it.

SHRI SOMNATH CHATTERJEE : The whole Constitution is today polluted.

SHRI ARUN JAITLEY : The embargo on transfer till adjudication and in terms thereof to be read in section 6 relates only to the disputed area, while transfer of any part of excess area, retention of which till adjudication of the dispute relating to the disputed area may not be necessary, is not inhibited till then. ...*(Interruptions)*

SHRI MANI SHANKAR AIYAR : It says, "Provided it may not be necessary." Who is going to determine that? Are you going to pre-empt the court in determining what 'may' or 'may not be' necessary? That is the crux of the matter.

SHRI ARUN JAITLEY : I will answer that, Shri Aiyar. I will re-read the sentence because it creates some inconvenience; last time, I said, "Conveniently". It says, "The embargo on transfer till adjudication and in terms thereof to be read in section 6 relates only to the disputed area, while transfer of any part of excess area, retention of which till adjudication of the dispute relating to the disputed area may not be necessary, is not inhibited till then since the acquisition of excess area is absolute, subject to the duty to restore it to the owner, if its retention is found to be unnecessary". ...*(Interruptions)*

SHRI MANI SHANKAR AIYAR : The question, therefore, is : "Is it necessary or is it not necessary? Are you going to determine it or are you going to wait till the adjudication?" If you are going to transfer it, it means that you are on the side of the VHP, and that is the crux of the issue.

SHRI SOMNATH CHATTERJEE : Why do you not read the concluding paragraph?

SHRI MANI SHANKAR AIYAR : This is not an argument that has started here. The VHP lawyers have been repeatedly reading out this sentence, reading out these three words 'may be necessary'. Therefore, he has hit the nail on the head. Do you think that it is necessary or do you think that it is unnecessary? Why is it that you cannot wait till the adjudication?

MR. DEPUTY-SPEAKER : Shri Aiyar, are you an advocate?

SHRI MANI SHANKAR AIYAR : No, Sir. My daughter taught me a lot. My daughter is Arun Jaitley's *shagird* and, therefore, she has taught me a lot.

MR. DEPUTY-SPEAKER : I was a professional advocate. Now, Shri Somnath Chatterjee, he is putting forth his claim and his interpretation. Wherever it may be inconvenient for him, he may not read it.

The same applies in the case of the Law Minister. The House has to patiently hear him so that his views are understood.

SHRI ARUN JAITLEY : Sir, I do not mind my friend Shri Aiyar's objections. His daughter is a brilliant young lawyer. It is just that she had a very difficult student in him.

Sir, may I just say this on this whole question? What are the parameters of this debate today? These issues as to what is precisely the interpretation of the 1994 judgement, whether a *Puja* could be permitted or not permitted, are all issues which are now for the Supreme Court to decide and those issues will be decided by the Supreme Court. Those issues do not have to be decided even by the Government or by this House today. These are all only possible interpretations which are being placed here.

All that I say is, is not the Attorney-General of India entitled to read this judgement and say such and such is his view? We are always told, "When you speak in the House you must speak out of fearlessness". Similarly in the other institution, there is autonomy as far as Judges are concerned. Right judgements must be written free from any kind of fear. When law officers of the Government argue a case on behalf of the Government, are they not entitled to interpret a law as they consider it to be correct? Or, must they say, "Well, if I give this interpretation of law, it may have a political ramification." If there is a possible view, which I think is the direct view, I will honestly and fearlessly place that view before the court.

I think it will be sad for the country if law officers, the Attorney-General, Advocates-General, take a stand before the court on a question of law, and interpretation of a judgement such as whether a brief *puja* is permissible or not; and then if they are told that their stand should have been guided not by their Constitutional duty, not by what they thought was an honest interpretation of the judgement, but by what the political fall out of their interpretation would

[Shri Arun Jaitely]

be. If that happens, it will not be a happy occasion at least for the other institution, which is also very important as far as India is concerned.

SHRI MANI SHANKAR AIYAR : Sir, may I seek a clarification?

MR. DEPUTY-SPEAKER : No.

SHRI MANI SHANKAR AIYAR : Do I have your permission to ask the Minister of Law, not Shri Arun Jaitley, a legal question?

MR. DEPUTY-SPEAKER : He has just intervened in the debate.

SHRI MANI SHANKAR AIYAR : I just want to know from this lawyer. ...

MR. DEPUTY-SPEAKER : I do not think that is necessary.

SHRI MANI SHANKAR AIYAR : Okay, Sir.

SHRI K. YERRANNAIDU (SRIKAKULAM) : Mr. Deputy-Speaker, Sir, Telugu Desam Party consistently professed the philosophy of secularism, national integration, peace and harmony.

From the beginning, our party's stand has been that the Ayodhya issue will be settled either by mutual negotiations or by the court verdict. We included this aspect in the manifesto of Telugu Desam Party also. In the elections for 12th Lok Sabha, no single party got absolute majority. So, a political alliance came into existence based on a Common Minimum Programme. Every political party has its own manifesto. Three contentious issues, of which construction of Ram temple at Ayodhya is one, are not included in the Common Minimum Programme. This issue has been pending in the court many years.

18.29 hrs.

(SHRI P. H. PANDIAN in the Chair)

Hon. Prime Minister has stated many times that the Government will abide by the court verdict, and that the Government will maintain the *status quo* at the site at any cost.

In the President's Address to both the Houses of Parliament, the Government's position has been made

clear. Even in the All Party Meeting convened by the hon. Prime Minister, the Prime Minister categorically made clear the stand of the Government. There is a consensus among all the political parties. We requested the Government of India to expedite the matter.

The main issue is about the Attorney General's submission. My Party's Politburo released a Press Note which says :

"The Telugu Desam Party Politburo reviewed the situation arising out of the order of the Supreme Court today on the Ayodhya issue. The Party reiterated its stand that all concerned should abide by the orders of the Supreme Court in the sensitive issue of Ayodhya. The Party expressed its concern and unhappiness over the stand taken by the Attorney General of India in the Supreme Court. The plea that the Government of India has no objection for symbolic puja in Ayodhya is not in conformity with the stand taken by the NDA partners and the Telugu Desam Party."

Based on the order or the directive of the 13th March of the Supreme Court, we requested the Prime Minister of the country to take stern steps to maintain law and order, peace and harmony in the country. The Government of India made elaborate arrangements and sent 25,000 police personnel to maintain law and order, in accordance with the Supreme Court verdict. The process in Ayodhya went on very peacefully and we are congratulating the Government for that.

The second issue is this. I am not going into the merits of the case because it is pending in the Supreme Court. Even now, the hon. Law Minister explained the 1994 Judgement and even Shri Somnath Chatterjee explained it. At this crucial juncture, there is no need to go into all that because there is a Supreme Court verdict of the 13th. It said that nobody should enter into the undisputed and disputed site. That is the verdict of the Supreme Court as of now. So, there is no relevance of that Judgement at this juncture.

At any cost, we have to protect the disputed and undisputed land. On the 13th itself, the Supreme Court clarified the position saying that nobody should enter and perform any sort of *puja*; and that the *status quo* should be maintained at any cost. The Government has also taken the stand to maintain the *status quo*.

Regarding the *shila* undertaken by the Government official, the hon. Law Minister said that it is to maintain peace and harmony; and also to reduce tensions in the

country. Ultimately, peace and harmony are established and there was no untoward incident that had happened in this country. To maintain peace and to reduce tensions, the Government took such a decision; it is all right. But after that, the VHP people have claimed that it is the acknowledgement of the Government for construction of a temple. The issue is pending in the court; it said that the *status quo* should be maintained by the Union Government till the adjudication of the case.

At this point, I want to know from the hon. Prime Minister only one thing. To maintain law and order, peace and harmony and to reduce tensions, the Government took such a decision. But according to the VHP's statement, they are claiming that the Government official receives the *shila* and it is an acknowledgement of the Government to construct a temple in the undisputed site. What is the stand of the Government here? This is what I would like to know.

The Government is based on the Common Minimum Programme of the National Democratic Alliance. The Common Minimum Programme is the constitution for the NDA. At any cost, this Government should be run according to the Common Minimum Programme. Every time, the Prime Minister is reiterating it in the Parliament and also outside. That is why, to clear the confusion, I want to know the stand of the Government on the VHP's statement made after the tension was eased out. The VHP made a statement claiming that since it was received by the Government official, it was an acknowledgement of the Government to construct a temple there. I want to know the stand from the hon. Prime Minister.

[Translation]

SHRI RAMJI LAL SUMAN : Mr. Chairman, Sir, on 15th March, hearing took place in Supreme Court on the issue of performing Pujan in Ayodhya. Today we are discussing the role played by the Attorney General on this issue and the statement made by the hon. Prime Minister thereon. Shri Somnath Chatterjee has made a meaningful discussion on the legal nuances of the matter and the Minister of Law who is very intelligent replied in the same manner. Shri Valpayee has included him in his Cabinet and made him Law Minister only for his wisdom and intelligence though he was not a member of either of the Houses. He is able to defend the Government effectively. As per my view the crux of today's discussion is that Government are trying to propagate that they are not concerned with Attorney General's statement. However, I am of the view that Attorney General has presented Government side in the Court. The

Prime Minister was also favouring Vishav Hindu Parishad's stand.

Mr. Chairman, Sir, it is being propagated in the entire country that Soli Sorabjee's statement was his own and has no concern with them. However, there is no substance in this propaganda. Whatever the Government wanted to say in Supreme Court, Soli Sorabjee expressed the same. I listened to Shri Yerranaidu's speeches and that of Kharbela Swain. Shri Swain has since left the House. The National Democratic Alliance has a common Minimum Programme. I am not aware what is common in them but I would be grateful to hon'ble Prime Minister if a common language is also invented. The language Shri Kharbela Swain was using that outsiders came there, they did this and that to our religious places, therefore, we adopted a retaliatory attitude and did all this etc. was a very timid language. It is not a brave language rather it creates tension.

The Hon'ble Prime Minister, you had told in this very House that a solution to the problem will be evolved before 12th March. Can I now ask you why did you say that you cannot disclose the whole thing at that time? You and Vishwa Hindu Parishad said that the decision has yet to be taken, Muslim Personnel Law Board also stated the same thing. After 'Kumbh Mela' Muslim Personnel Law Board passed a resolution that they will definitely consider the proposal, if any, received from the Prime Minister and their attitude would be a positive one. But I think that the positive efforts which should have been made on the part of the Government to control the situation were not done. Actually the Government was under the pressure of Vishwa Hindu Parishad. The Prime Minister is under dilemma. He has to see the Government and also to appease the allied friends of the alliance and at the same time he does not want to displease the Vishwa Hindu Parishad. Circumstances have turned in such a way that either he please the people or sit there. Both the things cannot go along. Just now Shri Yerrannaaidu said that yesterday Shila Pujan took place peacefully. However, it does not mean that the matter has come to the conclusion. They are talking of organising an agitation from June 2nd. Mr. Prime Minister, what is the legal status of Shila Pujan. I want to read in Hindi what Shri Yerrannaaidu has said in English. Shri Pravin Tagaria, Secretary General of VHP has stated that receiving of two Shilas by Shri Shatrughan Singh, the Head of Ayodhya Cell set up under Prime Minister's office is the acknowledgement of the Government for construction of temple in Ayodhya.

In principle and 'Shiladan' is a part of construction of temple.

[Shri Ramji Lal Suman]

We will not accept Supreme Court's order. It is creating confusion. One can not live under illusion for long. The hon'ble Prime Minister should say in his reply how Shri Shatrughan Singh went to Ayodhya and in what capacity he received Shilas and where did he keep them. Has the construction work on temple started? I hope, the hon'ble Prime Minister will assure the House by replying to all these questions.

[English]

KUMARI MAMATA BANERJEE (CALCUTTA SOUTH):

Sir, I am grateful to you for giving me this opportunity to take part in this discussion raised by hon. Member, Shri Jaipal Reddy.

Sir, I appreciate whatever our friend, the leader of TDP has said. Sir, of course, we are in NDA. Somebody is supporting NDA from inside and somebody is supporting it from outside. But it is an NDA and we do not differ. But there is some apprehension. Sir, we felt shocked when we heard that we are playing the card for particular religious organisation. We do not play our card against the country, the nation or the people of this country. Sir, we feel that the Government represents all the religions, castes and creeds. The Government is for all. The Government is not for any particular religion, caste or creed.

Sir, two matters are perturbing us. I have seen the argument between Shri Somnath Chatterjee and Shri Arun Jaitley, the Minister of Law. Of course, from the legal point of view, we appreciate that argument. But this is not the court. This is Indian Parliament. Whatever we have to talk, we have to talk within our limitations. We can interpret the law here and we can preach the law very well here. But the problem is that when this matter is pending in the court, it will be decided by the court.

Sir, I must ask whether the politicians are running this country or it is run by some religious group. Sir, we are part and parcel of the Government. We do not have any grievance or any personal agenda. Sir, when we say something some people call us so called allies and so called secular parties. Somebody says that because of their personal agenda and personal vendetta, they are raising this issue. We feel sorry for that. Sir, I do not know what is the meaning of secularism but we know very well the meaning of the so-called secularism. We the ally parties are not the so-called secular parties. We are the firm believers of secularism and we believed so and we firmly believers that secularism is our country's foundation and it is our foundation also. We will continue to believe in it

because this is our compulsion, this is our obligation, and this is also our moral duty to respect our Constitution.

Sir, we are discussing two points today. First point is regarding the Attorney-General's remarks. Sir, not only today but earlier also we expressed our views to the hon. Prime Minister. He was kind enough to talk to us when we expressed our views. Sir, in the legal and technical sense, it is a fact that Attorney-General works according to his own conscience and according to the Constitutional method and right.

But a confusion arose because of three comments that came out. Firstly, the Attorney-General himself said that whatever he had said before the Supreme Court was his personal opinion. Secondly, the Law Minister made a statement on the floor of the Rajya Sabha stating that the interpretation by the Attorney-General itself was made on behalf of the Government of India. Thirdly, there are some political Parties who are saying that the Attorney-General has played the correct role. We are a very small fry and small persons. We cannot judge the integrity of the Attorney-General. But, as a small worker and as a small Parliamentarian of this country I feel that the Attorney-General's comments like 'three hours may be given for the *puja*, or 20 to 25 persons may go to the *puja* place; or 300 sq. ft. of land should be allowed for the *shila puja*', were to suit the Government. I feel for it obviously as a citizen of this country.

We also belong to the Hindu religion. But when we became Parliamentarians, when we are in the Chair, we have to represent all castes and all sections of people. That is why, I am proud to say that I am neither a Hindu nor a Muslim or a Christian or a Sikh. I am proud to say that I am an Indian and let it be recorded in the House. We are not fighting here to decide as to who are Indians and who are not *Hindustanis*. Some people are trying to divide this country on the lines of Hindus, Muslims, Sikhs and Christians.

It may be true that whatever the Attorney-General said was his own interpretation. Legally one can interpret whatever suits him. The Attorney-General's interpretation may suit the Government and the Government's interpretation may suit the Attorney-General. But his interpretation does not suit us and I am sorry to say this. But, I am proud to say what Swami Vivekanand had said that one fruit may be digestible to one, but it may not be digestible to the other.

We had a doubt. We are sure that without the

consultation of the Government, the Attorney-General could not have made a comment like this in the court. I am told that the petitioner himself had filed a writ petition and served a notice to the Government. That is why the Attorney-General had to be present to put forth the views of the Government. We have to take precaution, so that next time we should not repeat the same thing. It is an alarming turn of events. It should be stopped. It is our request to the Government.

As regards the *shila dan*, we congratulate the officials, the administration and the Government to have implemented the Supreme Court verdict in toto. We are happy for that. Sometimes we have to rise to the occasion rising above politics. Yesterday the apprehension was that there would be communal tension and communal riots of the type that we had seen in Gujarat. But everything went off peacefully and we are happy about it.

But, at the same time two questions come to my mind firstly about what is being said after the *shila dan* has been made. I do not know the legal implication or the legal part of whether a Government official can accept a *shila dan* or not. But, sometimes in the interest of the country and in the interest of peace, Government can do it while abiding by the Constitution. There is a provision also for that and I am not going to dispute that. But, my apprehension is for the other reason. The VHP leaders are saying after the *shila dan* that legally they are going to get the land because acceptance of *shila dan* means their demand has been accepted.

Secondly, they said that upto 2nd June, their *puja* will go on and they will construct the temple. We want to know from the Government on this point. I do not consider any particular religious group as the champion of any caste in this country. But when I heard the comments of the Secretary-General of a particular religious group, I was really shocked to see his audacity, his tendency, his attitude and his pride. He is saying that nobody can stop them and they will go ahead on construction of the temple on the 2nd June. I must ask as to who is he to decide the fate of the country and who are they to decide and divide this country. I do not feel that this is the proper time to divide this country like this and every time we think to divide the country like this, whoever be the religious group should abide by the Indian Constitution, abide by the nation's jurisdiction and abide by the law of the country. They cannot say that they cannot accept the law and that they will do whatever they think. My request to the Government is not to bow down their head to any religious group. If you

want to bow down your head, you bow down to the people of this nation and not to any particular religious group because they are not public representatives. They did not send you here and they did not send you to run this Government. They are not elected by the people. But this House is elected by the people. It is their vindictive attitude and they are speaking too much and going too far. We do not want that every time the Government should be destabilised due to blackmailing.

There was no Ayodhya in the NDA agenda. It came up suddenly and we trust our Prime Minister and hope that when he assures the House, either both the communities will decide amongst themselves or both the communities will have to accept the court verdict. This issue has come up suddenly.

Now, somebody was threatening that he is going to commit suicide. If I give the same threat to the Government that if it does not protect the interests of the country and secularism of the nation, I will also try the same path, then will the Government accept? Is it proper or fair? It is not fair. That is why, our request to the Government is to stick to the NDA agenda. The BJP is the largest party and we appreciate that we are good friends. There are good friends in the BJP also. I appreciate them. There are most learned friends who are traditionally rich by culture. But there are some allies who are not so secular. They are not the so-called secular parties. And that is why, I say that the BJP agenda cannot be the NDA agenda. This is a turning point. If the Ayodhya issue breaks the agenda, then we should see to it that the agenda should not be broken and if it is done, then do not blame us for that because we want to support the Prime Minister. We want to strengthen the hands of the NDA. But that does not mean that you take us for granted and do whatever you want.

Somebody was saying that we are begging for ministerial berths and all that. This is bogus and rubbish. It is being spread out through some corners. I hate it. In 1992, when Mr. Narasimha Rao was the Prime Minister, I resigned when the demolition of Babri Masjid took place. After that, we worked as comrades. I have been in politics since the age of 13. From that time, I am in politics. I know that Members from the CPI(M) are saying something here. They are more communal than anybody else. I know about their double standard and hypocritical games.

In the elections also they said that Trinamool Congress

[Kumari Mamata Banerjee]

is a communal Party. What they want? If they want, we are ready to give our blood for the sake of this country, but do not say that ours is a communal Party. We are not going to compromise on the issue of communalism. CPI(M) should know that. While the case is pending in the court, I would request the Government not to touch disputed or undisputed land. We do *puja* everyday. We go to mosque, we go to church and we go to *gurudwara*. There are no two opinion about it. ...*(Interruptions)* I do *puja* everyday more than you. At the same time I pray to Allah for blessings. These are our Indian traditions. Maybe it would not suit you. I think the undisputed land has been acquired by the Government to maintain peace. That is why we request the Government that until and unless the matter is solved by the Government, either by the court or by both communities, we should not touch the land in the interest of the country. Again I would say that we should not divide the country. Swami Vivekanand had said, "Unity is strength and division is fall". What a bad message is going throughout the world! It sends a message that we are not together. Wharver be our political views, we should not pollute our country for our political benefit. We should see to it that our country stays united and it is together. I want to say again that

[Translation]

The name of generosity is Hindu, the name of honesty is Muslim, the name of love is Christian, the name of sacrifice is Sikh, this is our beloved India.

[English]

We have to keep our flags high for the sake of our nation and for the sake of our country.

[Translation]

SHRI SATYAVRAT CHATURVEDI (KHAJURAHO) :Mr. Chairman, Sir, with heavy heart I would like to say that before the session of this House started all the hon. Members had made up their mind to discuss the problems related with water, electricity, and also the hardships faced by Villagers in view of the prevailing circumstances in various parts of the country. We would discuss why the farmers are committing suicide. The workers are distressed, they have come out on roads, we will consider their problems. The problem of unemployment is rising day by day among educated youth. We would try to find out solution to it. We would probably talk about the population explosion, we would also discuss the recommendations given by subramaniam committee regarding Kargil war. There is economic recession in the country, probably we will discuss it. We have deployed army on the border probably we will discuss it. But I am sorry to say that what I

had observed is that for last so many days we are trying to see the country with the eyes of Hindu and Muslim. We get time neither to discuss the issue nor to find out solution to problems for which purposes the House has been constituted and which is expected from us by the people of our constituencies and the entire country. Again and again, such circumstances are created, that we are compelled to discuss communal issues over here. This is very sad and it hurts.

Mr. Chairman, Sir, the Government gave many assurances and made many announcements in regard to Ayodhya dispute. In their election manifesto, they said that in regard to Ayodhya temple they will abide by court's verdict or the matter will be solved by the mutual understanding. I heard the President's Address on 25th the same thing was mentioned in it. When our leader asked to call on all party meeting, it was assured in that meeting that the leaders of all parties or court will decide this matter or the matter could be solved only by mutual understanding.

19.00 hrs.

The matter was discussed in the House, in media. Everybody in the Government, from Prime Minister to the Minister of Home Affairs said it more than hundred times. But even after this, Government's inaction, insensitivity and unaccountability reached the climax on the day, when the Attorney General gave a statement totally contrary to the Government's statements, assurances and announcements in the Supreme Court. The whole country was stunned to hear it. The role of the Government is neutral, and continuous assurances were given that the matter will be resolved by Court or by mutual understanding. Mr. Chairman, Sir, according to the Supreme Court's ruling given in 1994, the Government was statutory receiver of that disputed land and acquired land adjoining it. Now the question arises, what is the legal status, duty and responsibility of the statutory receiver. We were listening to views of our hon'ble Minister of law on this problem. He is an intellectual, interpreter of jurisprudence, and very talented. He is master in Hindi and English also. But I am surprised that he could not understand the judgement of 1994, which was read para by para by Shri Somnath Chatterjee and though it is written in a very simple language and it can be easily understood by a person like me who know English very less. He has described two kinds of lands, disputed and undisputed. As far as I have studied the Supreme Court's ruling, there is no mention of undisputed land. There is only a mention of disputed land and adjoining acquired land. Undisputed land is nowhere. They are giving the argument that they have mentioned in the President's Address, that being the statutory receiver, they will just maintain status quo in the disputed land. Can this argument be accepted?

Who will accept this wrong argument? Argument can be accepted, counter argument can be accepted, but who will accept the wrong argument. Mr. Chairman, Sir, the word undisputed land is the illegitimate creation of the Bhartiya Janata Party and Vishwa Hindu Parishad. They have coined this new word, though this word has not been mentioned anywhere in the verdict. It is the good fortune of the country that on 13th the Supreme Court protected the secular status of the country, it safeguarded it, otherwise one can imagine, what would have been the condition in all villages and cities in the country. There would have been deaths all around, series of killings and rioting all that what we have seen in Gujarat some days ago. After all, what the Government is thinking, what is in its mind? And see, what a coincidence it is? You should believe, and I'm saying it with full confidence and majority of people will agree that probably 8 or 10 percent people among Hindus and 2 to 4 percent among Muslims support this extremist stand, and majority of the Hindus and Muslims are not ready to accept it. I would like to know whether Hindus will get salvation any if Ram Mandir is constructed at the same site, otherwise not, and same question to Muslims also, whether the construction of Babri Masjid at the same site will give it sanctity even more than Kaba. All of us should think that the entire country is burning due to these disputes, property of billions of rupees is being destroyed, the time is being wasted, and we are not getting time to redress the problems facing us.

Mr. Chairman, Sir, we will have to find a solution to this problem. I would like to tell you the status of statutory receiver, according to the law. According to the law, it has to be impartial, the Government was made the statutory receiver, because Supreme Court thought, that the Government have power to get Supreme Court's ruling complied. Otherwise also, it is taken for granted that the Government is neutral, Government do not play any role in the religious matter. Government will not favour any party. With this belief, the Court had handed over this responsibility to the Government. But what is happening today the Government have changed its stance. The BJP, Vishwa Hindu Parishad and Bajrang Dal may have any opinion, but this Government is not only of Bhartiya Janata Party, but of National Democratic Alliance.

Mr. Chairman, Sir, just now, Shri Yerrannaidu of the National Democratic Alliance, Kumari Mamata Banerjee and other members of allies of NDA have very clearly stated, and it is very clearly written in our Minimum Common Programme that the Government will not favour any party, but the Government did not stick to it. Now it has become

clear after the speech of Shri Somnath ji that on that day, when Attorney General was asked to state the Government stand by the Court, he stated only, what was the stand of the Government. The Prime Minister accepted the same thing, the Minister of Law accepted the same thing in Rajya Sabha. Now, nobody has any doubt regarding the fact that the Government did what it wanted. Whether the Government would like in that despite its being the statutory receiver, any favour should be done to any party?

Mr. Chairman, Sir, another thing is that I would like to add further to what hon'ble Shri Somnath Chatterjee said. The verdict of Supreme Court should be implemented in letter and spirit, and if you refer to the last statement of hon'ble Prime Minister, this thing becomes clear. He said, the Supreme Court's ruling would be followed word by word. It is true that he wants only to follow the words of the Supreme Court's ruling, but want to isolate its spirit. The spirit is that till the competent court give final verdict on this dispute, and in this matter, Lucknow bench of Allahabad High Court is a competent Court, the *Status quo* should be maintained. This is Supreme Court's ruling. He was in the court not as an individual but as a representative of the Government, he was presenting the Government's side and that is why it was the Government that sought permission to conduct 'Pooja', therefore I would like to allege that this action of the Government repeats that the Government shirk its constitutional responsibilities. It is a treachery to the country. Therefore, while alleging the Government I would like to say that it has deceived voters, people of the country. It is a betrayal to the promises of President given in his address to the Parliament. Therefore, I strongly condemn the Government.

Mr. Chairman, Sir, a short while ago, I was sitting in the Library, I read a description about Attorney-General. It is said that Attorney-General is the guardian of the soul of the constitution. What kind of constitution do we have—secular? How could the soul of constitution be guarded? The Government should not take any decision or any action which goes against the basic spirit of the constitution. If the Attorney-General interpret the ruling of any court in the court, and that interpretation goes against the basic spirit of the constitution or it affects the basic spirit, then I think that he is not discharging his constitutional responsibilities properly. I clearly make this allegation.

Mr. Chairman, Sir, what Attorney-General says is surprising what does Shri Arun Jaitley, the Minister of law, Justice and Company Affairs say, what does the Prime Minister say, what do the Vishwa Hindu Parishad want and

[Shri Satyavrat Chaturvedi]

what are the intention of the people of Ram Janam Bhoomi Niyas. If all these things are taken into consideration, there is a shocking similarity. I am unable to find a suitable word in Hindi for this. There is shocking similarity in all these statements. There is similarity in the statement of Prime Minister, interpretation given by the Attorney-General and the statement of the Minister of Law. Whether it is just a coincidence. It cannot be so. But definitely, it is like making mockery of constitution, and hurting the feelings of the people, in a planned manner.

You have performed the shilaniyas, you gave the permission for it in Ranikot. A representative from Prime Minister's office was sent over there to receive the shilas. A lot has already been said about it. I do not want to repeat it, but I would like to ask you a question. Suppose, if in future, a Muslim Organisation comes, and issue a statement, that they are going with Shilas and bricks for the construction of Mosque over there, and requests the Government to send somebody to receive them—if it happens, whether this Government—I want reply. ...*(Interruptions)* Whether the Government will send a representative from Prime Minister's office to receive those Shilas and bricks? I want a clear answer to this question. The country wants an answer from you. If you are secular, you have to do justice, in both the situations. ...*(Interruptions)*

It is very clear from this discussion. My learned colleagues Shri Somanath Chatterjee, Shri Jaipal Reddy and other colleagues have discussed the matter in detail. They not only discussed, but also read out the relevant portions of law, relevant portions of Court's verdict over here and proved beyond doubt that in actual, Government has no way to hid its face. It has to accept its mistake. Rather it is not a mistake, the Government has to accept its wickedness. It is my submission, therefore, I condemn this Government.

[English]

MR. CHAIRMAN : Shri Ratilal Kalidas Varma, the time allotted for this discussion was two hours. We have already exhausted that. So, please conclude your speech as early as possible.

19.14 hrs.

[Translation]

SHRI RATILAL KALIDAS VARMA (DHANDHUKA) : Mr. Chairman, Sir, I would like to thank you for giving me an opportunity to speak. A discussion under rule 193 on

Ayodhya issue is being held today. We are taught History so that we may not repeat the mistakes of past or we should improve errors which we committed. This is the purpose of teaching History. ...*(Interruptions)*

SHRI PRABHUNATH SINGH (MAHARAJGANJ, BIHAR): Mr. Chairman, Sir, you call Members to Speak on the basis of strength of party in the House, but you have called a person, from a party having lower strength than us. What is the reason behind it.

[English]

MR. CHAIRMAN : You will be called later on. You will have a chance. Sit down.

[Translation]

SHRI PRABHUNATH SINGH : You will certainly give chance, but there is set procedure to call the Members to speak. When the Members are called on the basis party strength, why you have given the first chance to the party having less strength than us. Why we were left, what does this mean. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Democracy is only by the party strength. So we have to give him a first chance. You will get it later on.

[Translation]

SHRI RATILAL KALIDAS VARMA : I was saying that history is taught, so that the mistakes of past could not be repeated. We are taught history to rectify the mistakes. Since Ninth Lok Sabha there has been dispute over the construction of Babri Masjid. Ram Mandir the birth place of Maaryada Purushotam Shri Ram Chandra was made disputed by associating it to the Babri Masjid structure. I cannot understand how can Babar can be equal to 'Maryada Purushottam Shri Ram Chandra' — I cannot understand it. The people of opposition are expressing their displeasure. They were displeased even when there was peace. They were equally agitated when there was violence. Today, I would like to remind that India had been bearing invaders for thousand of years. Thousand of temples had been destroyed. Not only this, Somnath Temple was ruined seven times, Somnath Temple was destroyed, but due to iron man, Sardar Vallabhai Patel it was made possible to resurrect it. Today, that temple is standing in its full glory. If you remember Prithviraj Chauhan, Mohammad Gauri was

defeated 17 times by Prithviraj Chauhan but India has always been in forefront in pardoning. He was pardoned several times because it is a matter of pride for the brave to forgive someone; but when Prithviraj Chauhan was defeated once he was not pardoned and his eyes were enucleated. I would like to say that these broken idols throughout the country today stand as witnesses of their barbarism. We find several idols with broken noses and eyes. With regard to Ramjanam bhoomi, that Babar belonged to Changez Khan's and Taimur Khan's dynasty and was son of Umar Shiekh Mirza, the ruler of Fargana. He was born on Friday, the 14 February, 1483 AD. First time, he attacked India in 1519 and in the first battle of Panipat he defeated Ibrahim Lodhi and annexed north India. He died in 1530. How can his name be associated with Bhagwan Shri Ramchandraji. I am not able to understand opposition's stand point. Whether there existed a temple or a mosque first? It should be decided by the Supreme Court. Be it a Panchayat, Vidhan Sabha or Lok Sabha-majority is accorded importance. It is a matter of majority and our sentiments and why law should come in the picture.

Just now, one of my friends made a mention of survey conducted by India Today. According to that 43 percent population in the country want the temple to be built urgently there, whereas, only 5 percent people are in favour of constructing Babri Masjid there. What the common man desires? On 13 March, Shri Atal Bihari Vajpayee tried to convince the senior members of the Muslim community. Not only this, Jagadguru Shankracharya Jayendra Saraswati also left the Peeth and came to the public to make efforts to restore peace in the country and to ensure that innocent people are not massacred. It was a golden opportunity when people from both Hindu and Muslim communities should have assembled together to perform Shilapuja and should have told the Supreme Court that. ...*(Interruptions)* we are doing this there.

Mr. Chairman, Sir, only 15 minutes have passed and you are ringing the bell. When my turn came, you have rang the bell after I made one point only. Had people from both the communities assembled there, Ram Mandir an Babri masjid both could have been built there and it could have been done cordially. Now the opposition parties are voicing their concern, when Kanchipeeth Shankracharyaji left on a peace mission. What cooperation has been extended by the opposition parties? If people from opposition parties request the muslim community to come forward and concede as the people of India have already suffered a lot. There is a lot of difference between Babar and

Ramchandraji. Had the masjid been on Alaha's name, we would have not opposed it. Things would have been different had they cooperated 15 years ago. Now they are blaming us that we are hanging the matter in fire whereas opposition parties want it to linger on and they are misleading the public.

Not only this, I would like to add also that last time Mulayam Singh Yadav's Government was at the helm of affairs in Uttar Pradesh. His Government resorted to firing on Rambhaktas and young and the old as well fell prey to bullets. Even today, if you see the video clip, you would start shivering. But this time, in the backdrop of his very long experience, the hon'ble Prime Minister, Shri Atal Bihari Vajpayee did not allow even a single bullet to be fired and not a single Rambhakta to face lathicharge. ...* They were hoping otherwise, but when Rishis and Munees maintained a cordial atmosphere, they were stunned. But, Mr. Chairman, Sir, my submission to you is that. ...*(Interruptions)*

[English]

SHRI SHIVRAJ V. PATIL (LATUR) : Sir, we object to this. It should not go on record. Nobody wants that anybody should be shot down at any place, of all the places at Ayodhya. That would create problem for the country and we would ask the Members belonging to the Government to be careful in making the statement in this respect.

MR. CHAIRMAN : I am expunging that portion.

[Translation]

SHRI RATILAL KALIDAS VARMA : Mr. Chairman, Sir, I would like to make my point. Someone has just said that when Muslims go to Ayodhya, what will happen. We, Hindus of this country go to Ajmer, the Dargah of Salim Chisti and seek His blessing. Poor Muslims and Hindus of this country want a peaceful and cordial atmosphere in the country. Muslim are not clamouring for mosque, they are being provoked. The Congressmen said that. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Nothing should go on record.

*(Interruptions)***

[Translation]

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) :
Mr. Chairman, please ask him to sit.

*Expunged as ordered by the Chair.

** Not Recorded.

[English]

MR. CHAIRMAN : Shri Varma, nothing is going on record. You have taken more time than the time allotted to you. Please take your seat.

...(Interruptions)

MR. CHAIRMAN : Please take your seat. Your time is up. The hon. Prime Minister has come.

...(Interruptions)

MR. CHAIRMAN : Nothing should go on record.

(Interruptions)*

MR. CHAIRMAN : Shri Raghuvansh Prasad Singh to speak now.

[Translation]

DR. RAGHUVANSH PRASAD SINGH : He is a Kalnemi. Now I want to speak so please ask him to take his seat.

[English]

MR. CHAIRMAN : Dr. Raghuvansh Prasad Singh, your Party and other smaller Parties have been given only five minutes time each.

[Translation]

DR. RAGHUVANSH PRASAD SINGH : Mr. Chairman, Sir, I would speak only on two points. I feel that the Law Minister should be concerned only about legal matters but he twists the issues according to the need of his party and acts like an advocate in the court. The House is discussing the Prime Minister's statement in the aftermath of Supreme Court's verdict. Even a common man in the country noted what the Attorney General had said in the Court. First there was an uproar that he gave an affidavit. Allies of the Government adopted a tough line and they wanted to take the Government to task. But, meanwhile the Government clarified that he had not submitted an affidavit, it was just a suggestion. Now, that suggestion is being interpreted in different ways. It is being interpreted from legal perspective. The Law Minister was telling us the same thing. It was said that sadhus in batches of 50-70 would go there and perform pooja for three hours from 2.05 hrs. to 3.05 hrs. It does not

amount to violation of law. Well, they interpreted the judgement but they find nothing illegal in sending so many sadhus there for performing pooja for three hours. It seems that the Government have tutored him to plead the cause in this way in the Court. And when it took a dangerous turn, there was Attorney General to give legal opinion and save the Government. He came to defend the Government and said that it was his personal opinion. We do not believe it. It seems, he is dancing at the tune of the Government. Mamataji and Yerrannaiduji were surprised whether symbolic pooja and Ayodhya were part of their agenda. But, the statement of Attorney General in defence of the Government does not seem trust worthy. The public has understood it.

Time and again, the hon'ble Prime Minister has assured that the Court's verdict will be honoured then why he is playing this leading role. Why the Government have asked a lawyer to defend the Government. This time the hon'ble Supreme Court has raised a very pertinent question. The court questioned VHP's involvement in it, it is just like an uninvited guest. How can an organisation with just 10-20 thousand members dare to engineer riots in the country.

Hon. Law Minister was reading out the Judgement of 1994. It seems he doesn't read the things properly, he has become an advocate by virtue of his quality of speaking. The Judgement of 1994 was that the undisputed acquired land may be returned to the actual owners. ...(Interruptions)

[English]

MR. CHAIRMAN : He is the leader of his Party.

[Translation]

DR. RAGHUVANSH PRASAD SINGH : You have not gone through it properly. ...(Interruptions) This has itself become disputed, the Supreme Court had said that no land could be given to anyone be it acquired, or disputed or undisputed. Now the things are clear. Then why is the 1994 Judgement being read? Why are they confusing Law with such a manoeuvring. ...(Interruptions) Thereafter, the Government have done another thing from the office of the hon. Prime Minister. ...(Interruptions) This is really impossible that the officer was sent from the hon. Prime Minister's office and later on they will ask Shri Shatrughna Singh to say that he left willingly. ...(Interruptions) I was not confidential messenger. ...(Interruptions) Actually reality of Shri Arun Jaitley was revealed and he could not even give clarifications and now in order to do away with the dispute he would ask Shri Shatrughna Singh, to give the statement that he left willingly. ...(Interruptions) Similarly Chaturvedi ji

also revealed the reality of the Government that Paramhans ji is saying, that he would commit suicide. ...*(Interruptions)* He issued statement that he would commit suicide. ...*(Interruptions)* The Law says that a person, who says that he would commit suicide, should be arrested and but in this case instead of arresting him an officer from the P.M.O. was sent by a special flight and they say that they are saving secularism. There is a saying in English "Power is a cementing force." In the national agenda, these people. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Shri Raghuvansh Prasad Singh, I have called another hon. Member.

...*(Interruptions)*

MR. CHAIRMAN : What do you want me to do? Do you want me to go there and pull him down? You cannot calculate time like that.

...*(Interruptions)*

[Translation]

DR. RAGHUVANSH PRASAD SINGH : When the nation is in danger, when the Government position is in danger. ...*(Interruptions)* then the Government is secular but the fanatics say that. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Please resume your seat. You have exhausted your time. Everything has been deliberated.

...*(Interruptions)*

MR. CHAIRMAN : What can I do? Do you want me to take action?

...*(Interruptions)*

[Translation]

DR. RAGHUVANSH PRASAD SINGH : They ask VHP to launch movement, only then would they let the VHP to construct temple, otherwise not. ...*(Interruptions)* in this country does anyone have the courage to say that launch movement then, under the pressure we would. ...*(Interruptions)* Then we would say that what can we do, there is pressure? All this is going on under a conspiracy. And so far as communal forces are active in this country. ...*(Interruptions)*

[English]

MR. CHAIRMAN : Nothing will go on record.

*(Interruptions)**

MR. CHAIRMAN : He is not resuming his seat. Everybody has encouraged him. What can I do?

...*(Interruptions)*

MR. CHAIRMAN : You must heed to the words of the Chair. Nobody should defy the Chair. When I say resume, you can take one minute more. Otherwise, the other hon. Member, whom I have called, keeps looking at me.

...*(Interruptions)*

[Translation]

SHRI PRABHUNATH SINGH : Mr. Chairman, Sir, we are making a discussion under Rule 193 on the statement of the hon. Prime Minister. Although during the session of the House, the Ayodhya issue is somehow raised and on the pretext of remembering 6th December, a discussion starts in the House. But today let us assume that we have three important issues in today's discussion. First issue is regarding the statement of the Attorney General in the Supreme Court, second is Ayodhya dispute and the third is role of the Government.

I would say that a coalition Government of various parties viz, the NDA Government was formed in the leadership of Shri Atal Bihari Vajpayee as everyone had faith in him. The Government was formed under an agreement and the elections were also held on the basis of that manifesto. I agree that the BJP may have so many allegations, but the image of Shri Atal Bihari Vajpayee, in the country, is that of a secular leader. So, the agreement was made on the said basis and now the Government is functioning under the leadership of Shri Atal Bihari Vajpayee. ...*(Interruptions)*

SHRI AVTAR SINGH BHADANA (MEERUT) : Please tell about the image of Shri George Fernandes. ...*(Interruptions)*

SHRI PRABHUNATH SINGH : I am speaking about Shrimati Sonia Gandhi. ...*(Interruptions)* Please do not interrupt. I also do not indulge in such things. Kindly sit

[Shri Prabhunath Singh]

quietly, you have a habit of interrupting in between.
...(Interruptions)

19.37 hrs.

(Mr. Deputy Speaker in the Chair)

Mr. Deputy Speaker, Sir, we all wish to say that the Ayodhya issue is being dragged since long in this country. The matter is pending in the court since long. Many Governments have come to power and gone, anyone who becomes the Prime Minister, says that this problem should be solved through mutual consent. It is also discussed that the Orders of the court would be complied with, but despite this, the Ayodhya issue is somehow raised in the country and it vitiates atmosphere in the country. Whether we agree to or not but in the root of the incident in Godhara in Gujarat, there was only the Ayodhya issue. We should always remember that a human beings is killed in such incidents, be it a Hindu, or a Muslim. There is no need of Mandir or Masjid issues in this country, in fact the only need in this country is that of removal of unemployment. But if the country and the Parliament is involved in Mandir-Masjid issues, then the system in the country would never get strengthened. Under such circumstances, I would say that the problem be solved through dialogues and mutual consent, otherwise the decision of the Court should be complied with. But Mr. Deputy Speaker, Sir, I am saying that one or the other Prime Minister of the country shall have to take a strong decision on this issue. We get disturbed when any discussion takes place, reason behind is that it is written in the 'Ramayana' that Lord Rama was born in Ayodhya and even people from other foreign countries believe so. But come of the so-called great persons say that Lord Rama was born at the place indicated by them. It seems that at the time of Lord Rama's birth; they were present there. It is a very peculiar situation — Lord Rama's temple should be constructed in Ayodhya and that too at that particular place, which has become a cause of violence in the country — the country can never accept this. I wish to say that the present Government should run on the lines of Minimum Common Programme. Atmosphere of communal hatred should not be created in the country. We, the people of Samata Party believe in egalitarian society. Where we consider Lord Rama as our almighty god, we also consider Khuda as the Supreme. Even on the road, we bow our heads both before the temple, or the Mosque irrespective of anything. If we consider Sita as our mother, we also consider Fatima as our mother. So everything is done in harmony. If Lord Krishna grazed cow in Gokul, Paigambar Saheb grazed goat. Muslims worship

moon, we worship Lord Shiva who has moon on his forehead, there is no difference, no contradiction. A few people in this country whether they are Hindu or Muslim, indulge in one or the other anti-social activities and cause blood-shed. Sir, I therefore request, that any person, be it a Hindu Saint, or Paigambar, or Priest, no one is above the law, of the country and if he spreads such anti-social activities, strict action should be taken as per the Law of the land against him — Saint, Priest, or Imam. He should be put behind the bars action should be taken against those issuing such statements. Some people have said that someone has taken a 'Shila' from the hon. Prime Minister's office, I would like to know that where would that 'Shila' be laid, whether any place has been determined for it. If so much of dedication and devotion is there for Lord Rama, then which place has been determined for that 'Shila'?

Sir, why do these people talk in the name of Lord Rama. He was Hindu and we would decide what is to be done. People, who have nothing to do in this, are creating an environment of communal hatred, posing themselves as representatives of Hindus and Muslims. And that is why, I make a humble request to the hon. Prime Minister to take strict legal action against those spreading such communal dispute in the country on the grounds of Language- be it a saint, Sadhu or Priest. They should be imprisoned in the Tihar Jail. With these words, I conclude.

[English]

SHRI PRABODH PANDA (MIDNAPORE) : Mr. Deputy-Speaker, many thanks to you as you have permitted me to speak on Prime Minister's statement on Ayodhya. I rise here to express my views not only in regard to the Prime Minister's statement but also on the incidents which happened on 15th March.

Sir, many things have been said here and learned senior Members of this august House have told many things in regard to the law. Senior Member and my leader, Shri Somnath Chatterjee has also explained many things and hon. Law Minister has also said many things. Many things have been said here. Some of our friends told that 15th March had passed peacefully. I must say that the credit goes to the Court. Credit must go to the Supreme Court. We must salute and congratulate the peace-loving people of Ayodhya, U.P. and the whole country. It is said by some of our colleagues, some BJP Members here, that the credit goes to the VHP and credit goes to the RSS people. They are arguing that since they did not do any

violence on that day and restrained themselves on that day, the peace was maintained.

Does it not mean or does it not imply that they are the main provocateur? As they restrained themselves on that day, our country witnessed peace, and that day passed peacefully. Therefore, if they restrain themselves everyday and not commit any communal violence, then I will say that the country will witness peace.

I do not want to speak many things here. I will confine myself to three points. I would like to draw your attention and the attention of the House as well as the attention of the country to three aspects. First, our Supreme Court was able to protect the secular fabric of our country. The second point is that I salute the peace-loving people. So much provocation has come from the VHP people. Even the Chairman of the Nyas declared publicly that he would commit suicide. Is this not enough provocation? In spite of that, the peace-loving people of our country did not respond. The VHP and RSS people tried to mobilise the people of our country. They declared that lots and lots of people would come there to perform the *puja*. However, we have seen that the peace-loving and secular people of our country did not respond to it. Many thanks and salutations to the peace-loving people of our country.

Mr. Deputy-Speaker, Sir, what is happening from the side of the Government? They are deliberately damaging the very essence of our Constitution. Many things were said, and some NDA partners expressed their views and also asked some questions. They apprehended that the Government led by Shri Atal Bihari Vajpayee might recognize any construction of *Ram Mandir* in the disputed land and, that is why, they have raised some questions. My point is different. I thank them for expressing those views, but my point is different. I would like to ask the hon. Prime Minister, through you, whether a secular country like ours can participate in the performance of *puja*, whether a country like ours can participate in any religious performance. This is the basic question. ...*(Interruptions)*

PROF. RASA SINGH RAWAT (AJMER) : What is the definition of 'secularism'?

SHRI PRABODH PANDA : Our country is a secular country. It does not mean that our Government will participate in religious performances. Our country must protect the religious rights of the people in all respects, but it does not mean that our country or our State itself will participate in any religious performance. This is the main

idea of the Constitution, so far as I understand. Our Prime Minister sent one person to receive the so-called *shila*, which violated the secular idea of our Constitution.

Mr. Deputy-Speaker, Sir, this is against the secular character of our country; this is against the secular structure of our country; this is contrary to our secular Constitution. So, I condemn it; I condemn it; and I condemn it.

The Prime Minister and the Government must realise the sentiments of the people, the mood of the people; the mood of the secular people. The Prime Minister should restrain the people of VHP and RSS from leading our country into an atmosphere of violence. With these words, I conclude my speech.

SHRI G.M. BANATWALLA (PONNANI) : Mr. Deputy-Speaker, Sir, the Supreme Court has spoken. It has sided with secular democracy. We salute the Supreme Court!

Mr. Deputy-Speaker, Sir, yesterday *shiladaan* was offered. The entire nation heaved a sigh of relief that at least the day passed off peacefully. Yes, there were some instances in Ahmedabad. As far as Gujarat is concerned, still violence continues. In certain belts there is violence, and we are being still told that there is inadequacy of the police and the security forces. The Government must look into it.

The point I was making here was that the entire nation heaved a sigh of relief that the *shiladaan* or the *puja*, whatever you may call it, passed off peacefully. It is shocking that a special officer, an officer from the Prime Minister's Office, was flown to Ayodhya in order to receive those *shilas*. It does not require any elaborate pleading to point out that a secular State cannot associate itself with any religious ritual that is being performed. This is negation of secularism.

Here is our Law Minister who was very eloquent to point out to the House that the State does facilitate and perform the function of a facilitator in religious functions. Let me ask him, what was being facilitated at Ayodhya? What was the nature, and what is the nature of the temple-building movement of Vishwa Hindu Parishad and others? I say with all the vehemence at my command that the temple-building movement of the Vishwa Hindu Parishad and others is an unlawful movement, and that this Government flew a special officer to Ayodhya, in order to permit an unlawful movement that was there.

Why is it an unlawful movement? This temple-building,

[Shri G.M. Banatwalla]

which is being envisaged, is on the basis of a blueprint, or a map of a temple, which includes the disputed site, the disputed site of the mosque. So, how can we have a blueprint which includes the disputed site? When that disputed site is included, the entire blueprint or the map for building a temple is illegal. This Government took special interest, for the appeasement of the *Hindutva* forces, to flow down a special officer to permit this unlawful activity, I say.

The Vishwa Hindu Parishad and others, with their unlawful movement of temple-building, as I said, are holding the entire nation to ransom.

This movement is nothing but blackmail, a bloody blackmail, a blackmail which is being done, giving bloodbath and repeated bloodbaths to the nations. It is for this blackmailing for facilitating this blackmailing that a special officer goes to Ayodhya in order to accept the *shilas* or to do *shila daan*. This is a matter that cannot be forgotten.

[Translation]

PROF. RASA SINGH RAWAT : Mr. Deputy Speaker, Sir, whether the use of such words will create an conducive atmosphere?

[English]

MR. DEPUTY-SPEAKER : If there is any objectionable word, I will look into it.

SHRI G.M. BANATWALLA : Mr. Deputy-Speaker, Sir, the entire NDA led by the BJP has taken its stand along with the VHP and the *Hindutva* forces. They have taken their stand with fascism found in its most virulent form. This is what is to be considered by the entire House and by the entire nation.

There is of course a controversy, a question, of the stand taken by the Government through its Attorney-General in the court. The role and the function of the Attorney-General are clear and explicit in Clause 2 of Article 76 of our Constitution. The Attorney-General is there to give enlightened advice to the Government. It is not his function to give his advise to all and sundry, to the courts, and to the entire nation.

Look at Clause 2 of Article 76. It tells us clearly that the Attorney-General is to perform such other duties of a legal character as may be referred or assigned to him by the President of India. Which are those duties? They are the duties of a legal character.

I may point out here the meaning of the words 'legal character'. In the State Vs. T. Srinivas, AIR 1988, Kant 67, the term 'legal character' has been interpreted to mean 'legal status'. If we look at salmend's Juris and George Whitecross Paton in his 'A Textbook of Jurisprudence', it is clear that the term 'legal status' includes rights, duties, co-rights, subjections, disabilities, claims, liberties, powers, immunities, etc. In other words, the Attorney-General's rights, freedom, liberties, immunities are circumscribed by such duties as may be assigned by the President, that is, the Government, in the matter.

Now, what is this Attorney-General that we have, who has some special ideas about his role and about his function? I demand that such an Attorney-General be summoned here in the House. He should be brought here in this House and he should explain to the House, what is his thinking about his role and about his function. Let him explain to this House as to which of his submissions in the court were in his independent capacity and which of the submissions were representing the stand of the country. Therefore, I demand that the Attorney-General be called in this House on this particular subject.

Mr. Deputy-Speaker, Sir, let it be clearly understood that apart from these legal and constitutional technicalities, even if the court decides that there is no prohibition, then also, a question remains.

20.00 hrs.

And the question is, what should be the policy of the Government? Even if the court decides that there is no prohibition, the question remains as to what should be the policy of the Government. Here, time and again the Government has assured this House and the entire nation that the entire matter with respect to Ayodhya can be settled only through talks or through a final court verdict. Talks were held with Kanchi Shankracharya but unfortunately the talks failed. The Government had then no other way but to tell the court that we have to stand by the final verdict of the court on the title suits. Instead we find that certain stand was taken by the Government in the court through the Attorney General for the appeasement of the *Hindutva* forces over here in spite of the unlawful character of that movement.

Our demand would be that the VHP and such other organisations in this unlawful movement be declared unlawful associations. But instead of declaring them unlawful associations here we have a Government that is very eager to facilitate, in the words of the Law Minister, 'the progress of the movement'.

I would conclude by saying that if there is a plea with the court that such things can be allowed on the land, if there is a plea with the court that a part of the land can be given to anybody — and here we find that even RSS has called upon the Government of its own *parivar* to facilitate the transfer of the land for the purpose of temple building, then the plea must be withdrawn.

The final decision even on this writ petition is to come from the court. Let us stand by the final verdict that may come on the title suits. I conclude by saying that I have an unflinching faith in the people of my motherland. I have an unflinching faith in them and I am sure that ultimately the forces of fascism, the forces of darkness will be defeated and the forces of secular democracy, *Inshah Allah*, will prevail.

SHRI A. KRISHNASWAMY (SRIPERUMBUDUR) : Thank you for the opportunity given to me to express the views of the DMK Party.

Today's *Times of India* has written a very good editorial describing the entire episode as an "un-edifying drama". I repeat, it is an unedifying drama. In this drama who played what role, we do not know. But the drama has a happy ending. So, the entire nation is very much happy. We, the DMK, would have been much more happier if all the political parties — either on this side or that side—were informed earlier about this sensitive matter of national importance. We are also happy that good sense prevailed ultimately on VHP and *Ram Janmabhoomi* Nyas, which were insisting on performing a symbolic ritual even at the risk of arrest and suicide.

Now a carved stone, that is called the *Shila*, had been given as donation, '*daan*' for the temple construction at a place away from 67 acres of Ayodhya site. So, the entire temple issue has ultimately become a property issue. In this property dispute, I would like to say that the esteem of the Supreme Court has been enhanced high in the minds of the people.

We note that once even the Chief Minister of Uttar Pradesh had flouted the assurances given to the Court. Today, nothing of that sort has happened. Everybody has abided by the verdict of the Supreme Court. Again, I would like to quote the *Times of India* which says :

"When the Government cracked up the whip, even if forced to do so by the Supreme Court, all fell in line swiftly enough."

Anyway, we are extremely happy that the Prime Minister's assurance has been kept up, thanks to the Supreme Court.

Before concluding, I would like to reiterate, on behalf of DMK, that a solution should be found out, not only between all religions concerned; but also there should be consensus or consultations amongst all political parties. All parties should be taken into confidence because it is a sensitive matter, as politics play a major role than the religions.

In this context, I would like to point out one important thing. What are the differences between Pakistan and India? In Pakistan, there is dictatorship; in India, there is democracy. Pakistan is a theocratic State; India is a secular State. That is why India is respected all-over the world fora. That is the glory of India. We should uphold the greatness of India by upholding the secularism, which is part of the basic structure of our Constitution.

The real test now is that the enforced peace prevailing in Ayodhya should be extended to the rest of the country. Peace and harmony should continue to prevail in this country. That is the DMK's stand.

With these words, I conclude.

[Translation]

SHRI MOHAN RAWALE (MUMBAI SOUTH CENTRAL) : Mr. Deputy Speaker, Sir, first of all I pay my homages to the Late Shri Balyogiji who was the Speaker of our Lok Sabha. I also pay my homage to those security personnel also who have laid their lives protecting the Parliament. I also pay my homage to those who have sacrificed their lives for the cause of Ram Mandir at Ram Janam Bhumi.

Mr. Deputy Speaker, Sir, first of all I would like to thank the Government that it has not let the situation get out of its control even under so much tension through its craft by restoring peace. I would also like to congratulate our saints like Parmanahans Ramkrishandas, Acharya Giriraj Kishor, Sankarcharya Jayendra Saraswati, Ashok Singhal and Vaidyaji of RSS for restoring peace and evolving consensus. Their retreat should not be taken as their weakness. Ayodhya is sacred to the Hindus like Yerushalam is to the Christians and mecca for muslims. The sentiments of Hindus are linked to it.

Lord Ram was born here. It was during the term of Pt. Jawaharlal Nehru as Prime Minister when the permission

[Shri Mohan Rawale]

for worship was given by the Court. Earlier, the commander of Babar Mir Baki had constructed the structure of Babri masjid by demolishing the Ram temple in 1525 there and it has been mentioned in the Gazette of Lucknow and it has not been penned down by an Indian. An IAS Officer Navhill had written that earlier there was a temple which was converted into a Masjid by demolishing it. ...*(Interruptions)* You can confirm it on your own if it is found wrong I will withdraw my words. Later on it was opened in 1986 for the people. A lawyer named Pandey moved the Court and later he withdrew his case. The worship still takes place these even after the demolition of the Babri Mosque on 6 December, 1992. ...*(Interruptions)*

SHRI BASU DEB ACHARIA : Why was it demolished?

SHRI MOHAN RAWALE : The sentiments of the people were associated with the birthplace of Lord Rama and the feeling of rage and anger resulted in the demolition of the structure. ...*(Interruptions)*

Sir, till now 79 thousand people have sacrificed their lives. You should also note that the temple of mother goddess Sita is also in its vicinity. Mughal emporor Babar does not belong to us. He is an alien, he might have come from South Asia but what relation he has got with the people of this country. What interest do the Indian's have in him, why is he repeatedly mentioned?

SHRI SHIVRAJ V. PATIL (LATUR) : Mr. Chairman, Sir, he is insulting all of by talking in such a way. It is not something dignified to talk about someone in such a manner. If someone is saying so then it tantamount adding fuel to the fire. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : I will see to what words have been used.

[English]

SHRI SHIVRAJ V. PATIL : I have an objection.

SHRI AJOY CHAKRABORTY (BASIRHAT) : He has uttered a very objectionable word.

SHRI SHIVRAJ V. PATIL : Our request is that it should not go into the record. It should be expunged from the record. The hon. Member who is speaking now should be told that he should be careful in using the words and he should not hurt the feelings of others.

SARDAR BUTA SINGH (JALORE) : It has no relevance to the subject being discussed now.

SHRI AJOY CHAKRABORTY : There is no provision in the court. I was shocked.

[Translation]

MR. DEPUTY-SPEAKER : Mohanji, please try to understand the intent behind what Shri Patilji has just said.

SHRI MOHAN RAWALE : Sir, 3000 temples were demolished by the Mughal emperors. We people are Hindus and tolerant, it does not mean that we are kept on being suppressed. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : So, now you want to settle the scores now? ...*(Interruptions)*

MR. DEPUTY-SPEAKER : You please speak on the subject.

SHRI MOHAN RAWALE : Sir, there are 83 percent Hindus in this country, however we have to beg for constructing our temples. I respect the hon. Prime Minister and also congratulate Shri Soli Sorabjee. They have respected the sentiments of the Hindus. It is our religion to worship Lord Rama. The hon. Prime Minister played a very important part in it and the entire work concluded peacefully. He could not digest this thing. He wanted riots and exchange of bullets and lathis to take place but it did not happen. Hence it did not appeal him.

Mr. Deputy Speaker, Sir, all of us want that the sadhus, saints and the religion leaders should be respected and it is not wrong to do so. We also extend full respect to a muslim 'peace'. When it comes to secularism I would like to mention about Shiv Sena Chief Bala Saheb Thakre he was denied the right to use his franchise for propagating a religion due to which he could not cast his vote but when it comes to giving witness in the Court we are made to take oath on Kuran, Bible and Geeta. If we are secular then why is it allowed? Why don't we take oath on our Constitution. ...*(Interruptions)*

SHRI SATYAVRAT CHATURVEDI : Now, the witness will not be given on Bible, The Geeta or the Kuran. ...*(Interruptions)*

SHRI MOHAN RAWALE : Sir, Chaturvediji, is not aware that Shivraji Patilji is a lawyer, you also have been a lawyer, you know that still the oath is taken on the Geeta, Kuran or Bible stall. He is playing vote politics. When Godhara incident took place, the leader of the opposition Shrimati Sonia Gandhi spoke here but nobody opposed

her. Hence the hearts of Hindus are filled with such feeling of discontent and anger, if we call names to Hindus, it only is secularism? Whether the Hindus will be disrespected. ...*(Interruptions)*

[English]

SARDAR BUTA SINGH : Who said this? ...*(Interruptions)*

SHRI AJOY CHAKRABORTY : Sir, he should not be allowed to speak such things. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Mr. Rawale, please conclude now.

...*(Interruptions)*

[Translation]

SHRI MOHAN RAWALE : If the Hindus are opposed. ...*(Interruptions)* Terrorism will be opposed. ...*(Interruptions)* that too is considered communal. ...*(Interruptions)*

[Translation]

PROF. RASA SINGH RAWAT : Had Rajiv Gandhi, not laid the foundation stone there?

SARDAR BUTA SINGH : Foundation stone had been laid. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Shri Rawale ji, please conclude.

SHRI MOHAN RAWALE : Mr. Deputy Speaker, Sir, my party has got the first chance to speak in the House.

MR. DEPUTY-SPEAKER : Though you have got first chance but it is time to wind up your speech. You have been given the floor. Hon'ble Prime Minister had to give reply. Please speak the non-controversial things. I gave you the opportunity to speak in the last only because I was aware that your speech would be controversial.

SHRI MOHAN RAWALE : Mr. Deputy Speaker, Sir, politics of vote is going on today. Shri Bala Saheb Thackrey had said that right to vote should be withdrawn from Muslims. He had stated so because if the right to vote is withdrawn from them, they themselves would support the construction of temple. ...*(Interruptions)* their interpretation of secularism will be changed. Shri Somnath Chatterji is sitting in the House. We respect him. He has presented his

views regarding secularism. He has mentioned what he believes. I have the interpretation of secularism.

[English]

From time to time the Supreme Court of India has been interpreting the concept of secularism in the Indian Constitution differently.

[Translation]

I would like to mention judgement given by the Court.

[English]

It is St. Xavier College Society versus State of Gujarat in which it is said that secularism in the context of our Constitution means only the attitude of live and let live developing into the attitude of live and help live.

[Translation]

Later on he stated that Jiauddin Burhanuddin and Braj Mohan Ramdas have stated so.

[English]

States to be neutral or impartial in extending its benefit to citizens of all castes and creeds and cast a duty on the State to ensure through its laws that disabilities are not imposed based on persons practising or processing any particular religion. ...*(Interruptions)*

[Translation]

MR. DEPUTY-SPEAKER : Ramdasji, I wanted to give you two minutes time to speak but if you continue to behave like this, I would not give you the opportunity to speak.

[English]

SHRI MOHAN RAWALE : The words Hinduism or Hindutva are not necessarily to be understood and construed narrowly, confined only to the strict Hindu religious practices, unrelated to the culture and ethos of the people of India depicting the way of life of the Indian people.

[Translation]

They have mentioned "Sarvadharam Sambhav". Secularism Sarvadharam Sambhav. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Now you please conclude.

SHRI MOHAN RAWALE : I respect late Shri Rajiv

[Shri Mohan Rawale]

Gandhi, however, the Court's verdict given in Shahbano case resulted in atrocities on our Muslim sisters. Iran, Iraq, Indonesia, Pakistan etc. are muslim countries, I have been to Turkmenistan, in all these countries when one has to give divorce. ...*(Interruptions)*

[English]

SHRI MANI SHANKAR AIYAR (MAYILADUTURAI) : The Supreme Court in India, in September 2001, has validated the Muslim Women Compensation and Divorce Act and supported every single argument laid by Shri Rajiv Gandhi in this House. What are you talking? ...*(Interruptions)*

[Translation]

SHRI MOHAN RAWALE : One has to take consent of one's wife before giving her divorce. This is prevailing in the entire muslim society in India and also in all the Muslim countries in the world. ...*(Interruptions)* They are of this view but in the name of religion. ...*(Interruptions)* Shri Rajiv Gandhi had stated earlier. ...*(Interruptions)*

SHRI ABDUL HAMID (DHUBRI) : Mr. Deputy Speaker, Sir, what he is talking. ...*(Interruptions)*

SHRI MOHAN RAWALE : Mr. Deputy Speaker, Sir, I will never let him speak. I am enough to teach him a lesson.

MR. DEPUTY-SPEAKER : Please wind up.

(Interruptions)

SHRI MOHAN RAWALE : We can very well imagine the plight of a muslim women when she is given divorce just by saying Talaq Talaq. She is also, a sister, a mother and a daughter. ...*(Interruptions)*

DR. RAGHUVANSH PRASAD (VAISHALI) : I am on point of order.

[English]

"The Speaker, after having called the attention of the House to the conduct of a Member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech."

[Translation]

There is no relevance in Prime Minister's speech.

MR. DEPUTY-SPEAKER : Please conclude now.

SHRI MOHAN RAWALE : I would like to make a submission about the court. If the court changes its stand that there was temple on the disputed land, whether muslims would be asked to abide by the Court's verdict. I would like to ask all the members of opposition. ...*(Interruptions)*

MR. DEPUTY-SPEAKER : Now please conclude.

SHRI MOHAN RAWALE : Godhara incident is a very painful incident. ...*(Interruptions)* I am saying so because it has been mentioned here. In 1992-93, Congress Government was in power when bomb explosions took place in Mumbai. 196 such incidents took place during the regime of Congress and 946 people were killed in these incidents. Many people were killed in Gujarat, Madhya Pradesh and Rajasthan. At that time they did not offer the resignation of their Government. Three thousand sikhs were killed. They had met the hon'ble President to request the removal of the then Government. I would like to submit to the House that they are playing dual politics. ...*(Interruptions)* I had to raise many points. ...*(Interruptions)* I would appeal my muslim brethern to live peacefully and amicably. Can you tell me name of a mosque where Hindu God is also prayed alongwith the Ibadat of Allah. We are demanding our right only. Unfortunately, we are begging in regime of our own Government, 79 thousand people and Kar-Servaks have laid their lives. Through you, I would like to request the hon'ble Prime Minister to respect Saints and Seers and give the regard to the sentiments of Hindus. Please ask muslim brothers also to respect the feelings of Hindus.

SHRI RAMDAS ATHAWALE (PANDHARPUR) : Mr. Deputy Speaker, Sir, hon'ble Prime Minister had given the statement that the Government is responsible for the implementation of Court's verdict and 50% efforts have been made in this regard. I want to know something from the Government. Shri Ramchandra Pranhans had said that VHP is not ready for Shiladan to the Commissioner because it would not be safe there. Therefore, an official from PM Office went there to receive the Shila. Our concept of Secularism is that Hindus, Muslims, Buddhist and Christians should be given equal support in our country. We are not against Hindus. My submission is that like Shri Atal Bihari Vajpayee, Shri Advaniji, Shri Pramod Mahajan, Shrimati Sonia Gandhi and Shri Somnath, we are also ready to accept the Supreme Court's verdict.

We are ready to accept the Supreme Court's verdict.

Are the Members of VHP, RSS and Bajrang Dal ready to accept Supreme Court's verdict? Is the Government ready to make them abide by the Court's verdict? Members of VHP are their own people. We continued our agitation to change the name of Marathwara University into Baba Saheb Ambedkar University for 14 years and whenever We violated the law we were put behind the bars. However, Members of VHP and Shri Ramchandra Paramhans were not arrested because Government was having an apprehension that their arrest would create resentment among against their Government and all Hindus will become anti-Government.

The Government was having an apprehension that it will fall on 16th. However, we were feeling that when the Government fell on 16th, our party will be in power on 17th. As the present Government did not fall our party failed to come into power. The issue is not to be in power. They may continue to run the Government. We are not interested to come into power. We all have seen Aamir Khan leading the Indian Cricket team in the movie 'Lagaan' everybody felt that players were untrained, they would not be able to win the match. But in the end Aamir Khan's team won it. Similarly, the present Government under the leadership of Shri Atal Bihari Vajpayee is winning for the last 3 years. People feel that this team is not good but still they are winning for the last 3 ½ years. We have failed to win because of our internal bickerings in the party. Therefore, we are not going to win in the present circumstances. They will continue to win till 30 allied parties and 300 Members are with them. We are trying to settle our internal disputes and in the coming future we will definitely win the elections. Till then the present Government can continue. The Government should make efforts to restore peace in the country.

With these words, I conclude.

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Deputy Speaker, Sir, some important issues have been raised during the discussion. Various views have been put forth. I do not want to repeat them. We heard the speeches of two lawyers on the role of Attorney General. The opinion given by Shri Soli Sorabjee as an advocate has been mentioned here. It is a matter of dispute whether he had the right to give his opinion or not however, it was necessary to make the people of the country aware of the reality.

Discussion was also held regarding a judgement given by Supreme Court in 1994. However, the judgement given

is acceptable to all. It will be implemented and it should be. Any judgement can not be rejected only because of difference of opinion else it can be referred to a higher bench of Supreme Court for consideration to obtain a fresh decision on the matter. But till then the verdict given by Supreme Court should be accepted and followed by all.

Regarding the statement given by Vishv Hindu Parishad that the acceptance of Shiladan by PMO official is the acknowledgement of the Government for the construction of temple, I would like to tell my friend from Telugu Desham Party that we have clarified our stand in this regard. The issue is subjective.

SHRI BASU DEB ACHARIA : The hon. Prime Minister did not contradict.

SHRI ATAL BIHARI VAJPAYEE : The hon. Member is ready to listen to them not me. ...*(Interruptions)* Vishwa Hindu Parishad had said that as the Shiladan has been accepted, they will abide by the court's verdict They will not force to change the verdict. The discussion between Saints, seers and Maulanas etc. was held on the same basis. Some former judges of Supreme Court also met Shankracharyaji. In that meeting also they decide that the Courts' verdict would be the final verdict. We can also go ahead on the advice of Shri Shankracharyaji. Therefore, there should not be any misunderstanding that construction work of temple has been started. Though shilas have been kept there but those shilas would be used only when Supreme Court gives its ruling in the favour of Hindus otherwise not. If Supreme Court's verdict goes against the Hindus or if it favours Muslims, there is a way out mentioned in Supreme Court's verdict regarding the facilities to be provided and to resolve the dispute.

The decision is to be taken by the Court. It is not right that someone interfere in it.

There has been a lot of discussion on secularism. Somnath Babu said that he is standing like a 'Kapalik' on the dead body of a secularism.

SHRI SOMNATH CHATTERJEE : I said this yesterday.

SHRI ATAL BIHARI VAJPAYEE : That kapalik is even standing today. A very dramatic language has been used, secularism is not going to die.

SHRI SOMNATH CHATTERJEE : We also want that it should not die.

SHRI ATAL BIHARI VAJPAYEE : No one will die. Before us also the country was secular and it will remain secular in future also. This country is secular not due to some party. This is a part of our tradition, and the colour of our blood. When the opposition was in power then also the country was secular for ours is pluralistic society wherein the people of diverse views live.

PROF. RASA SINGH RAWAT : 'Tunde-Tunde Sarswati'

SHRI ATAL BIHARI VAJPAYEE : If I mentioned one, he spoke of the other. Now the views differed. I had recited half the sloka and he completed it. Secularism is in fact, a way of life.

Not only in our country, growing fanaticism in the entire world is a warning for us. If it does not remain confined to its limits and if the loyalties of the people does not remain confined to limits then it could take a serious turn and can cause a law and order problem. All of us should think over it. Only reciting secularism is not enough. Secularism cannot become selective secularism. If an effort to do so is made then the entire concept of secularism will be in danger but I am sure that such a situation will not arise in the country.

I have to give a clarification. It is being repeatedly said that I had assured the Vishwa Hindu Parishad that the temple would be constructed on so and so date or a decision to that effect would be taken. I had only said that efforts will be made in this regard and I was hoping that probably some solution would be found by the month of March but it did not happen and I held both the parties guilty in that unless they assume some flexibility and make way for mutual exchange and march ahead on the basis of mutual goodwill and harmony, no solution could be found. Hence to repeatedly say that I have encouraged them is not proper, they have not gone ahead because of me but due to the support of the people they are proceeding further. Please think about the 14th. Today we are meeting here in a different ambience and are holding talks but there was a pressurising situation on the 14th. I don't want to discuss whether it was right or wrong. An atmosphere of fear, apprehension and uncertainty prevailed. We have yet to come out of Gujarat crisis and a new controversy has arisen. Hence everybody heaved a sigh of relief when the shilladaan passed off without violating the court verdict. Status quo was not threatened, 'Shila' was received and it is fully safe and as I said that shila will be utilised only on the day of the decision on the original suits. Shila is not going to be of any utility, in between hence I don't see any

reason for the spread and provocation of fanaticism in the country. Everybody should co-operate in it. I am confident that today's discussion will be fruitful and the country will proceed in the right direction.

SHRI BASU DEB ACHARIA : He has not replied the point that deals with the matter he had sent to Shatrughan Singh from P.M.O. ...*(Interruptions)* That was the real question and its reply has not come. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : There is no reply in it. ...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : I have not repeated the subjects on which my colleague Arun Jaitley had thrown light. It is of no use to further analyse a thing already analysed. ...*(Interruptions)* whatever has been analysed, has been analysed minutely. ...*(Interruptions)*

[English]

MR. DEPUTY-SPEAKER : The next two items in the Order Paper are very small and on Monday there will be ample opportunity for everybody to participate in the debate on the Prevention of Terrorism Bill. So, if you agree we will finish these two items now.

SHRI BASU DEB ACHARIA : Sir, it could be on one condition. On Monday, the Zero Hour should be allowed, at least, for half-an-hour before POTO is taken up.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI PRAMOD MAHAJAN) : Sir, the order given by the Supreme Court and the Chair should be accepted without any condition. He is putting conditions for the Chair.

SHRI BASU DEB ACHARIA : On this condition, we can agree to this proposal.

SHRI PRAMOD MAHAJAN : No conditions, please.

SHRI BASU DEB ACHARIA : We have a number of important issues. We could not raise them because of this reason.

SHRI PRAMOD MAHAJAN : I leave it to the Chair to decide whether the Zero Hour should be for half-an-hour or one hour.

MR. DEPUTY-SPEAKER : All right.

20.41 hrs.

[English]

**STATUTORY RESOLUTION RE : DISAPPROVAL
OF INSTITUTE OF TECHNOLOGY (AMENDMENT)
SECOND ORDINANCE**

AND

INSTITUTE OF TECHNOLOGY (AMENDMENT) BILL

MR. DEPUTY-SPEAKER : Now, we will take up item No.7 and 8 together. Shri Ramji Lal Suman is not there. Shri Basu Deb Acharia.

SHRI BASU DEB ACHARIA (BANKURA) : Sir, I beg to move :

"That this House disapproves of the Institute of Technology (Amendment) Second Ordinance, 2001 (No. 10 of 2001) promulgated by the President on 30 December, 2001."

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (PROF. RITA VERMA) : Sir, on behalf of Dr. Murli Manohar Joshi, I beg to move :-

"That the Bill further do amend the Institute of Technology Act, 1961, as passed by Rajya Sabha, be taken into consideration."

[English]

MR. DEPUTY-SPEAKER : Motion moved :

"That this House disapproves of the Institute of Technology (Amendment) Second Ordinance, 2001 (No. 10 of 2001) promulgated by the President on 30 December, 2001."

"That the Bill further to amend the Institute of Technology Act, 1961, as passed by Rajya Sabha, be taken into consideration."

SHRI BASU DEB ACHARIA : Sir, I am not against the Bill. But I am against re-promulgation of the Ordinance. There was no need for re-promulgation of the Ordinance. The Ordinance was promulgated in the month of October. But it was not replaced by a Bill during the Winter Session. Then again, it was re-promulgated. What is the necessity to

promulgate an Ordinance? Why has the Government not brought forward any Bill before this House? What was the urgency? In every session, we find that, at least, six or seven Ordinances are replaced by respective Bills. Here also, there are a number of Ordinances. Some Ordinances were promulgated, re-promulgated and again promulgated. I want a clarification from the hon. Minister. What was the necessity to promulgate and re-promulgate this Ordinance? Why has the Bill not been brought forward before this House?

[Translation]

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) : Mr. Deputy Speaker, Sir, the present Bill seeks to convert Engineering university with IIT. I support it. Till now there were IITs in six places namely, Delhi, Kanpur, Kharagpur, Madras, Guwahati etc. and this institute is being set up at the seventh place. I have the RIT papers related to various states in connection with the reply to a question. The RIT Bihar was located at Jamshedpur which has gone to Jharkhand now. Hence Bihar has neither an IIT nor RIT. In Uttaranchal, a newly created state IIT status is being given to an institute. I support it. Hence I demand that a debate should be held on the principles and purpose of setting up IITs for the advancement of technical education and RIT is already famous for it.

The Government have brought the legislation for converting it into Indian Institute of Technology. It was owing to this generosity and policy that the only regional Institute of Technology meant for such a big population of Eight crore 20 lakh was transferred to Jharkhand. The IIT in Bihar and the Patna College should have been upgraded.
...(Interruptions)

The name Madras has been mentioned in their legislation. Since Madras has been renamed as Chennai, would the Government like to write Chennai in place of Madras in the amendment or not? Will it stick to Madras when people call Madras as Chennai now? Why the Government has stick to it? The legislation mentions Madras, have the Government should carry out the amendment accordingly and also clarify the point.

PROF. RITA VERMA : Mr. Deputy-Speaker. Sir, the Bill was introduced in the month of November in the Rajya Sabha, however owing to some compulsion, it was not brought for a discussion, hence the need to issue an ordinance arose. I hope that my learned colleagues will not object to it, keeping in view the career of the students and future of the institute. You might have noticed that right

[Prof. Rita Verma]

from the beginning of the session we were trying to ensure the passage of this Bill and I am sure that my colleagues do not have any objections to the nature of the Bill. Raghuvansh Babu and several of our colleagues put up a demand for an IIT in Bihar and we are considering it. Secondly we have formulated a comprehensive scheme for upgrading various Regional colleges of engineering and IITs and we need the support of the august House for the same. All of you, hon. Members, might have been much fatigued by the day long work, hence I would submit that we should pass the bill quickly.

MR. DEPUTY-SPEAKER : Raghuvansh Babu has asked to write down Chennai in place of Madras.

PROF. RITA VERMA : Not now, it will be done later.

[English]

MR. DEPUTY-SPEAKER : Are you withdrawing your resolution?

SHRI BASU DEB ACHARIA : Yes, I am withdrawing.

MR. DEPUTY-SPEAKER : Is it the pleasure of the House to that the Statutory Resolution moved by Shri Acharia be withdrawn?

The Resolution was, by leave, withdrawn.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Institute of Technology Act, 1961, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : Now, we shall take up clause by clause consideration of the Bill.

The question is :

"That clauses 2 to 7 stand part of the Bill."

The motion was adopted.

Clauses 2 to 7 were added to the Bill.

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

[Translation]

PROF. RITA VERMA : Sir, I beg to move :

"That the Bill be passed."

[English]

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

20.50 hrs.

STATUTORY RESOLUTION RE : DISAPPROVAL
OF PASSPORTS (AMENDMENT)
SECOND ORDINANCE

AND

PASSPORTS (AMENDMENT) BILL

[English]

MR. DEPUTY-SPEAKER : We shall take up Item Nos.9 and 10 together.

SHRI BASU DEB ACHARIA (BANKURA) : Sir, I beg to move :

"That this House disapproves of the Passport (Amendment) Second Ordinance, 2001 (No.11 of 2001) promulgated by the President on 30 December, 2001."

. THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI OMAR ABDULLAH) : I beg to move :

"That the Bill further to amend the Passport Act, 1967, as passed by Rajya Sabha, be taken into consideration."

MR. DEPUTY-SPEAKER : Motion moved :

"That this House disapproves of the Passports (Amendment) Second Ordinance, 2001 (No.11 of 2001) promulgated by the President on 30 December, 2001.

That the Bill further to amend the Passports Act, 1967, as passed by Rajya Sabha, be taken into consideration."

SHRI BASU DEB ACHARIA : Sir, about this Ordinance

also, my argument is the same. This is regarding the Passports (Amendment) Second Ordinance. The first Ordinance was promulgated in the month of October. This is re-promulgated.

I will not speak. In just one sentence, I will conclude my speech. I would like to know from the Minister what was the urgency. Why was the first Ordinance not replaced in the last Session and now enacted? Why was there an urgency to re-promulgate it? Why has the Bill not been brought to this House without promulgation of Ordinance? I want an explanation from him.

SHRI OMAR ABDULLAH : Sir, as the hon. Member is aware, this Bill had been introduced in the Rajya Sabha but as it came up for discussion, certain suggestions were made. As a result, it was felt necessary that we would amend this Bill to take into consideration the security aspects of the country. And because of paucity of time, we were not able to pass it as we wanted, and that is why, it had to come back again as an Ordinance. We would be very grateful if the House would take it up and pass it.

MR. DEPUTY-SPEAKER : He has asked a question.

SHRI OMAR ABDULLAH : I have answered that.

MR. DEPUTY-SPEAKER : Shri Basu Deb Acharia, now it is your right to reply.

SHRI BASU DEB ACHARIA : I am withdrawing the Statutory Resolution.

MR. DEPUTY-SPEAKER : Is it the pleasure of the House that the Statutory Resolution moved by Shri Acharia be withdrawn?

The Resolution was, by leave, withdrawn.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Passports Act, 1967, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : The House will now take up clause-by-clause consideration of the Bill.

The Question is :

"That clause 2 and 3 stand part of the Bill."

The motion was adopted.

Clause 2 and 3 were added to the Bill.

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

MR. DEPUTY-SPEAKER : The Minister may now move that the Bill be passed.

SHRI OMAR ABDULLAH : Sir, I beg to move :

"That the Bill be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

MR. DEPUTY-SPEAKER : The House now stand adjourned till 11 a.m. on Monday.

20.54 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, March 18, 2002/Phalguna 27, 1923 (Saka).

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