

MR. SPEAKER : You are on a very good point of order. The decision on that should come. My decision regarding the first part of your submission is that it is hundred percent alright that any constitutional authority should function within its limitations and if it is discussed outside, it will not be good. Therefore, I had not allowed him to speak on it. Arjun Singh ji had felt annoyed at it, even then ....

SHRI ARJUN SINGH : I did not feel annoyed at it, I have corrected myself.

MR. SPEAKER : You corrected yourself happily or angrily, when I asked you not to speak in that way then you retorted whether you were free to speak so or not. Whereupon I had said that you had every right to speak about that. I am happy that later on his submission was within his legal limitations. Had he gone beyond the limitations then I had to give relaxation in the record, but he did not do so. But time and again I feel that the things which should not be discussed here, should not be discussed outside as well. The discussion should not be held in the current session, all of us should keep it in mind, but we can not ask everyone to do so. Everyone acts within his limitations. We do not have the right to pass an order from here against anyone. Therefore, we keep mum and ask not to discuss it. It is upto the others whether they discuss it or not.

Now, regarding what has been said by Arjun Singh ji, I would like to submit that I think ten times before speaking about him since he himself speaks after a deep thought. Therefore I would not like to pass any comment so generally about him. My submission to him is that I will not be able to grant him the permission to leave the House. My request to him is that he has very well put forth his views. If I have understood Shukla Ji's statement then I think that he has not denied anything anywhere. Keeping all this in mind, I think that he should be present here. Tomorrow, we will see as to what is likely to take place.

SHRI ARJUN SINGH : If I am not allowed to leave the House then I can take a seat inside.

MR. SPEAKER : Please sit on the branch.

SHRI ARJUN SINGH : No, no, where we were sitting, we were sitting silently.

MR. SPEAKER : Please, that it is not a cosy seat and does not suit you. Thank you very much .....(Interruptions)

**14.30 hrs.**

**Re : 6th December, 1992 Ayodhya incident**

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, today is the anniversary of a day. We treat 6th December 1992 as a day of national shame in our country where the secular edifice of our country was deliberately sought to be dismantled by deliberately engineered criminal activity. We want to mention that date so that in this country which has a secular Constitution...(Interruptions)

SHRI BASUDEB ACHARIA (Bankura) : Sir, you have allowed him. They are shouting. (Interruptions)

[Translation]

SHRI RAJVEER SINGH (Aonla) : It is more serious issue than this. Time should be allotted for discussion of the plight of the farmers in Uttar Pradesh. Whether anniversary is being celebrated that such a large influx of weapons from Madhya Pradesh is creating havoc for people...(Interruptions)

SHRI DAU DAYAL JOSHI (Kota) : People are resorting to Dharana, Andolan and Satyagrah and they continuously...(Interruptions)

SHRI BHOGENDRA JHA (Madhubani) : Advaniji is already here; he is a leader, he should speak whatever he likes...(Interruptions)

[English]

SHRI SOMNATH CHATTERJEE : This attitude of intolerance...(Interruptions) Sir, I want to speak for two minutes only.

MR. SPEAKER : I will allow you.

[Translation]

If he is raising any important issue, let him speak. If you have to reply, you will also be allowed but please do not behave in this manner. This is House, if any Member wants to put forth his valuable point, there should not be any trouble. It should be replied properly.

[English]

SHRI SOMNATH CHATTERJEE : Sir, I am sorry that my friends from the BJP are showing such intolerance and this intolerance has resulted ultimately in the demolition of the Babri Masjid; intolerance about others' views, about others' commitments, about other people who are not following their own perception and this is not good for the country. They are very eminent representatives who can reply to us.

Therefore, we should observe this day as a day of national mourning. This is the time for introspection also and time for rededicating this country's resolve and commitment to the maintenance of secular democracy in this country which cannot be allowed to be compromised at any cost whatsoever. Therefore, Sir, we want to reiterate our complete faith in the secular structure of our country and that we should try everything that is possible to maintain that structure.

Here the Government made a reference to the Supreme Court under Article 143. We had repeatedly said that that was not the appropriate Article. What is the good of making this reference? Obviously, the Supreme Court could not take a decision for the purpose of giving an opinion on this. That was a very limited jurisdiction of the Supreme Court and what we had expected had happened and that had happened long time back. Now, there is only one method of getting the verdict of the highest court of this country and that is under Article 138(2) of the Constitution of India. But what is this Government doing? Why are these matters not being referred to the Supreme Court under Article 138(2) of the Constitution for resolving the disputes instead of keeping them alive in different places? This is high time that this should be referred to the Supreme Court of India under the appropriate provision invoking the appropriate jurisdiction of the court. But wonderfully this Government is trying to keep

this emotive issue alive and so long as this is not resolved finally, this will remain as a national shame for all of us.

Sir, it is very important that the Government takes an early decision and makes an immediate reference to the Supreme Court under Article 138(2) of the Constitution. This is our demand and we want a response to this as early as possible today.

SHRI INDRAJIT GUPTA (Midnapore) : Sir, I would just like to remind the House that just after this incident at Ayodhya on the 6th of December that year there was, of course, understandably quite a lot of excitement and agitation in the House.

The hon. Leader of the Opposition — I am sure, my friends here will listen to it — said here in the House — it can be checked from the record — that the people who had committed this outrage, who had demolished this monument, were acting on their own; they did not have the approval or sanction of his Party; they had exceeded themselves; they should be identified; they should be brought to book; they should be punished. It can be seen from the record that Shri Vajpayee had said this here. I am, therefore, astonished to find that even now so many members of his party — perhaps not all of them but some of them — certainly go around issuing statements saying that they are very proud of what they have done, and I am afraid that Mr. Advani also, from time to time, is reported as saying — whether correctly reported or not, I do not know — that it is a matter of pride. So, are we to listen to this version of this happening or are we to go by what Mr. Vajpayee had said in this House, which is on record, that these people have done something which should be punished and they should be detected and brought to book? I would like to know why this confusion is being created all the time.

[*Translation*]

SHRI HARI KISHORE SINGH (Sheohar) : Mr. Speaker Sir, I want to draw your attention towards this serious problem because the hon. Home Minister of India, while addressing the Congress Seva Dal workers a week ago, had said that Congressmen should not be ashamed of anything that happened there nor they should apologise. I virtually remember that respected Advaniji, the then leader of the opposition had desired to tender his resignation after this fateful incident of Ayodhya. I do not know how and why he changed his mind afterwards? As Shri Indrajitji has said today that if he still holds the same views which he expressed immediately after this incident then everything about it should be made clear since the allegations have also been made against him and I regard him very much.

Mr. Speaker, Sir, I would like to know as to what enquiry is being conducted by the Government in this regard and how far the statement made by the hon. Home Minister before the Congress Seva Dal workers today is correct? Will the Government make it clear as to what step it is going to take to ensure about non-recurrence of such incident and the nation should not hang its head down through shame due to such incidents.

[*English*]

MR. SPEAKER : Please do understand that we have

two Ordinances to pass today. It was decided in the Business Advisory Committee meeting that we shall be passing two Ordinances and tomorrow we shall be taking up discussion on economic situation in the country, in which all of you will be able to participate and speak. Supposing on each of these matters if more than a few Members want to speak, then it will be difficult to complete the business in the manner in which we want to. That is why I am giving time to Shri Arjun Singh Ji to...

(*Interruptions*)

MR. SPEAKER : Okay, Mamata Ji also.

SHRIMATI MALINI BHATTACHARYA (Jadavpur) : Sir, I have given notice also. Please allow me also to speak for one minute.

[*Translation*]

SHRI ARJUN SINGH : Mr. Speaker, Sir, though I agree with the issue raised and feelings expressed by Shri Somnathji, I would like to say in this House that for the unity and integrity of India, we should maintain and protect the assimilated cultural form of India. We should take steps to adopt practically the principle of secularism. We should avoid taking political gains from any parochial issue and be instrumental in running the democracy of the country. It is very sad that the incident of 6th December has shocked everyone. We should make concerted efforts to avoid the recurrence of such incidents and make all out efforts to fulfil our commitment and dedication for the unity and integrity of India.

[*English*]

SHRI E. AHAMED (Manjeri) : Mr. Speaker, Sir, it is with a heavy heart that I refer to what happened in Ayodhya — the demolition of the symbol of secularism in this country, the place of worship of the largest minority community in this country — on 6th December, 1992.

Even after this has happened, almost all the Members of this House, barring the B.J.P., have taken the line as what has been submitted by my hon. colleague, Shri Somnath Chatterjee that the Government may refer it to the Supreme Court under Article 138(2) instead of Article 143. But, unfortunately, the Government had not acceded to it. I would like to mention here that the minority community has not forgotten the hurt that has occurred by the demolition of the mosque. Of course, it may be the handiwork of B.J.P.\*

SHRI RAM KAPSE : Sir, it is not correct. ....(*Interruptions*)

SHRI E. AHAMED : I do not want to go into detail. I am only referring to a statement of fact. ....(*Interruptions*)

SHRI RAM KAPSE : Sir, it is not correct. He is taking a name.

SHRI E. AHAMED : You can deny. That is what we all do. ....(*Interruptions*)

SHRI RAM KAPSE : Sir, it is not correct.

MR. SPEAKER : I will see, it will go out of the record.....(*Interruptions*)

\* Expunged as ordered by the chair.

SHRI E. AHAMED : I do not know why this lethargic attitude on the part of this Government with respect to the assurance given to the Muslim community and the nation with regard to the rebuilding of the mosque. Why are the Government keeping quiet? Do the Government think that the minority community will forget about the Babri Masjid incident. No, it will not. ....(Interruptions) I say that the B.J.P. are responsible, and the Government have taken a lukewarm attitude.

But I am very sorry to say that even our Ministers of this Government are going and shaking hands with those who have demolished that mosque. I am very sorry to say this. I want the communal harmony to be maintained in this country. I want that there shall be no friction or tension among the communities.

MR. SPEAKER : Please be brief. You have put up the matter very ably. Please conclude now.

SHRI E. AHAMED (Manjeri) : Yes Sir, I once again request the Government to ponder over or to consider seriously whether at least the High Court can be requested to constitute a Special Bench of it to dispose of the case pending before it as expeditiously as possible.

[Translation]

SHRI DEVENDRA PRASAD YADAV (Jhanjharpur) : Mr. Speaker, Sir, the faith of crores of people who believe in the principle of secularism have shattered on 6th December. Therefore, 6th December will be observed as a black-day in the entire country. The fanatics, whatever class or creed, community and party they may belong, could not preserve the democratic system of India. The way, the mosque was demolished, various leaders had said in this House that action will be taken against those persons who have participated in this incident. It is really something to be ashamed of that this day will be remembered as black day. The day, when our secular structure of constitution was demolished, every Indian's head hung down of shame in the world. Therefore, a resolution intending to maintain the secular structure of the constitution of India should be passed in the House and all such elements should be condemned.

[English]

KUMARI MAMATA BANERJEE : Sir, our Constitution mainly depends of secularism. I tried to raise this issue earlier and at that time these people walked out because I said that today is a black day in our history.

Sir, what happened on 6th December, 1992? Nobody can forget the issue. The demolition of the Babri Masjid was not only the demolition of the mosque but it destroyed the system of democracy and secularism. I request the Government to consider the need of the hour. After this incident, so many people died in communal riots. I do not know whether these people have got any relief or not.

Secondly the Government should refer this case to the Supreme Court under Article 138(2) of the Constitution so that the people get justice. We should see that our minorities of this country are protected according to our Constitution. This is their democratic right. This is their fundamental right. If the democratic right is destroyed the fundamental rights will be destroyed. Human rights are

involved everywhere.

That is why I request the hon. Minister of Parliamentary Affairs to assert the matter and see that the Government refers the case to the Supreme Court under Article 138(2) of the Constitution so that the people get justice. (Interruptions)

I know it, because I have written a letter eight months ago to the Prime Minister.

Therefore, Sir, I think, it is not a partisan matter and this House should condemn it. It may be that one party had done it or it may be that one person may be proud of it. But if anybody destroys the structure of our democracy, then it will not look nice for the country and that is why, I appeal to you that all the Members should pass a Resolution saying that we should respect our Constitution, we should give protection to our minorities and we should give protection to the people of all the communities. They may be rich people or they may be poor people. But rich people should not become richer and the poor people should not become poorer. The minorities, the Scheduled Castes, the Scheduled Tribes, OBCs and all other community people should not be suppressed, oppressed and depressed. They should get proper justice.

Sir, I think the Parliamentary Affairs Minister should react today, because today is a black day and I condemn the incident which happened on the 6th December, 1992. (Interruptions)

SHRIMATI MALINI BHATTACHARYA : Mr. Speaker, Sir, I have given a notice.

MR. SPEAKER : You should understand that you cannot have the cake and eat it too. If you want to discuss the economic situation tomorrow, you cannot have the time today, because I should put the limit somewhere. I allowed your leader to speak. Maliniji, please cooperate.

[Translation]

SHRI JASWANT SINGH (Chittorgarh) : Mr. Speaker, Sir, I had no intention to make any observation on it. I have heard my friends but I do not want to clarify anything. I would like to say 2-3 things—whether my friends agree with me or not? Whatever has been said here, has been stated for the sake of saying something ... (Interruptions) It would have really concerned me if it had come from the core of one's heart. I will explain it. If we could reach to such an analysis so easily and state—

[English]

National humiliation and national shame are not small words. (Interruptions) That is where a great divide divides us.

Mr. Speaker, Sir, whatever national humiliation is, I am not going to learn my national humiliation from this lot. Certainly not. I am not going to learn my national humiliation from this lot which does not find national humiliation in 1962.

[Translation]

... (Interruptions) Hon. Arjun Singh ji is preaching me while sitting here that the nation has been stigmatised. Perhaps, you do not remember that it was due to you people only that this nation was divided. (Interruptions)

Mr. Speaker, Sir, the way national humiliation and national shame are being talked for the political gain needs a self evaluation. You want to milk this cow of secularism whenever you desire for the purpose of getting vote but at the same time you should also be careful that if you are milking beyond its capacity, the blood will ooze out from the milking glands.

SHRI RUP CHAND PAL (Hooghly) : As the blood is oozing from your side....(*Interruptions*)

SHRI JASWANT SINGH : It is happening only because if you or Shri Arjun Singh ji has even touched any subject seriously except playing politics then I am ready to walk out from this place. Every issue is deliberately given political touch but if you observe this incident of 6th December as national shame or national humiliation then this constant self-flagellation will not do. I will just say that you can not call it national shame or national humiliation in this way. ..(*Interruptions*)

[*English*]

MR. SPEAKER : Now, papers to be laid.

14.51 hrs.

#### PAPERS LAID ON THE TABLE

##### Memorandum of Understanding Between Food Corporation of India and Ministry of Food for the Year 1995-96

THE MINISTER OF FOOD (SHRI AJIT SINGH) : Sir, I beg to lay on the Table a copy of the Memorandum of Understanding (Hindi and English versions) between the Food Corporation of India and the Ministry of Food for the year 1995-96.

[Placed in the Library see no. Lt. 8299/95]

##### Explanatory Statement

Giving reasons for immediate legislation by the Industrial Disputes (Amendment) Ordinance, 1995

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DEPARTMENT OF INDIAN SYSTEMS OF MEDICINE AND HOMOEOPATHY) (SHRI PABAN SINGH GHATOWAR) : Sir, on behalf of Shri G. Venkat Swamy, I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Industrial Disputes (Amendment) Ordinance, 1995.

##### U.P. Health Workers and Health Supervisors (Regulation of Pay) Supervisors (Second) Ordinance, 1995.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (DEPARTMENT OF INDIAN SYSTEMS OF MEDICINE AND HOMOEOPATHY) (SHRI PABAN SINGH GHATOWAR) : Sir, on behalf of Shri A.R. Antulay, I beg to lay on the Table a copy of the Uttar Pradesh Health Workers and Health Supervisors (Regulation of Pay) (Second) Ordinance, 1995 (No. 35 of 1995) (Hindi and English versions) promulgated by the Governor of Uttar Pradesh on the 25th August, 1995, under article 213(2)(a) of the Constitution read with clause (c) (iv) of the proclamation dated the 18th October, 1995 issued by the President in relation to

the State of Uttar Pradesh.

[Placed in library, Sec no. LT. 8301/95]

##### MOU between SAIL and Ministry of Steel for the year 1995 etc.

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV) : Sir, I beg to lay on the Table a copy each of the following papers (Hindi and English versions) :—

- (1) Memorandum of Understanding between the Steel Authority of India Limited and the Ministry of Steel for the year 1995-96.

[Placed in Library, See no. LT. 8302/95]

- (2) Memorandum of Understanding between the Sponge Iron India Limited and the Ministry of Steel for the year 1995-96.

[Placed in library, See no. LT. 8303/95]

- (3) Memorandum of Understanding between the Kudremukh Iron Ore Company Limited and the Ministry of Steel for the year 1995-96.

[Placed in library, See no. LT. 8304/95]

- (4) Memorandum of Understanding between the Manganese Ore (India) Limited and the Ministry of Steel for the year 1995-96.

[Placed in library, See no. LT. 8305/95]

- (5) Memorandum of Understanding between the Metallurgical and Engineering Consultants (India) Limited and the Ministry of Steel for the year 1995-96.

[Placed in library, See no. LT. 8306/95]

##### Annual Report and Review by the Government of the Paddy Processing Research Centre, Tamil Nadu for the year 1994-95.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE (DEPARTMENT OF DEFENCE RESEARCH AND DEVELOPMENT) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MALLIKARJUN) : Sir, on behalf of Shri K.P. Singh Deo, I beg to lay on the Table :

- (1) A copy of the Annual Report (Hindi and English versions) of the Paddy Processing Research Centre, Tamil Nadu, for the year 1994-95, alongwith Audited Accounts.
- (2) A copy of the Review (Hindi and English versions) by the Government of the Working of the Paddy Processing Research Centre, Tamil Nadu for the year 1994-95.

[Placed in the Library See no. LT. 8307/95]

##### Annual Administration report and Review of the Working of Kandla Port Trust for the year 1994-95 etc.

THE MINISTER OF STATE OF THE MINISTRY OF SURFACE TRANSPORT (SHRI M. RAJASHEKARA MURTHY) : Sir, I beg to lay on the Table:

- (1) (i) A copy of the Annual Administration Report (Hindi