

16.171/2 hrs

STATUTORY RESOLUTION RE.
DISAPPROVAL OF THE ACQUISITION
OF CERTAIN AREA AT AYODHYA
ORDINANCE,

AND

ACQUISITION OF CERTAIN AREA
AT AYODHYA BILL- *Contd.*

[Translation]

SHRI SHREESH CHANDRA DIKSHIT:
He has delivered a sermon on religion, I think Uma Bharti ji would do better in this field. He has raised several important points in his speech. In one of his points he said:

[English]

"The most important point is whether our country can afford to become a theocratic State?"

[Translation]

He meant that if the BJP came to power, the country would be turned into a theocratic State. Madam Chairman, I would like to know the particular efforts made in the four BJP ruled states that could justify the allegation that efforts were made to turn the country into a theocratic State. If at all any efforts were made, they made to keep those states free from communal riots. Those who call us divisive forces should look at the history. Who was responsible for the division of the country? The Britishers made every efforts to create a rift between the Hindus and Muslims and they did succeed to a great extent. But they did not succeed in creating rift between Hindus & Sikhs for which the credit should go to the Congress party. Now, through this Bill, an effort is being made to create a rift among the saints of different sects of Hindu religion. Those who talk of rule of law may be asked under which rule the Governments of Himachal Pradesh, Madhya Pradesh and Rajasthan were dismissed but not the Governments of Gujarat and Maharashtra where there have

been a series of riots and there is no law and order. I would like to know from the people who are giving sermons to us about rule of law as to why the Governments of Maharashtra & Gujarat were not dismissed. Perhaps Shri Kumaramangalam would not have forgotten because he was present there and incidentally I was also there. The negotiations took place between the All India Babri Masjid Action Committee and the Vishwa Hindu Parishad when Shri Chandra Shekhar was the Prime Minister and again during the period of present Prime Minister Shri Narasimharaoji. I participated in those negotiations. He must be remembering that during the first meeting on January 25, 1990 we kept on sitting while the other party left it. We kept on waiting next day with a hope that they would come in the meeting. Just now he mentioned as to why the negotiations broke down. I would like to submit that we did not boycott the meeting, it was they who boycotted the meeting by saying that there was no need for talks any more. If I am wrong, it may be checked from the record. The other party said that some decision was taken, how the decision was taken is best known to him.

Madam Chairman, when the Prime Minister sought some time to decide the matter the saints made it clear that he must decide it within that time limit and after that they would not wait any more because they already had a bitter experience about it. V.P. Singh's Government sought four months time to decide it and we waited for ten months. But no, decision was taken, that is why, we had given an ultimatum to decide the matter positively within the given period and yet no decision was taken. We were ready to hold talks even at that time but they withdrew from negotiations. The representatives of the VHP did not boycott. It was Shri Kumaramangalam who decided that there was no need to resume the talks. Therefore wrong statements should not be given to mislead the House.

Madam, Chairman, I hold Shri Shahabuddin in high esteem. He was aggressive, somewhat emotional and raised very

good points, however I am pained to hear his two points towards which I would like to draw your attention. Throughout his speech he kept on repeating that Muslim community would not accept it and Muslim community would not tolerate it. It means that perhaps he considers himself to be the lone person who represents the whole Muslim community. He used a very dangerous sentence. He said

[English]

"Muslim community will not accept any opinion of the Supreme Court which deprives them of their Babri Masjid."

[Translation]

You must be aware that when the negotiations were being held during the period of Shri Chandra Shekhar and the Prime Minister and efforts were being made to solve this dispute through negotiated settlement, Shri Shahabuddin did not find it necessary to participate in the negotiations, he did not participate and now he is saying-

[English]

"Muslim community will not accept any opinion of the Supreme Court".

[Translation]

It is the same argument. Shri Shahabuddin has gone into its history. He has said that there was no dispute before 1949. I am quoting it for the information of the hon. Member and the House. Not one, there are dozens of such records, documents of official Muslim testimony, European testimony and Hindu testimony which prove that the dispute did not start in 1949. Rather the dispute started in 1528 when Ram Janam Bhoomi temple was demolished and a foreign invader got a mosque built there.

AS HON. MEMBER: What is the proof of it?

SHRI SHREESH CHANDRA DIKSHIT:

I have proof. I am giving it to you. You may see it if you want I have quoted it. It is not a matter related to sentiment but a matter of historical and archaeological proof. I have placed before you all the proofs. (Interruptions)

Please let my submission be heard, we have to give clarification outside also. So far as the dates to this effect are concerned I may remind Shri Shahabuddin that in 1950, the Hindu saints made their claim on the temple and in 1951 the Court gave a verdict in their favour. They had been given interim injunction that they had uninterrupted right to worship there. Idols can not be removed from there and no disturbance would be created in their worship. When an appeal was made in the court against the decision, the Allahabad High Court also confirmed the decision, that Hindus had been worshipping there since 1949, they have been doing this not under any force or fraud. They have not been doing this on the mercy of anyone. They have been doing so under the orders of the Court. Today, Shri Shahabuddin stated that on 1st February 1986, a competent court of law which was hearing the matter, after hearing both the sides and recording statements of the DM and SSP, delivered this judgement. Madam Chairman, I am sorry that I am not in a position to conclude in a short time.

[English]

MR. CHAIRMAN: I would only request you to remember that there are many speakers who want to speak.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: I have not yet started speaking on the matter. It is an issue on which the future of the country would depend. Therefore, I would like the hon. Members to listen carefully.

Madam, Chairman, I would certainly like to submit what I want. It was only after the Court gave an order on 1st February

[Sh. Shreesh Chandra Dikshit]

1989 to open the lock of the temple, the Babari Masjid Action Committee was formed. An appeal was made to the Muslims to come to street in protest of the judgement of a competent court of law. All Inida Babri Masjid Action Committee was formed afterwards and (Interruptions)

[English]

SHRI MOHAMMAD YUNUS SALEEM (Katihar): I am on a point of order.

MR. CHAIRMAN: Kindly wait. He is on a point of order.

SHRI MOHAMMAD YUNUS: I am sorry to interrupt him. You know that I am not in the habit of interrupting the speaker. I was very carefully listening to the learned speaker. He said, in his speech, that the orders which were passed in February 1986 by the District Judge, were passed after hearing both the parties. I want a clarification from him. What does he mean by both the parties? It is common knowledge, everybody knows that two parties were there before the lower court. The suit was instituted in the Munisiff Court where two parties - Hindus and Muslims - were there. (Interruptions)

PROF. PREM DHUMAL (Hamirpur): It is not a point of order. (Interruptions)

MR. CHAIRMAN: Is this an intervention or is it a point of order?

That he is making a mis-statement, he is stating a fact which is not correct judicially, historically, and not supported by any record. When he said that the order was passed after hearing both the parties, I want to know what does he mean by both the parties.

[Translation]

SHRI SHREESHCHANDRADIKSHIT: I feel it necessary to reply to hon. Member's point. The decision was taken on 1st

February, 1986. We are talking about it in the year 1993. A period of more than 7 years has passed. If this decision was wrong and justice was not done through this decision, why some superior court did not change that decision in any appeal or petition till now? That decision is still in force.

[English]

SHRI MOHAMMAD YUNUS SALEEM: The writ petition is pending before the court. (Interruptions)

He has not clarified my point. (Interruptions)

[Translation]

SHRI SHREESHCHANDRADIKSHIT: Similarly, a decision was taken in 1986. You may recollect that a rally had been taken out at the Boat Club. (Interruptions)

People speak whatever comes to their minds. They have right to speak. I will make a mention of the Boat Club rally because things said in the rally were objectionable. (Interruptions) Whatever was said at the Boat Club rally should be brought on record.

[English]

SHRI MOHAMMAD YUNUS SALEEM: Unless he clarifies... (Interruptions) I do not care for your shouting and hooting.

MR. CHAIRMAN: You have asked your question, Sir. (Interruptions)

MR. CHAIRMAN: You have made your point, now please sit down.

SHRI MOHAMMAD YUNUS SALEEM: I do not want anything to go on record which is against the facts, contrary to the record and misleading. He must clarify it. (Interruptions) I do not care for your shouting.

SHRI RAM NAIK: (Bomay North): Madam, I am on a point of order. My point

of order is that the learned member and not only learned but aged member has gone on saying 'I do not care for you'. To address a member in this way is against the etiquettes of the House. I request the member to retrace what he said.

SHRI MOHAMMAD YUNUS SALEEM:
I had said that I do not care for your shouting and I repeat it.

MR. CHAIRMAN: Please sit down now.

SHRI RAM NAIK: If this is the way a member is saying then we can also say that we care two hoots for what you are saying here.

MR. CHAIRMAN: Please do not waste time that has been allotted to your party. Please allow Shri Dikshit to speak

(Interruptions)

SHRI SHREESH CHANDRA DIKSHIT:
He does not care for what I say. I do not care also and that my speech will go on.

[Translation]

What I want to tell you is that the demands made in the rally at Boat Club on December 1986 should be brought on record. It was said that the Republic Day on 26th January 1987, should not be observed.

(Interruptions)

[English]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): He should try to keep himself within the Bill. At this rate we are not able to finish it in time. (Interruptions)

SHRI SHREESH CHANDRA DIKSHIT: I would have confined myself to the Bill if other members had also confined themselves to the Bill. I never wanted to bring all these points on record.

[Translation]

For 45 minutes Shri Kumaramanglam delivered a lecture on religion. I was going to speak only on the Bill and will do so. But when these questions have been raised here, it is necessary to reply them in the House. (Interruptions)

[English]

MR. CHAIRMAN: Shri Dikshit, you are a very senior member. I will only request you to understand that there are many hon. Members still waiting to speak and I am sure that you can express yourself in the best possible way within the shortest possible time.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: However, I feel it necessary to bring this fact on record that in the boat club rally held on December 1986, 5 Demands were made. They are, boycotting Republic day, observing Bharat Bandh on 1st February, 1987, gheraoing Parliament, tendering of resignation by all Muslim legislators and Ministers from their posts and the most important demand was that taking a long march from Delhi to Ayodhya and offering namaz at Ayodhya. We had met Shri Buta Singh at that time.... (Interruptions) This is a different matter. We had met Shri Buta Singh. We told him that we were least concerned about their first four demands. In their fifth demand they proposed a march from Delhi to Ayodhya. What is it? Is it that a Babar's army will come again here and march to Ayodhya. Secondly, it was said that namaz will be offered there where the idol of Ram Lala has been installed. Sizde is an essential part of namaz and it is not done before any idol. Will the idols of Ram Lala be removed from there? It is another matter, what our friend Shri Mohan Singh as just saying. (Interruptions)

Shri Mohan Singh said that it was of not much importance. (Interruptions)

It was not of much important.....

SHRI MANI SHANKAR AIYAR [English]
(Mayiladuturai): ** He (Interruptions)

SHRI SHREESHCHANDRADIKSHIT:
Uma ji, please take your seat. I will myself
reply to him.

[English]

SHRI RAM NAIK: I am on a point of
Order. If the hon. Member can use strong
words, we can alsom use stronger words. If
he says.... If can says... ..** (Interrup-
tions)

SHIR MANI SHANKAR AIYAR: Here is
a man who is calling our Parliamentari-
ans..... Is this not.....? (Interruptions)

[Translation]

SHRI RAM NAIK: Is this a fish market
that people will seak whatever comes to their
minds?

[English]

MR. CHAIRMAN: Please do not take
the time of the House in this way. I request
the hon. Members not to intervene in this
way when the others are speaking.

[Translation]

SHRI RAM NAIK: -He came just now
and started speaking, What is this?

[English]

We are not intervening. (Interruptions)

MR. CHAIRMAN: The Member is on his
legs to speak.

[Translation]

SHRI DAU DAYAL JOSHI (Kota): If he
has said.....it should be expunged from the
proceedings of the House. (Interruptions)

SHRI MANI SHANKAR AIYAR: I did not
use the word. It was Shri Ram Naik who
used the word. (Interruptions)

MR. CHAIRMAN: We are having a very
serious discussion. I hope that the level of
discussion shall be above board.

(Interruptions)

[Tranlation]

SHRI SHREESHCHANDRADIKSHIT:
Their principle is to divide the country on
caste lines and then come here to deliver
speeches before us. What meaningless
talk they indulge in (Interruptions) You
hae committed this sin. You hve committed
this offence. (Interruptions)

[English]

MR. CHAIRMAN: Please take your
seat. All of you sit down.

(Interruptions)

SHRI RAM NAIK: If this is the way the
Congress Party Members behave,.....
(Interruptions) Shri Mani Shankar Aiyar
must apologise. For the gesture which he
has made, he must apologise. (Interrup-
tions)

MR. CHAIRMAN: Please take your
seat. This is very serious matter we are
discussing. Do you want the discussion to
continue or not?

(Interruptions)

MR. CHAIRMAN: Both the words are to
be expunged from the record.

(Interruptions)

PROF. PREMDHUMAL (Hamirpur): He
wants to disturb the House. He does not

want the proceedings to go on. (*Interruptions*)

SHRI GUMAN MAL LODHA (Pali): He must apologize for his misconduct. Otherwise, the House would not proceed today. (*Interruptions*)

MR. CHAIRMAN: Do you want the discussion to go on or not?

(*Interruptions*)

[*Translation*]

MR. CHAIRMAN: Do you want a discussion on this or not?

(*Interruptions*)

SHRI RAM NAIK (Bombay, North): Madam, I am on a point of order. You were listening to this side. What Shri Mani Shankar Aiyar said you could not hear properly and you could not see him also.

[*Translation*]

He gestuenlast as to how he would hit one by the arm.

[*English*]

That would not go on record. (*Interruptions*)

That would not go on record. (*Interruptions*)

MR. CHAIRMAN: Whatever unparliamentary words have been used both from this side and that side will be expunged from the record.

(*Interruptions*)

SHRI RAM NAIK: He must apologize (*Interruptions*)

MR. CHAIRMAN: All the unparliamentary words which have been used both from

this side and that side will be expunged.

[*English*]

MR. CHAIRMAN: I would request the Members to please sit down. We are having a very serious discussion..

(*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED): Madam, Chairman, ... (*Interruptions*)

MR. CHAIRMAN: Please allow the Minister to speak...

[*Translation*]

SHRI VIJAY NAVAL PATIL: If anything has gone on record, it will be expunged.. (*Interruptions*)

[*English*]

MR. CHAIRMAN: So far as I have heard, unparliamentary words have been used on both sides. This is a very regrettable matter. Such senior Members should not behave in this way. Please sit down now...

(*Interruptions*)**

[*Translation*]

SHRI RAJVEER SINGH: .. (*Interruptions*)

PROF. PREM DHUMAL: He does not know how to behave in the House.. (*Interruptions*)

SHRI TEJSINGHRAO BHONSLE: Please expunge, whatever is unparliamentary, from the records... (*Interruptions*)

SHRI DAU DAYAL JOSHI: Who has used unparliamentary words? (*Interruptions*)

[English]

MR. CHAIRMAN: If you do not sit down, you cannot listen to me. Will you allow me to speak?...

(Interruptions)

MR. CHAIRMAN: It is a very regrettable matter that just now, when passions were running high, I found that on both sides certain unparliamentary words were being used. I have asked these words....

(Interruptions)

MR. CHAIRMAN: Please listen to me...

(Interruptions)

SHRI FRANK ANTHONY (Nominated Anglo-Indian): May I raise a point of order?

MR. CHAIRMAN: Just one second. Please allow me to finish.

SHRI FRANK ANTHONY: As I am a seniormost Member of this House and as a seniormost member of the Supreme Court, will you please listen to me for five minutes?

MR. CHAIRMAN: Yes, certainly, I will listen to you, Sir. But please let me finish my sentence and then you can make your point of order. I will allow you to speak.

MR. CHAIRMAN: The unparliamentary words on both sides have been expunged from the proceedings. It has also been alleged by some Members that certain gestures were made....

(Interruptions)

SHRI VIJAY NAVAL PATIL: From both sides.

SOME HON. MEMBERS: No, no.

MR. CHAIRMAN: Please let me finish. However, I did not see what gestures were

being made. Therefore, I cannot give any ruling on that. Since it is a very very important matter that is being discussed, I think we should not allow ourselves to be carried away by such things in the House.

I think that Mr. Dixit who has been speaking, should be allowed to speak and I think that there should be as few interventions as possible while a Member is speaking. That way we will save the time and that way we will be able to maintain the dignity of the House.

(Interruptions)

SHRI RAM NAIK: Madam, we have listened to your observations, but your observations do not satisfy us, because no hon. Member can behave in a manner in which he has behaved in this House. (Interruptions)

MR. CHAIRMAN: I have said that it is very regrettable that senior Members on both sides....

(Interruptions)

SHRI RAM NAIK: We have not behaved like that. We have behaved well.

MR. CHAIRMAN: I have heard unparliamentary words being used both from this side and from that side.

(Interruptions)

MR. CHAIRMAN: It is very regrettable that when we are having a very serious discussion senior Members from both the sides disrupt the proceedings. It is very regrettable.

(Interruptions)

SHRI FRANK ANTHONY (Nominated Anglo-Indian): Madam, please hear me. I am a seniormost Member of this House and I am one of the seniormost Members of the Supreme Court. I want to put an end to what

I regard as 'Political bedlam'. (Interruptions)

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): That gesture cannot be expunged.

(Interruptions)

MR. CHAIRMAN: Those words should not be repeated.

(Interruptions)

SHRI FRANK ANTHONY: I am trying to bring some order into what has become a political, linguistic bedlam. (Interruptions)

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): It is not an ordinary thing. The hon. Member should apologise for it...

(Interruptions)

[English]

SHRI FRANK ANTHONY: Madam, I have been sitting here for two hours... (Interruptions)

[Translation]

SHRI DAU DAYAL JOSHI: We have strong objection to the words he has used... (Interruptions)

[English]

SHRI FRANK ANTHONY: Madam, please listen to me. (Interruptions)

MR. CHAIRMAN: You should cooperate with the Chair.

(Interruptions)

SHRI RAM NAIK: We always

cooperate. (Interruptions) We are not second class MPs. (Interruptions)

[Translation]

SHRI RAJBIR SINGH... ** (Interruptions)

[English]

SHRI SONTOSH MOHAN DEV: Will you kindly sit down?

SHRI RAM NAIK: We will not sit down. (Interruptions)

MR. CHAIRMAN: Why are you standing? Please sit down. (Interruptions)

MR. CHAIRMAN: That was not the right word to use. You should not use such word. There have been unparliamentary words from both the sides which have been expunged. Please sit down.

(Interruptions)

SHRI RAM NAIK: Let him express regret (Interruptions)

MR. CHAIRMAN: Please accept the ruling of the Chair and sit down please.

[Translation]

DR. LAXMINARAYAN PANDEYA: We have high regard for you but the way he has behaved in the House cannot be appreciated and the House can not be run like this.

SHRI MANI SHANKAR AIYAR: May I have a word of personal explanation? I wish to clarify if there was any misunderstanding about this.

During the course of the very impatient exchanges that were taking place, I referred to statement- four words which have become notorious in this country and as a result, how those four words were used to

[Sh. Mani Shankar Ankar Aiyar]

destroy the civilisation of this nation. I referred to the four words.

[Translation]

"Ek Dhakka Aur Do"

(Give one more push)... (Interruptions)

SHRI RAJVEER SINGH (Aonla): What gestures were you making? You were making a speech.. (Interruptions)

[English]

SHRI MANI SHANKAR AIYAR: Madam Chairman, I was in the process of explaining what it was that led me to say what I did and I did what I did. (Interruptions)

I must be given an opportunity of doing so. In the middle of doing that.

[English]

SHIR MANI SHANKAR AIYAR: I am on my feet on the point of personal explanation. I think, courtesy demands that I be given an opportunity to explain. I was in the process of saying, I repeated here on the floor of the House for the the benefit of these people who are responsible for raking up the 5000-year old civilisation- the four words, with which it was done. In the process of repeating those four words. I specifically looked at a lady on the other side who has been associated with these four words. I said to her- I was saying in Hindi: You go and break another masjid and I made this gesture**.

If they** (Interruptions)

[Translation]

SHRI RAM NAIK (Bombay (North)): Madam, you have just now seen and listened to it. After all this, do you feel that such kind of behaviour is expected of a civilized

person? We have had to pocket this insult here..... (Interruptions)

[English]

SHRI MANI SHANKAR AIYAR: I do not mind going before the Committee on Privileges.. (Interruptions)

[Translation]

SHRI BHOGENDRA JHA (Madhubani): Madam, you have also stated that you did not see that gesture. We also could not see that. However, now when he has once again repeated that gesture you should give your decision on it. At last I expected that after it, he would say something which will be inconsonance with the dignity of this House. How he thinks is a different thing. Now he has said that you can do whatever you like. It is indecent.. (Interruptions)

[English]

MR. CHAIRMAN: Do you want to have a discussion on this? When do you want to above a discussion on this?

(Interruptions)

[Translation]

SHRI DEVENDRA PRASAD YADAV:(Jhanjharpur): Mr. Chairman, Sir, my submission is that you have given your ruling right now regarding the business of the House. The ruling is that the unparliamentary words from both the sides would be expunged. You have given that order. But I would like to know that the words may be expunged but what about the unparliamentary gesture he has made here which is a new thing for this House. It is a matter of research. Such a thing has happened never before. Unparliamentary gesture has never been made in the history of the House. It is for the first time that such unparliamentary gesture has been made by an hon. Member of the ruling party before you. It has raised

a pertinent question. The House expects your ruling on it. Does the hon. Member have the right to do an unparliamentary action? This new tradition and system should not be started in this House. This House is supreme and the dignity of the House should be maintained. The dignity and decorum of the House should be maintained. That is my submission... (Interruptions)

[English]

MR CHAIRMAN: I would request you all to remember that when we are in this House, we represent a very high tradition and so far as this tradition is concerned, would also like to say that the subject which we are discussing at present moment is also a subject of very grave import. It is a very important subject that we are discussing and, therefore, it would be very bad if a message were to go from this House that while the discussion on such a subject matter was going on, Member of the House forgot the dignity of the House and have engaged themselves in child-like speeches and slinging of unparliamentary words at each other and gestures which are regrettable. I think that whatever has happened in the course of these last few minutes is utterly regrettable. I can expunge the words but the action cannot be expunged: However, I would ask all Members to remember that while they are in this House, please remember the dignity of the House and to behave in accordance with it and I think that with this, matter should be closed, and you should get back to the debate.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT (Varanasi): Madam, as far as this Bill is concerned, I have read it carefully and after going through it, I am astonished to find that this Bill has not been brought with the purpose which has been mentioned in the preamble and the statement of objects and reasons of the Bill. I would like to quote from the statement of objects and reasons. One of its portions reads-

[English]

"... As it is necessary to maintain communal harmony and the spirit of common brotherhood amongst the people of India, 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, amenities for pilgrims, a library, museum and other suitable facilities can be set up."

[Translation]

The State List under the Seventh Schedule of the Constitution of India mentions the following words.

[English]

Public Order, police or pilgrimages within the country.

[Translation]

All these three subjects fall in the State List. Under which entry the present Bill is being brought to bring about communal harmony and to maintain law and order.. (Interruptions)

17.07 hrs.

[SHRI PETER G. MARBANIANG in the Chair]

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN); Entry 42.

SHRI SHREESH CHANDRA DIKSHIT: The hon. Minister has said that it is covered under entry number 42. I knew that he would say so. I am reading out the entry number 42 of the Concurrent List: "Aquisition and requisition of property".

This is in the Concurrent List and there is President's Rule in Uttar Pradesh. The property which is going to be acquired in-

[Sh. Shreesh Chandra Dikshit]

[English]

cludes the State Government's property also. The proof is that when compensation was to be decided the acquisition officers said in their Award that as the land belongs to the State Government also there is no question of giving compensation. If the property of the State Government can be acquired by the Central Government because the matter relates to Concurrent List, then on the same principle, the State Government too has a right to acquire land of Central Government. it might look absurd but suppose the Government of West Bengal or for that matter, any other opposition ruled State Government may acquire the property of the Central Government say a railway station, then how it will look like. Now a new Act is being brought empowering Central Government to acquire State Government property. I think a better way would have been negotiation or consultation with the State Government through which the property could be transferred. But it is surprising that you went in for acquisition. Perhaps, Shri Shahabuddin has given a logical reply.

You make tall claims but the sum and substance of the Act and the preamble and the statement of Objects and Reasons and also the reference made by the President to the Supreme Court is as follows:-

[English]

"Whereas a State dispute has affected the maintenance of public order and harmony between different communities in the country"

[Translation]

Actually the centre is going to formulate an Act for maintaining law and order and entry 42 is being relied upon and you are going to acquire the property of State Government under that entry.

Secondly, I would like to draw your attention to Section 7 of the Bill, which says:

"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 this Act in the area on which the structure...." And it says further:

"..... is maintained".

[Translation]

This means that the real disputed structure - the temple of Ram Lalla, which has been worshipped by the Hindus for centuries and regarding which every court of the land has said that Hindus have an indisputable right to worship there-would continue to stand there. Now the Government wants to construct a mosque and a temple there. I would not say much about the construction of a mosque. Shri Shabuddin has already spoken at length about it and so far as my information goes, according to the Muslim law a mosque can be constructed only by the Wakf Board or by a Muslim.

I do not know how the Government is then going to construct the mosque there.

So far as the construction of the temple is concerned, the Government might be aware that the temple belongs to the Ramanand Sect of Hindus. It is a practice in Hindus that the temple is constructed and maintained by the Sect to which it belongs. As this temple belongs to the Ramanand Sect, the Jagat Guru Swami Ramanandcharya ji, Shivramacharya ji Maharaj set up a trust on the 18th December 1985 for the reconstruction of the temple. I would like to submit for your information that the names of saints, who were entrusted with the task of reconstruction of the temple are as follows:

Paramhans Ramchandra Das ji Maharaj, Digambar Akhada, Ayodhya, Vitragant Paramhans Swami Vamdev ji

Maharaj, Anand Brindaban, Mathura, Jagat Guru Varisht Shankracharya, Pujaya Swami Shantanand ji Maharaj, Jyotishpeethidish, Daraganj, Prayag, Pujya Mahat Avidyanath ji Maharaj, Gorakh Peethidishwar, Gorakhpur, Pujya Mahant Natgopaldas ji Maharaj, Ayodhya Jagat Guru Madhavacharya, Pujya Swami Vishvesh Tirth ji Maharaj, Udripi, Jagat Guru Ramanujacharya, Pujya Swami Purushotamacharya ji Maharaj, Pujya Bhante Jnan Jagat ji Maharaj, Bodh Gaya, Pujya Mahant Ramkewal Dasji Maharaj, Nirmohi Akhada, Pujya Mahant Ramvilas Das ji, Vedanti, Vashisht Ashram and Pujya Mahant Dharamdas ji etc. All of them are followers of the Ramanand Sect. After formation of this trust, the Bill talks of setting up another trust. I would like to draw your attention to the fact that during the tenure of Shri V.P. Singh also, an Ordinance was issued on 19 October, 1990 and almost all these provisions were there. There are only a few minor changes. One is that in the Objects and Reasons of the Bill there was no mention of the law and order situation. That ordinance was withdrawn within four days of its promulgation. It was written therein:-

[English]

"Whereas Parliament is not in session and the President is satisfied that the circumstances exist which render it necessary for to take immediate action. Now, therefore, in exercise of the powers such and such of the Constitution, the President is pleased to promulgate the following orders."

[Translation]

In that ordinance, there was no mention of acquiring the property of the State Government and there was only a mention of the person for managing the acquired land. The present Bill which is being introduced has three things - persons, authority and trust. It means that there will be a new trust in place of the trust existing one and that trust was given land on lease by the State Government. There were many conditions of lease but the trust had not violated any of them. You can not cancel that lease because no

condition was violated. That is why you thought it proper that the property of the authority who had given land on lease may be acquired. You want to evacuate that trust. I would like to inform you that the Ramjanambhoomi Nyas had collected donations from about 6 crore Rambhakts all over the country for the construction of the temple. Shilapoojan was performed in about 3 lakh villages through out the country and now these shilas would be used in the construction of temple at Ayodhya. More than 11 crore Hindus and Rambhakts had participated in the Shilapujan and Charanpaduka ceremonies. Devotees from within the country and abroad had participated. Can you set up a trust with such a mass following.. The Ramjanambhoomi Nyas has a mass following and the entire Hindu Community holds it in highest esteem. The top most saints Mahamandaleshwars and Shankaracharyas in the country, who are associated with this trust, will not remain silent. It is a question of faith because in every religion there are things which you cannot analyse scientifically. I can give numerous examples from every religion. In my opinion when the question of religion is involved there are three ways to solve the tangle. I am not aware of any other alternative if the hon. Minister knows about it he may kindly enlighten us. I think the first is what the holy scriptures of that religion have to say on that issue. The second is, what the Dharamgurus have to say in the matter. Third is, what the believers of that religion feel about that. I would like to know whether there is any scripture of a holy book which says that Ram was not born in Ayodhya. It is a different matter that you may not believe in the incarnation of God. We believe in the Gita and the Ramayana. Shri Ved Vyas has made the Lord say in the Gita:-

"Yada Yada Hi Dharmasya Gani-Bhavti
Bharata
Abhyuthanam Dharamasya Tadat-
manam Sri Janyaham
Paritranyasi Sadhunam, Vinashaya Cha
Dushkritam:
Dharam Sansthanarthaya

[Sh. Shreesh Chandra Dikshit]

Sambhavami 'Juge Yuge."

I take birth on earth. Even in Christianity, they believe in it. So far as Ramayana is concerned, there is a mention of an oracle (Akashvani):

"Jani Dravuh Muni Sidha Suresha,
Tumhi Lagi Dharihau Nar Vesha
Asanh Sahit Manuj Avtaara
Tohum Dinkar Vansh Udara
Kashyapaditi Mahatap Kinha,
Tin Kahe Mein Poorab Var Dinha.
Te Dashrath Kaushalya Rupa
Kaushalपुरी Prakat Nar Bhupa
Tinh Ke Ghar Avtarihaun Jai
Raghukul Tilak So Charahun Bhai
Narad Vachan Satya Sab Karihun
Param Shakti Samet Avtarihun"

The God has said that he will take birth. Should I accept it if somebody says that the God does not take birth? Should I accept it that the Ramayan and The Geeta are telling a lie in this regard? He has said in Geeta that I will take birth.

SHRI NITISH KUMAR (Barh): You had been a D.G. of U.P. Police, you might have seen the character of P.A.C. The police in U.P. is a communal force.

SHRI SHREESH CHANDRA DIKSHIT: If I answer your question it will be unpalatable to you.

[English]

MR. CHAIRMAN: Please speak on the Bill.

SHRI SHREESH CHANDRA DIKSHIT: Sir, I have an answer for Shri Nitish Kumar, but that will be very unpalatable to him because I can quote the facts.....(Interruptions) I would not be provoked.

[Translation]

SHRI BHOGENDRA JHA (Madhubani): You are giving an example of Akbar's times,

if you give it from Valmiki, it will help the people.

SHRI SATYA DEO SINGH (Balrampur): My point of order is that a senior Member like Shri Nitish Kumar has termed U.P. Police as a communal force.

[English]

It should go off the record.

MR. CHAIRMAN: He did not say that.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: I would like to know the name of a single saint in Hindu community who is against the Vishva Hindu Parishad...

SHRI CHHEDI PASWAN: He is speaking for the last one and a quarter hours. For how long he will go on speaking?

SHRI SHREESH CHANDRA DIKSHIT: I have just started, listen patiently. I am telling you the history of our nation.

SHRI SHARAD YADAV (Madhepura): The time allotted to hon. Member should be increased.

SHRI SHREESH CHANDRA DIKSHIT: The names of some Government saints are being mentioned. I do not want to mention their names. But I must say.....

SHRI SHARAD YADAV: Do shake the truth.

SHRI SHREESH CHANDRA DIKSHIT: I am going to speak truth only.

[English]

MR. CHAIRMAN: Speak on the Statutory Resolution.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: So far as this question is concerned, I want

to know the name of any Hindu saint of India or for that matter of the world, who says that this is not the birth place of Lord Rama. This is not a question of Mandir or a Masjid. Mandir or Masjid's can be constructed or removed but this is a question of faith. As our Muslim brothers have faith in Makka and Christians have faith in their religious places, likewise, this is our faith and nobody can shake our faith from it. No law and argument can shake our faith. We had hoped that our Muslim brothers would support this fact because Mandirs can be replaced and Masjids can be replaced but Janmbhoomi cannot be changed. This is Lord Ram's Janmbhoomi, I also have given its proof to you. You can go through out religious books and have a talk with Dharmacharyas, and the saints who are being approached by the Government of India, that they should form a trust to build a temple there. I am sure that no prominent saint of India can accept the idea of building a Ram Temple at a place other than the 'Garbh Grih'. I want to put it on record that any such effort of building a temple will never be accepted by the Hindu society, so far as I know this community. This Vishwa Hindu Parishad came into existence in 1983 on the basis of this issue only. The reason behind the incidents of riots there before 1983 and lakhs and crores of Hindus go their for worshipping is not that V.H.P. has resolved to build a Mandir there. Just look at the History I have historical and archeological facts to prove that the Ram temple was there which was demolished by the Babar who tried to build a Masjid in its place. There was a structure there, where no Muslim brother had been offering prayers, according to the records available with you. Not from 1949 but at last from 1934 onwards, record are available in this regard. I can show the reports in this regard.

[English]

MR. CHAIRMAN: You have two more friends to speak from your party. I respect them also. They also want some time.

SHRI SHREESH CHANDRA DIKSHIT: I do not know that, Sir. But I would request

you to give me some time to complete my speech.

MR. CHAIRMAN: No, I cannot speak on the Bill.

SHRI SHREESH CHANDRA DIKSHIT: I am speaking on the Bill because they intend to formed the trust. I am speaking on the trust. This is on that part of the Bill that I am speaking. They are deciding to form a trust. I say that you cannot form a trust. How can you form a trust? What will happen to the trust which is already existing and which has the base, which has the support, which has the backing of the entire community? What will happen to that trust? What will happen to thousands of saints who have gathered of times without number on the banks of the Ganga, on the banks of the Yamuna, on the banks of rivers on all the holly places in India.

You know that these *Gant Sammelans* have been held not only in Allahabad but practically at all the pilgrim places of India and unanimously these *Sants* have said. If my statement can be rebutted, I would like to be informed. This has been decided unanimously by every *Sant Sammelan* that:

[Translation]

Ram Mandir should be constructed at the site which according to the Hindu faith is the birth place of Lord Rama. Now it is being said that the said place will not be touched and a Mandir and a Masjid will be constructed at a different site in its place. The Hindus, who go there for performing pooja etc. will find the broken Ram Mandir and the structure where Muslims did not go to offer prayers. But if you construct a masjid there, when Muslims will offer prayers, Hindus will also go for their prayers there. On one side there will be sound of bells and on the other there will be prayer call for Namaz. I do not know the number of riots in Ayodhya before independence, hon. Minister must be having records in this connection. Do you want to create a bone of contention there just to create a rift between Hindus and Muslims? When a Muslim goes there to offer his

[Sh. Shreesh Chandra Dikshit]

Namaz, he would say that our mosque is broken and likewise if a Hindu goes there he would said that tht one temple of Ram Lala is broken. Will it actually generate communal harmony? I am unable to understand as to how they are going to toster communal harmony like this.

The Bill brought by you, will not create communal harmony. Rather it will create a bone of contention between these communities and even if these communities wish to come closer, they would not do. It has only one solution and you have repeatedly been saying that we are ready for negotiation. Shri Kumaramangalam ji has also left this place without elaborating his view point. I wanted to ask him a question, that when we had been sitting there for negotiations then who was the person who said that there was no need for further negotiations? We are very much ready even today for negotiations... (Interruptions) He must have spoken after having consulted you. In this Act, it has been stated that-

[English]

This will be managed by the Central Government or by a body of persons or trustees of any trust and this trust will be "set up after the commencement of this Act, Who is or are willing to comply with such terms and conditions as that Government may think fit to impose".

[Translation]

But what sort of persons will they be? It has been stated that whatever conditions are imposed, the trust will have to be managed with those conditions only. Nothing has been said about the nature of the condition and about the parameters. Merely this has been stated that we will lay down the conditions and they will have to adhere to these conditions.

Mr. Chairman, Sir, I would like to draw yours attention as well as the attention of the

House towards Article 27 of the constitution which reads as follows:-

[English]

"No person shall be compelled to pay any taxes, the proceeds of which are specifically appropriated in payment of expenses for the promotion or maintenance of any particular religion or religious denomination".

[Translation]

If the Government is not prepared to shell out money, then where from will it come? If the Government does not have funds and it simply appoints an agency or Trustees or a person or a body of persons, but the powers continue to be with the Government then how it will be managed and what will be its pavers? There is no need for you to inform about the funds that have been collected by us and Hindu Society and has been deposited in the name of a body... (Interruptions)

Sir, let me inform you as well as the hon. Minister that even now construction of the temple is going on. More than 400 labourers are even now engaged in carving of stones at the camp of 'Dev:raha Baba' and till date we have already spent more than Rs. 1.5 crores on the construction of the temple... (Interruptions) We have collected Rs. 1.25 each from around 6 crore persons and even now the construction of the temple is on... (Interruptions)

SHRI NITISH KUMAR: What is the amount lying with VHP and with you and how much out of this is black money?

SHRI SHREESH CHANDRA DIKSHIT: In fact the persons with doubtful integrity only talk in terms of black money?... (Interruptions) We maintain proper accounts and get these audited by Chartered Accountants. Ban on the VHP has been imposed but not on the Ram Janam Bhoomi Nyas. Later is functioning. Even now the construction work on the temple is still on. We are

determined to construct the temple and the day the Ram Janam Bhoomi Nyas takes a decision in this regard we will start the temple construction work. This decision has neither been changed, nor will it be changed later. What will be the fate of bricks i.e. 'Ram Silas' we have collected in 3 lakhs villages? Saints have vowed to construct the temple or otherwise they will immolate themselves. Formation of a new 'Nyas' in place of the 'Ram Janam Bhoomi Nyas' will tantamount to exhibiting muscle power and nothing else. How can all this be allowed as it simply would mean that we did all the labour in the fields, but the harvest is being taken away, by the Government? We formed this 'Nyas' and did all the spadework. People from all over the country enthusiastically participated in it and now the Government wants formation of a new 'Nyas'. This is nothing else but misuse of power. So, how can all this be allowed?....
(Interruptions)

SHRI CHHEDI PASWAN: Mr. Chairman, Sir, Shri Dikshit began his speech at 4.15 P.M. and now it is 5.45 P.M. For how long will be continue? (Interruptions)

SHRI SATYA PAL SINGH YADAV (Sahjahanpur): Mr. Chairman, Sir will he only speak? Are we not going to be allowed to speak?... (Interruptions)

SHRI SHREESH CHANDRA DIKSHIT: Sir, I had referred to an Ordinance promulgated during Shri V.P. Singh's tenure.... (Interruptions).

[English]

SHRI A. CHARLES: I am on a point of order Sir. They are not even ready to accept the verdict of the Supreme Court. How can they protect.... (Interruptions)

MR. CHAIRMAN: Please sit down.

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: Sir, while referring to the ordinance promulgated during Shri V.P. Singh's rule, I had

pointed out certain differences between that Ordinance and the present Bill. I would like to cite one more difference between the two and that is, in the said Ordinance there was on provision of punishment, but in the present Bill, Section 10 says:

[English]

"Any person who is incharge of the management of the area and fails to deliver to the Central Government or the authorised person any asset, register or other document in his custody relating to such area, or, as the case may be, authenticated copies of such register or document, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to ten thousand rupees, or with both".

SHRI P.C. THOMAS (Muvattupuzha): This is punishment for demolition.... (Interruptions)

[Translation]

This meant that it will be a cognisable offence and the State Police will be empowered to take action under it.... (Interruptions)

SHRI SHREESH CHANDRA DIKSHIT: Do you know the reasons for it.... (Interruptions)

SHRI NITISH KUMAR: Mr. Chairman, Sir, despite your repeated requests he is not concluding. The Chair ruling should be honoured... (Interruptions)

[English]

MR. CHAIRMAN: He has taken his own Party's time. Yes, you may conclude now.

SHRI SHREESH CHANDRA DIKSHIT: Sir, I am prepared to obey your orders but these people should not disturb me. Sir, I want to conclude but they are taking away my time.

SHRI P.C. THOMAS: Sir, you given in my Party's time also.... (Interruptions)

[Translation]

SHRI SHREESH CHANDRA DIKSHIT: In the end I would like to make one more point. I pondered over this issue quite seriously that why such a decision is being taken in regard to such an important problem, which is no worthwhile decision in fact? The issue is altogether different. The hon. President has referred the issue to the Supreme Court whose verdict, in the light of the historical facts, archaeological facts, official testimony documents and overwhelming evidence will be that there was a Ram temple at that site. When the verdict is round the corner then why do you talk of constructing Ram Temple at a different site instead of the original site? Allegation of the contempt of court is being levelled against us. We would like to know from the Government and other opposition leaders whether there is a single instance of the contempt of court committed by us. By levelling the charge of contempt of court against us, you people are definitely committing contempt of court. The issue whether a temple existed at the site has been referred to the Court and if the Court gives its verdict in favour of being a Ram Temple there, will you people accept it?

[English]

Sir, this is the most important point. I will just press this point and then finish my speech.

[Translation]

Why this Bill has been brought? The main reason is that the Government is well aware of the fact that whenever elections are conducted in Uttar Pradesh be in June or November, it is definite that the BJP is going to form the Government in the State. Therefore, the Government has brought this legislation for creating a permanent problem, making a bone of contention as a result of which the Government that comes to power, will have to face law and order problem. This would ultimately provide an opportunity to

the Central Government to dismiss the State Government. The Government has introduced this Bill with a malafide intention.

With these words I conclude.

SHRI VISHWANATH SHASTRI (Gazipur) Mr. Chairman, Sir, with regard to the Bill introduced on Ayodhya issue. I would like to know the root cause of the situation that has arisen before us today? This matter came to light first time in 1949, after which the country faced the problem. At that time, Congress Party was in power. In 1949, the idol was placed there and afterwards no action was taken to remove it from there. The foundation stone was laid during the rule of the Congress party itself and locks were opened during its rule. In the intervening period the Janata party also came to power once. But the then Minister of External Affairs and the Minister of Information and Broadcasting did not remember the issue. They did not realise the need of building Ram Mandir at Ram Janam Bhooni-Babri Masjid place. Thereafter, a well planned movement was launched in the name of 'Ekamk Yagya' through out the country under which communal harmony was propagated and no restriction was imposed on it. Then started the ceremony of 'Shila-Pujan'. They admit that they visited about three lakh villages. The venomous propaganda unleashed through this medium was not checked. When the BJP Government came to power in Uttar Pradesh, the Sanchi Gopal Mandir, the Sankatmochan Mandir and some tombs were demolished and then levelled, a Parliamentary delegation visited the site to assess the situation. It submitted its report also but no action was taken. All the political parties with the only exception of BJP submitted their report, but the Government turned a deaf ear to it. The series of incidents from 1949 to December 6, 1992 reveal that the Congress party had some secret alliance with the leaders of BJP about which neither we nor their partymen nor the countrymen were taken into confidence. In this manner they continued to play the game themselves.

On 6th December, when the BJP Government was dismissed, the temple was

built under the President's Rule in the State within 36 hours. The Government never gave any clarification in this regard.

The Ram Lala idol in the temple was taken away and other idols were placed there. Such people are called the followers of Lord Rama, one of our hon Members pointed but that it is a question of faith. Certainly it is a question of faith. Nobody is against the building of Ram Mandir in Ayodhya. Ram Mandir must be built there. However, I have not been able to understand whether there is any greater 'Ram Bhakta' than Tulsi Das. Tulsi Das was a great devotee of Rama and he has fully reflected the happenings of time in his writings. Not to talk of saints and sages he eulogised even the evil persons. But he wrote not even a single sentence saying that Babar demolished the temple of Lord Ram. Afterall, what was he afraid of that he portrayed everything but not mentioned this specific incident. We do not get any evidence to this effect.

Therefore it would not be justified to maintain that Lord Ram was born at the place where the mosque stood. It should not be made a question of faith. This question is unnecessarily being associated with faith. At the same time it is being said that whatever verdict the court gives, the temple would be built there. In this manner they have been adopting an attitude of confrontation and it is for the public to decide. The Congress Party has been ruling for a long period and kept on giving secret alliance with them in one way or the other. On 25th February, they could have done this and they could have prevented them from doing so and could have save the mosque. But they did not reveal to their partymen and not to the other people inside or outside the House that they had entered into a secret alliance with the BJP. They never make things clear.

Just now, one of our hon. Members Shri Dikshit referred to the matter. I do not know how much income does the VHP has? What are their courses of income and whether they pay income tax or not? Not to talk of the

people of VHP, even the Government does not reveal these facts. One thing they have stated that they get money from other countries too... (Interruptions)

[English]

MR. CHAIRMAN: Don't record anything. (Interruptions)*

[Translation]

SHRI GUMAN MAL LODA (Páli): His question where from the money came-should also be deleted from the record-

[English]

Let that also be deleted from the record.

[Translation]

If they ask a question, they must be ready to face the answer.

SHRI VISHWANATH SHASTRI: No information has ever been provided as to whether the provisions of the FERA apply to the money that comes from other countries or not. Just as they have been adopting various tactics, we also proposed to refer this particular issue and other related issues to the Supreme Court under Article 138(2) of the Constitution but they do not take any responsibility in themselves. They have referred only one point to the Supreme Court under Article 143. What would they decide? It is not a matter related to law and I am unable to understand what decision the judges would give on this issues as to when the temple was constructed, when it was demolished and what was its shape of condition earlier.

I would like to submit that the Congress Party professes fight communalism, but whenever the time comes for a real fight, it always keeps its vote Bank in mind. It does not have a clearcut idea about it. It always weighs the effect on its vote bank before taking any step. To increase its vote bank it can do anything. I would like to say this in clearcut terms.

[English]

MR. CHAIRMAN: Please conclude. Mr. Shastri please conclude. There is one more friend from your party.

[Translation]

SHRI VISHWANATH SHASTRI: Even today the question is of acquisition. Instead of acquisition, it should be taken over. If they are truthfully honest about it, whatever be the verdict of the Supreme Court, should be implemented.

With these words, I conclude.

[English]

SHRI C. SREENIVAASAN (Dindigul): Mr. Chairman, Sir, I am thankful to you for having given me an opportunity to speak on the Ayodhya Bill.

This Bill seeks to acquire certain area at Ayodhya for the construction of both Ram Temple and the Babri Masjid. The Government at the Centre has been prompted to bring forward this Bill before the august House only after losing lives of so many people and heavy damage and destruction to the property. I want to ask why this Central Government did not take enough precaution before the fateful day of 6th December 1992 at Ayodhya, after having received information.

The Intelligence Wing at the Centre reported to the Government about possible destruction of Babri Masjid on 6th December 1992 but even then the Central Government did not care to take timely action to prevent the destruction.

The newspaper report said that more than five hours were taken to demolish the Babri Masjid. Why did not the Centre stopped the demolition within one hour and saved the larger portion of the historical structure.

Sir, our party strongly feels that the

destruction of Babri Masjid should have been prevented by the Centre with the vast power at their command.

Sir the policy of AIADMK party always been 'Live and Let Live'. That is the majority community should allow the minority community live peacefully and they should be given the fullest opportunity and freedom in all walks of life. This point has been very clearly brought out by our hon. Chief Minister in the National Integration Council. Our hon. Chief Minister had also expressed and insisted that the Supreme Court verdict should be honoured and adhered to. It is the essence of democracy.

The present Bill is the outcome of the court's verdict. In the same manner the Supreme Court's verdict was given in the case of release of 205 TMC Cauvery water to Tamil Nadu. It should have been honoured by the Karnataka Government but the Karnataka Government has not come forward to honour the court's verdict. There should not be different yardstick adopted in honouring in the case of release of 205 TMC Cauvery water to Tamil Nadu. The Centre should take immediate action and see that court's verdict in this case is implemented in letter and spirit by the Karnataka Government.

Now there are serious bomb explosions in Bombay, Calcutta and in other places. But there has not even a small incident or indication of violence in Tamil Nadu during those disturbing periods.

MR. CHAIRMAN: The Bill

SHRI P.C. THOMAS: Secularism through water.

SHRI C. SREENIVASAN: No, no. I would, however like to place on record that on 6th December 1992 the Karnataka Government had asked the Tamil Nadu Government to deploy special armed police to control and prevent the violence there.

18.00 hrs

The Tamil Nadu Government agreed to do so.

As far as Tamil Nadu is concerned, there has hardly been any communal trouble, especially after the assumption of the office by the AIADMK under the dynamic leadership of Puratchi Talaivi Dr. Jayalalita.

Sir, coming to the Bill, I would like to seek one or two clarifications. I would like to know from the hon. Minister, Shri S.B. Chavan, when the constructions of the Ram Temple and Babri Masjid will be taken up and the period within which the construction of the same will be completed.

In conclusions, I would like to reiterate that whichever party we may belong to, we should not forget to bear in mind that there must be political unity among our people and there must not be any sort of ideological battles over secularism.

SHRI SATYA PAL SINGH YADAV (Shahjahanpur): Sir, Shri Syed Shahabuddin and one of our other friends have expressed contradictory views on the Bill under discussion. He has clearly stated that the mosque will be built on the same place where it was earlier situated and the people of other side are saying that the Ram temple will remain at the same place where it was previously located. Sir, these people of both the sides consider themselves as mentors of Hindus and Muslims and this is the main reason that this problem is not being solved. If the people of the country would have followed these so called mentors there would have been such large scale riots as might have spoiled the whole atmosphere of the entire country. So, I would like to have some clarifications from the hon. Minister.

The first thing is that this problem will not be solved through these fanatic elements from both the sides. Neither this problem can be solved through Hindu Mahasabha nor through BJP. It can only be solved through Rama of Tulsi and Valmiki, in whom the

entire country has full faith and full devotion. Sir, this Bill cannot be helpful in solving this problem.

Sir, under the circumstances, I would like to emphasise that if we or the people of this country hope for any solution of this problem from the Government it will be a total disillusion for the public of this country. I would like to say that both the sides are opposing this Bill which has been brought here by the present Government. God knows what is the future of this Government as well as of the Bill, because the future of both seems to be dark. The Congress has proved its secularism through its activities. The Indian National Congress had a secular history, but the idols were installed in the disputed site during the Congress regime only. The lock was opened, the foundation stone was laid and even the mosque was demolished only in their regime. Now they are proving with their action that such events will continue to take place in their regime. This is a weak Government and it cannot be hoped that it will solve this problem. I would like to know what is your intention? Do they want to create communal harmony in the country through this Bill? I would like to ask you as to how you will do so? It has been stated in this Bill that both temple and mosque will be constructed at the acquired land and after 6th of December, the Prime Minister had declared on 7th or 8th of December that the mosque would be constructed at the disputed site. Both the statements are contradictory. I would like to know from the Home Minister that in view of the statement made by the Prime Minister and the statement recorded in the objects and reasons of this Bill, how you are going to fulfil both these things? The House should be apprised of the details in this regard.

Secondly, I would like to submit that the land acquired by the Uttar Pradesh Government was declared as void by the High Court. On what basis the Central Government is going to acquire the same land again. They have no reply of this question whether this acquisition will be justified. If there is a reply, the hon. Minister should

[Sh. Satya Pal Singh Yadav]

state it before the House as to how this acquisition will be justified.

Thirdly, this Bill is not going to solve this dispute. If the Supreme Court gives its decision that a temple was there earlier, our Muslim friends will not let the temple get constructed there at any cost and if the Supreme Court gives decision that there was no temple at the disputed site my friends sitting at the right side will say that this is a question of our faith and a mosque can not be constructed there. So this issue cannot be solved through this Bill. If the Government's intention behind this Bill is to appease both the Hindus and the Muslims I would emphatically say that nothing as such is going to take place. Mr. Chairman, Sir, the fight is about votes only. Earlier, there were only two members in the House and when Shri V.P. Singh took them with him their number increased to 89 and when the question of Ram temple came in front their number further increased to 119 and they further aggravated this problem. If elections are held tomorrow and their number decreases to 19, they will never take the name of Ram again and will say that they did not get votes due to Ram. They should be taught a lesson. They are guilty of breaching the communal harmony and peace in the country and of disintegrating the country. Both sides are playing politics of votes. So the Congress intention to appease both the sides will not be fulfilled. The Congress thinks that through this Bill it will get the votes of both the communities. It has already dug its grave. Only it has to lie down in it. This work will also be done after this Bill. Besides this, I have nothing to say.

SHRI SRIBALLAV PANIGRAHI (Deogarh): Sir, I rise to support this Bill which is to replace the Ordinance promulgated on 7th of January by the President of India acquiring 66 acres of land, facilitating construction of both temple and mosque there together with a library and a museum and other pilgrimage facilities.

Before this, emotions ran high. I have

listened to the emotional outbursts of some of the learned speakers who have in my opinion allowed their emotions to run riot, bidding farewell to reasons and to a rational approach. An hon. Member who has participated in the discussion had a very distinguished career in Government services heading police forces etc. I was wondering from the speech what sort of orientation he would have given to the police force which he was commanding. This is a secular country. The police force is supposed to be secular in their approach.

18.08 hrs

[MR. SPEAKER in the Chair]

SHRI RAMKAPSE (Thane): If a speaker speaks about issues raised but if a person is accused for being a police officer, then I do not think it is proper on the part of the speaker to refer to Shri Shreesh Chandra Dikshit in this manner. This is my submission.

MR. SPEAKER: Well, please do not comment on the persons.

SHRI SRIBALLAV PANIGRAHI: There is nothing objectionable in what I have said, Sir. I abide by what you say but what is there to be taken objection to?

MR. SPEAKER: Since the time is very short, you come to the point only.

SHRI SRIBALLAV PANIGRAHI: Kindly allow me to say this, Sir, that this is a secular country and some have also taken to *sanyasa*. As you know, Sir, *sanyasa* in terms of law means civil death.... (Interruptions)

MR. SPEAKER: Is it in the Bill, *sanyasa* and all that? Please understand that we have time constraint.

SHRI SRIBALLAV PANIGRAHI: This is not in the Bill but it has a bearing with the Bill. Anyway, I am not going into that.

Sir, 6th of December was admittedly a

black day in our history. The period that we are passing through since 6th of December, is one of anxiety, and it is the gravest and the most dangerous crisis since Independence. It is the communalists who have destroyed the three domes of the mosque, and by destroying the three domes, they have attempted to demolish the three pillars of our great Republic - the Constitution, the rule of law and the supremacy of judiciary. I am reminded of Kalidasa's famous *vakya*...

"skandhap Na Badhte Raja, Tab Bahti Bahte"

MR. SPEAKER: Please come to the Bill now. I have no time. I do not want any literary discourse. We have to see that one more Ordinance is also taken up.

SHRI SRIBALLAV PANIGRAHI: Your Honour was not here in the Chair. Some Members have spoken for ninety minutes.

MR. SPEAKER: This is exactly why I have come here to the Chair now to see that the Bills are passed.

SHRI SRIBALLAV PANIGRAHI: Anyway, Sir, I shall be brief.

Those who are responsible for such a crime, instead of apologising to the nation, instead of expressing regrets, they take pride in what they did. This is very very shameful. The heads of all of us are hanging in shame today.

The Congress party, in its manifesto, was committed to the protection of the Mosque and, at the same time, to the construction of a Rama temple. I know under what circumstances the mosque could not be protected; the entire nation knows now. What the Government did on 25th, on the day of Rally, there is a feeling now that such action was called for even on the 6th of December, much before that. It was because of the federal character that we have in our country, it was in the context of the Centre-State relationship, that the Union Government had to put reliance on the sol-

emn assurances given by the State Government of U.P. and also by some leaders. Naturally, therefore, the Government of India cannot be blamed for that Government of India owes an explanation today. What transpires is that it was probably a mistake to put reliance on these people. It was a case of gross betrayal.

About religion, I would draw the attention of this august House to the speech delivered by Vivekananda Ji... (*Interruptions*)

MR. SPEAKER: Please, there is no discourse on religion, there is no discourse on *sanyasa*, there is a discourse on the land that is to be acquired. We will be very happy to hear these things from you afterwards.

SHRI SRIBALLAV PANIGRAHI: You know, Sir, that the root of the trouble is less in the of misinterpretation of religion and religion is being used to climb the ladder of power i.e. to come to power in Delhi.

Do you disagree with this?

MR. SPEAKER: No; I fully agree with Vivekanandji.

SHRI SRIBALLAV PANIGRAHI: It says:

"Religion is a universal phenomenon. People believe in religion for personal solace and to organise their personal spiritual life. It has nothing to do with their function as social being, particularly their political activities".

Therefore, it is time to have a national debate for the separation of religion from politics. Even though the Government of India had sent the security forces to Ayodhya, they had to stand as silent spectators there to this heinous crime of demolition of the mosque.

MR. SPEAKER: Do you think that it is necessary for me to tell you every now and then that there is a time constraint? You

come to the point directly.

SHRI SRIBALLAV PANIGRAHI: Yes, Sir. Therefore, in the name of religion, we should not disturb the atmosphere of our country. Communal harmony is the corner stone of our nationalism. If it is not maintained, then the country cannot remain united and therefore, I quote Swami Vivekanand here:

"In the face of this evidence, if anybody dreams of the exclusive survival of his own religion and the destruction of others, I pity him from the bottom of my heart and point out to him that upon the banner of every religion will soon be written, in spite of resistance: Help and not Fight, Assimilation and not Destruction, Harmony and Peace and no Dissension".

This was the sum and substance of the address delivered by Swami Vivekanand in the World Conference of Religion at Chicago one hundred years ago.

Sir, at the same time, the RSS ideologue Guru Goiwalwar says:

"If you examine closely, you will find that Hindu religion is the only one which can be called religion. The others are not religions at all".

So, naturally the Government of India has no other option to maintain and promote communal harmony in our country and to see that this holocaust is put an end, than to come with this Ordinance for taking over of this land at Ayodhya. When all the avenues of negotiated settlement were exhausted what are the alternatives left? I was pained to hear some of the hon. Members saying that they will not abide by the Court judgment. If they do not abide by the Court judgement and they are not interested in negotiations, then what will happen in this country? Are we not inviting anarchy in this country? Is it to be tolerated?

Now, under the provisions of this Bill, a

reference has been made to the Supreme Court and there cannot be a better occasion for a reference of this sort. When the Supreme Court gives its opinion, it should be rejected or accepted serious and all the political parties including the BJP should not once again create trouble in this country. I would request our hon. friend Shri Shahabuddin also to abide by the Court opinion.

MR. SPEAKER: Now, I will call someone else. You have spoken for 20 minutes.

SHRI SRIBALLAV PANIGRAHI: I will take only one minute.

In a conference of sants recently held they have taken a decision that the temple will be built by the sants. They say: 'politicians and communal organisations, keep off from this task'. I welcome this decision taken together by the Sankaracharya and thousands of other sants.

With these few words, I support this Bill.

18.20 hrs

SHRI BOLLA BULLI RAMAIAH (Eluru): Sir, the Acquisition of Certain Area at Ayodhya Bill, 1993 is introduced mainly because of the problem, that we are facing in this country for the last so many years. Though this should have been solved much earlier, due to various reasons, the climax has come and now this issue has been taken up. I only say that they are talking that they would like to have the settlement across the table, at least in future. In spite of so much efforts, somehow it has not happened. I hope even now, the acquisition of land should not affect the negotiated settlement which is in the larger interest of the country. The development has been affected in this country because of this. Politicisation should not be played on this. Today the world has become very close. Internationally people are very close. You are able to see by satellite, anything that is happening in the world. We should not only think of this country but of the entire world today. Religion or group should not fight with each other and we should see the world

unanimity and appreciate the international opinion. We should be able to see the goodwill of thinking. This kind of issue in the name of religion should not affect the masses and the poor people and the development should not suffer.

The only thing is, Ram never distinguishes. He has given *darshan* to Nizam of Hyderabad and relieved the amount of payment, to Ramdas. He does not distinguish whether he is a Muslim or Hindu.

This is the way and the spirit which we should also follow. We should all work with dedication for the unity and progress of the country.

SHRI YAIMA SINGH YUMNAM (Inner Manipur): Sir, I rise to support the Acquisition of Certain Area at Ayodhya Bill, 1993.

While supporting the Bill, I would like to mention that even before the disputed structure was demolished, I had been advocating for the construction of one mosque and one temple at the area. Temple is meant for Shri Ram and mosque is meant for the Muslim community. Unfortunately the disputed structure has been demolished and it is no more. My earlier proposal will not be more fruitful and constructive. What I have been suggesting is that the land to be acquired is to be used for the purpose of constructing these two structures— one for temple and one for mosque. The disputed area may be kept unused until the judgement of the Supreme Court comes, and a negotiated settlement can be made, only when the judgement is announced, the land can be used for the purpose stated in these either in according to settlement or in the final judgement of the Supreme Court. The Bill also proposes for the acquisition of certain areas for the construction of two structures, namely mandir and masjid. It will justify my proposal which I made earlier.

I understand that we are proposing all these things for making India a strong nation. For making it strong, I also understand that we must be united. For a united nation, Hindus, Muslims and others must be united

and they must make this country a strong country. Secularism must be maintained in the country.

With this spirit, I would like to mention in this House that in the State of Manipur, during the riot days after December 6th, 1992, not a single incident of riot, not a single incident of killing or not a single incident of damage to mandir or mosque had happened there. It is a great contribution, though it was a small State. Even though I belong to a small Party, even though I represent only myself in the House from the Party, yet our contribution to the country is remarkable.

Now while concluding, I would like to ask the Government to come out with an Action Plan of what they are going to do and let it be placed before the nation for thorough and open discussion. Let it be decided by the nation and then a decision be taken by this House, by the Parliament and by the nation. After that the Government must not hesitate to execute the Action Plan. They must execute it in a spirit of do or die. Only that will serve the purpose. If there is hesitation and indecisiveness, it would not work.

So, I am proposing for fighting unitedly so that the country might be made strong and let us prepare for this.

With these few words, I support the Bill.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): Mr. Speaker, Sir, the kind of acrimonious debate that we had today clearly indicates what is going on in the minds of the hon. Members. (*Interruptions*)

[*Translation*]

SHRI NITISH KUMAR: Mr. Speaker, Sir, one or two more hon. Members should be allowed to speak. Shri Dixit has taken all the time.

SHRI CHHEDI PASWAN: He has spoken for one and a half or two hours. We are asking for two or three minutes time. We too should be allowed to speak.

SHRI TEJ NARAYAN SINGH (Buxar):
 Mr. Speaker, Sir, we two should be given time.

MR. SPEAKER: I agree. Everybody should speak for two minutes. Shri Paswan you may start.

SHRICHHEDI PASWAN: Mr. Speaker, Sir, I rise to speak against the Bill introduced for the acquisition of certain area in Ayodhya. Many learned Members of this august House have expressed their opinion on this issue. I would not go into depth in this issue because the time is very short but I would like to present certain points.

First of all I want to know from the Government as to what prompted it to introduce this Bill? Since the Central Government failed in fulfilling its constitutional duty to safeguard thousand years old symbol of secularism. You have brought this Bill in haste, it should be withdrawn immediately and a comprehensive Bill be introduced to protect a secular Constitution. Had the matter been resolved as per the provisions of Article 138(2) of the Constitution, it would have been better. But instead of doing that, the Central Government sought the opinion of the Supreme Court whether there was a temple or a mosque on the disputed site at Ayodhya. It will aggravate the situation all the more. I would like to give a suggestion that the complex in Ayodhya should certainly be acquired, but the disputed site should be left to the Supreme Court. Then alone the violence can be averted in the country. Shri Kumaramangalam has said that the Bharatiya Janata Party people are playing the politics of temple and mosque only to come to power. Through you I want to know that if the B.J.P. people are playing this game to come to power, what is the objective of the Government behind its commitment to construct both the temple and the mosque there? Why is it promising to construct both temple and mosque there? This matter should be left in private hands. The Government need not involve itself in this affair. I hold you responsible for this Babri Masjid dispute because you are in the Government. The

Government, the then Prime Minister of this country got the idols installed in the structure of Babri Masjid. another Prime Minister got the structure unlocked and laid the foundation stone of the temple. The third Prime Minister, who is called 'Mauni Baba, got the mosque' destroyed and after dismissing the U.P. Government and unseating the Chief Minister imposed Presidential Rule in the State. In spite of all this, the construction of the temple was allowed on the 7th December. It is obvious here that the Congress is hands in gloves with the Bharatiya Janata Party. Moreover, it has been said in the ordinance and the statement of objects and reasons that there has been a long standing dispute over the structure of the erstwhile Ram Temple, Ram Janambhoomi and the Babri masjid which has resulted in communal tension and violence from time to time. Ultimately, the disputed structure was demolished on December 6, 1992. Thereafter, communal tension has increased all over the country. On this occasion, I remember those lines of a poet, and a saying where one person is asked to sprinkle petrol and the another is asked to set it on fire and then they are asked to flee. A poet has rightly said:

"Jab Siyasat Ke Nigehban Yeh
 Hawa Dete Hain,

Aag Shehar Me Dangai Laga Dete
 Hain,

Aap Takeed Bhee Karte Hain Ki
 Bach Bach Ke Chalo,

Aur Aap Hee Rahon Mein Kante
 Bhi Bichha Dete Hain".

Both these things cannot go together. The hon. Minister, all the Hindus and Muslims of this country have understood your game very well. Now they will not fall into your trap.

Here I want to submit to my B.J.P. friends who project themselves to be the custodians of the Hindu religion in this country. We too are Hindus and we are more orthodox than they are and I am sure that if

organisational elections of the Vishwa Hindu Parishad are held today, Shri Sharad Yadav, Ram Vilas Paswan and Nitish Kumar will win the elections and V.H.P. people will be at their old game.

Shri Advani says that they are the custodians of the Hindu religion. When Shri Vishwanath Pratap Singh was in power, he talked of giving rights to those under privileged people of the country who have been exploited for two and a half thousand to three thousand years. They could not get their rights. But mere mention of giving them their rights prompted these people to start journey from Somnath to Ayodhya as if Ayodhya was Lanka and they were attacking it, Today, an area of 14 thousand square metres is under occupation of China and there are problems of unemployment, becoming starvation, corruption, terrorism facing this country and they have never launched any agitation for these causes. But when the question of giving rights to the poor, the exploited and the suffering people was raised, they launched agitation in the name of Lord Rama. What an irony? I really wonder at the thinking of such people.

Here I want to submit one thing categorically that the community which does not believe in social justice, can never become secular. A religion that cannot become secular, can never become democratic. Those who are dreaming to establish Dharma Sansad or want to introduce Manu's Constitution replacing the present Indian Constitution, will never succeed in their mission so long as the views of thinkers like Dr. Ram Manohar Lohia, Mahatma Gandhi and Dr. Ambedkar are entertained in the country. Due to shortage of time, I demand the hon. Minister of Home Affairs to withdraw this Bill and bring a comprehensive bill so that the Constitution remain secular.

KUMARI UMABHARTI (Khajuraho): Mr. Speaker, Sir, just now Chhedi Paswan ji has concluded his speech with a couplet. I would like to begin with a couplet and that is for the hon. Home Minister and the Central Government:

Inki Tarif Kya Poochhte Ho, Umra Sari
Gunahon Mein Gujri,

Ab Parsan Ban Rahe Hein, Jaise Ganga
Nahaye Huye Hein.

We wanted that the temple at the Ram Janam Bhoomi should be constructed peacefully. As from the beginning, Shri Advani ji had given a proposal that the Babri Mosque should be shifted from there in a peaceful manner and after that some solution should be found out, so that in lieu of that the most beautiful mosque of the country can be constructed with the help of the people of Vishwa Hindu Parishad and others, as a gift to the Muslim Community so that we may have communal harmony in the country. We were moving in that direction but some people were trying their levels best to put or stacles in our way. Mulayam Singhji had ordered firing on us on 30th October and 2nd November. At that time these were the people who are presenting the Bill today, to support Mr. Mulayam Singh and help him to be the Chief Minister. Had wisdom prevailed on them at that time, all these incidents would not have taken place, which have since taken place.

Mr. Speaker, Sir, my submission through you is that in the statement of objects and reasons of the Bill presented here, they have said that, that place would remain as it is and if so, then where would the temple and the mosque be constructed? It is stated in the statement of objects and reasons that they would ensure communal harmony but it cannot be established until or unless it is made clear as to where the temple and the mosque would be constructed.

The hon. Home Minister had once been to Ayodhya. He had the darshan of Ram Lala, the priest offered him prasad and chamamrit which he took. He was very much emotional and then he asked the D.M. of Faizabad that he has had the darshan of Ram Janam Bhoomi, now he should be taken to Babri Masjid. At that time our hon. Member Shri Vinay Katiyar had said-if the hon. Home Minister remembers that the Ram Janam Bhoomi was in front of him and the

[Kumari Uma Bharti]

thing which you are illusively taking as the Babri Masjid was just on over his head. The hon. Home Minister was stunned for a while but, hon. Speaker, Sir, the problem with these people is that when they visit Ayodhya the Babri Masjid was not visible to them but when they came to Delhi and looked at the chair the Babri masjid became visible to them. This is the reason that till date it is not clear, whether their white paper is correct or their Prime Minister is right or what they are saying is right because it has been mentioned time and again as controversial structure in the white paper while the hon. Prime Minister after holding discussions with the Saints on 23rd July, had called it a disputed structure on 24th July but after that since 27th July, he started calling it as the Babri Masjid. Even on 6th December, after the demolition of the Babri structure, when the hon. Prime Minister delivered his message on the television, he repeatedly called it Babri Masjid. So it should be clear whether there white paper is correct, wherein at every step it has been referred to as the disputed structure or what their hon. Prime Minister says is right?

When the hon. Home Minister paid a visit to Maharashtra, while I was in Mata Tila Jail, he said there, which I came to know from the newspapers that....

MR. SPEAKER: Are you speaking on Ayodhya or on the hon. Home Minister.....

KUMARI UMA BHARTI: Mr. Speaker, Sir, if I repeat the word Ayodhya in every sentence then it will not serve the purpose. I will have to point out the reference.... (*Interruptions*) Should I go on repeating the word 'Ayodhya'? When the hon. Home Minister paid a visit to Maharashtra, he met some people of the Muslim community there. When they put the question that since the Government has ordered for the construction of the masjid, where it would be constructed? At that time, what I had read in the newspapers while I was in Mata Tila Jail, was that the hon. Home Minister had replied that for the last 50

years no name was performed there while the pooja has been going on there for the last 40 years and you are talking in such a way. I have read it. I had the newspaper clipping with me but I forgot to bring it here. I am at a loss to know that when it is so clear to the hon. Home Minister, then there should not be an iota of doubt that that place should be left as such and the Mandir and the masjid should be constructed side by side.

Mr. Speaker, Sir, when the intention is there, there should be no delay, if the intention is clear and the honesty is maintained then whatever has been found after the demolition of the Babri structure or the facts brought out by the Naresh Chandra Committee in which two things have been mentioned specially that there was a mosque earlier, the Mandir was demolished and secondly, the structure has not been used as a Masjid for the last 50 years. On the basis of these two things, it should be quite clear that there was a Mandir and on the basis of idols and the plaques found in the structure, it should be decided at the earliest and there should be no delay in it. When Chandra Shekhar ji was the Prime Minister, he had got that work done in 20 days. If the intention of the Central Government is clear then it can be decided, The proof, found in the debris and the plaques should be brought and it should be decided once and for all whether there was a Mandir at the place where idol of Ram Lala is installed, if so, the Mandir should be constructed at that very place. If the Government wants to let the Hindus and the Muslims live happily, then it must do it.

Mr. Speaker, Sir, we are often said to be against the constitution or the minorities but the fact is that, we want that the Hindus and the Muslims should live in this country happily. Since this House is a temple of democracy, I am saying honestly and not out of sheer emotions that if both the Hindus and the Muslims are to live in this country happily, then a grand Mandir should be constructed at the very place where idol of Ram Lalla is situated at present. Do not do it like this. The Congress has a tradition to play the role of 'Manthra' and let the people fight

among themselves, Now they are trying to divide the saints also and creating a tense atmosphere.

Go through the history of Congress regarding Ayodhya. Everytime they had tried to create the situation of struggle whether it is Ram Shila Pujan, Shilanasayas or the incident of Kar Seva on 6th December. Making Kar Seva, the target, in this very House.....
 **.... Since you have given me a very short time and you are also ringing the bell again and again, I am concluding shortly, whereas so many things have been said in this House, which are far away from the facts. Although white paper has been published yet in the white paper, the things which had taken place in between should also be highlighted because the white paper means that everything will be made clear in it. When the hon. Prime Minister had gone to meet the Saints, at that time he had said that he was a great devotee of Rama. He had said that mere pronouncing the name of Ram sends him in meditation. Therefore, he would like to find out a peaceful solution. He asked for a period of four months. At that time, Ramdev ji had said that four months had proved very ominous for Vishwanath Pratap Singh ji. He had to face the wrath. It is very bad. Lest you should not meet the same fate, you should decide the matter in 3 or 3 1/2 months.

I would like to know, through you, from the hon. Home Minister that these people claim that all of a sudden disorder was created there and they were deceived. When the discussion was going here on 23rd July, I myself was present in Ayodhya and on 24th July, I myself had asked the kar Sevaks to have patience till November as the hon. Prime Minister has given an assurance in this regard. We should wait for the results of the efforts made by the hon. Prime Minister for finding out a solution. I had said so. Ashok Singhal ji had also asked to wait till November. I am at a loss to know as to why it is said that they were unaware of it, they were deceived and disorder was created all of a sudden. You come to know the things that are of your interest but you do not come to

know the things that are not of your interest.

What happened in three months? Saints were called separately and efforts were made to divide them to mislead them and to blackmail them emotionally. Where has Mr. Rangarajan Kumaramangalam gone who was running from one place to the other contacting the Saints? Also, rushing to Vrindavan to meet Ramdev ji. We are dubbed as communal, but you claim to be secular. If you claim to be secular, why then Lenka Saheb went to Jhonteshwar. Did he go there to make some arrangement? Was he only concerned with taking pandas from Jagannathpuri and feed them there?

Through you, I would like to know from the hon. Minister of Home Affairs and from the Central Government that the Ramjanam Bhoomi Nyas founded in 1986 by Shri Ramanandacharaya in which our two lakh seventy thousand workers.... (Interruptions) If they have to know anything about themselves, they should then look their faces in the mirror so that they may be able to know their miserable state. The miseries they have suffered following a clash with us in Ayodhya are so acute that they are still healing their wounds. They uselessly drag themselves into our affairs, They should mend themselves. Their state is:

"Ek Dil Ke Tukde Hazar Hue,

Koi Edhar Gira, Koi Udhar Gira".

But even now they are not coming to senses. I hardly require elaborating their miserable State. I am citing an example here. The political parties that have opposed Rama have met the same fate as did Ravana in the battle field in Lanka. Efforts were made to divide the Saints. We established the trust founded by Ramanandacharaya ji in 1986. 2 lakh 70 thousand workers worked for it. We organised Ramshilapujan in 3 lakh villages and 15 crore people participated in Ramshilapujan. They do not even secure so much votes. It is the people of our organisation who faced

[Kumari Uma Bharti]

bullets and lathis charge for the sake of that trust. There was an incident of using water-canon in Delhi in the wake of the same Ayodhya issue. So far we heard that water is used for drinking propose alone. The other use of it I learnt from them only..... (*Interruptions*) Today they say that they would construct both Mandir and Masjid. They are keeping it as dubious as their character is. If they really want to solve the issue honestly, a grand Mandir should be constructed at the site where Ramlala is present. The Masjid should be constructed outside the periphery of Punchkosi. Any solution other than this will lead to the repetition of the incidents which occurred on the 30th October, 2nd November and 6th December. This should be kept in mind. If the Government wants that the past incidents are not repeated, then it should honestly come forward and construct a Mandir there. Moreover, the Mandir should be allowed to be constructed by the very Nyas that has so far been struggling for it. With these words I conclude.

[English]

SHR: MANI SHANKAR AIYAR: Sir, I am on a point of order, Hon Member has used the expression....., in her speech I will request you to please expunge it.

MR. SPEAKER: Okay.

[Translation]

SHRI TEJ NARAYAN SINGH (Buxar): Mr. Speaker, sir, I rise to oppose this Bill. I oppose it since there are already laws existing in this country which can be used to check it. There is absolutely no need to formulate any new law. Formulation of new law would create new confusion only. If the intention of the Government is clean, it can then quickly get the case settled that is so far lying pending in the Supreme court. This case should also be quickly settled like the other cases of the general public., I have the impression that the Government is not keen on finding solution to this problem. It is afraid

that it may have to face some crisis when solution to this problem comes/forth. It, therefore, wants to create new confusion by introducing a new Bill. That is why, I oppose the Bill.

So far as the question of protection is concerned, the Government could protect the Masjid if it wanted, but the intention of the Government is not clear.. That is why the Masjid could not be protected. When the order of the Supreme Court could be violated. What is then the use of introducing a new Bill. I do not think that a political party, which violates the order of the Supreme Court, will remain under Control by the provision of this new Bill. They say that a Mandir must be constructed there. Construction of a Mandir is a must. we are not short of Mandirs in our country. I do not have any objection to it if 2-4 more Mandirs are constructed.

Ours is a predominantly Hindu country. There is no scarcity of Mandirs here. If a Mandir has got to be constructed, then there is ample space or that from Delhi to Lucknow. Mandir may be constructed there, but their main intention is to replace the Masjid by a Mandir. The Hindu religion teaches us to respect every other religion. Hinduism is the oldest religion. There was advent of other religions in our country after Hinduism. Efforts have been made to malign the image of Hinduism even after 45 years of independence. There have been efforts to create fissures between Hinduism and other religions which is totally against the tradition of Hinduism. They say that they believe that Ram was born there itself. who can be the witness to testify that Ram was born there. The person who gave birth to Ram is no more nor is the lady who cut apart the umbilical cord is alive. The job of cutting apart the umbilical cord is of a poor lady who alone can be the real witness. He alone can explain everything. Nobody can tell as to where your grand father was born. We do not know the facts that are centuries old. But they say that ram was born there itself and therefore the Mandir would be constructed there only. It is conspiracy to disintegrate the country. Some ban should certainly be imposed on them.

They say that the current of Ganga water cannot be withheld by the provisions of any law, but I would like to tell them that even for that there are provisions under law. It is also said that the provisions of law do not apply to the things that are matters of faith. I would like to inform them a law of jungle cannot be allowed to prevail in the country. If laws are broken, then there are laws to put a check on the lawbreakers. Had there been a Government run by some other party, they would have certainly not got an opportunity of doing all this. History bears testimony to the fact that just two years back the Mulayam Singh Government did not allow even a bit of damage to the Masjid. No matter whether he is in power or not, that is a different thing, but he did not at all compromise in discharging his duty within the framework of law even though that resulted in the loss of 16 lives. They broke the law and also did let three thousand people killed. I would, therefore, like to submit to the Government that there is no need to make any laws, if the Government wants that there should be no further violence in the country and that the law of the land should properly operate, then the Government should make the existing laws effectively operative so that the country may remain united, otherwise no one can save it from disintegration.

I do not agree with Shahabuddin Sahab. I simply want to submit that the Masjid should remain there where it existed. This is what the law permits. What he says means that Ram was born in 1949. There has been a fresh installation of the idol there, it was not there earlier. If the idol had already been there then, I do not think, the Masjid could be constructed there. According to Islam, a Masjid can be constructed only on the piece of land that is bought. A Masjid cannot be constructed on some one else's piece of land. This is the rule of Islam. Hindus can make their Mandir anywhere, but Muslims cannot construct their Masjid unless they buy a piece of land for that. I, therefore, presume that whosoever built that Masjid must not have built it without buying a piece of land for it. He must not have demolished

any Mandir to construct the Masjid. I would, therefore, like to submit to the Government that there are already laws and a Supreme Court in the country, so we should wait for the judgement of the Supreme Court in that case. The judgement of the Supreme Court, whatever, it is, should be acceptable to both sides, Those who do to accept the verdict of the court should be put in the dock/

With these words I oppose this Bill and I would like to submit to the Government that it should not allow the laws to be the subject of mockery. The laws that are already operating in the country should be made strictly effective so that the unity of the country may remain intact and the country may be saved from disintegration and that there is not further riots at all.

With these words I conclude.

KUMARI VIMLA VERMA (Seoni): Mr. Speaker, Sir, I strongly support this Bill.

The previous speaker had said that a large meeting of saints and sadhus was held in Madhya Pradesh, in which a Member of Parliament was also present there. I had been there because it was in my constituency. However I am surprised over the objection that has been raised here by an hon. Member because it is not a matter of surprise and objection if a person who is also a Member of Parliament having his faith in religion attended such a sant Samagam. On the other hand it may be a point of surprise and objection if a man who has renounced this world and has become a sadhu happens to be a Member of Parliament. But if a member of this House goes to seek the blessing of a saint, no Hindu should have any objection to it. As regards the statement of a Member that Lenka Saheb had made arrangements of catering for this meeting of saints, I would like to do away with this misunderstanding because I was present there all the time. Govardhan Peethadishwar Jagadguru Shankaracharya Anant Shri Vibhushit Nishchalanand ji Sarswati Maharaj himself was there, who had come direct from Jagannathpuri. At a distance of four-five

[Kumari Vimla Verma]

[Translation]

kilometres from this place i.e. at Jhateshwar there is a temple of Lord Jagannath which resembles the temple at Jagannath Puri. He had made the arrangements if not for entire food but for the Prasad of that kind and quality, which is distributed to the devotees at jagannath Puri. He had made all these arrangements personally. Two lakh people gathered there and I was also one of them. I had also taken the prasad. Therefore, I think that it is better not to speak wrong things particularly about the saints.

I am sorry to mention that a Member has said that he is a pro-governments saint.. I would like to know if only such saints who are following some one are the real saints and others are not the Genuine ones but pro-government saints. It is a great insult of the saints and any one having an ardent faith in Hindu religion, should no insult saints. I would like to tell it particularly in this context that Jyotishpeethadhishwar Dwarka Peethadhishwar Jagatguru. Shankaracharya Anant Shri Vibhushit Swami Swarupanandji Sarswati Maharaj, Govardhan Peethadhishwar Jagatguru Shankaracharya Anant Shri Viohushit Swami Nishchalanandji Saraswati Maharaj. Jagannath Puri and Jagantguru Anant Shri Vibhushit Ramanandacharaya Swami Shri Ramnareshchar yaji, Kashi were present in that Sammelan. Besides there noble person there were also many more saints present there. Are all those pro-Government saints? People of India will not bear with such insult of reverend Shankaracharya.

Mr. Speaker, Sir, an hon. Membersaid....
(Interruptions)

Even if you don't have faith in religion....
(Interruptions)

[English]

MR SPEAKER: Anything unparliamentary will not go on record.

(Interruptions)

KUMARI VIMLA VERMA: But religion will remain religion it will not be dharma if you call it that way. Shri Karpatri ji, who is considered to be an authority and a honble figure of Hindu religion has categorically defined Hindu religion. Defining religion he came out with following slogans, Dharma Ki jai Ho. Adharma a Naashho, Praniyon Main Sadbhavana Ho and Vishwa Ka Kalyan ho". In other words, it means that righteousness may triumph, sin may be destroyed, harmony may prevail among the living beings and their object may be the welfare of the world. It is the definition of Hindu religion. Shri Karpatri ji Maharaj, a noble personage of Hindu religion has defined it in that way for the common man. When he speak of good-will and harmony among the living beings, does it exclude Hindus and Muslims? Can there be no goodwill between man and man? Does the welfare of the entire world not imply in itself the welfare of India? We can even imagine a different thing. One who opposes this definition of Hindu religion given by Karpatriji Maharaj is not really a Hindu. We will not say that he is following the Hindu religion. First he should learn to follow Hinduism.... *(Interruptions)*

Mr. Speaker, Sir, an hon. Member said that first we should understand proprieties of religion. I would also like to ask as to what is that propriety of religion. This party.... *(Interruptions)* All these things have been raised here, hence let me speak on that.... *(Interruptions)*

MR. SPEAKER: There is no need of it.

(Interruptions)

KUMARI VIMLA VERMA: Please, let me speak... *(Interruptions)*

MR. SPEAKER: The Bills introduced by you are to be passed. Are these not to be passed?

(Interruptions)

KUMARI VIMLA VERMA: I am speaking about the points that have been raised here. Mr. Speaker, Sir, I am a Hindu, so it has hurt my feelings. Let me speak, please.

MR. SPEAKER: Come to the Bill. Speak on the Bill itself...

(Interruptions)

KUMARI VIMLA VERMA: I would like to say that the nets of religion should be understood. What is the basic tent of religion? The Chief Characteristic of Hinduism is tolerance. You would like to build a temple of Lord Ram who was an incarnation of love and ate the plums tasted by Shabari, an adivasi woman, just to honour her love for him. But what is the background of the temple you are going to build? Would you like to lay the foundation of that temple on bloodshed, killings, atrocities and maltreatment meted out to women folk. That can't be a temple of Lord Ram. Today all over the country... *(Interruptions)*

KUMARI UMA BHARTI: Your hands were stained with blood. 30th October, 2nd November.. *(Interruptions)*

KUMARI VIMLA VERMA: Your party did not give you respect. They did not respect you in your Sanyasi robes. The Chief Minister of your own party spoke a number of indecent words against you.... *(Interruptions)* The propriety of religion demand respect of our women folk. I would therefor, like to submit that temple of Lord Ram will be built upon... *(Interruptions)* but with a feeling of tolerance and tranquility and not by violent means... *(Interruptions)*

[English]

SHRI RAMKAPSE (Thane): Sir, I am on a point of order.

(Interruptions)

MR. SPEAKER: Let us hear his point of order.

SHRI RAM PAPSE: My point of order is

that Vimla Vermaji has spoken something against Ms. Uma Bharti which is definitely derogatory.

MR. SPEAKER: What is it?

(Interruptions)

19.00 hrs

[Translation]

KUMARI VIMLA VERMA: I have neither said nor will say anything against Uma Bhartiji because besides being a women she is a sadhvi (Saint). I have not said anything against her with due respect for her, I said that even the Chief Minister did not pay respect to her... *(Interruptions)*

[English]

MR. SPEAKER: I will look into it and if there is anything derogatory, that will not form part of the record.

(Interruptions)

[Translation]

KUMARI VIMLA VERMA: Mr. Speaker, Sir, hon. Member said that Lord Ram does not belong to any particular sector or community and Ram cannot be confined within the limits of Ayodhya. We have also been saying the same thing. But you say that Ram Belongs to you only. Besides Ram we have faith in Sita also and say 'Sita-Ram'. So Ram does not belong to you only, he also belongs to us. If you think that the Members Congress party thinks of a secular state, it does not mean that they are going against religion, It means that they have faith in their own religion and pay respect to other's religion It is what Hindu religion teaches us and this is the basic tenet of our culture and civilization. It is not good to plung the country in such a critical situation by destroying this trait of our culture and civilization. What I wold like to submit is that the temple of Lord Ram will be constructed in an atmosphere of love, faith and peace. So, I support this Bill.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I have heard with rapt attention the acrimonious debate and the different philosophies about all kinds of religious matters. I don't think it would be proper for me to go into all the details of the philosophical aspects of all religions. So, I would try to confine myself within the four corners of this Bill.

But I was feeling very much hurt when some of the hon. Members tried to attribute motives to the Government. I can merely say, "Please don't try to attribute motives to the Government".

We are sincerely interested in creating communal harmony in this country and there is no question of creating a permanent rift between Hindus and Muslims. Maybe, it might serve some political interests or some party interests, but certainly not the interest of the country.

We are bringing forward this Bill because we are sincerely interested in creating a situation wherein there will be a communal amity, law and order and brotherhood amongst Hindu, Muslim and all other religions. So, please do not try to attribute motives to the Government.

In fact I was not to reply to any of the points raised by my sister Uma Bharathi. But she has stated that in spite of the fact that she has repeated on the floor of the House, both the Prime Minister and the Home Minister keep on repeating that they have been betrayed. She has said that the episode of 6th December was, in fact, not a part of it and that they had openly and clearly stated their intentions about it. Does it mean that what the hon. leader of the Opposition has stated on the floor of the House, is not correct? Would the hon. Member like to suggest that the affidavits filed in the Supreme Court were frivolous and that they were not sincerely filed by them? Did they not believe in the contents of the affidavits filed by themselves? Is it the contention of the hon. Member that they had clearly stated that their intention was to destroy something and thereafter if

certain things had happened, we should not say that we had been betrayed?

I must sincerely say and I still maintain that we have been betrayed. We only thought that some of the people who are on record, are serious about what they have stated in their affidavits. The Chief Minister has been on record at affidavits have been filed in the Supreme Court three times. As if it were not sufficient for the Chief Minister alone to file the affidavit, two more affidavits were filed by two others.

One of the affidavits was filed by swami Chinmayanand and the other by Shrimati Vijayaraje Scindia. They also filed the affidavit to show that they are really sincere about what they say. In the beginning, I think I understood correctly, some of the BJP leaders also said that this was not the part of their plan but when they saw that there was a sort of all round applause on certain things then they changed their attitude and said, after all why should they feel regretful about this. So, in the beginning they said that it was not part of their plan; they did not intend to destroy the structure. What our friends on the other side have been saying, I would like to ask them, is it the basic philosophy of the religion to which the hon. Members subscribe to? It is none of my business to go into the details of all this. Therefore, I leave that point here only.

Many points have been raised by the hon. Members but I would like to touch only four or five points.

[Translation]

KUMARI UMA BHARTI: Mr. Speaker Sir, it is true that the affidavits were filed in the court but a period of three and half months was fixed on 23rd July after the discussion with the saints the hon. Prime Minister who made some promises. Has the hon. Prime Minister tried to meet the saints again to inform them the progress made during the said time? Has he even tried to contact them to extend more time? So, were not you people deceiving us. Was the hon. Prime Minister not deceiving the saints?

Was the government and your party not deceiving the Hindus. (*Interruptions*)

[English]

SHRI S.B. CHAVAN: Sir, I was totally on a different point. I cannot reply on behalf of the Prime Minister. I was not a party to what went between you and the Prime Minister.

Sir, different points were raised during the discussion and I would like to respond to them.

Some hon. Members said that we were given so many offers; take disputed structure in our possession, declare this as a national monument; see that the disputed structure is taken possession of and so on.

On the 28th November when paramilitary forces were sent to Ayodhya or near about Faizabad, it was a scene of a totally new kind of a federal structure that I have come across. We will have to consider it very seriously.

When in the interest of the country the Central Government thinks of sending forces to a particular State then conditions are created wherein even sending of the force is being objected to by the State Government, in spite of certain provisions in the Constitution. This is the time when all these issues are being raised as if the Central Government wanted to evade the issues and was joining hands with others. This seems to be the theory on which everybody seems to be working. I know very well that the entire politics of some people is based on the theory that BJP and Congress have come together. In order to establish that they are making all kinds of allegations. It might suit their party but it is not a fact.

SHRI BASUDEB ACHARIA (Bankura): Then what is the fact?

(*Interruptions*)

SHRI S.B. CHAVAN: The way you reacted to it clearly shows that this was going

on in your mind. So, this corroborates what you have stated. It is not a surprise for me. I know the party position and the basis on which you have been working. In order to have an independent party you have to have a different approach.

[Translation]

SHRI SHARAD YADAV (Madhepur): Mr. Speaker, Sir, hon. Home Minister might be aware of the all parties deputation, which have gone to Ayodhya. The members of the delegation in the meeting cautioned the Government about the possible danger and asked the Government to take necessary preventive action in view of the situation prevailing there. The Government should have been ready beforehand for it.

SHRI S.B. CHAVAN: Perhaps you are forgetting but I remember fully the purpose of the visit of the delegation, may be it is out of the screen of your memory. The delegation went there to ascertain whether the platform constructed there on the open ground was in violation of the court orders or not.

SHRI BASUDEB ACHARIA: What suggestion is given?

SHRI S.B. CHAVAN: The discussion on that lasted long.

[English]

I am not interested in going into all the details. Sir, I can merely say that the Delegation had not gone for this purpose viz. that we should take over the disputed structure. If the hon. Members have any record with them, certainly I am prepared to correct myself. They should produce the record that they had recommended this kind of a thing. Of course I may not agree that whatever the hon. Member is saying is a factual position and whether that is correct or not, I will verify. I am subject to correction. My memory I will verify. I am subject to correction. My memory says that it is only the platform. I had gone there.

SHRI SYED SHAHABUDDIN (Kishan-ganj): That platform was not under construction. We went three months before the platform was constructed. We went there because of large scale demolition, excavation and construction was going on.

SHRI S.B. CHAVAN: I do not think that there is any point in disputing the facts.

SHRI SYED SHAHABUDDIN: They are violating the court order.

SHRI S.B. CHAVAN: You try to get the records verified regarding the actual fact and let me know. I am prepared to correct myself if I am wrong. I did say his, So, please don't misunderstand anything. My only request to the hon. Member is that, in the federal structure, the government takes the possession, in spite of the State Government's objection, in an isolated manner. The Government of India, takes into possession certain disputed structure. My difficulty is can we take the responsibility of protecting the structure if anything goes wrong there? Because the State Government will not co-operate knowing the position as it is. They were not prepared even to give whatever little facilities that were required by our para-military forces. You can well imagine what could have been the position if suppose the Government of India were to take the possession of the same. That exactly was the reason for this. When the affidavits have been filed, you were the first person to charge the Government. The affidavits have been filed in the Supreme Court and who are the Government of India to suspect?... (Interruptions)

SHRI SYED SHAHABUDDIN: You had the full authority.

SHRI S.B. CHAVAN: I think, you had your full say in the matter. I never intervened. I never obstructed you. I request you to kindly keep quiet and after I finish, if you raise any points, certainly I am prepared to reply to the extent it is possible.

I do not want to go into that aspect. Sir, there are two or three legal points which

were raised viz. whether the Central Government is legally competent to acquire the land; whether acquisition which was done by the U.P. Government was struck down and whether in addition to that land, whether all other lands also were acquired. If it is acquired, can the Government of India do it? That was the main point. In this context, I would like to refer to another point which one hon. Member raised. He did point out that there is a Government land and why is it that the Government land had been acquired by the Central Government. If I have understood Mr. Dikshit correctly this was the point that he raised. If he remembers correctly, even when the Government of U.P. acquired the land, why did they acquire that *nazul* land? That was because, the Government wanted to acquire the land free from all encumbrances, maybe or may not be. (Interruptions) Don't try to interrupt me. Let me have my say and thereafter you can raise points.

The point is about *nuzul* land, land belonging to the Government. If it is acquired, certainly the whole purpose is that it should be free from all encumbrances; and if any kind of compensation becomes payable, certainly the Government of India will have to pay money, if it comes to that. But, certainly, we will have to go deep into the matter and then come to our conclusion.

A point was raised about Articles 40, 50, whether any discrimination has been practised-25, 26 regarding religious freedom and where religious freedom is violated. I have also read Articles 25 and 26. This religious freedom is subject to public order. So, what is subject to public order, I don't think that any hon. Member can possibly object to this kind of a legislation in which in order to bring about some kind of amity and understanding between different sections of the society if the land is acquired, I don't think that an issue of either legal competence or Articles 40, 50 or 25 and 26 can arise.

We have consulted all the legal luminaries in this matter and we have come to the conclusion that acquisition, if it is done for

this purpose, cannot be considered as a kind of vulnerable exercise or the power vested in the Government

A point was also raised why is it that they reference to the Supreme Court has been made under Article 143 and not 138(2) (*Interruptions*) I am not yielding. I am not yielding; I am not prepared to reply to any point that you are going to rise, because your intentions are not clear.

A point was raised why is it that the Government thought it fit that reference to the Supreme Court should not be made under Article 138 (2) but under 143; this is a point, which, in fact, is a very important aspect, which everybody considers that there seems to be something wrong; and the Government itself is interested in perpetuating this kind of dispute between Hindus and Muslims. About Article 138(2), it is an extended jurisdiction to the Supreme Court; and while doing this, the consent of the State Government is necessary; and when the elected government was there, they informed the Government of India that we are not agreeable; any reference to the Supreme Court under Article 138, they informed us that they are not agreeable.

Thereafter, if the President's Rule is there and if we try to advantage of the same and take the consent from the Governor and try to make reference to the Supreme Court under Article 138(2), I am not quite sure... (*Interruptions*) Anyway, that is your point of view. The position taken by some of the hon. Members is this. Mr. Syed Shahabuddin snouts that he will not abide by what the Supreme Court says. There is another gentleman, who stands up and says, whatever be the decisions of the Supreme Court, we are not prepared to abide by that. (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): You have contradicted what the Prime Minister has said. (*Interruptions*)

SHRI S.B. CHAVAN: I am not yielding. Please for God's sake, just five minutes

more and I have done. I do not want to dilate on it any more. (*Interruptions*)

SHRI SRIKANTA JENA: (Cuttack): You are taking a different position.

SHRI S.B. CHAVAN: The intention is very clear. The Central Government has taken an undertaking that the State Government is bound by the advisory opinion given by the Supreme Court. So, once we take that position, then, of course, it becomes our responsibility to see that the opinion given by the Supreme Court is properly implemented.

I can assure you that there is no question of not constructing Mandir. Mr. Syed Shahabuddin went to the extent of saying that this is almost a kind of grand design.

Grand design hatched by the Government of India that we have now taken a momental decision, that we are going to construct the Mandir and construction of the Mosque, is just a camouflage.

I think there can be no, I do not know what words I shall use, travesty of facts and the kind of the intellect which comes into this clearly shows something wrong in the way of thinking. I am prepared to say Sir, when we mean that we are going to construct both Mandir and Masjid, certainly we are going to do it. I assure this House.... (*Interruptions*) I know your interest Mr. Shahabuddin. You are interested in finding out so that you may go and propagate that here they have taken a decision. I know your intentions are very clear (*Interruptions*) Your intentions are known to me. Now let me have my say in the matter. I heard you with rapt attention. I never interrupt you.

So, my only point is please do not try to attribute the motives of the Government as if we are interested... (*Interruptions*) After all we are all politicians. Do not forget that. Shri Dikshit went to the extent saying that they have done averting and when it is the time of harvest, they are trying to intervene in the matter. They have collected huge amount of money. That is the harvest that I have not

[Sh. S.B. Chavan]

been able to understand. What exactly he wants to convey is that we have done ploughing, we have sown the land, the field is very good and now when the harvest time is coming the Central Government is intervening into the matter. 'So, the harvest time I know. Your harvest is that you are waiting for elections and that you may get maximum exploitation of this kind of thing.

If you are really interested in the construction of Ram Mandir then the amount that you have collected you can contribute that for the Mandir. Why do not you do it?

It is not the construction of Mandir only but construction through VHP. That is the main aim. If you have collected all the material, use that for construction of Mandir. Why are you feeling shy about it? After all you know my intentions and I know your intentions.

Let us clear on this issue. Please for God's sake do not destroy the country. In the name of Mandir and Masjid we are destroying the entire political fabric of this country and emphasising issues which according to me are non-issues, are not the real issues. Our poor people are interested in number of other things rather than this Temple and Mosque.

In stead of applying our mind to that we are wasting so much of our time in discussion issues of this nature. I appeal to the House, kindly bear all these aspects in mind and kindly support this Bill

[Translation]

SRI LAL.K. ADVANI (Gandhi Nagar): Mr. Speaker Sir, I did not listen to the whole of the discussion but I have listened carefully to the statement of the hon. Home Minister. I hoped that he would be able to inform us as to how the communal harmony could be established in this country with the help of this Bill as mentioned in the statement of objects and reasons of this Bill. I do think that

the major fault of the present Government regarding the Ayodhya policy is that it does not want to take a well thought and firm stand on the matter. That is why it some time allowed shilanas and got the lock opened etc. The Government took actions with a view to take political mileage out of it. The Ayodhya issue is a very serious one, May be some people agree to it or not, whether it is fair or unfair, but the Ayodhya movement has engaged the attention of entire country and it is not an ordinary thing. I hoped that..... (Interruptions)..... for a second, I will speak in your favour. Try to understand the fact that this is not the issue that both a Mandir and a Masjid should be constructed at Ayodhya. By speaking so, we do not even reach near the problem. I do not know if anyone can oppose the construction of a place of worship in our country.

Mr. Speaker, Sir, Jews, Parasis and Muslims come to our country but they had never faced any problem in this regard. Therefore to say that both the Ram Mandir and the Masjid should be constructed at Ayodhya, does not make the decision clear. The issue is that what would be constructed at the place, which is known throughout the country as Ram Janam Sthan? Unless it is made clear, this Bill is meaningless. Government has committed many mistakes and out of those one was committed in the night of 6th December, when it was declared that the structure has been demolished, so a Masjid would not be constructed there. After making this declaration, the Government has tried to come out of the web it created for itself.

Mr. Speaker, Sir, today the discussion is not on the white paper. The reason is that just now the hon. Home Minister has given the reply, that is why I do not have any chance to say anything. I would like to say one thing about this Bill that unless the Government's stand is clear as to what would be constructed at Ram Janam Sthan site, the problem would not be solved.

So much so that this Masjid existed there before 1936. Even during that time this

Masjid was known in the country as Janamsthan' (birth place). This name is there in the British-record. This means that there has been a belief in the country that the Janamsthan is there itself, and this is why all the logics being given here have got absolutely no meaning. I would reply when the Government makes its stand clear about it.

[English]

MR. SPEAKER: Would you like to reply to some other members also?

SHRI S.B. CHAVAN: When the Supreme Court gives its advisory opinion under Article 143, thereafter that issue will be decided

[Translation]

SHRI LAL. K. ADVANI: I am not satisfied with it. What I mean to say is that the announcement made on the 6th of the month was not done in a proper way. We said that the Government was wrong when it made such an announcement, particularly the shape in which the Bill has been introduced is wrong. We had no objection to the Ram Janamsthan being given recognition whose existence there is believed by the majority people of India, and had there been sanctioning in the Bill about constructing a Mandir there while constructing a Masjid outside Ayodhya as has been opined by crores of people of the country through their signatures presented to the hon. President in the form of a memorandum. If the Government is ready to give this guarantee, then it's O.K. otherwise we are not ready to associate ourselves with it.

17.29 hrs

Shri Lal K. Advani and Some Other Hon. Members then left the House.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Speaker, Sir, the hon-Minister of Home Affairs has said two things. With your permission I would like to give a brief clarification in that regard, The first thing he said

was that I had given my consent to refer Question of Facts to the Supreme Court under Article 143-A Justice Krishan Aiyar had placed an idea before the then Prime Minister Shri Chandra Shekhar in December, 1990 that was based on Article 143-A of the Constitution. He suggested that a bench comprising 9 judges of the Supreme Court should consider the pointed question as to whether a Ram Mandir existed there during the year '1528 and which was later on demolished to construct a Masjid. We said that even though our case was strong, yet we were ready for a compromise if three of our conditions were accepted for the sake of peace and harmony of the country. Aiyar ji said that those conditions were actually not conditions, rather they were simple matters. First of the three conditions was that the Vishwa Hindu Parishad should promise that whatever opinion was given by the Supreme Court would be acceptable to it. The second point was that it would not be treated as precedent and thirdly, the Vishwa Hindu Parishad would be asked not to carry on any agitation so that the Supreme Court might pass its judgement in a cordial atmosphere. So far as I know, the Vishwa-Hindu Parishad has not accepted any of these three conditions. It has rather been carrying out agitations and as a result of those agitations, the Masjid was demolished on the 6th of December. So to say that we had accepted those things without any condition is wrong. Now the case has been referred to the Supreme Court and it is a quite different matter. Secondly, it has been stated that we have said that we would not accept the verdict of the Supreme Court in this regard.

[English]

MR. SPEAKER: Are you giving your explanation?

SHRI SYED SHAHABUDDIN: Yes, I am giving my explanation.

[Translation]

I would like to conclude with the contention that if a legal process is followed and the

[Sh. Syed Shahabuddin]

substantive issue is referred to the Supreme Court under article 138, then we are ready to accept the verdict of the court even if it goes against us. We have certainly said that we will not accept the answer to be given by the Supreme Court in response to an irrelevant question referred to it.

SHRI BHOGENDRA JHA (Madhubani): Mr. Speaker, Sir, the hon. Minister of Home Affairs had said that he would reply if some member seeks any clarification. I would like to submit that being a secular State, we should not indulge in constructing a Mandir or a Masjid or a Gurudwara. This is because we do not know what would be its consequences in future. But I would certainly like to know as to what is the hurdle in referring all the issues lying pending in different courts to the Supreme Court. Shri Shahabuddin Saheb has just mentioned the incidents of violation of Court Orders in the past. I would like to submit that there is a general feeling throughout the country that such incidents should not be repeated. I would like to submit that all the issues should not be referred to the Supreme Court for eliciting the opinion of it but for a final verdict to be given by the Supreme Court. What is the problem in this regard? The Government should announce it. The Government should refer all the issues to the Supreme Court and whatever decision is given by the court would be implemented by the efforts of all of us. I would like to know your opinion on it.

SHRI S.B. CHAVAN: In this regard, I would simply like to say that if the issues being decided in the High Courts would be referred to the Supreme Court, then the decision would be delayed further. I wish that we should wait for the decision about the reference under Article 143 which is the main question and thereafter everything will be clear.

[English]

SHRIMATI MALINI BHATTACHARAYA (Jadavpur): Sir, I have two clarifications to

seek from the hon. Minister. One is that the land acquisition was made after the demolition of the mosque and not before. So, that alters the situation altogether. Now, there is some litigation in respect of some parts of the land and as far as I can understand it, Article 138(2) is redundant because once the land has been acquired, the litigations have been put an end to.

SHRI S.B. CHAVAN: It is a part of the Bill.

SHRIMATI MALINI BHATTACHARAYA: Now, if litigations have come to an end that does not mean that the source of the litigations has come to an end because people have been seeking justice there. There has been dispute about the ownership. That is why, the people have gone to court. Now, once you have quashed the litigation, if you want to restore amity, it is not enough to quash the litigation. What are you doing to restore the confidence of the people who are engaged in this dispute over the litigation? You have not done anything so far.

MR. SPEAKER: They are given the compensation

SHRIMATI MALINI BHATTACHARAYA: This is one clarification. The other clarification is regarding the site of the mosque where immediately after the demolition what happened was that quite illegitimately a structure was again built and darshan is being allowed now there to the idols that have been placed there. This is legitimising something which is totally illogitimate. An act of vandalism is being legitimised by allowing darshan. This is why it becomes a very important question where the Masjid is going to be built and where the temple is going to be built. That question becomes very important in this regard. These are the two clarifications.

SHRI S.B. CHAVAN: The point where the Masjid is going to be built, I have clarified just now. As regards the other point, the Claims Commissioner is going to be appointed and any dispute about the amount of compensation and who is eligible for getting

the amount of compensation will be decided by the Claims Commissioner.

MR. SPEAKER: Now I shall put the Statutory Resolution moved by Shri Giridhari Lal Bhargava to the vote of the House. The question is:

"That this Houses does approves of the Acquisition of Certain Area at Ayodhya Ordinance, 1993 (Ordinance No. 8 of 1993) promulgated by the President on the 7th January, 1993".

The motion was negatived.

MR. SPEAKER: There are amendments to the Motion for Consideration. I shall first put amendment No.4 moved by Shri Giridhari Lal Bhargava to the vote of the House.

The amendment No 4 was put and negatived.

MR. SPEAKER: Now I shall put amendment No.5 moved by Shri Dau Dayal Joshi to the vote of the House.

The amendment No.5 was put and negatived.

MR. SPEAKER: Now I shall put amendment No.4 moved by Shri Tara Chand Khan-delwal to the vote of the House.

The amendment No.6 was put and negatived.

The question is:

"That the Bill to provide for the acquisition of certain area at Ayodhya and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. SPEAKER: The House will now take up clause-by-clause consideration of the Bill. There are amendments by Shri Syed Shahabuddin. Are you moving your amendments?

SHRI SYED SHAHABUDDIN (Kishanganj): Sir, I beg to move:

Clause 2 Definitions.

Page 2, line 3,-

add at the end -"except the site of the structure, including the premises of the inner courtyard, commonly known as the Babri Masjid".

Clause 4-General effect of vesting

page 2,-

omit lines 30 to 33.

Clause -7-Management of property by Government

Page 3, line 30,-

for "before the commencement of this Act" substitute at the time of the promulgation of proclamation by the President under article 356 in respect of the 12 State of Uttar Pradesh on 6th December, 1992,".

page 3, lines 30 to 34-.

omit "on which the structure (including the premises of the inner and outer courtyards of such structure), commonly known as the Ram Janma Bhumi-Babri Masjid, stood in vilage Kot Ramchandra in Ayodhya, in Pargana Haveli Avadh, in tehsil Faizabad Sadar, in the district of Faizabad of the State of Uttar Pradesh," (13)

Preamble

MR. SPEAKER: Mr. Shahabuddin, are you moving your amendments to the Preamble also?

SHRI SYED SHAHABUDDIN: Sir, I beg to move:

Page 1, line 3.-

omit "Ram Janma Bhumi-" (8)

[Sh. Syed Shahabuddin]

din to the vote of the House.

page 1, line 10,-

The Amendment No 10 was put and
negated.

add at the end.-"by rebuilding the Babri Masjid constructing Ram Temple in its vicinity and developing a multi-denominational cultural complex;" (9)

MR. SPEAKER: The question is:

"That Clauses 2 and 3 stand part of the Bill"

I would like to explain these amendments very briefly, Sir.

The motion was adopted.

MR. SPEAKER: No, not now.

Clauses 2 and 3 were added to the Bill.

SHRI SYED SHAHABUDDIN: I shall take only two minutes, Sir.

Clause 4-General effect of vesting.

MR. SPEAKER: No, please.

MR. SPEAKER: I shall now put amendment no.11 moved by Shri Syed Shahabuddin to the vote of the House.

SHRI SYED SHAHABUDDIN: I would only like to say one word that my purpose is that the exact site of the Babri Masjid should be subtracted from the area to be acquired and the clause relating to management should be withdrawn so that then at least the way remains open for the Government that if at time Mr. Advani gives the permission or Mr. Chavan changes his mind, he can still make a reference to substantiate the issue relating to the Babri Masjid site only to the Supreme Court under article 138(1) That is the major purpose.

The Amendment No 11 was put and negated.

MR. SPEAKER: The question is:

"That Clauses 4, 5 and 6 stand part of the Bill"

The motion was adopted.

Clauses 4 to 6 were added to the Bill.

Others are really formal because what is called disputed structure has always been regarded and written about in Government documents, in the sworn affidavits of the Government of U.P. only as Babari Masjid. And therefore, I have made that correction. Finally, I want that the position on 6th December, when the Government took over the property and the matter came into its hands. that *status quo* must be maintained, not the *status quo* of today.

SHRI NIRMAL KANTI CHATTERJEE (Dumdum): In view of the fact that the amendment has not been accepted, we are walking out.

19.41 hrs.

Shri Nirmal Kanti Chatterjee and some other hon. Members then left the House

SHRI S.B. CAVAN: I do not accept that argument.

SHRI RAM VILAS PASWAN (Rosera): Sir, the reference must be made under Article 138 (2) of the Constitution; we do not accept the reference under Article 143. So, we are walking out.

19.41 hrs.

Shri Ram Vilas Paswan and some other hon. Members then left the House

Clause 2-Definitions

MR. SPEAKER: I shall now put amendment no. 10 moved by Shri Syed Shahabuddin

[Translation]

SHRIBHOGENDRAJHA: Mr. Speaker, Sir, we are ready to extend support even now if the hon. Minister of Home Affairs considers this point. If he does not do so, we would then walkout.

19.14 hrs

Shri Bhogendra Ja and some other hon. Members then left the House.

[English]

Clause 7-Management of property by Government

MR. SPEAKER: I shall now put amendment nos. 12 and 13 moved by Shri Syed Shahabuddin to the vote of the House.

Amendment Nos 12 and 13 were put and negatived.

MR. SPEAKER: The question is:

"That Clauses 7 to 13 stand part of the Bill"

The motion was adopted

Clauses 7 to 13 were added to the Bill.

MR. SPEAKER: The question is:

"That Clause 1 and the Enacting formula stand part of the Bill"

The Motion was adopted.

The Schedule was added to the Bill

MR. SPEAKER: The question is:

"That the Schedule stands part of the Bill"

The Motions was adopted

Clause 1 and the Enacting Formula were added to the Bill

MR. SPEAKER: I shall now put amend-

ment nos. 8 and 9 moved by Shri Syed Shahabuddin to the vote of the House.

The Amendment Nos. 8 and 9 were and negatived.

MR. SPEAKER: The question is:

"That the Preamble and the Long Title stand part of the Bill"

The motion was adopted

The preamble and the Long Title were added to the Bill.

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

"That the Bill be passed"

MR. SPEAKER: The question is:

"That the Bill be passed".

The motion was adopted

MR. SPEAKER: Now what about other Bills.

PROF. P.J. KURIEN (Mavelikara): We can pass them without discussion.

MR. SPEAKER: I do not know whether ordinances of this nature could be passed without discussion, All the Members are cooperating with us. Supposing if they have walked out, it would not be very fair to pass the Bills without discussion.

You please find out whether the BJP Members and the other Members, Janata Dal Members and Communist Members are also coming to take part.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN