

and particularly the hon. Members who are coming from the States in South, which are directly affected, very seriously affected by the recent floods, are naturally agitated over this and they are bound to raise this. They have raised it. I had made a particular request to the hon. Minister for Parliamentary Affairs that when the Members are rightly agitated over this and the situation is very critical, it is expected that the Government should come forward and make a response. Instead of sitting here, everybody raising this question and cross-talks going on why don't they respond and say that they are going to do this and they are ready for a discussion tomorrow or day after? That would defuse the situation and also a message will go to these people who are waiting patiently for some relief and some help. And they will also know that the Parliament of India is taking it up very seriously and the Government of India is going to respond immediately when such vital issues are involved. The hon. Minister of Agriculture is here; the Finance Minister is here. We expect the Government to indicate that they are going to take immediate action and they are going to take this action. They should welcome a full-fledged discussion on this. Therefore if we proceed in that manner much of the time of the House can be saved and also the Members can feel that some action is being taken. The country will feel the affected people will also realise that the matter is being taken up at the highest level as has been taken up.

Therefore, I request that immediate response be given; it may not be a full response by indicate what is going to be done.

I know that Shri Balram is here; he will not sit quietly as some of his colleagues do.

[English]

12.45 hrs.

RE: SITUATION IN AYODHYA

SHRI SOMNATH CHATTERJEE (Bolgpur): Now, Sir, the other matter is that I

want to congratulate the NIC for its decision of yesterday. They have unanimously taken a very forthright decision. We were all concerned about the integrity and unity of this country and the NIC has unanimously made an appeal and everybody has given the power to the Prime Minister.

We feel that respect for the rule of law and judicial verdict should remain. We appeal to all concerned to see that such a situation is not created which will affect the unity and integrity of the country, will hamper the harmony amongst the people of this country, so that, this matter could be solved by negotiations, if not done by judicial verdict. Let that position be accepted and from that point of view, I must congratulate the NIC.

And we want to make it very clear that the Prime Minister's decision on that lien for maintenance of the rule of law and maintenance of such security of that shrine and also upholding the constitutional basis of our functioning has to be done. If on those lines, action is taken, we shall extend all our support. I can assure you on that. But let us all try together to maintain an atmosphere of amity and goodwill in this country. Please do not divide the country.

SHRI LAL K. ADVANI (Gandhi Nagar): Mr. Deputy Speaker, Sir, my friend and respected colleague, Shri Somnath, has referred to the NIC meeting of yesterday. If he had not referred to it, I may not have had to react.

When a few weeks back, the Prime Minister mentioned to me that there was a demand that the NIC meeting be convened to discuss Ayodhya, I said to him that Ayodhya is a very contentious issue, as it has become, and this should be sorted out by talks, discussions. This would be the fourth time NIC would be discussing this matter. NIC is a large body; the forum is of a nature where it is not dialogue that takes place; it is the speeches that are delivered. (Interruptions)

SHRI P.C. THOMAS (Muvattupuzha): Resolutions are also passed.

SHRI LAL K. ADVANI: I know that; I know that the resolution that was sought to be passed yesterday was not passed.

SHRI P.C. THOMAS: Earlier, there were unanimous decisions which were unanimously passed but they were violated by some.

SHRI LAL K. ADVANI: I am very happy about the proceedings of yesterday, even though we were not present. And the Prime Minister told me that if we people stay away, there would be no purpose of having that meeting. This was his reaction three or four weeks back. Even then, I think that the Prime Minister or any Chief Minister or any Chief Minister or any Government does not need any specific authority from the NIC to defend the Constitution. It is his duty to defend the Constitution; it is his duty to uphold the rule of law, as it is the duty of all of us.

And, therefore, my party is committed to the rule of law. This is our party's position all along. But, at the same time, I would like to point out what someone said, who has nothing to do with my party, who has been an ally of yours for so many years. Shrimati Jayalalitha, she spoke yesterday. It was a remarkable speech; I went through the text of it in which she referred to my friend, Shri Indrajit and said that — Shri Indrajit said that BJP has not come because it was afraid that it would be isolated — BJP may be isolated in this Assembly but if you want to go out, a majority of the people want the temple to be constructed in Ayodhya. She said the desire to construct a temple at Ayodhya reflects the aspirations of the nation. And she said very many other things also but I do not want to refer to them.

SHRI CHANDRA JEET YADAV (Azamgarh): She also said "Do not destroy the mosque."

SHRI LAL K. ADVANI: I know that.

SHRI CHANDRA JEET YADAV: If you are quoting her, quote her faithfully. She said that without destroying the mosque, if you want to construct the temple, then do it.

(Interruptions)

SHRI LAL K. ADVANI: I am not in favour of destroying the mosque. I am in favour of respecting the sentiments both of the Hindus as well as the Muslims. My friend Shri Sulaiman Sait was here sometime back. The other day he posed a question to the Prime Minister which the Prime Minister did not reply; any of the Ministers here may want to reply. He said, when you say you are protecting the mosque, you are protecting only the structure. He said, "I believe that protection of the mosque means removal of the idols from that place". Let the Government say whether it wants to remove the idols from that place. Let it say because that is the demand.

My stand is, respect the feelings of both the Hindus as well as the Muslims. The Hindus are connected with the issue because that is believed to be the birth place of Lord Ram. The Muslims are connected with the issue because of the structure.

SHRI A. CHARLES (Trivandrum): Before 1949 what was the position? You go back to 1949 and see what was the position then.

SHRI LAL K. ADVANI: This is an issue in which the problem of the structure and the problem of the 2.77 acres of land acquired by the UP Government where the *Kar Seva* is to be started should not be linked up together. Delink the two and the solution would be found. If you do not delink the two, the solution would become more and more difficult. So once again I plead with the Government to delink the two issues, enable the *Kar Seva* to be resumed from the 6th of December and then resolve the problem of the structure either by discussion and negotiation or by due process of law. (Interruptions)

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): I am on the point which the hon. Leader of the Opposition just now has said. He would like that 2.77 acres of land and the disputed structure to be totally delinked. I would like to ask from him,

because ultimately it comes to their Government in UP, whether they are prepared to give us an authenticated plan of the building which is proposed to be constructed.

SHRILAL K. ADVANI: I am not the U.P. Government (*Interruptions*) This is precisely what the Government has been doing for the last one and a half years. The Central Government should have been concerned with only two points - firstly protection, security of the structure and secondly communal harmony. Instead of that they are concerned with every step that the UP Government has been taking towards the discharge of its mandate. The UP Government is committed to the rule of law. The UP Government honours the court's verdict. The UP Government is committed to the Constitution. But the UP Government is also conscious of the mandate it has received from the people of the State.

SHRI INDRAJIT GUPTA (Midnapore): Shri Advani made a reference to something which I am reported to have said in last night's NIC meeting. He said that I had said that BJP was not attending the meeting because they are afraid of being isolated. But he does not refer to the other part which I said that I referred to a statement which appeared in the Press from one of their topmost leaders. He said that this meeting has been called in order to isolate us. It is he who said that. We know why this meeting has been called; no solution would be found it is only being called in order to isolate us and therefore we are not going. That is the reference I had made.

Anyway his case was amply argued there by his new friend and ally Ms. Jayalalitha who also said that on the 2.77 acres of land allow the construction to go on..... (*Interruptions*) It is there in the records; you cannot argue here. Please see what she has said.

SHRI M.R. KADAMBUR JANARTHANAN (Tirunelveli): You are a senior veteran leader. You should not talk like that.

SHRI INDRAJIT GUPTA: Were you there yesterday in the meeting?

SHRI M.R. KADAMBUR JANARTHANAN: I cannot come to that meeting. But there is a parliamentary decency.

SHRI INDRAJIT GUPTA: Anyway, it is good for Shri Advani, although they were not there, somebody was there who took up the cudgels on their behalf. That is what I am saying. But the reference to isolation was originated from the statement of the BJP leader. That is why, I have made that reference. (*Interruptions*)

SHRI CHANDRAJEET YADAV: Sir, our dear friend Shri Advaniji was not present yesterday. What he said now is, the Resolution was not unanimously passed.

SHRI LAL K. ADVANI: I have not said that. (*Interruptions*)

[*Translation*]

It was a two-page resolution brought by Government which was not adopted. A four-line resolution was adopted in which the Prime Minister was authorised to defend the Constitution..... (*Interruptions*)

SHRI CHANDRA JEET YADAV: It was the same resolution in which Prime Minister was authorised..... (*Interruptions*) Just now, the Home Minister has asked whether they are prepared to give an authenticated plan of the building of temple. They have not submitted it as yet. Then Shri Advani said that he was not the Chief Minister. When there is something to be said on behalf of the Chief Minister, then Advaniji acts both as a B.J.P. leader as well as a Chief Minister. On his instructions no Chief Minister of B.J.P. - ruled states, participated in N.I.C., as a result of that, Supreme Court was forced to serve a notice on the U.P. Government. They were given time to explain as to what steps they were taking to protect it, but they did not do so. (*Interruptions*) The Supreme court has also made it clear that no permanent structure

can be erected on 2.77 acre land. Is it not true that your party together with other organisations has given a call to Kar Sevaks to construct a structure at the same place on December 6. Is it not illegal. Is it not a threat to peace. Is it not against communal feelings. The B.J.P. has vowed not to abide by the verdict of the court, not to honour the feelings of the nation and not to honour the spirit of national integration and has vowed to violate everything. The whole country is opposed to this announcement made by the B.J.P.(Interruptions)

[English]

MR. DEPUTY SPEAKER: Regarding drought Sari Fatmi will say something.

[Translation]

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga): Mr. Deputy Speaker, Sir, Mr. Advani has raised a question about the structure.....(Interruptions) I have to say in this regard that both the things are disputed, this discontentment can be removed by mutual discussion.....(Interruptions) In my opinion the Government of India should take action against the State/Government which is not obeying the orders of the Supreme court and fanning communal feeling in the country.....(Interruptions)

[English]

MR. DEPUTY SPEAKER: Please speak regarding drought.

(Interruptions)

MR. DEPUTY SPEAKER: Shri Pattanayak will speak now. After that, the Minister will reply.

(Interruptions)

SHRI SRIKANTA JENA (Cuttack): Mr. Deputy Speaker, Sir, I want to make only one point. It is amply clear now. (Interruptions)

MR. DEPUTY SPEAKER: Mr. Jena, please sit down.

(Interruptions)

SHRI SRIKANTA JENA: I want to know only one point from the Home Minister.(Interruptions)

MR. DEPUTY SPEAKER: Please sit down. Mr. Pattanayak will speak.

(Interruptions)

SHRI SARAT CHANDRA PATTANAYAK (Bolangir): Sir, despite untimely rain in Bolangir, the spectre of drought is looming large in Bolangir Parliamentary Constituency, this year.

13.00 hrs.

All blocks are severely affected forcing large-scale migration of landless, marginal and small farmers. The quality of foodgrains is sub-standard. It is really shameful that we are deliberating the Masjid-Mandir issue when the stomachs of people of India, especially from western part of Orissa, that is, Bolangir, Kalahandi, Koraput, Phulbani and some blocks of Sambalpur and Dhenkanal, are burning due to Irrational Foodgrains (Procurement, Control and Distribution) Order of the Central Government. The availability of foodgrains to poor people is beyond their reach. Trading in human-beings is rampant. There is a total collapse of State Government relief machinery to arrest the situation and improve the living conditions of people.

Thousands of people are migrating from my constituency to neighboring States and the State Government is doing nothing. It is high time that the Government should take urgent relief measures in the affected areas and provide immediate successor to these neglected people. Otherwise, there will be famine in Bolangir as was in 1964.

SHRI MRUTYUNJAYA NAYAK (Phulbani): Sir, there is an acute drought condition in Phulbani, Bolangir districts in particular and Orissa in general. Guduvella, Deogam, Sonepur, Kontamal, Harabhanga, Boudh and Belugundha Blocks have been severely affected by drought.

I, therefore, strongly urge through your goodself to give necessary directive to Ministry of Agriculture to send an expert team to survey the above-mentioned blocks and districts of Orissa.

SHRI CHANDRA SHEKHAR (Ballia): I have a point to make before you because Mr. Advani has made a statement here. He said, "He is not the Chief Minister of U.P. So, he cannot reply." But he is the leader of the Opposition in this House and is a responsible person to carry this country forward. Mr. Chavan, Home Minister, asked a specific question and on that, he said. Will Advaniji agree to the proposal that whatever decision of the court is there on this structure - it is known as Babri Masjid structure - he will abide by the decision of the court because it is not the decision to be taken by the Chief Minister. He says that he upholds the Constitution. He believes in rule of law. I think, judicial decision is a part of maintaining rule of law.

Are Advaniji and BJP ready to give this categorical assurance that if the court verdict on the Babri Masjid-Ramjanambhoomi structure is there, they will abide by this and they will not do anything unless and until the court verdict is there on that question?

I am asking this only because Mr. Advani has come out with a statement which, I think, was in right direction. (*Interruptions*) I am talking to the Deputy Speaker and to Mr. Advani and not to everybody.

MAJ. GEN. (RETD.) BHUWAN CHANDRA KHANDURI (Garhwal): We are also sitting here.

SHRI CHANDRA SHEKHAR: All right. When you are to speak, you speak. (*Interruptions*) You have to listen now. (*Interruptions*) Mr. Deputy Speaker, he is here to listen. When his turn comes, he should speak. I am speaking. So, he should hear.

I am a statement of Mr. Advani today that these two questions should be de linked - 2.77 and the Babri masjid structure. If he is

not ready to give the plan as it is under the purview of the Chief Minister of Uttar Pradesh, is he ready to give the assurance that he will abide by the decision of the court and till then, they will not do anything about this structure because it creates a hope where we can solve this problem amicably, peacefully, because much greater stakes are there? I am not trying to put Mr. Advani or BJP in dark. But I shall most humbly appeal to Advaniji, through you Mr. Deputy Speaker, that the matter is very serious and let us not complicate this issue beyond a point. Otherwise, we will have to pay very heavily, not as BJP, not as CPI or CPI(M) but as a nation because there is some limit where we should stop by trying to re-write history because when history takes revenge from us, nobody can be spared. This is why I am saying if Advaniji takes that position, there may be some hope for finding a solution of the problem.

SHRI LAL K. ADVANI: Mr. Deputy Speaker Sir, a former Prime Minister of this country and a person whom I respect greatly, Mr. Chandra Shekhar has posed a very specific question to me on the basis of my request that the two issues be delinked. He said that if the BJP is willing to commit that so far as the structure is concerned, if the structure would be protected and nothing would be done about the structure, according to him; until there is a judicial decision. Then the two issues can be delinked. I do not know whether he has followed the reports in which I had said that a proposal was made to me by a Cabinet Minister in writing which suggested that *Kar Seva* might be resumed provided those who undertook *Kar Seva* were willing to commit themselves to protect the structure until such time, there is an agreement either by negotiation or by judicial verdict, I would like the words to be 'by due process of law'. I said this and I pointed out that this House has passed the Shrines Bill though there are demands that Varanasi and Mathura be reconverted into temples because originally there were temples there. But this House, in its wisdom, decided that except for Ayodhya, all the other shrines in this country would be maintained at the point at which they were on the 15th August thereby foreclosing the

issue of Mathura and Varanasi by legislation. Legislation is also a due process of law. It is not a judicial verdict. Therefore, when it was proposed to me whether we prefer a judicial verdict on whether Ayodhya was a temple at one point of time or not, I said, "If you do that, firstly, you are setting a bad precedent and secondly, I am not referring here to thousands of places in the country but to three places about which I have not spoken till now. If you refer all the three places for judicial decision, I will accept whatever be the decisions.".....(*Interruptions*) Sir, therefore, I am saying that the principle should be rational and let there not be double standards. In this case, I said the same to the Prime Minister again. Then, a proposal was given to me by a Cabinet Minister who, in the course of these two to three months, has met me half a dozen times. I was told later that he was not authorised to do so and that that proposal was not a Government proposal. I did not know it. It was bunkum; it was this and it was that. I thought, "all right. Then I will have nothing to do with this because this was a proposal to which I responded positively because it seemed to me a very concrete way of delinking the two issues."

Sir, I am sure that Mr. Chandra Shekhar would appreciate that when I requested the Prime Minister last time, I had requested him to take up the thread from where you had left it. I did not expect this from him. The UP Government was really conscious about it. When it acquired the land, it acquired only 2.77 acres outside the structure thereby delinking the two issues. It did not acquire the land like how V.P. Singh acquired the whole land. In the last three to four months, this Government have mixed up the two issues and thereby led to this situation in which a confrontation seems to be in the offing.

This confrontation, about which I agree with Shri Chandra Shekhar, would not be in the interest of the country. It may benefit my party politically.....(*Interruptions*) Sir, I still believe that it is not in the interest of the country. If you dismiss the UP Government on this Mandir issue, you will have to bear the consequences of it.....(*Interruptions*)

SHRI TARIT BARAN TOPDAR (Barrackpore): Will you abide by the Court verdict? Why don't you try to be specific? (*Interruptions*)

SHRI LAL K. ADVANI: I am not yielding to you. I am responding to Shri Chandra Shekhar's specific question. I am not yielding. (*Interruptions*)

SHRI LAL K. ADVANI: Even now, at this late stage, I would appeal to the Government to find a way of delinking the two issues and the problem will be sorted out. Thank you Sir.

MR. DEPUTY SPEAKER: Now I call the hon. Minister of Agriculture.....

SHRI SRIKANTA JENA: Sir, the BJP is not interested in finding a solution. Nor are they prepared to accept any court direction or court verdict. So, what is the reaction of the Home Minister? Sir, this is a very serious issue..... (*Interruptions*)

[*Translation*]

MR. DEPUTY SPEAKER: Mr. Jena, you have already spoken!

SHRI MADAN LAL KHURANA (South Delhi): He wants to say that the Government of Uttar Pradesh should be dismissed. Then you do it. (*Interruptions*)

[*English*]

SHRI SRIKANTA JENA: Please don't side-track the issue. This is a very serious issue. (*Interruptions*)

MR. DEPUTY SPEAKER: Mr. Jena this issue was already raised. You have already expressed your views. You have already raised whatever points you wanted to raise. The hon. former Prime Minister also spoke on the same subject. This is not a dialogue; nor can this be a discussion for a long time. Matters with regard to drought and flood situation are also important. Many of the members could not have a chance to speak on drought and floods. Therefore, my humble request is that the Agriculture Minister may

respond to the questions raised in this regard.....(*Interruptions*) 13.14 hrs.

PAPERS LAID ON THE TABLE

SHRI SRIKANTA JENA: Sir, the Home Minister is keeping quiet and he is not responding. Let the Home Minister respond.....(*Interruptions*)

[*Translation*]

SHRI MADAN LAL KHURANA: You please ask him to say that he is going to dismiss it.

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): This is not the way. You please sit down.

[*English*]

SHRI SRIKANTA JENA: What is the categorical reply? Let him make a statement.

MR. DEPUTY SPEAKER: If Members continue to agitate in this manner, I presume that they are not prepared to hear the Agriculture Minister. Then you cannot accuse me. Please sit down. I call the hon. Minister of Agriculture.

SHRI DIGVIJAYA SINGH (Rajgarh): He has not answered to Shri Chandra Shekhar's question as to whether he will obey the Court's verdict. He must respond to Shri Chandra Shekhar's question.

[*Translation*]

SHRI BALRAM JAKHAR: It was raised earlier also. We are ready to have a discussion on it here, if the members let us do so. When there is discussion, everything will come to the fore.

[*English*]

MR. DEPUTY SPEAKER: We will now take up Papers laid on the Table.

Shri Arjun Singh please.

Annual Report, Annual Accounts and Review on the working of Kendriya Hindi Shikshan Mandal, Agra for 1989-90 and a Statement showing reasons for delay in laying these papers

[*English*]

THE DEPUTY MINISTER IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF EDUCATION AND DEPARTMENT OF CULTURE) (KUMARI SELJA): On behalf of Shri Arjun Singh, I beg to lay on the Table:

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Kendriya Hindi Shikshan Mandal, Agra, for the year 1989-90.
- (ii) A copy of the Annual Accounts (Hindi and English versions) of the Kendriya Hindi Shikshan Mandal, Agra, for the year 1989-90 along with Audited Report thereon.
- (iii) A copy of the Review (Hindi and English versions) by the Government on the working of the Kendriya Hindi Shikshan Mandal, Agra, for the year 1989-90.
- (2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library. See No. L.T. - 2683/92]

Environment (Protection) Fifth Amendment Rules, 1992 and Environment (Protection) Sixth Amendment Rules, 1992

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND