

Resolution on Ram Janambhoomi-Babri Masjid issue

***103. SHRI CHATURANAN**

MISHRA:†

DR. Z. A. AHMAD:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that the National Integration Council (NIC) had passed a resolution on the Ram Janambhoomi-Babri Masjid issue;

(b) if so, the details thereof; and

(c) the steps being taken for implementation thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI RAM LAL RAHI): (a) to (c) A copy of the Resolution adopted by the National Integration Council in its meeting held on 2nd November, 1991 is laid on the Table of the House (See below) Although the Resolution did not contemplate specific steps for implementation, the Central Government has been in constant touch with the State Government of U.P. to ensure security of the Ram Janambhoomi-Babri Masjid structure. The State Government has also been urged to honour the Court orders and suspend the on-going work in the Ram Janambhoomi-Babri Masjid Complex, pending final decision of the Court.

Resolution

The National Integration Council views with deep concern the deterioration in the communal situation in the country during the last two years, which have witnessed increasing communal tension and serious incidents of violence leading to heavy loss of life and property. Along with the continu-

†The question was actually asked on the floor of the House by Shri Chaturan Mishra.

ing activities of terrorists and militants in certain parts of the country, communal animosity can seriously undermine the national unity. The Council reaffirms the resolve of the people to resolutely meet any challenge to the country's unity and integrity and its secular democratic policy.

The Council noted that one of the factors which has added immensely to the build-up of communal tension is the Ram Janma Bhumi-Babri Masjid dispute. The Council expressed its concern at the recent happening in Ayodhya and hoped that such situations will not recur.

The Ram Janma Bhumi-Babri Masjid dispute has continued to evade a satisfactory solution. The Council appeals to all concerned parties and organisations to work towards an amicable, negotiated solution of the dispute in a spirit of cooperation and mutual understanding.

The Council noted the following assurances given by the Chief Minister of Uttar Pradesh.

(i) All efforts will be made to find an amicable resolution of the issue;

(ii) Pending a final solution, the Government of Uttar Pradesh will hold itself fully responsible for the protection of the Ram Janma Bhumi-Babri Masjid structure;

(iii) Orders of the Court in regard to the land acquisition proceedings will be fully implemented; and

(iv) Judgement of the Allahabad High Court in the cases pending before it will not be violated.

The Council welcomed the invitation given to it by the Chief Minister of Uttar Pradesh to visit Ayodhya on any suitable date.

The National Integration Council calls upon all concerned, including the political parties, religious leaders, the media and other organisations, to act with restraint and in a manner that will promote harmony and goodwill between all communities. Everyone must make efforts to desist from words or deeds that are likely to inflame communal passions or give encouragement to disruptive forces. Indian society is traditionally marked by a spirit of tolerance and respect for each other's faith. This spirit should continue to guide our thoughts and actions. The Council appeals to all people to maintain peace and tranquility and create an atmosphere conducive to the satisfactory settlement of the Ram Janma Bhumi-Babri Masjid dispute.

श्री चतुरानन मिश्र : इसके चलते उनको आप बंचित मत कर दीजिये सप्लीमेंटरी पूछने के लिए।

उपसभापति : मैं उनको अलाउ बन्धी। पहले आप पूछ लीजिये।

श्री चतुरानन मिश्र : मैं सरकार के इस जवाब से बहुत ही दुखी हूँ और मुझे आश्चर्य भी हो रहा है। इन्होंने यह कहा है—
The resolution did not contemplate specific steps for implementation. यह बड़े आश्चर्य का विषय है कि अगर केन्द्रीय सरकार यह कहती है कि इस प्रस्ताव में इम्प्लीमेंटेशन के लिए कुछ उस में नहीं था। यह अत्यंत दुख की बात है और आश्चर्य की बात है कि क्योंकि उसमें स्पेसिफिक यह दिया है। इस पर हम अपना सप्लीमेंटरी बाद में पूछेंगे। पहले मैं यह पूछना चाहता हूँ कि जैसे कि उस रेजोल्यूशन में उत्तर प्रदेश के चीफ मिनिस्टर के आश्वासन का दिया गया है, उसमें आइटम नम्बर दो पर—
Pending a final solution, the Government of Uttar Pradesh will hold itself

fully responsible for the protection of the Ram Janambhoomi and Babri Masjid structure. इसमें बर्ड है फाइनल सालूशन। फाइनल सालूशन चाहे एमीकेबल सेटलमेंट से हो, चाहे कोर्ट से हो, चाहे तोड़ कर यह करे जो इनको करना है, हम नहीं जानते हैं कि फाइनल सालूशन (व्यवधान) क्या होगा?

SHRI JAGESH DESAI: That is not allowed.

SHRI CHATURANAN MISHRA: If you don't allow, I will be the happiest person. But I think that you are in the process of allowing. देखिये, मैं

सरकार से स्पेसिफिकली जानना चाहता हूँ। जब आपने अपने बयान में भी यह बताया, आप बड़े कमिट्टल नहीं हैं, नान-कमिट्टल हैं तो मैं यह जानना चाहता हूँ कि केन्द्रीय सरकार को क्या दिक्कत हो रही है आर्टिकल 256 के मातहत स्टेट गवर्नमेंट को डायरेक्टिव दें कि वह यह काम बाबरी मस्जिद की प्रोटेक्शन के लिए करें। इसमें आपको कौन सी दिक्कत हो रही है, क्या डिफिकल्टी है, यह बताएं?

गृह मंत्री (श्री एस० बी० चव्हाण) : उपसभापति जी, उत्तर प्रदेश शासन की तरफ से इसके अन्दर क्या कार्यवाही की जाए, इसके बारे में बहुत तफसील के साथ लेटर लिखा गया है उत्तर प्रदेश के चीफ मिनिस्टर को। जो सिक्युरिटी अरेंजमेंट आप... (व्यवधान)

श्री चतुरानन मिश्र : वह हमने नहीं पूछा है। हमने पूछा है कि आर्टिकल 256 के अन्दर—
What are the implements in the way of giving directives under article 256 of the Constitution to the State of Uttar Pradesh?

SHRI S. B. CHAVAN: I hope that the hon. Member is interested in finding out whether any instructions,

whether they are under article 256 or otherwise, have been ant.... (Interruptions)

उपसभापति : जवाब तो देने दीजिये ।

SHRI S. B. CHAVAN: If it is under article 256, that presupposes that the State Government is not prepared to cooperate in this matter. And that is why first we will have to see that they respond positively to the suggestions which the Central Government is sending to them. And if the Government comes to a final decision that in spite of all the efforts that we have been making so far, the stage for giving directions under article 256 is going to arise, then at that stage, we can consider it.

SHRI CHATURANAN MISHRA: May I know....

THE DEPUTY CHAIRMAN: This is your second supplementary.

SHRI CHATURANAN MISHRA: No, I just want to know....

THE DEPUTY CHAIRMAN: That is the second supplementary, whether it is related or unrelated.

SHRI CHATURANAN MISHRA: I just want to know as to what the criterion are by which the Central Government will go to decide that directives under article 265 be given. Are you waiting for some communal riots?

SHRI S. B. CHAVAN: The matter is before the Supreme Court and the High Court. The Supreme Court will look into the matter and we will see that the orders given by the Supreme Court are not going to be violated by the Uttar Pradesh Government. If we see that such a situation has arisen wherein the Court's clear verdict has been violated if the Government of India comes to this conclusion that they are not even following the directives given by the Supreme Court—then at that stage, the question of giving directives under this article will arise.

SHRI CHATURANAN MISHRA: My question was related to the structure of the Babri Masjid and not outside the Masjid. I am asking about this particular structure. This is not pending before the Supreme Court except in the main case.

SHRI SATYA PRAKASH MALA-VIYA: Madam, please give me half a minute ... (Interruptions)...

उपसभापति : उनका सप्लीमेंटरी है । आपको सप्लीमेंटरी अलाऊ कर देंगे । कल इस पर काफी चर्चा हो चुकी है, सदन में वह सब हो गयी है ।

SHRI SATYA PRAKASH MALA-VIYA: Madam, there were three meetings of the National Integration Council. They were held on 11th April, 27th September and 2nd November, 1991. Mr. Chaturanan Mishra and Mr. Z. A. Ahmad never asked about the meeting which was held on 2nd November. But the Minister should have mentioned about all the three meetings in his reply because in all the three meetings a resolution on the Ram Janambhoomi-Babri Masjid issue... (interruptions)... was passed ... (Interruptions)...

उपसभापति : सप्लीमेंटरी आपका अभी आ नहीं सकता । अभी तो जिनका ओरिजिनल क्वेश्चन है, उनका आयेगा ।

SHRI SATYA PRAKASH MALA-VIYA: It is not suppression of facts. It is concerning the meetings held on 27th September... (interruptions)...

उपसभापति : वह तो चतुरानन जी पूछ लेंगे । ... (अव्यवधान) ... चतुरानन जी को मौका दीजिये यह बात कहने का । क्वेश्चन उनका आया है ।

SHRI CHATURANAN MISHRA: And, Madam the, case is pending for the other parts of the land in which

they are doing something in violation of the order. That is a separate matter. But I am asking you to issue a direction for the protection of what is called the Ram Janmabhoomi-Babri Masjid *sthan*, of that structure. That word is used here. So, I want to know about that particular thing and that is not pending in the Supreme Court.

SHRI S. B. CHAVAN: Actually, the Supreme Court is definitely seized of the matter. They have given certain directions to the State Government. But, if the honourable Member is hinting only at issuing a directive under article 256, then the natural corollary will be that article 356 will have to be applied.

THE DEPUTY CHAIRMAN: Question No. 104.

Work on the Chilka Aquatic Project

***104. MISS SAROJ KHAPARDE:** Will the Minister of ENVIRONMENT AND FORESTS be pleased to state:

(a) whether it is a fact that the Central Government have asked the Government of Orissa not to permit any work on the Chilka Aquatic Project Ltd. to proceed till the environmental issues concerning it are fully examined; and

(b) if so, what are the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF ENVIRONMENT AND FORESTS (SHRI KAMAL NATH): (a) and (b) Yes, Sir. The State Government of Orissa has been advised that the project work, including the construction activities, should not be permitted till a proper environmental impact assessment study is carried out.

MISS SAROJ KHAPARDE: Madam, recently, I was going through the Annual Report for 1990-91, published by the Ministry of Environment and Forests, Government of India. The Report

says: "India is a signatory to the Ramsar Convention on Wetlands. India had designated two of its Wetlands, that is, Keoladeo National Park and the Chilka Lake for inclusion in the list of Wetlands of International Importance." I would, therefore, like to ask the Minister what the details of the Convention on Wetlands are and in what manner this Convention will be violated by the Chilka Aquatic Project Ltd.

SHRI KAMAL NATH: Madam, the Convention on Wetlands of International Importance for Water Fowl Habitats, generally referred to as the Ramsar Convention, is an international convention which provides for international co-operation for conservation of wetland habitats. This was adopted in 1971 in Iran. The Convention was enforced in 1975 following its signing by seven countries initially. India is a signatory to the Convention. As the honourable Member has correctly said, although the Keoladeo National Park in Rajasthan and the Chilka Lake in Orissa are included in the list of Wetlands of International Importance, subsequently, four more wetlands were also sought to be included. At present, 62 countries are parties to this Convention and they have designated 525 sites. The obligation of the contracting parties is to inform the Ramsar Convention Bureau in Switzerland about the changes or the likely changes in the ecological characteristics of the Ramsar Convention countries. As I said earlier, the Chilka Lake has been designated to be one sites under this Convention and as changes may arise as a result of technological development, pollution or human interference, we have asked the Orissa State Government to carry out environmental impact studies and they have assured us that this is being done and this will be done. As yet, it has not been done and we have advised them to start work on this before undertaking the project.

MISS SAROJ KHAPARDE: Madam, recently, on the 10th June, 1992, there