

MR. DEPUTY CHAIRMAN: Shri Raja.

श्री विश्वजीत दैमारी : *

MR. DEPUTY CHAIRMAN: No, no, please... *(Interruptions)*...Mr. Raja, you may continue.
(Interruptions)

श्री विश्वजीत दैमारी : *

MR. DEPUTY CHAIRMAN: No, no. Nothing will go on ...*(Interruptions)*... क्या बात है?
..(व्यवधान)...

श्री विश्वजीत दैमारी : *

श्री उपसभापति : आप ऐसे ही उठकर खड़े होकर पार्लियामेंट में बोलना शुरू कर देंगे क्या? कोई रूल्स नहीं हैं? आपने नोटिस दिया है? कोई सब्जेक्ट है? ...*(व्यवधान)*..

श्री विश्वजीत दैमारी : *

श्री उपसभापति : आप लिखकर दो। आप लिखकर दीजिए। *(Interruptions)* No, no. It will not be allowed. Mr. Raja. *(Interruptions)* No clarifications. It is not a statement.

श्री विश्वजीत दैमारी : *

श्री उपसभापति: देखिए, वह समस्या आज नहीं है हमारे सामने। आपको बोलने से पहले नोटिस देना चाहिए, इस तरह से नहीं करना चाहिए।

श्री विश्वजीत दैमारी (असम) : ओ0के0।

SHORT DURATION DISCUSSION

Liberhan Commission Report and trial of Babri Masjid Case

SHRI D. RAJA (Tamil Nadu): Thank you, Sir for allowing me to continue my intervention today. I would like to focus on three major issues, Sir. One, our Party's approach to the Liberhan Commission's Report and the Action Taken Report of the Government; two, certain fundamental, core issues involved and, three, what should be the way forward.

Firstly, Sir, the Liberhan Commission reflects a sad aspect of enquiry commissions, that is, the endless loss of time. It is almost 17 years, half of the service of a serving officer. Many of them who have been named as culprits might have retired; some of them might have passed away also and even those who have been named as responsible for the demolition from the political parties are also on the verge of retirement. In such a period, many things
..*(Interruptions)*..

MR. DEPUTY CHAIRMAN: Mr. Raja, you have eleven minutes.

SHRI D. RAJA: Sir, now, this is the Liberhan Commission. Coming to certain recommendations made by Liberhan Commission, if I am allowed to use the word, many

*Not recorded.

of them are very ridiculous. The Commission recommends that there must be a National Commission for the Review of Constitution. If one demolition takes place, it is not necessary that we should go for a National Commission to Review the whole Constitution, the function of the Constitution. That is what the Commission has said. Even the Liberhan Commission has gone into several questions related to recruitment, merit, castes and so many things. I don't think the Liberhan Commission should have gone into all these things. Then with regard to Action Taken Report, I find that there is no political will on the part of the Government, and I do not see anything new at all. I do not see any action being taken by Government. If you go through all the actions, which Government identified, they are like 'noted', 'action already being taken' or 'certain bills are under consideration'. This is how the Government has responded to some of the recommendations made by the Liberhan Commission. That is why I am saying the Government doesn't have serious political will and the Government doesn't have that clarity how to act on the recommendations. My suggestion is, instead of going into those recommendations which I find very ridiculous, the Government should concentrate on the conclusion of the Liberhan Commission and on the basis of the conclusion, the Government should really initiate certain actions, expedite certain actions which are under way. Having said that, I must come to certain fundamental questions involved. Who have really demolished the mosque on 6th December, 1992. It is a fact that the mosque has been demolished and nobody can hide that fact, nobody can deny that fact that the mosque has not been demolished. Who started this demolition? I think the forces which are trying to bring in a kind of theocratic State in the name of Hindu *Rashtra*, the forces which tried to impose a monolithic, illiterate, illiberal, medieval socio-economic order on the society were behind this demolition. Sir, we are a nation, we are a republic, we are a democratic republic. Thanks to Dr. Ambedkar and a galaxy of leaders who are the vision, who are the foresight that India should emerge as a nation, as a modern nation on the path of secular democracy. And we have a secular democratic republic and Constitution. We are a democratic republic and India has progressed all these years as a nation because we have committed to the ideals of secularism, the ideals of democracy. In secular democracy, which we have today, the religion must be above State. The religion and the State should remain separate. Politics and religion should remain separate. And, we know what is happening to our neighbours who have chosen some religion as State religion, or official religion. But, India has not chosen any religion as State religion or official religion. It is a secular, democratic country and we are a Republic. But, there are some forces who try to attack this Republic by posing an agenda of theocracy, posing an agenda of a theocratic State order. That is what they call 'Hindu Rashtra', and these are the forces which are behind the demolition of the mosque. Hon. Leader of the Opposition did mention the Left. The Left may be pleased by the Liberhan Commission Report because the Commission has referred to one sentence of Karl Marx. One should see the full quote of Karl Marx. He said, "Religion is the sigh of the oppressed creature, the heart of a heartless world, just as it is the spirit of the spiritless situation. It is the

opium of the masses.” This is what Karl Marx has said. So, during those years, tragic years of 1992 and before, they tried to build a heartless situation, a soulless situation and atmosphere was created, and finally, it led to demolition of the mosque. Sir, religion is a personal matter. It should not become a political tool and an instrument for getting electoral gains and that is where one should try to understand why religion should remain a personal matter. When I do good, I feel good. When I do bad, I feel bad. That is my religion. This is not something I am saying. It is said by Abraham Lincoln. If I do good, I feel good. If I do bad, I feel bad. That is my religion. Religion should be a personal matter. Why is religion mixed with politics? Why is religion mixed with elections? This is the real issue one should try to understand.

Now, I would like to ask in this august House why the BJP, or some other organisations named in the Report, cannot admit that yes, they were responsible because they declared it as a movement. They said they were leading such a movement, *Ram Janmabhoomi* Movement, which led to the demolition of the mosque, and political morality and political honesty demand that they must accept honestly in this august House, “Yes, we were responsible for the demolition of the mosque.” Conspiracy and other things are secondary issues. Political leadership cannot blame an action to the spontaneity of the masses. What is the issue of spontaneity? What is the question of anger of the masses? I would like to ask how they can claim that they represent the entire Hindu community. I do live among people in this country. Eighty-five per cent are Hindus in this country and a large number of Hindus are secular. They are all democratic in their way of life. A large number of Muslims are secular. They are very democratic in their way of life. And, I can say this of all religions in this country. Can any political party or any religious group or outfit claim that they are the sole representatives of a particular religion? (*Time-bell*) This is very sad part of it, and nobody should take that prerogative or that sole right to call themselves the sole representative of a particular religion. It is a question of spreading hatred and violence. I am asking one more question that how innocent people are being used in this struggle for power. Let me take one minute. One *Dalit* was asked to lay the foundation and what is happening to that *Dalit*, I do not know.

श्री रुद्रनारायण पाणि (उड़ीसा) : सर, हम जानते हैं

श्री उपसभापति : आप बैठिए। आप क्यों बोल रहे हैं?(व्यवधान)... वे बोल रहे हैं और आप उठकर खड़े हो जाते हैं ! ... (व्यवधान).... हर बात पर उठना ज़रूरी है क्या? ... (व्यवधान)... नहीं, नहीं, प्लीज़... देखिए, आपको (व्यवधान)...

श्री रुद्रनारायण पाणि : सर, लेकिन हमारे ऊपर जब आरोप आएगा .. (व्यवधान)...

श्री उपसभापति : आप हाऊस का टाइम खराब कर रहे हैं। .. (व्यवधान)...

श्री रुद्रनारायण पाणि : नहीं, नहीं, सर, मैं कभी ऐसा नहीं करता हूँ।

श्री उपसभापति : आप कर रहे हैं। आप कहते हैं कि कभी नहीं करूंगा और करते हैं।

SHRI D. RAJA: Sir, my point is that Dalits, in large number, are not allowed to enter into many temples in the country. People are fighting. Are they fighting for the temple entry for Dalits? *(Interruptions)* That is happening.

SHRI RUDRA NARAYAN PANY: Yes, yes, we are fighting. *(Interruptions)*

श्री उपसभापति : आप क्यों answer देते हैं? आपको किसी ने नहीं कहा है कि आप answer दें। ...*(व्यवधान)*... I do not allow. *(Interruptions)*

श्री रुद्रनारायण पाणि : सर, हम दलितों के अधिकार के लिए संघर्ष कर रहे हैं। ...*(व्यवधान)*..

श्री उपसभापति : नहीं, नहीं, आप बैठिए। ...*(व्यवधान)*...

श्री रुद्रनारायण पाणि : सर, हम दलितों के अधिकार के लिए संघर्ष कर रहे हैं।

श्री उपसभापति : आपसे सवाल नहीं पूछा गया Please sit down. *(Interruptions)* आपसे नहीं पूछा गया। वे Chair को address कर रहे हैं, आपको address नहीं कर रहे हैं।

SHRI RAVI SHANKAR PRASAD (Bihar): Sir, they are protesting against the wrong facts. ...*(Interruptions)*

MR. DEPUTY CHAIRMAN: Mr. Ravi Shankar, I cannot... ...*(Interruptions)*...

श्री रवि शंकर प्रसाद : सर, संघ परिवार दलितों के लिए, दलितों की entry के लिए काफी अच्छा काम कर रहा है, मैं यह कहना चाहता हूँ।

MR. DEPUTY CHAIRMAN: It is his opinion. *(Interruptions)*

श्री रुद्रनारायण पाणि : संघ परिवार जो भी काम करता है, अच्छा करता है।

श्री उपसभापति : बैठिए.... नहीं, नहीं, इस तरह से नहीं हो सकता है, इस तरह से हाऊस नहीं चल सकता है। ...*(व्यवधान)*...

श्री रुद्रनारायण पाणि : यह तो अत्याचार है ...*(व्यवधान)*...

श्री उपसभापति : यह सही बात नहीं है। देखिए, हर बात पर आप उठकर खड़े हो जाएंगे, तो सदन का समय बरबाद हो जाएगा, प्लीज़.... *(व्यवधान)*... वह उनका opinion है, उन्हें कहने दो। ...*(व्यवधान)*... आप भी बहुत कुछ कहते हैं, वे भी बहुत कुछ कह रहे हैं ...*(व्यवधान)*... बिल्कुल नहीं, आप बैठिए। ...*(व्यवधान)*...

श्री विक्रम वर्मा (मध्य प्रदेश) : सर, प्रश्न केवल इतना है कि राम जन्मभूमि के मंदिर के लिए वे शिलान्यास कर रहे हैं, इससे बड़ी गर्व की बात और क्या होनी चाहिए? ...*(व्यवधान)*... यह हमारे समाज के लिए बहुत गर्व की बात है कि उनके द्वारा शिलान्यास हो रहा है, यह बहुत बड़ी बात है।

श्री उपसभापति : आप बैठिए... यह ठीक नहीं है। सब उठकर खड़े हो जाते हैं। ...*(व्यवधान)*... I think, you are not helping the House. *(Interruptions)*

SHRI D. RAJA: Mr. Deputy Chairman, Sir, I would... ...*(Interruptions)*...

श्री नारायण सिंह केसरी : *

श्री उपसभापति : आप बैठिए, यह क्या है? There is no discipline in this House. *(Interruptions)* आप बैठिए....Nothing will go on record. *(Interruptions)* आप जो कहेंगे, that will not go on record. आप बैठिए ...आप बैठिए। ...*(व्यवधान)*... आप बोलते रहिए, nothing will go on record. *(Interruptions)* Mr. Raja, you go ahead. *(Interruptions)*

*Not recorded.

SHRI D. RAJA: Sir, I would like to... ..(*Interruptions*)...

श्री विक्रम वर्मा : *

SHRI D. RAJA: I am coming... ..(*Interruptions*).... I am coming to that point.
(*Interruptions*)

MR. DEPUTY CHAIRMAN: Nothing is going on record. (*Interruptions*) देखिए, वर्मा साहब, आपकी पार्टी से जो सदस्य बोलेंगे, वे इनकी बातों का जवाब देंगे। आपको जवाब देने के लिए नहीं कहा गया है। प्लीज.... जरा discipline से काम करेंगे। सबको मौका मिलेगा।

SHRI D. RAJA: Sir, now, I think, it is appropriate to quote Dr. Ambedkar. In his speech on 26th November, 1946, Dr. Ambedkar said, "But where constitutional methods are open, there can be no justification for these unconstitutional methods. These methods are nothing but the Grammar of Anarchy and the sooner they are abandoned, the better for us." (*Interruptions*) This is the Grammar of Anarchy.

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI D. RAJA: Sir, I say that the Sangh Parivar, which has been named in the Liberhan Commission Report, follow the grammar of anarchy. This grammar of anarchy must be abandoned. This will be good for the country. I put a simple question. Do they admit that they were responsible for the demolition of the Mosque? This is the core question. Because they led it as a movement and they were responsible for it, it is time that they should admit it.

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI D. RAJA: Sir, I am coming to my last point. (*Interruptions*)

MR. DEPUTY CHAIRMAN: You should understand that a number of ...(*Interruptions*)....

SHRI D. RAJA: Sir, I understand that it took seventeen years. (*Interruptions*) I am not saying that.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI KAPIL SIBAL): Sir, he is not a retired Member of the House. (*Interruptions*)

MR. DEPUTY CHAIRMAN: Please conclude.

SHRI D. RAJA: I will conclude. Even the hon. Leader of the Opposition raised some questions. Even he referred to the role of Prof. R.S. Sharam and Prof. D.N. Jha. I don't know whether they are leftist historians. But the Report mentions at page 282, 'Leaders of movement with no particular role except participating in some negotiations.' I don't know whether they can be called as leaders of movement. If at all they participated in the negotiations, whom did they represent? Which point of view did they represent? The Report is not very clear about it.

MR. DEPUTY CHAIRMAN: Mr. Raja, please try to understand my position.

*Not recorded.

SHRI D. RAJA: Sir, what is the way forward? Okay. Thank you, Sir.

MR. DEPUTY CHAIRMAN: I did not prevent you to say anything. You should do it in your 11 minutes. Shri Manohar Joshi, you have only ten minutes.

श्री कमाल अख्तर : सर, 17 साल में रिपोर्ट आती है और आप 11 मिनट बोलने के लिए देते हैं।..(व्यवधान)..

श्री उपसभापति : तो क्या करें? आप बीएसी में आकर डिसाइड कीजिए। यहां सवाल मत कीजिए।..(व्यवधान)..

श्री कमाल अख्तर (उत्तर प्रदेश) : यह इतना महत्वपूर्ण मुद्दा है और आप 11 मिनट दे रहे हैं। सब लोग इस पर बोलना चाहते हैं। हम लोग मुसलमान हैं, हमारे ऊपर बीती है..(व्यवधान)..हम भी इस पर बोलना चाहते हैं।..(व्यवधान).. सर, पहले आप चेयर हैं, कांग्रेसी बाद में हैं।..(व्यवधान)..

MR. DEPUTY CHAIRMAN: Nothing will go on record.

श्री मनोहर जोशी (महाराष्ट्र) : उपसभापति महोदय, मैं आपका आभारी हूँ कि आपने मुझे बोलने का मौका दिया। मैं लिब्रहान कमीशन पर मेरे विचार अपनी पार्टी की ओर से तथा अपनी ओर से रखने के लिए यहां खड़ा हुआ हूँ। मैं शुरुआत में इतना ही कहूँगा कि कहीं भी ऐसे विषय पर जब आयोग की नियुक्ति की जाती है तो उस आयोग को terms of reference दी जाती हैं। आयोग से जो हमारी अपेक्षाएं होती हैं, उन्हें पूरा करना आयोग का काम होता है और ऐसा आयोग निष्पक्ष होना चाहिए। इस घटना के पीछे जो डिमॉलिशन ऑफ स्ट्रक्चर हुआ, इसके पीछे मुख्य मंत्री, मंत्री, मंत्रिमंडल और प्रशासनिक अधिकारियों की क्या भूमिका थी, यह प्रश्न था उनके सामने? दूसरा प्रश्न था, सुरक्षा व्यवस्था ठीक थी या नहीं? एक और प्रश्न यह भी था कि इस घटना के पीछे कोई षड्यंत्र था या नहीं था? और एक प्रश्न और पूछा था, वह था कि प्रसार माध्यम पक्षपाती थे या नहीं थे? सर, हर कमीशन जब नियुक्त किया जाता है तो उसके पीछे कोई प्रश्न होता है और उस प्रश्न के मूल में जाकर उसका उत्तर देखना, यही काम होता है कमीशन का। लेकिन लिब्रहान कमीशन की रिपोर्ट देखने के बाद मुझे ऐसा लगा कि इस पर अपनी रिपोर्ट देते समय लिब्रहान ने जो टर्म्स ऑफ रिफ्रेंस थी, वह बाजू में रखीं और खुद के जो विचार थे, वह रखने का काम किया। लिब्रहान ने ऐसा क्यों किया, इसका उत्तर मैं सोचने की कोशिश कर रहा हूँ और मुझे लगता है कि इसका उत्तर मिल जाएगा तो शायद किसी को अच्छा लगे या न लगे, लेकिन सभी प्रश्नों के उत्तर मिल सकते हैं। मेरे मित्र सम्मानीय सभासद डी० राजा जी की बात मैं सुन रहा था। राजा जी ने कहा कि इस घटना के पीछे राष्ट्रीय स्वयं सेवक संघ और संघ जैसे संगठन हैं, तो कहने में क्या दुख है इस बात का। राजा जी, मैं आपसे सहमत हूँ और इसीलिए मैं कहने के लिए खड़ा हुआ हूँ.....(व्यवधान) शिव सेना का भी नाम है उसमें, मुझे मालूम है। मैं कहने के लिए खड़ा हूँ कि मेरी पार्टी ने उसी समय कहा था कि यदि यह ढांचा तोड़ने में शिव सेना का हाथ है तो इस बात का हमें पूरा अभिमान है, उस समय पार्टी ने कहा था और मैं आज भी कहूँगा। किसी को यह बात अच्छी लगती है या नहीं लगती है, मुझे मालूम नहीं.....(व्यवधान) लेकिन यह बात उस समय की नहीं है।.....(व्यवधान)

श्री कमाल अख्तर : *

श्री उपसभापति : आप बैठिए।...(Interruptions)... Nothing will go on record. आप बैठिए।.....(व्यवधान) कमाल साहब, आप बैठिए।.....(व्यवधान) देखिए, प्लीज बैठिए।.....(व्यवधान)

श्री मनोहर जोशी : और एक प्रश्न का जवाब भी मैं देना चाहता हूँ।.....(व्यवधान)

श्री साबिर अली : *

श्री उपसभापति : साबिर अली साहब, आप बैठिए।.....(व्यवधान) आप कानून जानते हैं.....(व्यवधान) आप पहले बैठिए।.....(व्यवधान) आप बैठिए, न।.....(व्यवधान) सब को बोल रहे हैं।.....(व्यवधान) देखिए, साबिर अली साहब, आप बहुत गलत कर रहे हैं, आप बैठिए।.....(व्यवधान) आप बैठिए.....(व्यवधान) आप बैठिए.....(व्यवधान)

*Not recorded.

श्री वीर पाल सिंह यादव : *

श्री नन्द किशोर यादव : *

श्री विक्रम वर्मा : *

MR. DEPUTY CHAIRMAN: Nothing will go on record. ...*(Interruptions)*...आप बैठिए। Nothing will go on record. ...*(Interruptions)*... It is very difficult.....*(Interruptions)*... बहुत मुश्किल होता है हाउस चलाने के लिए। Nothing will go on record. ...*(Interruptions)*... भावना इस तरह से नहीं दिखायी जाती।.....*(व्यवधान)* आप रूल तोड़कर भावना नहीं दिखा सकते।.....*(व्यवधान)* आप बैठिए ना।

SHRIMATI BRINDA KARAT: *

श्री उपसभापति : आप बैठिए।.....*(व्यवधान)* Nothing will go on record. ...*(Interruptions)*... Nothing will go on record. ...*(Interruptions)*...

श्री मनोहर जोशी : सर, मैंने यही बात कही थी और फिर वही बात कहूंगा। ..*(व्यवधान)*..

MR. DEPUTY CHAIRMAN: Nothing will go on record. *(Interruptions)*...

SHRIMATI BRINDA KARAT: *

श्री मनोहर जोशी : सर, मैंने यही बात कही थी। ..*(व्यवधान)*.. सर, मैं फिर वही बात कहूंगा।

श्री कमाल अख्तर : *

श्री विक्रम वर्मा : *

MR. DEPUTY CHAIRMAN: I can't hear. *(Interruptions)*.. आप बैठ जाइए।..*(व्यवधान)*..

SHRIMATI BRINDA KARAT: *

श्री कमाल अख्तर : *

श्री कलराज मिश्र : *

श्री उपसभापति : कलराज जी, आप बैठ जाइए। ..*(व्यवधान)*.. आपके सीनियर हैं, आप बैठ जाइए। ..*(व्यवधान)*.. He does not need your protection. *(Interruptions)*..

श्री कमाल अख्तर : *

श्री उपसभापति : देखिए, जब आप कहेंगे, तो पूरे रूल कोट करके, चेयर से मुखातिक होकर कहेंगे। अगर आप रूल कोट नहीं करेंगे, तो मैं कुछ नहीं कर सकता। ..*(व्यवधान)*.. आप रूल कोट कीजिए। मैं एकजामिन करूंगा। अगर आपको आपत्ति है, आप पाइंट ऑफ आर्डर रेज करना चाहते हैं, तो रूल कोट करके कीजिए। ..*(व्यवधान)*..

श्री मनोहर जोशी : सर, जो बाला साहेब ठाकरे जी ने कहा था, वही मैंने कहा। यदि कोई जिम्मेदारी नहीं लेता है कि वे कौन थे, जिन्होंने ढांचा तोड़ दिया, तो बाला साहेब ठाकरे ने कहा था कि आप यदि कहते हो कि वे शिव सैनिक हैं, तो मैं जरूर इसका अभिमान करता हूँ कि मेरे शिव सैनिकों ने यह काम किया। सर, इसका मतलब यह नहीं है कि उन्होंने काम किया है, लेकिन इसका मतलब यह जरूर है कि यह बात अभिमान की है और इसके लिए यह गर्व की बात है और इसके लिए इस विषय के मूल में जाना आवश्यक था, क्या कारण है, यह देखना आवश्यक था और यही जिम्मेदारी लिब्राहन कमीशन की थी। वह जिम्मेदारी लिब्राहन कमीशन ने पूरी नहीं की और इसीलिए हमें ये बातें कहनी पड़ती हैं कि वहां पहले क्या था और आज क्या है ?

*Not recorded.

सर, मुगल सम्राट बाबर ने अपने सेनापति मिर्जा बेग को अयोध्या में राम मंदिर तोड़कर मस्जिद बनाने को कहा था। सर, लोग यह जानते हैं कि यह इतिहास है, तो इतिहास कैसे गलत हो सकता है।..(व्यवधान).. और यह इतिहास समझने की आवश्यकता है।..(व्यवधान).. आप के न बोलने से कोई गलत बात सच नहीं होती है और न सच बात गलत होती है।..(व्यवधान).. सर, यह इतिहास की बात है।..(व्यवधान).. सर, ब्रिटिश जमाने में अयोध्या की भूमि के दो हिस्से किए गए, एक बाबरी और दूसरा राम चबूतरा। ब्रिटिशों के समय से एक वहां बाबरी है और दूसरा राम चबूतरा है। सर, 1934 से आज तक मुस्लिम लोग वहां कभी भी नमाज पढ़ने के लिए या उत्सव करने के लिए नहीं गए।..(व्यवधान)..

श्री कमाल अख्तर : *

श्री उपसभापति : आप बैठ जाइए।..(व्यवधान).. आप बैठ जाइए।..(व्यवधान).. बड़ी मुसीबत हो गई है।..(व्यवधान).. देखिए, कमाल साहब, आपके कहने से वह नहीं बोलेंगे। जो आप चाहते हैं, वैसा वह नहीं बोलेंगे।..(व्यवधान).. जब आपको बोलने का मौका मिलेगा, आप तब बोलिएगा।..(व्यवधान).. Please allow the debate to go on. (Interruptions).....

श्री मनोहर जोशी : सर, इसीलिए लिब्राहन कमीशन की नियुक्ति की गई कि इसका मूल कारण क्या है, वह देखिए।..(व्यवधान).. वह तथ्यों को सामने रखे और फिर कौन गलत है और कौन सही है, इसका निर्णय हो सकता है। इसलिए सरकार द्वारा लिब्राहन कमीशन की नियुक्ति की गई। लिब्राहन कमीशन का 48 बार समय बढ़ाया गया। इसकी रिपोर्ट 17 साल के बाद हमारे सामने रखी जा रही है और इस रिपोर्ट के लिए आठ करोड़ रुपया शासन का यानी जनता का खर्च हुआ और 171 लोग इसमें दोषी बताए गए। सर, मैं यह जानना चाहता हूं कि लिब्राहन 17 साल तक क्या कर रहे थे, वे किस विषय पर काम कर रहे थे, और इसकी क्या जरूरत थी? जो मूल विषय था, वह यह था कि क्या इसके पीछे कोई षडयंत्र है या नहीं? हमें इसका जवाब भी इस रिपोर्ट से नहीं मिलता है। सर, यह रिपोर्ट 14 नवम्बर को राज्य सभा में आई और इससे पहले 23 सितम्बर को "Indian Express" में मीडिया ने यह रिपोर्ट प्रिंट की, लीक की। इस रिपोर्ट के लीक होने के बाद, जब मैं इस सदन में उपस्थित था, तब हमारे माननीय गृह मंत्री ने सदन में कहा कि मेरे आफिस से तो यह रिपोर्ट लीक नहीं हुई है। इस संबंध में लिब्राहन ने कहा कि मैं इतना चरित्रहीन नहीं हूं जो मैं यह रिपोर्ट प्रकाशित करूं। महोदय, मैं गृह मंत्री से यह प्रश्न पूछना चाहता हूं कि क्या इस विषय में आपका पुलिस डिपार्टमेंट आपके साथ था?...(व्यवधान).. क्या आपने इस विषय में जांच की कि इसका जिम्मेदार कौन है, जिसने Indian Express में रिपोर्ट दी। आपका पुलिस डिपार्टमेंट क्या करता है? उसने इस बारे में क्यों खोज नहीं की? खोज करना तो आपका कर्तव्य है ही, साथ में सदन को बताना भी आपका कर्तव्य है, लेकिन हमारे गृह मंत्री ने यह काम नहीं किया। मैं समझता हूं कि हमारे गृह मंत्री अपनी झूटी ठीक से नहीं निभा रहे हैं। वे या तो अपनी झूटी ठीक से निभाएं, नहीं तो वे अपना इस्तीफा दें। यह बात ठीक नहीं है कि इतनी महत्वपूर्ण रिपोर्ट लीक हो जाए। जब यह इतनी महत्वपूर्ण रिपोर्ट है, तो फिर लीक कैसे हुई? आपको इसकी रिपोर्ट सदन में देनी ही होगी और समझता हूं कि वह देने की हिम्मत आपके अंदर है और आप ऐसा करेंगे, ऐसी मेरी आपसे अपेक्षा है।...(व्यवधान)..

श्रीमती जया वघन (उत्तर प्रदेश) : सर, धन्यवाद देना चाहिए कि 17 साल तक मौका दिया।...(व्यवधान)..

श्री विक्रम वर्मा : हम प्रधान मंत्री को भी धन्यवाद दे रहे हैं।...(व्यवधान)..

श्री उपसभापति : वर्मा साहब, You are a senior Member. ...(व्यवधान).. आप बार-बार उठ खड़े होते हैं, आप क्या करेंगे?...(व्यवधान)... Please help us. Please help the Chair. आपको किसी ने नहीं कहा है कि आप जवाब दें। आप अपने आप अधिकार ले रहे हैं।

*Not recorded.

श्री मनोहर जोशी : सर, मेरा दूसरा प्रश्न यह है कि मेरे मित्र डी. राजा जी ने कहा था कि क्या कोई यहां पर खड़ा होकर बोल सकेगा कि मैं हिन्दू हूं और मुझे इसका अभिमान है। मैं मिस्टर राजा की इन्फॉर्मेशन के लिए यह कहूंगा कि मैं एक बार नहीं सौ बार कहूंगा कि मैं हिन्दू हूं और इसका मुझे पूरा अधिकार है।... (व्यवधान).. हमें इसमें कोई शर्म नहीं आती है। जिनको हिन्दू कहने में शर्म आती है, वे न कहें। ... (व्यवधान)...

SHRIMATI JAYA BACHCHAN: Sir, this is objectionable. (*Interruptions*).

श्री तारिक अनवर (महाराष्ट्र) : बिहार के लोगों को मारते हैं। ... (व्यवधान)... वे हिन्दू नहीं हैं? ... (व्यवधान)... बिहार के लोगों को मारते हैं, यूपी के लोगों को मारते हैं। ... (व्यवधान)...

श्री मनोहर जोशी : सर, मैं यह कहता हूं ... (व्यवधान).. हिन्दू का मतलब क्या है? ... (व्यवधान).. सर, मैं शोर मचाने से डरता नहीं हूं। ... (व्यवधान).. डरना हमारा काम नहीं है, इसलिए आप यह कोशिश मत करो। ... (व्यवधान)..

श्री उपसभापति : आपने जितना समय मांगा था, मैंने दे दिया है। ... (व्यवधान)...

श्री मनोहर जोशी : सर, यह बात नहीं हो सकती है, क्योंकि मेरा काफी समय इन लोगों ले लिया है। ... (व्यवधान)... इनको रोकना, आपका ही काम है। ... (व्यवधान)...

श्री उपसभापति : देखिए, मैं जिम्मेदार नहीं हूं। ... (व्यवधान).. मैं आपसे ज्यादा नहीं बोलूंगा। ... (व्यवधान).. आप स्पीकर हैं, मैं आप से ज्यादा बहस नहीं करूंगा। आप जानते हैं कि अगर हाउस डिस्टर्ब है, तो उसकी जिम्मेदारी चेयर को देंगे, तो सही बात नहीं है। ... (व्यवधान).. देखिए, बहस में ये सब आता है। इसका यह मतलब नहीं है कि टाइम ... (व्यवधान)..

श्री मनोहर जोशी : सर, ये पूरे दस मिनट तक ऐसे ही करते रहेंगे, तो क्या आप मुझे बोलने नहीं देंगे? ... (व्यवधान)..

श्री उपसभापति : मैं यह नहीं कहता ... (व्यवधान).. You have also handled the House.

श्री विक्रम वर्मा : ऐसे तो अपोजिशन हाउस में कभी बोल ही नहीं पाएगा। ... (व्यवधान)...

श्री उपसभापति : आप समय बर्बाद कर रहे हैं। ... (व्यवधान)..

श्री विक्रम वर्मा : मैं नहीं कर रहा हूं। ... (व्यवधान).. सामने वाले खड़े हो रहे हैं। ... (व्यवधान).. आप उनको रोकिए। ... (व्यवधान).. वे चाहे जो आरोप लगा रहे हैं। ... (व्यवधान).. हम बर्दाश्त नहीं करेंगे। ... (व्यवधान)..

श्री उपसभापति : आप उनका समय ले रहे हैं। ... (व्यवधान).. यह बिल्कुल गलत है। ... (व्यवधान).. आप पहले वायदा कीजिए, ... (व्यवधान).. फिर अपनी बात बोलिए। ... (व्यवधान).. क्या आप डिबेट चाहते हैं या नहीं? ... (व्यवधान).. Let the House decide.

श्री मनोहर जोशी : उपसभापति जी, सुप्रीम कोर्ट ने हिंदू का मतलब बताया है। जस्टिस वर्मा सुप्रीम कोर्ट के जज थे, उन्होंने कहा है कि 'Hinduism is a way of life', एक प्रथा है, एक तरीका है तो क्या ये लोग समझते नहीं हैं कि केवल हिंदू कहने का मतलब यह नहीं है कि कोई गुनाह किया है। ... (व्यवधान)..

श्री प्रवीण राष्ट्रपाल : *

MR. DEPUTY CHAIRMAN: Mr. Rashtrapal, nothing will go on record. I have not called you... (*Interruptions*) Please sit down... (*Interruptions*) आप लोग भी ऐसे करते हैं? ... (व्यवधान).. आपको सुनना पड़ेगा। ... (व्यवधान).. आप भी बोलिए। ... (व्यवधान).. जब तक words unparliamentary नहीं है। ... (व्यवधान).. Rules के खिलाफ नहीं है। ... (व्यवधान).. आपको सुनना पड़ेगा। ... (व्यवधान).. आप भी कहिए। ... (व्यवधान).. वह उनको भी सुनना पड़ेगा। ... (व्यवधान).. आप जो कहेंगे, वह उनको भी सुनना पड़ेगा। ... (व्यवधान).. जब आपका मौका आएगा तो आप बोलिए। ... (व्यवधान)...

*Not recorded.

श्री मनोहर जोशी : उपसभापति जी, थोड़े समय में मैं पूछना चाहूंगा ..(व्यवधान) ..

श्री उपसभापति : मनोहर जोशी जी, आपको बहुत समय दिया गया है।

श्री मनोहर जोशी : सर, जो समय दिया गया, वह उन लोगों को शोर मचाने के लिए दिया गया, मुझे समय नहीं दिया गया। मुझे बोलने का समय नहीं दिया गया है। ..(व्यवधान) ..

MR. DEPUTY CHAIRMAN: You are a former speaker. I would not like to say anything...(Interruptions) I would not like to curb your time. At the same time, your party has a time...(Interruptions)

SHRI MANOHAR JOSHI: Sir, I can understand your difficulty.

MR. DEPUTY CHAIRMAN: Please go by the time allotted. Kindly conclude.

SHRI MANOHAR JOSHI: I would like to put my queries. Does the hon. Minister know कि ये लिब्रहान कभी भी अयोध्या नहीं गए थे? जहां घटना घटी वहां जाने की कितनी जरूरत पड़ती है, यह मालूम है। ये वहां कभी नहीं गए। क्या आपको मालूम है कि जिनको जिम्मेदार ठहराया उनको पूछताछ के लिए नहीं बुलाया गया? मि. लिब्रहान की जनरल नॉलेज कितनी है? उन्होंने कहा कि मोरोपंत पिंगले शिवसेना के नेता थे। क्या यह जानते नहीं हैं कि मोरोपंत पिंगले राष्ट्रीय स्वयं सेवक संघ के बहुत बड़े नेता थे। उनके लिए उन्होंने कहा कि ये शिवसेना के नेता थे। उन्होंने स्वर्गीय देवरा बाबा को आरोपी ठहराया। जिस समय यह घटना घटी वे जिंदा नहीं थे। सर, क्या यह उचित है? मेरा प्रश्न यही है कि ऐसे लोगों को नियुक्त करने की क्या जरूरत है? नियुक्त करने के बाद इनका यह कहना ठीक नहीं है। उन्होंने किसी भी तरीके से उस समय के प्रधानमंत्री श्री नरसिम्हा राव को जिम्मेदार नहीं ठहराया है। मैं सिर्फ यह पूछना चाहता हूँ कि जिस समय यह घटना घटी, जिनके दौर में घटी, क्या गवर्नमेंट के प्रमुख जिम्मेदार नहीं हो सकते हैं? यही मेरा प्रश्न है। ..(व्यवधान) ..सर, इस विषय को देखने के बाद मैं चाहता हूँ कि लिब्रहान की भी inquiry होनी चाहिए। Government किसी को नियुक्त करे और जिस लिब्रहान ने यह सब किया है, जिसको कुछ भी मालूम नहीं है, मेरी दृष्टि से उनकी inquiry करने की भी आवश्यकता है।

सर, मैं इसके आगे जाकर कहूंगा कि यही लिब्रहान, जो एक समय जस्टिस थे, उन्होंने उच्च न्यायालय, राज्यपाल को दूरदृष्टिहीन कहा है। क्या मैं समझता नहीं हूँ कि ऐसा अपमान करने का आपको क्या अधिकार था? लेकिन मूल विषय छोड़कर दूसरे विषय पर जाना और राज्यपाल और उच्च न्यायालय को दूरदृष्टिहीन कहना मेरी दृष्टि से बिल्कुल गलत बात है।

सर, एक प्रश्न सबसे महत्वपूर्ण है कि क्या यह कोई conspiracy थी? यह जो घटना घटी यह पूर्व तैयारी से हुई कि नहीं, यह प्रश्न बार-बार चर्चा में आता है और इसी रिपोर्ट में पेज नं. 917 पैरा 158.9 में उन्होंने कहा है कि यह सब घटना पूर्व तैयारी से राष्ट्रीय स्वयं सेवक संघ और अन्य सहयोगी दलों ने की है। मैं यह जानता हूँ कि उन्होंने ही पेज नं. 775 में पैरा 130.5 पर कहा है कि यह जो घटना घटी, यह घटना पूर्व विचार करके पूर्व तैयारी से नहीं घटी। क्या आशय है समझने का? क्या यह रिपोर्ट है? सर, इस रिपोर्ट को ठीक तरह से पढ़ने के बाद मैंने सोचा कि इसे dustbin में फेंकना चाहिए, यह ऐसी रिपोर्ट है। इसको ज्यादा महत्व नहीं मिलनी चाहिए। ऐसी रिपोर्ट से कोई काम नहीं हो सकता है और इसका मुझे बहुत दुख है।

श्री उपसभापति : आप conclude कीजिए।

श्री मनोहर जोशी : सर, मैं दो मिनट में खतम कर रहा हूँ।

सर, उस समय गोडबोले गृह सचिव थे, होम मिनिस्टर के सेक्रेटरी थे और उन्होंने कहा कि इस घटना के पीछे कोई षडयंत्र नहीं था। लेकिन गृह सचिव को भी मानने के लिए तैयार नहीं हैं। गवर्नमेंट का इस विषय पर जो श्वेत-पत्र आया था, उस श्वेत-पत्र में भी ऐसा नहीं कहा गया कि इसके पीछे षडयंत्र था। जब यह श्वेत-पत्र (White Paper) में नहीं है, जब गवर्नमेंट के होम सेक्रेटरी कहते हैं कि इसके पीछे कोई षडयंत्र नहीं था, अचानक लोग इकट्ठा हो गए और सब लोगों के इकट्ठे होने के बाद यह घटना हुई, तो लिबरहान कमीशन को यह बोलने का कोई अधिकार नहीं है कि इसके पीछे षडयंत्र है।

सर, अन्त में मैं केवल निष्कर्ष कहूँगा, जिसकी मुझे बहुत चिन्ता है। किसी को अच्छा लगे या किसी को बुरा लगे, लेकिन मैं तो जानता हूँ कि बाबरी मस्जिद का विषय हो, इस देश में ऐसे अनेक विषय हैं, अभी तो इस देश का प्रधान मंत्री कौन चाहिए, इस विषय पर भी बोला जाता है कि इस देश का प्रधान मंत्री मुस्लिम हो सकता है ... (व्यवधान) ...

श्री वीरेन्द्र भाटिया (उत्तर प्रदेश) : क्यों नहीं हो सकता है? ... (व्यवधान) ...

श्री मनोहर जोशी : हो सकता है। यदि वे मान सकेंगे कि वहाँ राम मन्दिर था और राम मन्दिर बनाने को तैयार हैं, तो मुस्लिम को भी प्रधानमंत्री ... (व्यवधान) ... लेकिन क्या वे मानने को तैयार हैं, यह मेरा प्रश्न है ... (व्यवधान) ...

श्री वी.के. हरिप्रसाद (कर्नाटक) : क्या यह आप decide करेंगे? ... (व्यवधान) ...

श्री उपसभापति : मनोहर जोशी जी, अब हो गया, आप समाप्त कीजिए। ... (व्यवधान) ... Next, Shri Kapil Sibal. ... (Interruptions) ... Please, conclude because I have called the next speaker. ... (Interruptions) ...

श्री मनोहर जोशी : सर, सरकार ने ... (व्यवधान) ... जमीन के नीचे के छाया चित्र निकाले हैं, उनमें भी 27 दीवारें, 4 फर्श ... (व्यवधान) ...

श्री उपसभापति : मनोहर जोशी जी, आपको मालूम है कि आप जितना कहना चाहते हैं, उतना समय नहीं मिलेगा। Please conclude. मैं आपसे अपील कर रहा हूँ।

श्री मनोहर जोशी : सर, मैं conclude कर रहा हूँ। ... (व्यवधान) ...

श्रीमती जया बच्चन : सर, हिन्दुस्तान में जो बड़ी-बड़ी इमारतें बनी हैं, जो historical sites हैं, ये सारी इमारतें मुस्लिम कारीगरों ने बनाई हैं। ... (व्यवधान) ...

श्री मनोहर जोशी : सर, proofs इस पक्ष में होते हुए भी यह जो कमीशन है, उसकी रिपोर्ट को स्वीकार करना गलत बात है, यह नहीं होना चाहिए।

अन्त में, मैं इतना ही कहूँगा कि इस सदन को एक resolution पास करना चाहिए कि इस देश की अस्मिता प्रभु रामचन्द्र का मन्दिर अयोध्या में बनना ही चाहिए। यही resolution होना चाहिए, यही मेरी अपेक्षा है।

SHRI KAPIL SIBAL : Mr. Deputy Chairman, Sir, I rise to intervene in this debate. I was listening with rapt attention to all the participants, especially the Leader of the Opposition, and was wondering as to why this debate has taken the turn that it has taken. I was hoping that this being a cerebral House and I have been a Member of this House, that we would have a sedate, thoughtful debate on a subject that has exercised our minds for the last 17 years.

Mr. Deputy Chairman, Sir, the fact of the matter is that the four terms of reference which the Liberhan Commission had to answer related to: number one, what happened

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on the 6th of December and who was responsible for the demolition of the mosque? Two, what was the role of the Chief Minister or the Council of Ministers? Three, what were the deficiencies in the security measures; and four, as to who was responsible for attacking the media? These were the four issues on which the Liberhan Commission has given findings. When I was listening to the Leader of the Opposition yesterday, I never heard him saying anything on any of these four issues. He did not deal with the findings of the Commission as to who was responsible for the demolition of the mosque; he did not talk about the role of the Chief Minister and the Cabinet Ministers; he did not talk about the security arrangements in the context of the findings given by the Commission. And, he did not talk about the media. So, I think, I have to congratulate him because this was an exercise in, I think, eloquent irrelevance, I must congratulate him for that. He was able to talk about the Liberhan Commission's report without talking about it!

What happened in Ayodhya? Sir, please see the finding of the Commission. In fact, it is for the first time that it happened in the history of India. Justice Liberhan says, 'The contours of administration were all destroyed. There was no difference between the political party, the Government, the security agencies and the bureaucracy. They are to discharge their separate functions under the Constitution. But, on the 6th December, all of them discharged in unison only one function, that is, to destroy the Babri Masjid.' That, Sir, is the heart of the matter. How did it come to pass that politics and Government became one, that the bureaucracy and the security agencies helped the agenda of a political party and the Government in power in Uttar Pradesh? I will just read you one sentence. *(Interruptions)* I listened to you with rapt attention. I never interrupted. *(Interruptions)*

श्री उपसभापति: देखिए, आप जरा बोलने दीजिए। यह अच्छी परम्परा नहीं है।

SHRI KAPIL SIBAL: Sir, may I just quote one sentence from the Liberhan Commission report, page 263? This is Kalyan Singh's quote in the report. This is not a joke, Mr. Jaitley. This is what it says: "It was like a badly inflated balloon which bursts. All other political parties, particularly the Centre, are to be blamed for frustration of Kar Sevaks who forced themselves to go desperate. They should arrest me." Now, this is important. "They should arrest me because after all I fulfilled one of the major objectives of our party and have redeemed the party's election manifesto."

So, the Chief Minister of Uttar Pradesh, on 6th December, in his own words was fulfilling his party's election manifesto! And, Mr. Jaitley says that this is a national joke! Sir, let me point out a chapter in the report, Part II, which says that this was a joint enterprise of all these players. I will only read the conclusion, Sir, at page 819, para 133.30: "I conclude that the RSS, BJP, VHP, Shiv Sena and their office bearers, as named in this report, in connivance with Kalyan Singh, the then Chief Minister of Uttar Pradesh, entered into a joint common enterprise for the purpose of

the demolition of the disputed structure and the construction of the temple in its place.” This was a joint enterprise, not a howler. No comments made by the Leader of the Opposition!

Then, see what he says on the police. First of all on the Chief Minister in page 953. Not a howler. He says, “Kalyan Singh’s Government was the essential component needed by the Sangh Parivar for its purposes. Kalyan Singh lived up to the expectations of the Sangh Parivar.” Not a national joke! Then, Sir, on the police, at page 950, para 168.8: “The police and the administrators were the executors of the designs of the RSS, VHP, BJP, Bajrang Dal and Shiv Sena.” Sir, we can trivialise anything in life. We can trivialise a serious document. We can make all kinds of arguments we want to make but the fact of the matter is that on December 6th you destroyed for a moment, — momentarily — the soul of this country and sometimes it may take a thousand years to recover what you have lost in a few hours. This is what the House needs to ponder over. This is what the House needs to think about. Now, Sir, I won’t go into the history but let me say this.

श्री विनय कटियार (उत्तर प्रदेश): उपसभापति जी, ...(व्यवधान)... इन्होंने कल्याण सिंह जी को कोट किया है और जिम्मेदारी के साथ किया है। लिब्रहान जी ने उनका नाम लेकर जो लिखा है, उसी को माननीय सदस्य कोट कर रहे हैं। हम चाहेंगे कि कल्याण सिंह जी ने लिब्रहान को जो बयान दिया, वह कॉपी यहाँ टेबल पर दी जाए। ...(व्यवधान)...

श्री उपसभापति: वह कहाँ से होगा? ...(व्यवधान)...

SHRI KAPIL SIBAL: Please, please, I did not interrupt. (*Interruptions*)

श्री विनय कटियार: आपने चूँकि कोट किया ...(व्यवधान)... सर, मैं डिस्टर्ब नहीं कर रहा हूँ। ...(व्यवधान)...

श्री उपसभापति: आप यह क्या बात कर रहे हैं? ...(व्यवधान)...

श्री विनय कटियार: उपसभापति जी, मैं डिस्टर्ब नहीं करना चाहता हूँ। ...(व्यवधान)... मैं इनकी पूरी बात सुनना चाहता हूँ। ...(व्यवधान)...

श्री उपसभापति: कटियार साहब, आप सुनिए ...(व्यवधान)...

श्री विनय कटियार: मैं पूरा सुनूँगा ...(व्यवधान)... मैं कोई डिस्टर्ब नहीं करूँगा, लेकिन ...(व्यवधान)...

श्री उपसभापति: देखिए Yesterday, the Leader of the Opposition was heard with rapt attention by all the sections of this House. Please cooperate and listen with the same respect.

श्री विनय कटियार: पूरा करें ...(व्यवधान)... श्री पी० चिदम्बरम भी कल यही कर रहे थे, जब अरुण जेटली जी बोल रहे थे। ...(व्यवधान)...

SHRI KAPIL SIBAL: Mr. Deputy Chairman, the fact of the matter is and I will in a little while inform the House about the undisputed facts. For the last 17 years canard has been spread that a sudden upsurge of emotion and sentiment and this sudden upsurge of emotion and sentiment ultimately led to the demolition and that the BJP is not responsible for what happened. This is a

canard. Now, I will read Mr. Advani's own book and this is at page 407 under the Chapter Ayodhya Movement. This is what he says, "My sadness did not stem from any disenchantment with the Ayodhya movement or the path which the party has chosen for itself. In fact, the post demolition developments are fully vindicated our misgivings about the opponents of this movement". Now, the important part comes. "I felt that a meticulously drawn up plan of action." This is not me. This is Advaniji, that a meticulously drawn up plan of action, whereunder the Uttar Pradesh Government was steadily marching forwards toward discharging its mandate regarding temple construction without violating any law or disregarding any court order. So, he admits that...*(Interruptions)*

श्री विक्रम वर्मा: कल्याण सिंह जी वहाँ थे और प्रधान मंत्री नरसिंह राव जी यहाँ पर थे ...*(व्यवधान)*...

SHRI KAPIL SIBAL: Let me make the argument. So, there is an admission.

श्री उपसभापति: आप सुनिए न? ...*(व्यवधान)*... आपकी पार्टी से और लोग भी बोलने वाले हैं, तब refute कीजिए, अभी क्यों? ...*(व्यवधान)*...

SHRI VIKRAM VERMA: Minister is misleading the House.

MR. DEPUTY CHAIRMAN: How can I decide that he is misleading the House? क्या बात है? ...*(व्यवधान)*... When your leaders speak you let them speak.

श्री वी० के० हरिप्रसाद: अच्छी बातें सुनने में तकलीफ हो रही है इनको ...*(व्यवधान)*...

SHRI VIKRAM VERMA: You are also a Member of this House.

SHRI KAPIL SIBAL: So, we now know that there was a meticulous drawn up plan of action to the knowledge of Advaniji.

SHRI BALBIR PUNJ (Orissa): For what? For what? *(Interruptions)*

श्री उपसभापति: यह अपनी बात रखेंगे ...*(व्यवधान)*... यह क्या बात है? ...*(व्यवधान)*... यह अपनी बात रखेंगे ...*(व्यवधान)*...

SHRI VIKRAM VERMA: How can you link it? ...*(Interruptions)*

श्री रवि शंकर प्रसाद: लिखा हुआ है कि कोर्ट का आदेश मानते हुए। इस बात को गर्व से कह रहे हैं कि वह प्लान किये थे ...*(व्यवधान)*...

श्री कपिल सिब्बल : क्या मैंने यह कहा कि प्लान किये थे? ..*(व्यवधान)*

SHRI RAVI SHANKAR PRASAD: He has taken up the position that Shri Advani has planned...*(Interruptions)*...

श्री कपिल सिब्बल : क्या मैंने यह कहा कि प्लान किये थे? ..*(व्यवधान)*

MR. DEPUTY CHAIRMAN: Mr. Ravi Shankar Prasad, you are a senior Member...*(Interruptions)*... You know that he will make his point. You show me under the rules where it has been written that every Member can interrupt the speaker...*(Interruptions)*...

SHRI KAPIL SIBAL: Let them take the floor, if they do not want to hear me. It is all right. I do not mind..*(Interruptions)*... The world is watching. The country is watching...*(Interruptions)*...

श्री उपसभापति : इस तरह से डिबेट नहीं चल सकेगी। ..*(व्यवधान)*

SHRI KAPIL SIBAL: I did not interrupt my learned friend ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: You should have...*(Interruptions)*...

SHRI KAPIL SIBAL: Nobody interrupted...*(Interruptions)*...

श्री विनय कटियार : यही हो रहा है तो मेरा कहना है कि ..*(व्यवधान)*

श्री उपसभापति : देखिए, कटियार साहब, ..*(व्यवधान)*.. This is not an argument between two Members...*(Interruptions)*...Nothing will go on record ...*(Interruptions)*...

श्री विनय कटियार : *

श्री उपसभापति : आप बैठिए ना..*(व्यवधान)*.. Nothing will go on record ...*(Interruptions)*...Nothing will go on record...*(Interruptions)*...Nothing will go on record...*(Interruptions)*...Only Mr. Sibal's speech will go on record.

श्री विनय कटियार : *

श्री उपसभापति : देखिए, कटियार साहब, ..*(व्यवधान)* .. मैं कह रहा हूँ, आप बैठिए!....*(व्यवधान)*...Nothing will go on record..*(Interruptions)*...

श्री स्वप्न साधन बोस : *

श्री रुद्रनारायण पाणि : *

श्री स्पष्ट साधन बोस : *

श्री विनय कटियार : *

श्री उपसभापति : देखिए, कटियार साहब! ..*(व्यवधान)*. You are also not helping by interrupting...*(Interruptions)*...

SHRI VIKRAM VERMA: *

SHRI KAPIL SIBAL: Sir, what I was saying is...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: One minute, Mr. Sibal. We have to continue with this debate. Hon. Members should understand that this is Parliament. Each Member has a right to say whatever he wants to say without any interruption. If you don't like a sentence or if you do not like what he is saying, you object it under some rule. Please quote the rule. You have a right to raise a point of order. Beyond that, you have no right. So, you have to object only under rules. Yesterday, the debate was going on smoothly. Now, let it go smoothly. Please, do not interrupt. He will say what he wants to say; he will not say what you want to say.

SHRI VIKRAM VERMA: *

MR. DEPUTY CHAIRMAN: You are aware of the rules. But, at the same time, you are breaking the rules...*(Interruptions)*...

SHRI VIKRAM VERMA: *

MR. DEPUTY CHAIRMAN: That is his opinion, not your opinion ...*(Interruptions)*...He will not speak your language. And, you will not speak his language...*(Interruptions)*...

SHRI VIKRAM VERMA: *

*Not recorded.

MR. DEPUTY CHAIRMAN: Then, all the more you should be responsible. You are there since 1977. So, you have to be more responsible...(Interruptions)...I don't think that you have been doing this since 1977...(Interruptions)...

श्री कपिल सिबल : कहा जाता है:-

अमीरे शहर गरीबों को लूट लेते हैं,
कभी ब-हीले मजहब कभी ब-नामे वतन।

अयोध्या में यही हुआ। वहाँ आम आदमी की हत्या हुई, 1700 लोग मारे गये और 6 दिसम्बर से लेकर तीन महीने में 3000 लोग मजहब के नाम पर मारे गये और आज कहते हैं कि .. (व्यवधान) ..

[THE VICE-CHAIRMAN (PROF. P.J. KURIEN) IN THE CHAIR]

आप खड़े होकर यह कहिये, be a man and say, 'I did it.' Be a man. Say you did it...(Interruptions)...And, say you will not apologise. Let the nation know ...(Interruptions)...But, don't say, 'We don't know. We don't know how it happened. It was a sudden upsurge. I don't know about it...' There is no affidavit; there is nothing; I do not accept Liberhan. That is not the way for a mature political party to behave. You should be a man enough to say that, yes, I went there, I organised the *kar sevaks*. It is not something that happened in a day. In 1983, the VHP took it up as an agenda. In 1984, this went forward. ..(Interruptions)...

SHRIMATI JAYA BACHCHAN: You cannot say, 'be a man'.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, he is not yielding.

SHRIMATI JAYA BACHCHAN: I am sorry. I object to that.

SHRI KAPIL SIBAL: So, they held several *rath yatra*s, right from 1984 onwards. Then, this went on till 1989. Then, the Palampur Resolution took place. Then, in September, from Somnath, Advaniji launched the *Rath yatra*. *Kar sevaks* were brought. About 50,00,000 people were going to set up for this job. All this was being done under your nose, under the nose of the Nation. Everybody knew it. You were responsible for that. There was no other political party present there. Was anybody else from any other political party present in Ayodhya at that time? Was any body else other than the Sangh Parivar present in Ayodhya at that time? You were yourself talking about bringing *kar sevaks* there, they did shilanyas there. Whose *kar sevaks* were there? Were those *kar sevaks* who were there from the Congress Party, Communists, of the Left Party?...(Interruptions).. They were all *Sangh parivaar* people. ..(Interruptions);;

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please do not interrupt. ..(Interruptions).. Please do not interrupt. There is a shortage of time. ..(Interruptions).. Hon. Members, there is a shortage of time. Everybody wants to speak. So, please nobody would interrupt. Mr. Sibal, please continue.

SHRI KAPIL SIBAL: Sir, having said that, what are the undisputed facts? I am talking about the 6th of December, because that is the main issue on which neither Jaitley Sahibji nor anybody else touched. Nobody from the other side has talked about 6th of December. Now, what are the

undisputed facts? I am talking about it in the context of the sudden upsurge you are talking about. Undisputed facts are that the demolition started at 12.15 P.M., in the afternoon of December 6. That is undisputed. And, it continued till after 4.00 p.m. From 12.15 P.M. till after 4.00 P.M., dome after dome was being demolished. Then, the *kar sevaks* — this is very important — entered the *Garbha graha* and carefully took the idols and cash box to a safe place. The *kar sevaks* themselves went to the *Garbha graha*, took the idols and the cash box to a safe place. This could not have been a sudden upsurge of emotions. They were ordinary men who did not know anything about the idols and the cash box. Then, how did they plan to go there, picked them up and put them in a safe custody? They knew at that point in time, while they were placing them in safe custody, that the next step was to demolish the mosque. So, how was it a sudden upsurge? Mr. Jaitley is a lawyer and he knows it; that is why, he did not touch upon it. Then, the first dome fell at 1.55 p.m. No dispute! Then, the State Police and the PSE took no action throughout and the CRPF which re-assembled at *sita rasoi* was not given orders to take action. So, no action was taken. confronted with this situation, normally what would a normal Chief Minister have done? He would have immediately take action. He would had directed to make sure that nothing happened. *Kar sevaks* assaulted journalists and photographers in the *Ram Janambhoomi* complex around the same time when the structure was being attacked, so that nobody could take any photographs. This could not be something sudden. Then, Sir, this is very important, at 7 o'clock when everything was over, all the chief domes were destroyed, the *kar sevak* placed the original idols and the cash box back into the *Garbh griha*. What does this mean? It means they came there with a design, removed the idols and the cash box, destroyed the dome, and then put back the ideas and the cash box at 7.00 p.m. These are undisputed facts. Nobody dispute them. Nobody has challenged this. Then, nobody challenges at that point in time. Advaniji, Shri Murli Manohar Joshi, Uma Bharati, Ashok Singhal, Acharya Giriraj Kishore, Sadhavi Ritambhara were all present there. Nobody disputes that. Nobody else was present except the members of the Sangh Parivaar. Emotive speeches were made by the leaders of the Sangh Parivaar on the day of demolition. It is a finding in the Report. Nobody can doubt that. The *karsevaks* had come, equipped with hammers, iron bars, pickaxes, ropes for the demolition. Now, if it was a sudden upsurge, where did they get the ropes from? Where did they get the hammers from? Where did they get the pickaxes from? How were they allowed to enter? Why was it not cordoned off? Why was there no frisking? And, how did they know that they would need pickaxes? How did they know that they would need ropes? It doesn't even require a lawyer to come to conclusions on the basis of these facts that this was a pre-planned strategy, and that is why rightly — and I marvel at Mr. Jaitley — he didn't talk about the issue. He talked about everything else. ...*(Interruptions)*...

श्री विनय कटियार : माननीय मंत्री जी, आपको इल्म नहीं है कि (व्यवधान)

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No; Mr. Vinay Katiyar. ... (Interruptions)... No; no; Mr. Katiyar, please. ... (Interruptions)... Sit down. Sit down. ... (Interruptions)... Mr. Katiyar, take your seat. No; it won't go on record. ... (Interruptions)...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It won't go on record unless he yields. ... (Interruptions)... No; he is not yielding. ... (Interruptions)... Mr. Kapil Sibal, are you yielding? ... (Interruptions)... No; please, take your seat. ... (Interruptions)...

SHRI KAPIL SIBAL: I am not yielding. I am not yielding (Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): He is not yielding. So, take your seat. ... (Interruptions).. That will not go on record. ... (Interruptions)...

SHRI KAPIL SIBAL: I am not yielding. ... (Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, if that is not going on record, then why do you waste your time? ... (Interruptions)... आपका रिकॉर्ड में नहीं जा रहा है, बैठिए ... (व्यवधान) कोई फायदा नहीं है ... (व्यवधान) विनय कटियार जी, यह रिकॉर्ड में नहीं जा रहा है (व्यवधान) Mr. Vinay Katiyar, take your seat. ... (Interruptions)...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, take your seat. ... (Interruptions)... Please, this is not correct. ... (Interruptions)... No; no; this is not going on record. ... (Interruptions)... Mr. Katiyar, take your seat. ... (Interruptions)... Please. ... (Interruptions)... This is not correct. ... (Interruptions)... This is not going on record. Why are you wasting your time? ... (Interruptions)... Mr. Katiyar, take your seat. ... (Interruptions)... No; no; this is not right. ... (Interruptions)... No; no; there is a limit. ... (Interruptions)... There is some parliamentary decorum. ... (Interruptions)... No; Mr. Katiyar, please take your seat. ... (Interruptions)...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, see, there should be some decorum. ... (Interruptions)... Please, don't behave like this. ... (Interruptions)... You can stand up, I agree ... (Interruptions)... आप बैठिए ... (व्यवधान) आपके लिए टाइम दिया जाएगा (व्यवधान) No; no; Mr. Hariprasad, please. ... (Interruptions)... Please continue. ... (Interruptions)... Please continue, Mr. Minister. ... (Interruptions)... पाणि जी, आप गरम पानी डालते हैं, बैठिए ... (व्यवधान) पाणि जी, आप गरम पानी डालते हैं, बैठिए ... (व्यवधान)

श्री रुद्रनारायण पाणि : हम सदस्य, केवल संसद सदस्य बनने के लिए नहीं आए हैं, हम जनता की (व्यवधान)

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : पाणि जी, आप बैठिए ... (व्यवधान) आप मेरे दोस्त हैं, फिर भी तकलीफ देते हैं, बैठिए ... (व्यवधान)

*Not recorded.

SHRI KAPIL SIBAL: Sir, this is not undisputed.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): You please continue.

SHRI KAPIL SIBAL: But even after being informed by the DGP, U.P., that the situation could not be brought under control without resorting to firing, the Chief Minister gave a written order not to fire under any circumstances. The Chief Minister granted permission to deploy paramilitary forces after much of the demolition had actually commenced. These are all undisputed. Then, the paramilitary forces were requisitioned at 12.45 P.M. but could not reach the site of demolition as they faced stiff resistance from the karsevaks. The whole exercise was to make sure nobody comes there, don't take Central assistance, take ropes, take your own people, destroy the dome, don't resign till all the three domes are destroyed, make sure that the CRPF doesn't reach there and once the design is over, then Kalyan Singh said what he said and I have already quoted that to you.

Then, the Home Secretary on December 5, 1992 — that is a day before — proposed to the Chief Minister to deploy 133 companies of Central Forces for security of the disputed structure but the Chief Minister ordered that protection be carried out by making use of State Forces only and there were no State Forces present there worth their salt. Then, on December 5, urgent messages about the threat perception were sent to the IG, Security which were read out to officers and implications explained. No action taken. 'That the State Government and Home Secretary were kept informed from the time the first dome was demolished and that without use of force the way could not be cleared, which the Chief Minister did not allow the District Magistrate to do. Communal riots erupted at 3.30 P.M. The DG of Paramilitary Forces informed the State Government of availability of two battalions of Rapid Action Force. District Magistrate came to the spot at 6.00 P.M., informed the DG that he was trying to arrange for magistrates in whose absence troops could not be disturbed. The District Magistrate, Srivastava, admitted that no attempt was made by administration to regulate or restrict or control the flow of *karsevaks*.'

This is the story of the 6th of December; and these are not disputed facts. Now, it is for the people of this country to judge whether this was a sudden eruption... (*Interruptions*)... whether this was a sudden eruption of emotion or sentiment, or it was a complete failure of the entire State machinery which was functioning in accordance with the directives of a particular political party and of the Sangh Parivar. This is what the people of this country have to decide on the basis of this Report. Nobody has challenged any of these findings either in the Lok Sabha or in this House. Nobody has talked about these findings; you talked about 'at this page this name is mentioned; at this page this name is not mentioned; this person does not belong to my Party; this person was not there'. What has that got to do with what happened on 6th December? Now, this could not have been done without anybody being on board, without the Sangh Parivar, the VHP, the RSS, the Shiv Sena, the Bajrang Dal. They were all there and they were

making very, very incendiary statements. The kind of statements that they were making is all part of the Report. And then — I read to you about what Mr. Kalyan Singh said — Kalyan Singh, at a later point in time, when he was asked how the demolition took place, he said, “it was an act of God”! And he had no regrets, no repentance, no sorrow and no grief, just as I see now — no regrets, no repentance, no sorrow, no grief! That is unfair. “छोड़ो अहंदा वफा की बातें, मत झूठे एकरार करो, कल भी तुम शर्मिदा होगे, कल भी तुम पछताओगे” ..(व्यवधान).. ये बातें करके कल आप पछताओगे। इस देश को गलत रास्ते पर ले जा रहे हो, इस देश को गलत रास्ते पर ले जा रहे हो और वह भी राम के नाम पर। भगवान राम ने क्या किया था ..(व्यवधान).. भगवान राम ने अपना राज त्याग दिया था, भगवान राम ने अपना राज त्याग दिया था। भगवान राम ने कहा कि मैं वनवास चला जाऊंगा, लेकिन अपने माता-पिता के आज्ञा का पालन करूंगा ..(व्यवधान).. लेकिन आपने क्या किया? उन्होंने तो सत्ता छोड़ दी और आप भगवान के नाम पर सत्ता पाना चाहते हैं ..(व्यवधान).. आप कौन-से भगवान राम के रास्ते पर जा रहे थे, कौन-से भगवान राम की बातें कर रहे हैं। अगर आज भगवान राम ज़िंदा होते, तो क्या वे आपके जैसे स्थ यात्रा करते? वे शिक्षा की यात्रा करते कि बच्चों को शिक्षित करो। वे कहते कि इस देश में हर बच्चे को स्वस्थ होना चाहिए। वे इस किस्म की यात्रा करते। आप किस लिए यात्रा कर रहे थे, क्योंकि 1980 में दो सीटें आईं, उसके बाद 86 आईं और फिर इससे आगे बढ़ा जाए, तो 119 आईं, क्योंकि आप इसी रास्ते पर चल रहे थे, जो सत्ता का रास्ता था। वह भगवान राम का रास्ता नहीं है ..(व्यवधान)। अगर भगवान राम को मानना है ..(व्यवधान).. There is something called poetic justice. *(Interruptions)* There is something called poetic justice; भगवान राम तो खुद वनवास चले गए, इनको जनता ने वनवास दिला दिया ..(व्यवधान).. अभी तो केवल दस साल के लिए किया है। वह 15 साल होने वाला है, जो 14 साल से भी ज्यादा है। ..(व्यवधान)..

श्री विक्रम वर्मा : वनवास के दौरान ही रावण को मारा था ..(व्यवधान)..

श्री रुद्रनारायण पाणि : अगर इसको वनवास कहते हैं, तो तैयार रहिए ..(व्यवधान).. तो तैयार रहिए ..(व्यवधान)...

SHRI KAPIL SIBAL : Sir, I just want to mention one fact that ultimately ..*(Interruptions)*..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : You have taken 32 minutes.

SHRI KAPIL SIBAL : About twenty minutes they took, the rest, of course, I have taken. ..*(Interruptions)*.. Whenever you ask me to sit down, I will sit down. I have no problem with that. ..*(Interruptions)*.. If they will interrupt me a little more, I don't mind. ..*(Interruptions)*..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN) : Please don't interrupt. ..*(Interruptions)*.. There is shortage of time, please don't interrupt. ..*(Interruptions)*..

श्री विनय कटियार : उपसभाध्यक्ष जी, इन्हें कुछ समय और दे दीजिए, हम इनको सुनना चाहेंगे।

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : आपका समय दे दूँ? आपके समय में से दे दूँ? ...*(व्यवधान)*.. कहाँ है समय? ..*(व्यवधान)*..

श्री बी.के. हरिप्रसाद : बी.जे.पी. ने कटियार जी को समय नहीं दिया?

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बैठिए... बैठिए।

SHRI KAPIL SIBAL : Sir, I just want to mention one fact because sometimes the truth does come out. And I quote here a Member, not of this House but of another House, who gave a very, very emotive speech in that House. She gave a very emotive speech. On 16th April, 2000, she said this to the Telegraph. She said that the Ramjanambhoomi Movement was "purely political in nature and had nothing to do with religion." 16 अप्रैल, 2000 में, जो इनकी अपनी लीडर ने कहा, जो लोक सभा में बोलीं कि "It was purely political in nature and had nothing to do with religion." क्योंकि उस समय तो वे सत्ता में थे। सन् 2000 में वे सत्ता में थे और वे सोचते थे कि 2004 में भी सत्ता में रहेंगे। कहने का मतलब यह है कि the truth comes out and this is a fact, and this is what Justice Liberhan has said that this was a political movement. This was a purely political movement where the contours of the State had all been destroyed for the purposes of personal and political benefit. This is exactly what he has said and this is what the learned Member of the Lok Sabha has said who is a leader their party. And this is what happened in Ayodhya on 6th December. Sir, kindly look at another stand-point. I just read to you what happened on 1st December when the Union Home Minister wrote to the Chief Minister. This is what he said, and I am quoting that letter of 1st of December, "You have been assuring us about the State Government's commitment to the security of the structure. However, on the other hand, many of the security measures which were earlier in existence have been dismantled in spite of our request that this should not be done." So, instead of securing the structure they were dismantling security and this is the sudden eruption of emotion that you were talking about. Then on the 3rd of December, he said, "I would like to invite your attention to the distinction between stationing and deploying of Forces. There can be no doubt about the constitutional and legal right of the Union Government even to deploy the Central Forces anywhere in the country in certain situations." I would like to inform you that in the present instance we have stationed the Forces in Uttar Pradesh. But he said, "I don't want any Forces to be stationed in Uttar Pradesh because it will lead to civil war." Kalyan Singh said that it would lead to civil war and, therefore, he cannot have any Central Forces knowing fully well that he will be responsible and he is going to be responsible for destroying the structure. This was the mindset of the Government in power at that point in time because when religion and politics come together ..(*Interruptions*)...

श्री वीर पाल सिंह यादव : उन्हें उसी समय ...(*व्यवधान*)...

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : आप बैठिए... बैठिए। ...(*व्यवधान*)...

SHRI KAPIL SIBAL : When the contours of religion and politics are destroyed, then this is the kind of national calamity that occurs. ..(*Interruptions*)..

श्री विनय कटियार : नरसिंह राव जी उस समय पूजा में थे। उनकी पूरी कैबिनेट पूजा में थी। ..(*व्यवधान*)..

श्री कमाल अख्तर : ये तो भगवान राम के रास्ते पर नहीं थे, लेकिन आप कहाँ थे? ..(*व्यवधान*)..

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : बैठिए... बैठिए। ...(*व्यवधान*)...

श्री विनय कटियार : वे पूजा में थे, पूरी कैबिनेट पूजा में थी। पूजा खत्म हो गई, तब बात हुई।
...(व्यवधान)...

श्री कमाल अख्तर : प्रधान मंत्री कहाँ थे?

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : प्लीज..... बैठिए....बैठिए। ..(व्यवधान)... बैठिए.... बैठिए।
...(व्यवधान)...

SHRI KAPIL SIBAL : Kindly turn to page 130. ..(*Interruptions*).. Having said, Sir, what happened on the 6th of December, now I want to show what the planning was.
..(*Interruptions*)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, don't interrupt.

SHRI KAPIL SIBAL : Now, I want to show what the planning was. The planning was that it is better if we take hold of 2.77 acres of land, which was adjoining the *Babri Masjid*, get it under our possession; then, start the process of *kar seva*, call the *karsevaks*, have the *Shilanyas* done, and then, once you do that, then you are in a better position to destroy the *Masjid*. So, this process started way back in 1990. And, I want to show you page 130 of the Report. What does it say - the U.P. Government acquired 2.77 acres of land, part of which, 2.04 acres belonged to the VHP itself. But, the U.P. Government acquired it. "The U.P. Government and the leaders of the temple construction movement stated that 2.77 acres of land have been acquired for construction of temple. The possession of this land — this is important, Sir, and the country must know it — was given by the Government to the Ram Janam Bhoomi Nyas for construction on long lease for consideration of one rupee." This entire land was acquired by the U.P. Government, given to the Ram Janam Bhoomi Nyas for a consideration of one rupee and the Government employed tractors for digging a 12-feet wide area for levelling of Ram Janam Bhoomi - Babri Masjid complex. And, then it says, "The Government submitted that the acquisition was for construction of a temple." This is part of the Report. This is the finding. This is not a 'national joke', as Mr. Jaitley said. This acquisition, according to the Report and according to the finding, was for construction of a temple through the Ram Janam Bhoomi Nyas. The acquisition was quashed by the High Court ultimately. This is how you were planning. When this acquisition was quashed, you decided that instead of here, 200 yards away, at the *Ram Katha* place...(*Interruptions*)

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, please...(*Interruptions*).

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): How can he do like this? The Leader of the Opposition must take responsibility for their Members...(*Interruptions*). They cannot interrupt like this.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): No, that will not go on record.

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That will not go on record.

*Not recorded.

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar...(*Interruptions*)...Mr. Katiyar...(*Interruptions*). Mr. Katiyar, I will be forced to name you. Mr. Katiyar, there is something called 'Parliamentary decorum'. I can understand if you have some doubt, you can stand and ask a question. But, you totally disobey the Chair. I will name you. Be careful. Hereafter, whatever you say when Mr. Kapil Sibal is speaking, will not go on record. You keep quiet and take your seat. Don't disturb the House. This is valuable time of the House and a number of speakers are there. Be careful. Take your seat and keep quiet, otherwise, I will name you.

SHRI S.S. AHLUWALIA (Jharkhand): This caution should be for everyone.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Yes, certainly, this caution is for everyone.

SHRI KAPIL SIBAL: Now, Sir, Mr. Jaitley said, "Where was the planning? Nobody was planning. There was no conspiracy." I am now showing how it was all planned. And, I showed by demonstrating how 2.77 acres were acquired only to be given to them for building a temple. Then, Sir, at page 136, there is another finding, "The paramilitary forces and other forces expressed concern about the lack of security. The Principal Secretary (Home) in January, 1992 — this happened much later, in December — reported that the removed barriers could be resurrected immediately as and when the need arose. This was, in fact, never done." So, barriers were removed and not resurrected. "Removal of barriers and fencing commenced in January, 1992." So, in January, 1992, they removed them. When the Principal Secretary (Home) said, "Please put them back.", nothing was done. Then, at page 150, there is another finding. And, this is Kalyan Singh's own statement. This is very interesting. Kalyan Singh, the Chief Minister, responded to the threat of imposing President's rule, asking the Central Government to stop thinking of dismissal of the State Government. He, then, made a public statement to the effect, and, I would like to quote it because this should be known to the people of the country. He said, "irrespective of the fact that the State Government stays or goes, *Mandir* must be constructed." He said, "irrespective of the fact that the State Government stays or goes, *Mandir* must be constructed." This was in March, 1992. And, he says, there was no planning, there was no conspiracy. Nobody knew about it. He was a BJP leader. He was the Chief Minister of the State. You were supporting the movement. You were insisting that the *shilanyas* should be done. You were insisting that you would go there on 6th of December. Originally, you fixed it for 30th of October, then, you changed the date, and, said, all right, three months more, let it be 6th of December.

Sir, to trivialize a national tragedy in the fashion in which the Leader of Opposition did, is, in fact, denigrating the seriousness of the issue that we are discussing here,

*Not recorded.

which has, in fact, as I said earlier, hurt the soul of India. Let us come to page 191. Para 38.4 says, "Kalyan Singh too took a similar stance in spite of being the Chief Minister declared on the 23rd August that, "If the decision of Hon. Supreme Court with respect to Ram temple would go against the emotion of Hindus, we will make a separate law for the construction of the Temple." This was the passion with which he was, in fact, moving forward and this was in August, 1992, just a few months before the demolition.

Let us come to another finding. On page 200, para 41.1 states, "In November, 1992, the Chief Minister refused to associate with the CRPF or the Intelligence Bureau in reviewing the security, asserting that the State Government was competent to secure the disputed structure. Nevertheless, the Central Government stationed 195 companies of paramilitary forces near Ayodhya in case of need." He refused to associate, Sir. So, these events took place right from 1984 onwards. Prior to 1983, this was not a national issue. The Opposition came to power in 1967, if I remember correctly. There was an Opposition Government, the Jan Sangh came to power in 1967. This was not an issue. This was not a national issue. If this was a national issue, it should have been raised in 1967, and, something should have been done about it. But when they got two seats in 1980, they realised that they need a *mudda*, they need an issue, and, followed in the footsteps of the VHP and the Bajrang Dal, and, then, decided to participate in the Ram Janma Bhoomi Movement only in 1989, after the Palampur Resolution because they realised that they would get political benefit out of it. So, the politics, the Government and the Sangh Parivar were all in it together.

Having said all this, Sir, let us see what the intelligence agencies did. Come to page 508, and, this is very, very important. Para 76.20 states, "The deployment of local intelligence unit constituted of three members with eight hourly duties..." Three members! This was the security that the State Government was providing for *Babri Masjid*. Three Members! I repeat what it says, "The deployment of local intelligence unit constituted of three members with eight hourly duties under a Superintendent of Police responsible for communicating the information and to keep an eye on them and that too not on Karsevaks to report on the situation. There being a total absence of surveillance, there was a lack of intelligent analysis of visible facts and the information available with the State."

So, no intelligence, no security; taking off the barricades; telling the Central Government not to intervene, telling the Central Government not to send the CRPF; saying that it would be a civil war; then, collaborating with the people, with the Sangh Parivar; telling the people to take ropes there, to take hammers there, and, destroying it; and, now saying that this was a sudden upsurge and that this Commission is a 'joke'.

You are playing a joke on the people of this country. This is a joke on the people of this country by a responsible party like you. Remember, Sir, the tenacity, the wisdom, and the maturity of political parties depend on some occasions in history when they have a chance to rise to the occasion. And I thought that the BJP, both in the Lok Sabha and in the Rajya Sabha, got that chance to rise to the occasion and say, "We are sorry; we should not have done it." But, unfortunately, this is going to be their agenda of the future as well.

Now, Sir, look at page 509, para 76.23. Shamsheer Singh is a witness. "Shamsheer Singh stated that nothing was done by the Police to stop the entry of Karsevaks in Ram Janambhoomi Babri Masjid complex or the disputed structure." This is all evidence. These findings have been given.

Sir, at page 510, 'SP Gaur admitted to violent and un-controllable nature of leaders like Uma Bharti and others...' I don't want to name anybody. 'They recalled an incident...' I won't touch that.

Again, on 1st December, the *Karsevaks* damaged the *Mazar*. They damaged the *Mazar*. And they were told that the Mazar has been damaged, you please make sure because there is likelihood of damage to the structure. But nothing was done.

Then I come at page 523. These are all findings, Sir. What was the slogan raised on that particular day, on 6th December, not earlier. On 6th December, what was the slogan raised in the presence of all the political leaders. "बड़ी खुशी की बात है, पुलिस हमारे साथ है।" ... (व्यवधान)...

श्री विनय कटियार : और क्या कहते कि कपिल सिब्बल साथ हैं। ... (व्यवधान)...

श्री कपिल सिब्बल : हम तो सारे जन्म आपके साथ नहीं रह सकते कटियार साहब। ... (व्यवधान) ... हम जन्म, जन्म आपके साथ नहीं रह सकते। "बड़ी खुशी की बात है, पुलिस हमारे साथ है। एक धक्का और दो, बाबरी मस्जिद तोड़ दो।" ... (व्यवधान) ... "राम लला हम आए हैं, मंदिर यहीं बनाएंगे।" ... (व्यवधान)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): How much more time will you take?

SHRI KAPIL SIBAL: Sir, five minutes.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Try to conclude.

SHRI KAPIL SIBAL: I will, Sir. Then, what does the witness at page 524 say. 'He admitted that no constabulary..' This is page 524, Para 77.2. "Mahant Paramhans Ramchander Dass admitted that senior leaders like Mahant Avaidyanath, Swami Vam Dev, Swami Ramchander Paramhans and Swami Nritya Gopal Das repeatedly and clearly announced that Karseva will start, on 6th December, therefore, the question of stopping Karseva or changing the venue did not arise. Mahant Paramhans Ramchander Dass admitted having repeatedly announced through the mike (this is his own evidence) to the Karsevaks that demolish the structure, you will not get such an opportunity again."

श्री कलराज मिश्र : यह * है। (Interruptions)

*Expunged as ordered by the Chair.

SHRI KAPIL SIBAL : You should have attacked the findings. You should have said that this finding is wrong. *(Interruptions)*

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : यह ** शब्द अनपार्लियामेन्ट्री है। *(Interruptions)* This is not going on record. This word is unparliamentary. This word is expunged.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): This is not going on record. *(Interruptions)*

श्री कपिल सिबल : मैं तो इस देश की जनता को बता रहा हूँ। ...*(व्यवधान)*...

श्री विनय कटियार : *

श्री कलराज मिश्र : *

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : मिश्र जी, आप बैठ जाइए। ...*(व्यवधान)*... आप बैठ जाइए। आप बड़े रेसपेक्टिव मेम्बर हैं। आप बैठ जाइए। ...*(व्यवधान)*... आप भी बैठ जाइए। ...*(व्यवधान)*... मिश्र जी, आप बैठ जाइए। आप बहुत सीनियर मेम्बर हैं। आप बैठ जाइए। ...*(व्यवधान)*... मिश्र जी, आप बैठ जाइए। ...*(व्यवधान)*...

SHRI KAPIL SIBAL : I am not yielding. *(Interruptions)*

श्री कलराज मिश्र : *

उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) : मिश्र जी, आप बैठ जाइए। आप बहुत सीनियर मेम्बर हैं। आप बैठ जाइए। ...*(व्यवधान)*... मिश्र जी, आप बैठ जाइए। ...*(व्यवधान)*...

श्री कलराज मिश्र : *

SHRI KAPIL SIBAL : Sir, I take strong objection to this. *(Interruptions)* I am reading the report. *(Interruptions)*

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, please sit down. ...*(Interruptions)*...

श्री कलराज मिश्र : *

श्री विनय कटियार : *

SHRI KAPIL SIBAL : He said all this. ...*(Interruptions)*...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That will not go on record. ...*(Interruptions)*... That will not go on record. ...*(Interruptions)*...

श्री विनय कटियार : *

श्री कलराज मिश्र : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): That is not going on record. Why do you waste your time?

श्री विनय कटियार : *

श्री कलराज मिश्र : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is not going on record. Why do you waste your time? ...*(Interruptions)*... आप बैठिए। ...*(व्यवधान)*..

**Expunged as ordered by the Chair.

*Not recorded.

श्री कलराज मिश्र : *

श्री विनय कटियार : *

श्री कपिल सिब्बल : मैं रिपोर्ट पढ़ रहा हूँ, मैं खुद नहीं कह रहा हूँ। ... (व्यवधान) .. वह रिपोर्ट में है .. (व्यवधान) .. यह रिपोर्ट में है। .. (व्यवधान) .. यह रिपोर्ट में है। मैं इसको दोबारा पढ़ देता हूँ, if you want.

श्री कलराज मिश्र : *

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, I will not protect taking action against you. ... (Interruptions) ... आप बैठ जाइए। .. (व्यवधान) ..

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, please sit down. ... (Interruptions) ... I would request the Chief Whip of that Party to control him. ... (Interruptions) ...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, you are not permitted. ... (Interruptions) ...

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Katiyar, you are not permitted. Please take your seat.

श्री विनय कटियार : *

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Your Party Member may be speaking. ... (Interruptions) ... Next speaker is your own Party man. He can rebut and say anything. What is the problem? Now, Kapilji, please try to conclude.

SHRI KAPIL SIBAL: I am finishing, Sir. I would have finished by now. ... (Interruptions) ... I would have finished by now. ... (Interruptions) ... Sir, page 525. ... (Interruptions) ...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Venkaiah Naidu is going to refute this. What is the problem? ... (Interruptions) ... Don't give me tension. I am your friend! ... (Interruptions) ... Don't give me tension. Don't make me shout. I am your friend!

SHRI KAPIL SIBAL: Sir, page 525, paragraph 77.3:

“It has come in evidence in the video graph.....”

Sir, I am not saying this. It has come in evidence in A video graph

“.....that Param Hans Ramchander Das said “De denge le lenge, nahi to lad ke lenga” “Badi khushi ki bat hai, police hamara sath hai”.”

श्री कलराज मिश्र : *

श्री विनय कटियार : *

*Not recorded.

श्री कपिल सिब्बल : आप बिल्कुल ठीक कह रहे हैं। आज आप खुद हाउस में यह मान रहे हैं कि पुलिस आपके साथ थी। अभी आपने ठीक कहा, ठीक कह रहे हैं। ..(व्यवधान).. यह जनता मानती है। अब इन्होंने इस हाउस में मान लिया है, ..(व्यवधान)... ठीक कह रहे हैं, पुलिस हमारे साथ थी।(व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Don't mind their comments! ...*(Interruptions)*... Don't mind their comments. ...*(Interruptions)*... Please ignore their comments.

SHRI KAPIL SIBAL: Page 526:

“There was a stoning of CRPF.....”

—It is important that when the CRPF came, there was stoning of CRPF.—

“....and not the district police PAC. The PAC or local police was participating in *Darshan* in uniform during duty hours. Neither Police nor the Administration nor organisers made any efforts for checking, or controlling the crowd or regulating the *Darshan* at this, Karsevaks, either for the entry to the disputed structure, or Ram Janambhoomi complex or the town of Ayodhya itself.”

It was a complete free flow and after affidavits after affidavits were being given: that the *Kar Seva* would be symbolic. Advaniji said publicly it would be symbolic. This is all that was happening underneath was different.

Now, Sir, 527: —this is the finding:

“The Chief Minister was leading the Administration till the final demolition of the domes.”

The Chief Minister was leading till the final demolition of the domes!

“Ram Lal admitted that though the Chief Minister cannot give direct orders, still he used to do so,”

“.... though later he prevaricated and said in the next breath that no orders were given by him directly.”

Now, I come to page 528 and then one more page, Sir, and I have done. Look at page 528, para 77.10 and I quote:

“Prabhat Kumar, Home Secretary, stated that no officer be he from police or a bureaucrat or executive or political executive took an independent decision with respect to Ayodhya — no officer took a decision — or issue relating to it after taking over the Chief Ministership by Kalyan Singh.”

Everything was personally done by Shri Kalyan Singh. He was directing the operation on behalf of the BJP and the Sangh Parivar.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Now, you please wind up.

SHRI KAPIL SIBAL: Sir, I am finishing. Look at page 530 para 77.11 and I quote:

“Ashok Singhal and other VHP leaders openly stated that the Karseva would not be carried out according to the directions of the Supreme Court but as per the directions of Kendriya Marg Darshak Mandal. The crowd too was mobilized and motivated for carrying out the

Karseva in accordance with the directions of Sants and Sadhus and not in accordance with the Courts' directions."

What, then, is the conclusion? The conclusion is that what happened on 6th December was a scripted exercise. There was no question of any sudden outburst of emotion. By whom was it scripted? It was scripted by the Chief Minister of Uttar Pradesh and the leaders of the BJP along with all the leaders of the Sangh Parivar, including the VHP, the Bajrang Dal, the Shiv Sena and the RSS. *(Interruptions)*..

Now, I want to end. I wish that both in the other House and here the BJP had stood up and talked about the findings in the Report on what happened on 6th December, what led to 6th December, the planning and the findings that have been given by the Liberhan Commission on that. *(Interruptions)*...

श्री रामदास अग्रवाल (राजस्थान) : सिबल साहब...(व्यवधान)... नाम ले रहे हैं...(व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): There is no time please. *(Interruptions)*... I am worried about time. *(Interruptions)*... Please don't react to that. *(Interruptions)*... You please don't react to that. *(Interruptions)*.. You finish your speech. *(Interruptions)*... Please finish your speech.

SHRI KAPIL SIBAL: Sir, it is all very well to call the Report a 'national joke'. But the fact that you are here and none of you have responded to the findings of the Commission, I think, instead of it being a national joke, your position is a 'national *' and I hope you don't carry on with communalism as an agenda. Thank you.

Supplementary Demands for Grants (Railways) 2009-10

THE MINISTER OF RAILWAYS (KUMARI MAMATA BANERJEE): Sir, I beg to lay on the Table, a statement (in English and Hindi) showing the Supplementary Demands for Grants (Railways) for the year 2009-10.

SHORT DURATION DISCUSSION — (CONTD.)

Liberhan Commission Report and trial of Babri Masjid Case

SHRI M. VENKAIAH NAIDU (Andhra Pradesh): Mr. Vice-Chairman, Sir, with the death of Shrimati Gandhi, her plan suffered a set back about Ayodhya. Her son took over as Prime Minister and another colleague of his took command of the Ayodhya matter. From then on, a series of disastrous steps followed. Until the court order, the temple agitation remained almost a unilateral affair; but the opening of the locks triggered off a great deal of controversy. Many described it as a State-managed affair which proceeded with undue haste to pre-empt the VHP plan. Compare it with the lightning speed with which the case filed by an unknown advocate which was heard and disposed of. Within hours of passing of the order, the temple was unlocked and even the Doordarshan cameramen were present to cover the occasion which was

*Expunged as ordered by the Chair.