

Wild Life (Stock Declaration) Rules, 1974.

[Placed in Library. See No. LT 8961/75 for i and ii].

**I. Annual Report and Audited Accounts 1972-73 of the Salar Jung Museum Board, Hyderabad,**

**II. The Indian Museum Recruitment (Second Amendment) Rules, 1974**

THE DEPUTY MINISTER IN THE MINISTRY OF EDUCATION AND SOCIAL WELFARE AND IN THE DEPARTMENT OF CULTURE (SHRI D. P. YADAV): Sir, I beg to lay on the Table—

I. A copy (in English and Hindi) of the Annual Report and Audited Accounts of the Salar Jung Museum Board, Hyderabad, for the year 1972-73.

[Placed in Library. See No. LT 8963/75].

II. A copy (in English and Hindi) of the Department of Culture Notification G.S.R. No. 1335, dated the 14th December, 1974, publishing the Indian Museum Recruitment (Second Amendment) Rules, 1974, under sub-section (3) of section 15A of the Indian Museum Act, 1910.

[Placed in Library. See No. LT 8965/75]

#### REFERENCE TO SUPPLY OF COAL FOR THE RAILWAYS

DR. RAMKRIPAL SINHA (Bihar): Sir, the Railways have coal only for three days. It is a very serious problem. There is a Call Attention Notice. You have rejected it. It is a very serious subject.

MR. CHAIRMAN: Let it be. But we have not allowed it.

#### CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

**Recent disturbances in the Jama Masjid area, Delhi resulting in loss of life and property**

SHRI MOHAMMAD YUNUS SALEEM (Andhra Pradesh): Mr. Chairman, I beg to call the attention of the Minister of Home Affairs to

the recent disturbances in the Jama Masjid area, Delhi, resulting in loss of life and property.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI OM MEHTA): Mr. Chairman, Sir, It is a matter of deep concern and sorrow that 12 persons lost their lives and a number of persons were injured in the disturbances which occurred in the Jama Masjid area on February 2, 1975 and on February 14, 1975.

On 2nd when the Zonal Advisory Committee of the DWB was holding a meeting presided over by Shri Shah Nawaz Khan, Minister for Wakfs, it was disturbed around 10.30 A.M. by Shri Abdullah Bukhari and a large number of his supporters. They broke into the building, broke up the furniture and tried to set fire to the Shamiana. A determined attempt was made to rush towards Shri Shah Nawaz Khan who went into an adjoining room. It was in these circumstances that Shri Bukhari along with 87 others was arrested. Some members of the crowd managed to escape, rushed towards Jama Masjid and set afloat rumours that Shri Abdullah Bukhari had been shot by the Police. Public exhortations were made that the people should take revenge against the police. Soon a large mob collected around Jama Masjid, surrounded the Police Post, set fire to a police van and smashed the doors of the Police Post. Attempts were also made to set fire to the building. Soda Water bottles, brick-bats and acid bulbs were thrown into the Police Post. The situation further deteriorated at the junction of Chawri Bazar and Jama Masjid where the mob set fire to a DTC bus and to some shops in the western side of the mosque. Large scale rioting occurred in the area on the western, southern and northern sides of the mosque. The police were subjected to heavy brick batting and gun fire from house tops. When tear gas and lathi charge proved ineffective, police opened fire and brought the situation under control by 1 p. m. It is a matter of grief that nine lives were lost, out of whom

two were victims of arson and the remaining six died of bullet injuries including one from a 12 bore gun. 91 persons including 66 policemen besides the SP (Central), ADM (Central) and Addl. SP (Central) and the SDM, Darya Ganj had received injuries. Three police vehicles, one DTC bus, 4 private cars, a large number of cycles and 23 shops are reported to have been damaged in the riots. Five cases of rioting, attempt to murder and arson etc. were registered.

Curfew was clamped in the entire affected area from 12.15 P.M. on 2-2-75 to 7.00 A.M. on 4-2-75. Night curfew was imposed in Sadar Bazar and certain other sensitive areas as a precautionary measure. Curfew in the affected areas was relaxed from 9.00 A.M. to 11.00 A.M. and 4.00 P.M. to 6.00 P.M. on 5th and 6th February. On Friday, the 7th, it was relaxed from 8.00 A.M. to 10.00 A.M. 12.30 P.M. to 2.30 P.M. and 4.00 P.M. to 6.00 P.M. to enable attendance at Friday prayer in Jama Masjid.

On 7th February some sections of the crowd while returning from prayers at Jama Masjid demonstrated before the police force, went round in procession and indulged in stone-throwing at a few places. Attempts were also made to snatch rifles from a couple of constables. Two policemen were injured.

On 8th February curfew was continued with relaxation from 8.00 A.M. to 10.00 A.M. and 4.00 to 6.00 P.M. On 9th and 10th February it was relaxed between 8.00 A.M. and 12.00 NOON and between 3.00 P.M. and 6.00 P.M. in areas around Jama Masjid and in the rest of the affected areas curfew was continued only from 10.00 P.M. to 6.00 A.M. From 11th February onwards curfew was imposed only from 6.00 P.M. to 8.00 A.M.

At about 1.30 P.M. on the 14th February about 800 persons returning from the prayers started brickbattling at the police Post at Jama Masjid and also hurled crackers at the police. Despite repeated appeals from the police to disperse, the mob continued

to be violent and brick-battling was intensified. A section of the mob also indulged in arson. Police had to fire tear gas shells at different places to disperse the mob. Seven persons who got trapped in a restaurant set on fire by miscreants and received burn injuries. They were rescued by the police and Fire Brigade had removed to a nearby hospital. Three persons have succumbed to their injuries. The fire was brought under control immediately but in the meanwhile three shops had suffered damage. 28 policemen including one DSP were injured owing to brick-battling. The condition of six is reported to be serious. Round the Clock curfew was reimposed from 2.30 P.M. on the 14th to be in force till 12.00 NOON on the 18th February. It was relaxed from 3.00 P.M. to 5.00 P.M. on 16th and 8.00 A.M. to 10.00 A.M. and 4.00 P.M. to 6.00 A.M. on 17th and 18th February. 68 persons have been arrested in connection with the day's incidents. Police patrolling in the area continues. 681 persons have so far been arrested.

An amount of Rs. 88,000 has been sanctioned towards relief of the families of the deceased and seriously injured persons (@ Rs. 5,000 per family of deceased and Rs. 1,000 per injured). Rs. 59,000 have so far been disbursed. The remaining persons who have been sanctioned relief have yet to come to receive the amount.

Several eminent leaders of Delhi including Shri Khurshed Ahmed Khan Member Parliament, Shri Mir Mustaq Ahmed, Chairman, Delhi Metropolitan Council, Pir Zamin Nizami, Sahebzada Mustahasin Farooqui, Prof. Mohammed Hussain, Vice-Chancellor of Jamia Millia and the Chairman Delhi Wakf Board have persuaded Delhi Wakf Board and Shri Abdullah Bukhari to refer their dispute to arbitration by Shri Mohammed Shafi Qureshi, Minister of State for Railways. Shri Qureshi has also agreed to arbitrate.

Shri Abdullah Bukhari has expressed his anguish at the serious and unpleasant incidents which took place on 2nd February and thereafter and has

[Shri Om Mehta]

given an assurance that he would co-operate with the authorities in restoring normalcy and maintaining peace in the area. Shri Bukhari has been released from detention.

I appeal to the Hon'ble Members of the House and leaders of public opinion to cooperate in promoting an atmosphere of cordiality, understanding and peace.

**SHRI MOHAMMAD YUNUS SALEEM:** Mr. Chairman, Sir, this unfortunate incident which took place on the 2nd February, 1975 has got two aspects: firstly, the question of Mr. Abdullah Bukhari to be appointed the Imam of Jama Masjid. Sir, this is a dispute between the Delhi Muslim Wakf Board and Mr. Abdullah Bukhari and his father. Therefore, we are not much concerned with that dispute. I am glad to hear that my friend. Mr. Qureshi has agreed to arbitrate between the Wakf Board and Mr. Abdullah Bukhari and we hope that good result would come out. But, Sir so far as the unfortunate incident which took place on the 2nd February, 1975 is concerned, it has got very serious repercussions. It is not an incident which took place all of a sudden. It was reported in the press and it was known to people that Mr. Abdullah Bukhari was making furious, provocative speeches in the mosque at the time of prayers. On the 2nd February when this incident took place, in Bachchon ka ghar, which is situated in Darya Ganj about three furlongs from the Jama Masjid, as has been stated by the hon. Minister, Gen. Shah Nawaz Khan was to preside over a function to inaugurate the working of the Zonal Committee of the Muslim Wakf Board. Sir, it has come in the papers that on that day from 7 O'Clock in the morning, furious speeches were made on the loud-speaker from the mosque, provoking the people and inducing them to go in a procession to Bachchon ka Ghar from Jama Masjid which, as I said, is three of four furlongs from Jama

Masjid. When breach of peace was apprehended, when threatening letters were received by the Wakf Board and when the conduct of the supporters of the Imam was suspicious, I want to know from the Minister why no action was taken to stop the procession, the rowdy procession which was shouting slogans like "Gen. Shah Nawaz *mur-dabad*" and so on and so forth? When the procession starts from Jama Masjid, it has to pass through the main road to reach Bachchon ka Ghar. Sir, I still feel that if the procession had been stopped there when it became rowdy and they were raising objectionable slogans, the incident could have been avoided. What happened?

[**MR. DEPUTY CHAIRMAN** in the Chair].

When this procession led by Imam Abdullah reached Bachchon ka Ghar, the iron gate of Bachchon ka Ghar was locked. And the members of this mob, of this unlawful assembly, forcibly, broke the iron gate and entered the compound of Bachchon ka Ghar. Sir, it has been reported, and it is admitted by the Minister himself, that police was already posted there because there was apprehension of breach of peace. The police did not take any action. In spite of the fact that the iron gate was broken, no action was taken. These people were permitted to enter the compound forcibly. They smashed the Shamiana and broke the furniture belonging to the orphanage with the result that at the instance of certain persons, Gen. Shah Nawaz Khan had to take shelter in an adjoining room. And the doors of the room were broken and damaged.

Then, of course, the Imam and others were arrested. From the Bachom ka Ghar these people went back to Jama Masjid and started making provocative speeches stating that the Imam had been arrested and he had been badly beaten by the Police in order to provoke the people. I want to know from the hon. Minister why action was not taken

and why these people were not stopped when they were proceeding towards Jama Masjid from Bachon Ka Ghar and why section 144 was not imposed and why they had not been declared as members belonging to unlawful assembly when their behaviour was objectionable and unlawful.

I have myself visited the spot and I saw marks of several bullets at the gate of Jama Masjid where people have been arrested and killed. Many innocent people who were not taking part and who were only sitting in their houses or carrying on their normal business were killed. A girl student who belonged to the Delhi College and who was about 14 or 15 years was sitting in her house. She was shot by the Police. If people whose behaviour was objectionable and who were rowdies and unlawful were fired upon by the Police. I can understand that, because then there would have been some justification for that. But what was the justification for killing people who were in the lanes and who were in their houses and who were innocent? I would like to ask the hon. Minister what was the justification for killing peaceful people? Then, as has been stated by the Minister at the western side of Jama Masjid adjacent to the mosque, 20 shops, except one, all belonging to Muslims have been totally burnt down. This is unimaginable. Members of the Muslim community setting fire to the shops adjacent to the mosque deliberately and damaging the mosque building—this is unimaginable. I want to know from the hon. Minister whether he has got any information that some other mischief-mongers had a hand in the burning of these shops. This fact has not only been reported in several newspapers, but certain suggestions have also been given. I now read a quotation from the SECULAR DEMOCRACY which is edited by Mrs. Subh-dra Joshi, who is a Member of Parliament. This is very significant and I want to know from the Minister what action has been taken by the Home Minister and what is the progress of

the inquiry in this regard. This is the quotation:

Not to be left behind, the RSS cadres attempted to fish in the troubled waters. Though prompt police action avoided a communal flareup, the authorities are baffled by the fact that some shops owned by Muslims located behind Jama Masjid, facing Chawri Bazaar were mysteriously burnt down. A Jan Sangh Municipal Councillor is alleged to have not only stopped the Fire Brigade from reaching the scene, but goaded miscreants to indulge in incendiarism. Incidentally, a meeting of RSS cadres was under way on February 2 morning in the nearby Charkhewalan.

This is a very serious allegation which has appeared in this magazine. I would like to know from the Minister what is the result of the inquiry. If no inquiry has been made why it was not made?

When I visited this spot and entered the mosque, I saw to my surprise that several members belonging to the Jan Sangh were sitting along with the son of the Imam and conspiring together. I saw Shri Kanwarlal Gupta and Shri Anwar Dehlvi. What was the conspiracy going on inside the mosque? What business had they there? This is a very serious matter. What happened there? What happened on the 14th? Certain communal organisations, taking advantage of the situation, Sir, were distributing black boards to the people and persuaded them to go to the mosque under the pretext of offering prayers and provoked the people there with the result that the Jamia Hotel, which belonged to a Muslim, was burnt. Sir, two innocent persons who had taken shelter in that hotel were also burnt to ashes. Sir, this hotel belonged to a Muslim, Sir, I want a clarification on these points.

Sir, I want to quote one more line from the same magazine to which I want to draw the attention of the honourable Minister.

MR. DEPUTY CHAIRMAN: No. Mr. Saleem, you will have to wind up now.

SHRI RABI RAY (Orissa): Sir, how much time will he take?

**SHRI MOHAMMAD YUNUS SALEEM:** Before these incidents took place, provocative and objectionable articles were being published in the organs belonging to different communal organisations and the Government was sleeping over them without taking any action at all. Sir, I am quoting from the same magazine

MR. DEPUTY CHAIRMAN: Mr. Saleem, you will have to wind up.

SHRI MOHAMMAD YUNUS SA-  
LEEM: I will finish in a minute.

MR. DEPUTY CHAIRMAN: Then do not start quoting. If you start quoting from magazines, you will take more time.

SHRI MOHAMMAD YUNUS  
SALEEM: I quote from the same  
magazine:

“Muslim League organs like the **Mustaqueem** and **Mushaihada** have been publishing the speeches of the Imam, blowing them out of all proportions. The **Jana Sangh** mouthpiece, “**The Mother land**” had also picked up the Imam’s speeches and used them as a convenient stick to beat the Government with”.

Sir, this clearly shows that all the communal organisations have joined hands and it is they who are responsible for bringing about this situation. Everybody is shedding crocodile tears. Even the statements of Shri Jayaprakash Narayan show that he has become sympathiser of the Muslim community.

So many persons have been killed and much property has been destroyed and burnt by these people. But nobody came out to condemn the incidents. On the contrary, every body wants to exploit and politicalise the issue.

DR. RAMKRIPAL SINHA (Bihar): Does the RSS control the Muslim mosques and the Jama Masjid?

SHRI OM MEHTA: Sir, this is a very unfortunate incident as I said in the beginning of my statement and I would like to request the honourable Members to discuss this issue with a very cool mind.

SHRI HAMID ALI SCHAMNAD  
(Kerala): There is no communal  
issue at all in this. It is between the  
*police and Muslims there . . . .*

(Interruptions)

SHRI MONORANJAN ROY (West Bangal): Many innocent persons have been killed.

SHRI A. K. A. ABDUL SAMAD  
(Tamil Nadu): Sir, I think he is in-  
viting trouble.

SHRI MONORANJAN ROY: One Miss Farida was shot and injured inside her house . . .

(Inerruptions)

SHRI HAMID ALI SCHAMNAD:  
There is no communal issue at all ..

MR. DEPUTY CHAIRMAN: Mr. Schammad, you will have your turn. and your party will have its turn. Please sit down.

SHRI MOHAMMAD YUNUS  
SALEM: I want clarifications on all  
the points.

MR. DEPUTY CHAIRMAN: Now, Mr. Om Mehta has the floor.

**SHRI OM MEHTA:** Sir, in my reply to the Calling Attention motion, I have referred to all these matters. The first point which has been raised by my friend, Shri Saleem, is that from the morning of that day Shri Abdullah Bukhari was provoking the people and no action was taken. Sir, it is right that Mr. Abdullah Bukhari was collecting the people from the very morning of that day. But, at the same time. Sir, the information that was conveyed to us by the President of the Wakf Board was that they might not indulge in any unlawful activities and yet we had taken certain precautions in the Bachchon Ka Ghar which is an orphanage where the orphan students live. We had

taken certain precautions. But we never thought that they would indulge in such sort of unlawful activities which included entering into the building, attacking Mr. Shah Nawaz Khan, when he had to be taken inside a room and the doors had to be closed. So we thought that they might have a peaceful demonstration and disperse. If we had stopped them or taken any action when they started from Jama Masjid, we would have been accused of using excessive force and stopping a peaceful procession. And we never wanted to be accused of that.

As you know, Jama Masjid is a very congested area. It is full of lanes and bye-lanes, where even sometimes the rays of the sun do not penetrate. So in these lanes when the people were attacked, they entered the houses. The police tried to stop them. But the number was large—600 or 700—and most of them were having 'lathis' and other things. So they tried to enter 'Bachhon Ka Ghar' and damaged the furniture. After that, immediately to stop them from returning to Jama Masjid was not possible because there were so many lanes and bye-lanes. The police could arrest only 87 or something like that—not all of them. Some of them returned to Jama Masjid. In Jama Masjid, over a public addressing system which is fitted there, they asked the people to rise and do all sort of things, so that this was a battle between the police and them. Even in normal days when we go to that area, passing between those lanes in the bazar is not possible. Immediately a large crowd gathered and they attacked the police force.

About the girl which was mentioned by my hon. friend as having been killed on the third floor, she herself while she was in the market place, and also. Sir . . .

श्री गजनारायण (उत्तर प्रदेश) :

आर० एम० एम० वालों ने मार दिया ?

SHRI OM MEHTA: Why should he put words in my mouth?

(Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Om Mehta would say he wants to say . . .

(Interruptions)

SHRI OM MEHTA: He himself said that he went into the Jama Masjid and he saw certain people. How can I contradict him?....

(Interruptions)

About the twenty shops which have been burnt by the miscreants, the matter is under further investigation. We are trying to find who the persons are, who set these shops on fire. We will try and take action when we are able to find them.

MR. DEPUTY CHAIRMAN: Mr. Mathur.

श्री जगदीश प्रसाद माथुर (राजस्थान):

उप सभापति जी, श्री अमर मेहता के वक्तव्य, श्री युनुस सलीम के कांग्रेस पार्टी के वक्तव्य और श्री कुरेशी को इस सारे मामले के सम्बन्ध में पंच बनाए सम्बन्धी बातों को मिलाकर आप देखें तो ऐसा लगता है कि यह मामला जनता का मामला नहीं है, कांग्रेस पार्टी का अपना निजी मामला है। इस काण्ड में 14 लोगों की जानें गई और लाखों रुपयों की सम्पत्ति नष्ट हुई। सारे देश से लोगों ने मांग की कि इस बात की जुडिशियल इन्क्वायरी होनी चाहिए ताकि इस बात का पता लगे कि इतने लोग क्यों मारे गये और इसके लिए कौन दोषी है, लेकिन इसको नहीं माना गया। सरकार ने सिर्फ़ एक बात को लेकर श्री कुरेशी को पंच बना दिया और उनसे कहा गया है कि वे इस मामले को तय करें। मैं समझता हूँ कि श्री कुरेशी इस मामले को तय नहीं कर सकते हैं। मैं यह बात स्पष्ट रूप से कहना चाहता हूँ कि सरकार ने श्री बुखारी को शाही इमाम नहीं माना, ऐसी बात नहीं है। उनको शाही इमाम वक्फ़ बोर्ड ने माना था और सरकार ने भी माना था और अगर ऐसा नहीं होता तो उनको एक डेलीगेशन के साथ रूस क्यों भेजा जाता इतना नहीं, हमारा जो हेल्थ डिपार्टमेंट है उसने इनके माध्यम से मुसलमानों के नाम एक अपील निकाली कि सब लोग मिली प्लानिंग में

[श्री जगदीश प्रसाद माथुर] सहायोग दें। उस समय तक ये सारी बातें ठीक थीं। लेकिन उन्होंने यह देखा कि जामा मस्जिद के इलाके में मुसलमानों की हालत बहुत खराब है और उनका कोई सुधार नहीं हुआ है तो उन्होंने इसके लिए एक योजना बनाई। योजना बनाने के बाद जब वे कांग्रेस के खिलाफ बोलने लगे तो कांग्रेस के लोगों के पेट में बल पड़ने लगा। श्री शाहनवाज खां ने एक वक्तव्य दिया कि उन्होंने प्रधान मंत्री के खिलाफ बल्गर लैंग्वेज का प्रयोग किया है और वह बल्गर लैंग्वेज क्या थी, कि वे झूठ बोल रही हैं। इमाम साहब ने कहा था कि प्रधान मंत्री झूठ बोल रही हैं, उन्होंने इस सारे मुल्क को बर्बाद किया है। ये दोनों बातें हम भी कहते हैं कि प्रधान मंत्री जी कई बातें सदन में जो कहती हैं सही नहीं बोलती, हम सब कहते हैं कांग्रेस ने देश को बर्बाद किया। यही बातें इमाम ने कही तो उसके लिए वह कहती हैं बल्गर बातें कहीं। इस प्रकार की बातें अगर कही थी, 15 अगस्त को कहीं, उसके बाद मोहसिन साहब जो डिप्टी मिनिस्टर हैं गवर्नमेंट के वे 3 बार इमाम से मिले, समझौता नहीं हो सका। इमाम कांग्रेस की शरण में नहीं आ सके उनको शरण में लाने का जो एक तरीका निकाला उसका नतीजा हुआ आज इतने लोगों की जानें कांग्रेस सरकार ने लीं। मैं आरोप लगाता हूँ, कांग्रेस का षडयंत्र था जिसके फलस्वरूप इतने निर्दोष लोगों की जानें गई और आज के दिन इमाम को छोड़ दिया गया। अगर इमाम के ऊपर कोई आरोप था कि वे इस प्रकार का काम करना चाहते थे तो इमाम को अदालत में ले जाना चाहिए था, अदालत में ले जाकर उनके खिलाफ मुकदमा चलाना चाहिए था। हम नहीं चाहते उनके बारे में कोई रियायत हो, अगर वे कसूरवार हैं उनके साथ कोई रियायत की आवश्यकता नहीं है, अगर उन्होंने कसूर किया है। उनके खिलाफ मुकदमा चलाना चाहिए था। पहले तो उनको इमाम बनाया, उनको रूस भेजा गया और बाद में

शाही इमाम को मीसा इमाम बना दिया गया, यह कितना बड़ा पड़यंत्र था? इस सारे काण्ड के पीछे आखिर किसकी गतियां थीं। दिल्ली के मुसलमानों की क्या शिकायतें थीं। अभी यूनस सलीम साहब कह रहे थे जनसंघ वाले मस्जिद में गए। श्री अनवर देहलवी मेट्रोपोलिटन कौंसिल में जनसंघ के मੈम्बर हैं, वे एक एम०एल० ए० के बराबर हैसियत रखते हैं, वे मुसलमान हैं, उनको अधिकार है मस्जिद में जाएँ और नमाज पढ़ें। और अगर अनवर साहब मस्जिद में जाते हैं तो यूनस सलीम साहब के पेट में क्यों दर्द होता है, वह तो एक मुसलमान के नाते गये थे..

**श्री मुहम्मद यूनस सलीम :** कंवरलाल गुप्त क्यों गए थे ?

**श्री जगदीश प्रसाद माथुर :** कंवर लाल गुप्त दिल्ली के नागरिक हैं। क्या दिल्ली के नागरिकों को गोली से उड़ाइएगा तो ..

**श्री मुहम्मद यूनस सलीम :** गुप्त साहब भी नमाज पढ़ने गए होंगे।

**श्री जगदीश प्रसाद माथुर :** उप सभापति महोदय, मुझ पहली बार पता चला कि किसी मस्जिद में हिन्दू नहीं जा सकता। यहां पर कई मुसलमान सदस्य बैठे हैं, वे बता दें कि किसी मस्जिद में कोई नानु-मुस्लिम नहीं जा सकता। उपसभापति महोदय, यदि इस सारे झगड़े के पीछे कोई जड़ है तो यह वक्फ बोर्ड है जिसको सरकार अपनी बपौती मान कर चलती है; कांग्रेस पार्टी अपनी बपौती मान कर चलती है और इसके बारे में केवल दिल्ली के मुसलमान नहीं कहते बल्कि सारे हिन्दुस्तान के मुसलमान कहते हैं कि वक्फ बोर्ड जिस प्रकार की संस्था बन गई है, उसमें वक्फ की सारी प्रापर्टी सरकार के हाथ में है। वक्फ बोर्ड में कौन लोग हैं ? कोई आदमी शिमला में बैठा है, कोई पंजाब में है, कोई कहीं है और बाहर से उसका संचालन करते हैं। दिल्ली में

मीर मुस्ताफ़ साहब के एक बहुत बड़े रिश्तेदार जिनकी दिल्ली के अन्दर सबसे बड़ी मोटर ट्रांसपोर्ट की वसें चलती हैं, कश्मीरी गेट के अन्दर उनके दुकानों में एक-एक दुकान की सलामी के अन्दर पच्चीस-पच्चीस हजार रुपए आते हैं, लेकिन उसका पैसा कहां से आता है ? सारी दिल्ली में 5 करोड़ से ज्यादा वक्फ की प्रापर्टी है, 5 करोड़ की प्रापर्टी से जितना रुपया आना चाहिए वह वक्फ को आता नहीं है, केवल 25,000 रु० आता है। यही कारण है कि ईमाम ने कहा कि उसका इंतजाम ठीक से होना चाहिए। आज दिल्ली की जामा मस्जिद की दरियां फटी हैं, जो नमाज़ पढ़ने आते हैं, उसके पहले बज्जू करते हैं, उनको बज्जू करने के लिए पानी नहीं मिलता है क्योंकि सारे का सारा रुपया पैसा वक्फ बोर्ड के लोग ही खा जाते हैं...

**श्री मुहम्मद यूनस सलीम :** इसकी शिकायतें आपके पास आती होंगी।

**श्री जगदीश प्रसाद माथुर :** हां, हमारे पास आती हैं। हमने प्रधान मंत्री को ज्ञापन दिया हुआ है। अनवर देहलवी साहब, जो मेट्रोपोलिटन काउंसिल में हमारे दल की ओर से मेम्बर हैं वे इस बात के लिए लड़ रहे हैं कि दिल्ली के मुसलमानों का भला हो, दिल्ली के मुसलमानों को कांग्रेस के लोग किस तरह से लूट रहे हैं उसकी तरफ ध्यान दिलाया है।

अब उपसमाप्ति महोदय, मैं आपको बताना चाहता हूं कि किस बात का झगड़ा है ?

**श्री मुहम्मद यूनस सलीम :** आप क्रांतिलों के साथ मिले हैं, आप क्या मुसलमानों का भला चाहते हैं ?

**श्री जगदीश प्रसाद माथुर :** दिल्ली के वक्फ बोर्ड में कौन है ? एक हाशमी साहब है। वक्फ बोर्ड के अनुसार उनको

दिल्ली का नागरिक होना चाहिए, लेकिन उनको नियुक्त किया गया है। एक इनायतुल्ला साहब हैं जिनकी जमानत जब्त हो गई थी चुनाव में। जमानत जब्त होने का मतलब यही हो सकता है कि मुसलमान उनके विरुद्ध थे। जिसकी चुनाव में जमानत जब्त हो गई उसको वक्फ बोर्ड का मेम्बर बना दिया गया। वक्फ बोर्ड कानून के मुताबिक मुतवल्ली को नहीं होना चाहिए क्योंकि प्रापर्टी का इंतजाम करते हैं लेकिन दिल्ली के वक्फ बोर्ड में 9 में से 9 मुतवल्ली हैं। आखिर आपने किस तरह का कांस्टीट्यूशन वक्फ बोर्ड का कर रखा है ? दिल्ली के मुसलमानों ने मांग की है कि जिस तरह से गुरुद्वारों में चुनाव की व्यवस्था आपने कर रखी है उसी तरह उनके वास्ते भी चुनाव किए जाएं ताकि मुस्लिम नुमायंदगी उसके अन्दर आए। उससे हो सकता है ओम् साहब की पीठ थपथपाने वाले मुसलमान न आए, हो सकता है दूसरे मुसलमान आए, मीर मुस्ताफ़ साहब जिस प्रकार सिफारिश करके उस अल्लारखा मस्जिद को लूटे हुए हैं वे लोग नहीं आए। आखिर एक चीज की लोग मांग कर रहे हैं कि वक्फ बोर्ड का चुनाव होना चाहिये और मस्जिद में जो गोलाबारी हुई उसकी ज्यूडिशियल इन्क्वायरी होनी चाहिये। शफी साहब को इन्क्वायरी और इसके सम्बन्ध में दूसरा काम नहीं दिया जाना चाहिये। शफी साहब इमाम से कहेंगे कि तुम्हारे बाप ने यह राय दी है कि तुम इस काम को न करो और तुम्हें विदेश भेज दिया जायगा और तुम्हारी जगह तुम्हारे बेटे को इमाम बना दिया जायगा। इस तरह का षडयंत्र चल रहा है और इस तरह से इमाम को हटा कर उसकी जगह पर उसके लड़के को इमाम बनाने की साजिश की जा रही है। इस तरह का पंच फैसला शफी साहब देने वाले हैं। लेकिन मैं यह जानना चाहता हूं कि जो लोग इस कांड में भागे गये हैं, जिन लोगों की दुकानें जला दी गई हैं,



[श्री जगदीश प्रसाद माथुर]

उनका क्या होगा ? क्या सरकार यह समझती है कि जो लोग इमाम के समर्थक थे, उन्होंने ही अपनी दुकानें जला दी ? असल में इस के पीछे दूसरी बात है और वह यह है कि जब कांग्रेस ने देखा कि मुसलमान और मुस्लिम लीग वाले कांग्रेस से दूर होने जा रहे हैं, भोपाल में मुसलमानों ने कांग्रेस के खिलाफ वोट दिया, जबलपुर में कांग्रेस के खिलाफ वोट दिया, इन सब लोगों को अपने शिकंजे में लाने के लिए इस तरह की बात की गई है और यह षडयंत्र किया गया है। इसलिये मैं मंत्री जी से यह निवेदन करना चाहता हूँ कि वक्फ बोर्ड का ठीक प्रकार से गठन किया जाना चाहिये, उसका चुनाव होना चाहिये जिन लोगों की दुकानें जला दी गई हैं और जिन लोगों को गोली से पुलिस ने मारा है, उन सब लोगों को उचित मुआवजा दिया जाना चाहिये।

श्री ओम् मेहता : कोई सवाल तो पूछा नहीं, लेकिन एक लम्बी तकरीर कर दी। जहाँ तक वक्फ बोर्ड का सम्बन्ध है, इसका मेरी मिनिस्ट्री से कोई सम्बन्ध नहीं है। यह कार्य तो श्री शाहनवाज खां करते हैं।

श्री जगदीश प्रसाद माथुर : उन्होंने ही तो यह सारा घपला करवाया।

श्री ओम् मेहता : अगर वह चाहते हैं कि वक्फ बोर्ड ठीक तरह से काम करे, तो वे इसके बारे में उनसे पूछ सकते हैं, लेकिन जहाँ तक ला-एन्ड आर्डर का प्राबल्य है, उसका सम्बन्ध मेरे साथ है और मैं इसके बारे में जवाब दे रहा हूँ।

डा० रामकृपाल सिंह : जब यह प्रश्न वक्फ बोर्ड के सम्बन्ध में है और माननीय मंत्री जी इसका जवाब देने के लिए यहां पर खड़े हुए और वह यह बात कह कर टाल नहीं सकते हैं कि अमुक मंत्री इसका जवाब दगा; क्योंकि मंत्रियों की तो सामूहिक जिम्मेदारी होती है।

श्री ओम् मेहता : आप कालिग अटेंशन को पढ़िये और उसमें क्या लिखा है ?

डा० रामकृपाल सिंह : वक्फ बोर्ड को लेकर सारी घटना हुई है और इस तरह से साइड ट्रेक करके मंत्री जी अपने दायित्व से नहीं बच सकते हैं।

MR. DEPUTY CHAIRMAN: Have you finished Mr. Om Mehta?

SHRI OM MEHTA: I will reply a few more points, Sir. We are trying to normalize the position and now Mr. Shafi Qureshi has been very kind enough to lend his services in this difficult task because, I don't think it is a very easy task. The Government does not come into the picture. This is a dispute between the Wakf Board and the Imam whether he should be Imam or he should not be. This is for the Muslims and the Wakf Board to decide. Who are we to interfere? And we do not want to interfere.

DR. RAMKRIPAL SINHA: Why did you mention in the statement that Mr. Shafi Qureshi was a mediator?

MR. DEPUTY CHAIRMAN: Anybody can be a mediator.

SHRI OM MEHTA: I mentioned this thing because in this dispute, all this law and order problem has arisen. All this problem has arisen from that dispute. There was a dispute and so they went to attack Mr. Shah Nawaz Khan, and this law and order problem has arisen.

मैं यह जवाब इसलिए देना चाहता हूँ क्योंकि हम लोग यह कोशिश कर रहे हैं कि वहाँ पर सिचुएशन नार्मल हो जाय और पीस हो जाय और जो वहाँ के लोग करफ्यु की वजह से मुश्किलों का सामना करना पड़ रहा है, वह दूर हो जाय। जो मिसक्रिएंट वहाँ पर ट्राबुल पैदा करने की कोशिश कर रहे हैं जो वालिन्टियर लोग काले बिल्ले लगा कर बाहर से वहाँ पर घूम रहे हैं, हम चाहते हैं कि वे अपने-अपने घरों को वापस चले जाय ताकि वहाँ पर लोग अपनी नार्मल हालत में आ जायें।

मैं सिर्फ इतना बतला देना चाहता हूँ कि जो लोग हमारे इन साहब के खिलाफ यह कहते हैं कि वक्फ बोर्ड ने उन्हें इसलिए रिकगनाइज नहीं किया; क्योंकि उन्होंने मवर्नमेंट और इन्दिरा नेहरू के खिलाफ बात कही है, यह बिल्कुल गलत है। मैं इस बात को फिर कह देना चाहता हूँ कि लोग सुबह शाम इन्दिरा जी के खिलाफ कहते रहते हैं, लेकिन हमने कभी किसी के खिलाफ एक्शन नहीं लिया।

डा० रामकृपाल सिंह : मेरे खिलाफ मीसा का चार्ज लगाया गया और मेरे ऊपर चार्ज लगाया गया कि मैंने इन्दिरा जी को फासिस्ट कहा है और इसी की वजह से मुझ जल भज दिया गया।

DR. Z. A. AHMAD (Uttar Pradesh): Sir, I want to state that we are all agreed that it has been a very unfortunate, an extremely unfortunate, development because a purely religious matter which concerns one particular community has been drawn into the arena of politics and people have tried to take advantage of the situation to further their own politics for their own political conflicts.

The trouble started with the attack on the Wakf Board meeting and that attack was very reprehensible, highly reprehensible. The thing could have been settled in a democratic manner and there could have been a demonstration. But, to go inside, attack the meeting and get hold of certain individuals and try to assault them was highly reprehensible. On that, I think, we are all agreed and we should all agree.

Then the developments that followed, I think panicky developments were the sudden arrest of Mr. Abdullah Bukhari under M.I.S.A., shooting, lathi charge, arson and all that. I think that could have been avoided if the police had exercised more restraint. I do not think it was absolutely necessary to arrest Imam Abdullah Bukhari under the M.I.S.A. Whatever

may have been the provocations from his side, I think a more tactful approach could have been adopted because after all these religious questions are very sensitive questions and on these matters there are people who get emotionally worked up. Well, if there was an Imam, he was working as an Imam and when he is suddenly arrested under the M.I.S.A., I think, that could cause provocation. When that provocation was caused, then the law and order had to be maintained, firm action had to be taken and shooting had to be resorted to but all these things could have been avoided. Our party's position is that all this could have been avoided if it had been realised that it is a sensitive question which rouses the feelings of the Muslim community and creates all sorts of problems. The question of religion would come in and the question of religious practices would come in. Therefore, this could have been avoided. And, I think, in future such things should be avoided.

Now, the basic question according to me is the problem of Imam, that is to say, who is to be the Imam, who is to be recognised as the Imam and this question has not been solved and resolved as quickly as it should have been.

SHRI MAHAVIR TYAGI (Uttar Pradesh): Has not been recognised so far.

DR. Z. R. AHMAD: I do not know. I am coming to that. It has not been settled finally. Steps should have been taken to settle the matter finally. Now, the situation is this that Mr. Abdullah Bukhari was more or less recognised as the Imam in 1973, I think July, 1973; Dastar-bandi took place, i.e. putting on the turban of Imam.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAH NAWAZ KHAN): Unofficially.

DR. Z. A. AHMAD: I think some officials were present there. I think even Government representatives were present there when that ceremony of *Dastar-bandi* took place and I was told that even Mr. Fakhruddin Ali Ahmed was to go but somebody telephoned to him from the Wakf Board to say that the matter is complicated and that he should not go and he did not go. I do not know how far this is correct but some *Dastar-bandi* did take place. Now, I do not think there was big opposition from the Imams against that *Dastar-bandi*. The father was invalid, the original Imam was invalid and the invalid Imam could not lead the prayers and, therefore according to tradition, his son would become the Imam. I am convinced that there is a lot of factionalism going on and this Wakf Board property and its mis-utilisation is the whole question. The money is coming from *Awkaf* and the same is being grabbed by this or that Wakf Board. All sorts of things are going on and as a result of that this development has taken place. Now I submit that in such things religious convention should be respected. This family has been at that post since Shahjehan. From father to son this has gone on and now at this late stage to raise the question whether in Islam inheritance is allowed, I think, is not quite proper. It is not proper to raise this question at this stage because not only the tenets of the religion but the conventions that arise or develop on the basis of those tenets have also to be respected.

SHRI HAMID ALI SCHAMNAD: Conventions are allowed in Islam.

DR. Z. A. AHMAD: We allow conventions in Parliament. Everywhere conventions are allowed.

Factional dispute arising out of the distribution or mal-distribution of the of *Awakf*, I think, should have been settled and the Government should have intervened impartially, effectively, in order to solve that dispute. I am convinced that the money of these *Awkaf*—*Awkaf* is plural of *wakf*—is mismanaged and misappropriated.

SHRI B. V. ABDULLA KOYA: (Kerala): It is the duty of the Wakf Board to see that malpractices in the wakf money is not there.

DR. Z. A. AHMAD: Wakf Board has actually to see that the *awkaf* function properly and the money that comes from the *awkaf* is properly distributed. That is the duty of the Government but the Government should not take a partisan attitude. I am afraid that there is something seriously wrong in the Wakf Board functioning in Delhi and the Government should go into it, examine it and this whole question has to be considered very seriously. I welcome the appointment of Mr. Shafi Qureshi because somebody has to give a judgment.

AN. HON. MEMBER: Why should you not be there?

DR. Z. A. AHMAD: Religious leaders should be consulted. I do think that Mr. Qureshi will consult the religious leaders, take their opinion in regard to the conventions, tenets of the religion concerned and then come to a conclusion.

DR. RAMKRIPAL SINHA: Why was the name of Sheikh Abdullah brought in?

DR. Z. A. AHMAD: That I do not know but what I was saying is that an amicable settlement should be our aim. We should not try to exaggerate. We should try to normalise the situation and I do think that some elements have tried to exploit the situation. In our political set up every situation is exploited. So, why not exploit this situation? I do not accuse any individual or any party but generally speaking, communal-minded people from this side or that side would surely exploit such explosive situations.

SHRI B. V. ABDULLA KOYA: But your Congress people are themselves responsible for creating such a situation and not others who are taking advantage of the situation.

MR. DEPUTY CHAIRMAN: You ask the Home Minister when you are called.

DR. Z. A. AHMAD: My point is, our attempt should be to normalise the situation. I welcome the appointment of Mr. Shafi Qureshi. Further I would say that police excesses and burning of shops should be gone into. It is a serious matter that the shops near the Jama Masjid were burnt. Police excesses should be examined and there should be more compensation given, particularly in case of firing, firing at random. Why this was resorted to? Excessive use of force should be examined so that people could learn for the future. We should establish certain conventions. Every incident in which the police fires or resorts to excessive force should be examined. We want to establish norms in that respect also, norms of behaviour of police. And about compensation, I think more relief should be given to those innocent people who have been killed. Mr. Mohd. Shafi Qureshi should apply his mind as quickly as possible and all of us should combine in normalising the situation in that area.

SHRI OM MEHTA: Sir, I am grateful for all the suggestions made. Efforts of the Government are to create the normal situation there and we feel, Sir, the release of Imam will lead to that. And I want to say that this misgiving is there that the Government has appointed Shri Mohd. Shafi Qureshi, but the Government has nothing to do with it. It was the Naib Imam of Jama Masjid, Abdul Bakhari, and some more religious leaders whose names I mentioned in the statement, and also the Wakf Board—they are the party to it—all of whom agreed with his coming into the field and they appointed him. After that, they informed us that they wanted to do it. We said anybody who comes before us for peace is all right—the government policy is always to promote peaceful conditions. And, Sir, about the inquiry we feel that at this stage it would not be of any purpose unless normally is restored in that area.

SHRI SHYAMLAL GUPTA (Bihar): After all these speeches, I won't have much to say, but there are one or two points. On the appointment of Mr. Qureshi, being a member of the Ministerial rank here, he will certainly bring round the Imam to the Congress fold who is against the Congress at the moment, but इनकी चालें ऐसी होंगी कि जो अपने मुखालिफ हैं मुसलमान, उनको कांग्रेस में लायें। (Interruptions) मुसलमानों को बेवकूफ बनाते रहे हैं और बेवकूफ बनायेंगे। इसी विश्वास में गवर्नमेंट से वक्फ बोर्ड वाले दरखास्त करते हैं कि कम से कम एक मिनिस्टर या उनका कोई भी आदमी हो जो अपना इनफ्लुएंस उनके ऊपर रख कर उनको अपने फोल्ड में लाने की कोशिश करे।

श्री ओम मेहता : जैसा मैंने पहले कहा, हमने एपाइंट नहीं किया। जिन लोगों ने एपाइंट किया उनमें नायब इमाम और वक्फ बोर्ड और यहां के बड़े बड़े उलेमा थे, उन्होंने किया। अगर वह शफी कुरेशी को चाहते थे और वह कैबिनेट में हैं तो उससे कोई फर्क नहीं पड़ता है। गवर्नमेंट में होने से उनका धर्म बदल नहीं गया। यह इनकी फर्सनल कैपैसिटी में है। He is a Muslim, and just because he is Minister, he does not cease to be a Muslim. The Government has nothing to do with it.

DR. K. MATHEW KURIAN (Kerala): Mr. Deputy Chairman, Sir, I had the opportunity to visit the Jama Masjid area after the disturbances along with Shri Monoranjan Roy, a Member of this House, and

[Dr. K. Mathew Kurian]  
four Members of the Lok Sabha belonging to my Party. Sir, we made certain on-the-spot inquiries into various reports, and I must confess that unfortunately Shri Om Mehta's statement is a figment of imagination by the police and it is complete falsehood written out by his police officials and unfortunately Mr. Om Mehta has come out with that. I must say, Mr. Deputy Chairman, most of us are agreed, except some Members of the ruling party, as to what happened in the Jama Masjid is not a communal riot; it has nothing to do with communalism. It is, on the other hand, a problem created by the wrong attitude of the Congress Government, Delhi Administration and the police. Sir, there has been an attempt by the ruling party to use the Wakf for political bargaining and political manipulation. This is the root of the whole trouble. Till the Imam was supporting the Congress Party, there was no trouble but the moment he went against the Congress Party, trouble started. When the Imam was helping the Congress Party, he was sent to the Soviet Union; his pamphlets and leaflets on family planning were distributed through aeroplanes with great gusto. All that was done by the ruling Party so long as he supported them.

I would like to read out a small portion from the "*Hindustan Times*" of February 10. According to the Correspondent, Mr. Ahuja, it is stated that the Imamat had passed from father to son from the time of Emperor Shah Jehan through the British raj and up to date. The Imams are known to live with the rulers of the day, until the acting Imam started criticising the Government from the portals after the Friday prayers. This has been the tradition from Shah Jehan. Things were going on well till the acting Imam started criticising the Congress Government. This is the main point. What is reported to have been a simple matter of property dispute between the Imam of Jama

Masjid and the Wakf Board and the Government, had been turned by the trigger-happy police of Delhi and the Delhi Administration into an orgy of blood and arson. Curfew has been imposed and indiscriminate lathi-charge and firing restored to by the police as a punitive method against these people....

SHRI OM MEHTA: No.

DR. K. MATHEW KURIAN: Sir, I would also like to refer to the same issue of "*Hindustan Times*" dated 10th February where it is said that the acting Imam had made a number of demands but two of them were that the wages of the staff limited to Rs. 130 per month be raised by the Wakf Board and there were a number of other demands. There have been certain genuine demands made....

SHRI SHAH NAWAZ KHAN: Wages were increased.

DR. K. MATHEW KURIAN: What I am trying to say is, when there were some genuine demands and certain disputes were going on instead of solving them, Government wanted to use the Wakf Board as a counter for political bargaining.

According to the police reports and the reports appearing in the papers, police claimed 20 rounds of firing. According to our investigations, on the Jama Masjid gate itself, there is evidence of 12 rounds of police firing. One school boy Fakir Mohammed was killed by police firing and there were 7 bullets on his body. That makes 19 bullets, and according to the information 22 to 25 people died and at least 22 bodies were recovered from the mortuary. The statement of the hon. Minister is false; it is not correct. How could 7 bullets kill 22 to 25 people? This is something which should be really looked into.

Then Mohammed Naeem a young man of 24-25 years, who was married only 24 days before, was shot dead, brutally at least 2 to 3 furlongs away from the area of disturbance, far away from the place of disturbance. In the Jamia hotel people who went into the hotel for protection, were bolted in from outside and they were roasted by fire by anti-social elements with the collusion of the police. I have got evidence with me to prove this. Miss Farida, B.A. student of the Delhi College was brutally butchered by a gang of 4 policemen. I am prepared to prove this before a judicial inquiry. 4 police people entered the third floor or the second floor—the highest floor of the house—and entered the room of this girl and fired at point blank. Mr. Deputy Chairman, Sir, there was a time piece in the al-mirah; there was a mirror in the al-mirah. These were taken away by the policemen. There was a purse containing Rs. 337. That was

1 P.M. stolen by the police, and the Minister comes here and says that this girl had given a statement to the police that she was hurt at the market. I have visited this place. I produce here the blood of Farida. This is the blood of Farida taken from the top floor of this house, and this is the sheet on which she was laid. And I am prepared to prove that. And Mr. Monoranjan Roy will agree with me. We visited this place; we saw the place where the incident took place. This is the blood of Farida crying for justice from the Government, and Mr. Om Mehta should bow his head in shame for repeating the falsehood prepared by the police.

SHRI OM MEHTA: I will reply.

AN HON. MEMBER: Some action is necessary, not reply.

DR. K. MATHEW KURIAN: Similarly, in a house very close by where women were staying—they had nothing to do with this—the police broke open the door. Here is a piece of the door which was broke open by the police. I have got the house number with me. I do not want to disclose it because the members of that family

are afraid that the police would come and victimise them if I disclose it. I am prepared to give evidence if there is a judicial inquiry. Police broke into the house, harassed the women, shot people, shot young children. All that was done. They had been doing looting and arson and stealing. I have got one or two points more to make.

According to our investigation, out of a row of shops numbers 617 to 638, 20 shops were burnt, except one. One shop was left over because the anti-social elements and the police did not want to trouble that. The fire station which is very close to the Mosque took full forty minutes to reach the place because they were in collusion with the police and the anti-social elements. Here is case where the fire engine which was very close by did not reach there till 40 minutes after the fire. Forty shops are looted. Then after the curfew was imposed, the police and the anti-social elements went round and looted the shops. The total loss estimated is at least Rs. 7 lakhs, maybe, much more. And I would like to name some heroes or villains of the piece—police officer. mamman Sangh, SHO of Chandni Mahal Police Station, Jama Masjid. Mamman Sangh is one of the leaders of this crime. Mamman Sangh should be named. He was leading this group of policemen and the anti-social elements. I can also name a few people, anti-social elements, if the Minister agrees to testify and verify. Ashok alias Pole stays at Kucha Mir Ashique in Chowri Bazar. Then there are Ashok Lamba and Maddi of Chowri Bazar near the Bata Shop. I can give you any more names of anti-social elements who have a history of crime for looting and cheating. These are the people who were aiding and helping the policemen in doing this business of burning the shops and looting the places. And even during the curfew hours, these anti-social elements were moving freely with the police. I would like to know whether this is true.

Lastly, what is to be done? I would ask the Minister to institute an imme-

[Dr. K. Mathew Kurian]

diate judicial inquiry. Nothing short of a judicial inquiry will bring to light the facts of the case. You cannot put the lid on by this statement. This will go on, this will rebound, this will fall back upon you, if you do not open the cupboard and let the skeleton be brought out. Similarly, there should be full compensation paid to the families of the dead and the injured, and full compensation to those who have lost their property in the looting by the police and the anti-social elements. Remove the curfew immediately. Unless these things are done and unless the Congress Government and their party remove their hand from the wakfs and from the institutions of the religious minorities, this problem cannot be solved. I would like to know whether he is prepared, in the light of the evidence that I have given—clear evidence to contradict his statement, here is the blood of the girl killed—to have a judicial inquiry. The truth will come out if there is a judicial inquiry. We are prepared to support it.

SHRI OM MEHTA: I expected something better from my friend, Dr. Kurian, but he has taken to the habit of floating cock and bull stories. He visited that area. I visited that area the same day when the firing took place. He might have visited it after two or three days. But I went there immediately. That is the difference.

DR. K. MATHEW KURIAN: You went to the police and when you go to the police you cannot get at the truth.

SHRI OM MEHTA: It is not my opinion. There are some Delhi daily papers. He read out from something. I will also read out from the editorial of the Hindustan Times which says:—

“There is, however, little doubt that the followers of Syed Abdullah Bukhari...”

SHRI RABI RAY: Which paper?

SHRI OM MEHTA: Hindustan Times.

श्री राजनरायण : वहाँ से वर्गीज हटाये गये ।

श्री ओम मेहता : कहा हटाये गए श्री तो वही है ।

SHRI OM MEHTA: Just see how they twist a thing.

SHRI MONORANJAN ROY: Did you go to Farida's house? Have you seen her father dead?

SHRI OM MEHTA: I have visited all the lanes. I will read out from a paper. It is not my opinion. It is the opinion of some of the big national dailies which are being published from Delhi. Because you wanted it I will read out what they say:—

“There is, however, little doubt that the followers of Syed Abdullah Bukhari were spoiling for a fight and were well prepared. The wherewithal for committing arson was readily at hand and it was even alleged that fire arms were used against the police. Fortunately, the trouble was contained....”

SHRI B. V. ABDULLAH KOYA: How many policemen were injured by fire arms?

SHRI OM MEHTA: “Fortunately, the trouble was contained.” (Interruption) Sir, I would request them to listen to me.

MR. DEPUTY CHAIRMAN: When Dr. Mathew Kurian spoke nobody interrupted him. Why do you interrupt him? Even if it is very unpleasant to listen you should not interrupt.

SHRI OM MEHTA: You referred to some papers. I am also referring to papers. Earlier when I made the statement they said it was a police statement. Now they are not prepared to listen when I am reading out from an editorial. It is the editorial from the Hindustan Times dated the 4th February. It goes on to say:—

“Fortunately the trouble was contained and, with the clamping down of curfew, the situation has been brought under control even if it is not cooled. There is need for continuing vigilance and trouble-

makers must be dealt with firmly."

Dr. Kurian said that it was the Congress who engineered the whole thing. Actually, it is we who reached there first. And it was not we who had collected 600 people and incited them. It was not the Congress people who collected these people.

Sir, it was a dispute between the Naib Imam and the Wakf Board. What has disturbed us most. . .

SHRI MAHAVIR TYAGI: Is it true that the girl was shot dead in her house?

SHRI OM MEHTA: Let me repeat. The girl is alive. She has given a statement.

DR. K. MATHEW KURIAN: The statement is police fabricated. I can assure you that if there is judicial inquiry it will be seen that it is a fabricated story by the police. You institute a judicial inquiry and we are determined to prove it.

DR. RAMKRIPAL SINHA: The charge is very clear. The Government says that the girl was killed in the market place.

SHRI MONORANJAN ROY: What about her father? Why are you silent about that?

SHRI OM MEHTA: Sir, they should have patience to listen.

SHRI MAHAVIR TYAGI: Has it come to your notice that the girl is dead?

SHRI OM MEHTA: She is not dead. She is alive.

SHRI MAHAVIR TYAGI: Was she fired at in her house? The girl made the statement that she was in her house when she was shot.

SHRI OM MEHTA: She has herself given statement that she was shot when she was in the market place. Perhaps he went there after many days. (Interruptions). On that day he never went there. He went there afterwards. Any evidence can be

connected afterwards. . . (Interruptions).

श्री रवी राय : जो बयान दे रहे हैं, उसके बारे में कहना चाहता हूँ ।

SHRI MONORANJAN ROY: On a point of order.

(Interruptions)

MR. DEPUTY CHAIRMAN: Dr. Kurian, Mr. Rabi Ray, Mr. Monoranjan Roy and Dr. Ramkrupal Sinha, you must behave yourself. What is this? Listen to his reply. You do not expect that the House should hear only you and not hear the Minister. That is not the way. Dr. Kurian has had his full say and the Minister is replying. What is the use of barracking like this? You are not going to gain any point by barracking. It only weakens your point.

श्री राजनरायन : इस सदन में झूठ बोलने का अधिकार है और श्री ओम मेहता को बोलने दीजिये ।

MR. DEPUTY CHAIRMAN: Truth will reveal itself.

श्री राजनरायण : मैं तो कह रहा हूँ कि श्री ओम मेहता को बोलने दीजिये ।

SHRI OM MEHTA: Another paper, *Hindusthan Standard* from Calcutta: wrote in its editorial:

"Prompt and firm police action contained the Delhi riot on unday which otherwise would have wrought a far greater havoc in a wider sphere. The foremost danger was that violence could easily have acquired or been given a communal twist which, in a highly congested city of mixed population, would have created a disaster. That this did not happen should go to the credit of the law and order authority which lost no time in taking a decision and putting it into effect."

DR. K. MATHEW KURIAN: They write from Calcutta:



SHRI OM MEHTA: Whatever it is, they have got correspondents here.

"Surprisingly, or perhaps because the party politicians with blinkers on cannot look beyond their immediate narrow interests or afford to neglect any opportunity to malign the Government, some opposition parties attacked the police for committing excesses. Even if the charge is partially true, the fact that 66 policemen were injured and the fear that that situation, if not immediately brought under control, could lead to perilous consequences would justify the alleged severity of police action. Whatever the issue and the provocation, the crowd could never be allowed to take the law into their own hands."

This is not our statement. This is an editorial in the Hindusthan Standard, Calcutta, of 5th February 1975.

Sir, I can again assure my friend, Dr. Mathew Kurian, that it is not a figment of our imagination. These are the facts. We are not trying to communalise the situation. We are trying to contain the situation and we are trying to help those poor people because the ruffians and others who incite people never come out when such things happen. They immediately go and take shelter behind the doors. It is the poor people in the streets who become Victims (Interruptions). The crowd was throwing stones, brickbats, acid bulbs and bottles. I myself had gone into the street. If anybody had gone there, he would have found it difficult to imagine how these police people escaped death. Two of them got even stab injuries.

DR. K. MATHEW KURIAN: Why are you afraid of a judicial enquiry?

MR. DEPUTY CHAIRMAN: Mr. Abdulla Koya.

SHRI B. V. ABDULLA KOYA: Mr. Deputy Chairman, Sir, my friend, Dr. Mathew Kurian has, I think, narrated

these happenings in a better way. Any peace-loving man in the country would be extremely sorry for what happened in the Jama Masjid area on February 2 and thereafter. But to my great astonishment and anguish, I find that the Central Government has not shown the same anxiety and sympathy and their handling of the situation has been far from satisfactory. Even now people there are passing through great miseries and hardships. Even yesterday I was there and found out how the daily wage earning people have been starving for the last two weeks. It is reported that fourteen lives or perhaps more—because many of the outsiders who had been dwelling there near Jama Masjid might have died and nobody could give their whereabouts—have been lost due to police shooting and burn injuries. They say that people have been shooting from house-tops. I would like to ask the Minister whether he can prove that any single policeman was injured by shooting or had died, whereas hundreds have been injured or hospitalised and many have been put under arrest without any specific charges. Numberless have been rendered homeless and jobless, thrown at the mercy of charity and relief work by the voluntary organisations. These people have been indirectly criticising every organisation, but I would like to tell them that it is the voluntary organisations which give them succour by distributing milk and wheat flour etc. daily for these people

....

SHRI OM MEHTA: We are also doing that.

SHRI B. V. ABDULLA KOYA: But nobody has seen that. I am told even that it is very difficult for any Congress Member to move about in the area because people have lost their confidence in them. But none of the Cabinet Ministers, including the Prime Minister or not even the President thought it fit at least to express sympathy.

The Imam, at least now, has been released, but not his son or hundreds of the innocent people who were rounded up indiscriminately, not only from the Jama Masjid area, but from even distant places like Sand Jumna Area and Bara Hindu Rao.

It is absolutely the duty of the Central Government to order immediately a judicial enquiry and to punish all guilty people including police officers. When I say all guilty people what I mean is, if you find any of the Imam's people also guilty, they should also be punished. It is the duty of the Government to make an inquiry and find out who are really guilty. It is no use making some statements here in the Parliament. Adequate compensation should be given to the riot victims. When we try to look into the causes of this unhappy incident, we feel very strongly that even the Delhi Administration and the Wakf Ministry have bungled very miserably in tackling the situation dispassionately. Police atrocities of shooting down young men even from the interior areas and at second and third floors of residential buildings have been reported. A young lady aged nineteen, a student of the Delhi College, has received bullet injuries while she was doing her needle work and has been hospitalised. Shops were plundered and set to fire even during curfew hours when Police people were patrolling.

It is a shame that such things happened during the regime of Shrimati Indira Gandhi for whom I too have got some respect and regard. But I feel so bad when such things are happening in her regime especially when she proclaims to be a champion of minorities. Therefore, I conclude by saying that nothing less than a judicial enquiry would satisfy the suffering thousands of the locality.

Incidentally, I would like to inform the Congress Benches that during the regime of their opponents, the Jan Sangh, we did not have such happenings in Delhi. It is the duty of the Congress people to order at least for

an enquiry to prove that some of our friends in the Jan Sangh had a hand in this matter. Without doing that, even if you say thousand times that Jan Sangh or others might have done this, we are not going to believe you.

SHRI MONORANJAN ROY: What about the judicial inquiry? No reply to that?

SHRI B. V. ABDULLA KOYA: Nothing less than a judicial inquiry will satisfy us.

DR. K. MATHEW KURIAN: We want a judicial inquiry. Do not go by the reports of the police officials (*Interruptions*).

SHRI MONORANJAN ROY: Sir, let him say, "Yes" or "No".

MR. DEPUTY CHAIRMAN: Mr. Roy, please take your seat. The Minister will say what he wants to say.

SHRI OM MEHTA: Sir, there are two or three relevant questions which have been raised by Shri Koya. He asked how many police people were injured and how many of them received bullet injuries. The total police injuries in the area were 96 and the injured were 66 on 2nd February, 2 on 7th February and 28 on the 14th February.

SHRI B. V. ABDULLA KOYA: By stone-throwing?

SHRI OM MEHTA: Out of these people, 18 were seriously injured and one of them was injured by a bullet and it was from a .12-bore gun which is never used by the police. It is a .12-bore one which is not used by the police..... (*Interruptions*). Sir, we do not want to take any revenge against any innocent people. We would like to assure again that Mrs. Indira Gandhi's Government is the greatest protector of the minorities which safeguards the interests of the minorities.... (*Interruptions*).

DR. K. MATHEW KURIAN: It is the joke of 1975. I think it is the greatest joke of 1975.

MR. DEPUTY CHAIRMAN: Dr. Kurian, if it is a joke, you don't have to shout about it.

DR. K. MATHEW KURIAN: It is not only a joke, but it is also a cruel joke.

MR. DEPUTY CHAIRMAN: You don't shout about it. If it is a joke, you enjoy the joke.

SHRI OM MEHTA: Sir, if we try to protect the people against arson and loot, even then we are blamed and if we don't protect them then also we are blamed.

SHRI HAMID ALI SCHAMNAD: Our only plea is for the appointment of a judicial committee for inquiry. We will be satisfied with that. Let there be a judicial inquiry into the incidents.

DR. K. MATHEW KURIAN: At least for the sake of the stability of the Kerala Government have a judicial inquiry.

SHRI OM MEHTA: Sir, I will request Dr. Kurian again not to politicize the issue. He has been trying again to do that with the friends of the Muslim League.

SHRI B. V. ABDULLA KOYA: When he refers to the Kerala coalition, I happen to be a party to that and therefore, when he throws you a challenge, there is trouble.

SHRI OM MEHTA: Sir, about the inquiry....

SHRI RABI RAY: Mr. Koya, are you then going to quit the coalition?

SHRI OM MEHTA: Sir, about the inquiry I have already said.

SHRI MONORANJAN ROY: Sir, judicial inquiry must be there.

MR. DEPUTY CHAIRMAN: Mr. Roy, let the Minister speak. If you people do not want to hear him, I will wind up the Calling-Attention debate.

SHRI OM MEHTA: Sir, the area is under curfew now. Some people have been injured and they are in the hospitals and we are trying to see that normalcy is restored in that area. If immediately an inquiry is ordered, again they will lose their patience... (Interruptions) .. But we are watching the situation, Sir, and we will also consult the honourable Members as to what is to be done in future.

Sir, he also mentioned about the release of those who have been arrested. Sir, we would again like to say that we have no grudge against those people who are innocent. As soon as normalcy is restored there and if we find that there are some people who have been unwittingly arrested in the crowd, we will certainly release them.

PROF. RASHEEDUDDIN KHAN (Nominated): Sir, the recent happenings in the Jama Masjid area constitute a serious issue which should neither allow the Government to come out with facile and complacent statements as if nothing extraordinary happened there nor give an opportunity to the Opposition parties to fish in troubled waters. The fact of the matter is that all of us remain unconvinced about the way the statement has been made. I say this because the happenings there should neither be given a communal twist nor should they be politicized. But having said that, I would also add that it should not be under-estimated either.

Three aspects of the problem are involved. First is the problem of the role and work of the Wakf Board. Second is the question of accession to the 'Imamat' of Jama Masjid. Third is the problem of the role and responsibility of the police and those in charge of the problems of peace and security of the people.

Sir, how do we link up the work of the Wakf Board with 'Imamat'? As far as I am concerned, it is not very clear. Let me start with the question of 'Imamat'. This is for the first time after independence that the question of 'Imamat' to Jama Masjid has arisen,

because the old 'Imam' was there when India became free and the question has arisen now. It is also a fact, as Dr. Z. A. Ahmed mentioned, that in 'Darul-Salaam' sometimes the right of heredity is also maintained. But it is also an important factor that on the question of 'Imamat' the 'Ijtama of Ulema' is called for. While speaking of the 'Ijtama of Ulema' it is also understood that unless you have the whole situation of 'Darul-Salaam', probably the question of 'Imamat' does not arise. Therefore, I would appeal that in view of the fact that Abdulla Bukhari has been released and also that Mr. Qureshi has offered to arbitrate, the whole question has to be examined not only from the angle of accession but what is the consensus also.

My submission, without looking wise after the event, is that the problem has not been solved in the manner in which it should have been solved years back in 1973, in July 1973, when 'Dastar Bandi' took place. I would also suggest that in a framework of free expression people sometimes use abusive expressions. If the 'Imam' of Jama Masjid has allowed himself to speak in the manner which is not expected of 'Imam', that is another matter altogether. But the question of succession should not be brought in.

Sir, the working of the Wakf Board, if I may say with due respect, is far from satisfactory. According to a conservative estimate about Rs. 4000 crores is locked in Wakfs in India. This is based on conservative estimates. I would suggest that the whole working of the Wakf Board be modernized also. The working of the Wakf Board is the working of an autonomous institution. I think that persons who are part of the ruling party must take a concerted action.

Lastly, I will say that the police has exceeded its limit while handling the whole situation. Whenever the question of peace arises, the police usually exceeds the limit. Half of what my friend, Dr. Mathew Kurian, has stated is right. If one of the accusa-

tions made by the Opposition Parties is right, it is a matter for concern. This aspect has to be investigated. What has actually happened in Jama Masjid, as far as I think, is not between one community and another community. It was excessive mishandling of the situation by the police, out of fear, out of apprehension. I would request Mr. Om Mehta to understand the problems of the Muslims also. In a predominantly Muslim area, a little more imagination is called for. I would entirely agree with the proposal made by almost every member from the Opposition that a judicial inquiry is called for. Why should there be any hesitation on this account? . . . (Interruptions).

SHRI HAMID ALI SCHAMNAD:  
Unanimous view.

PROF. RASHEEDUDDIN KHAN:  
The question of the loss of life and property is also to be investigated. Destruction has taken place on a large scale. I would also suggest that apart from an amicable settlement of the question of 'Imamat', you should also consider ways and means of including Muslims in the Delhi Police. One way in which the problem of West Bengal was solved by Mr. Siddharta Shankar Ray was a big inclusion of the Muslims in the Police. Sir, I think if we have a balanced police force it will certainly contribute to harmony. Therefore, I will end up by saying let not the Minister of Home Affairs be composed. When the circumstances are out of all proportion, it is good to be somewhat agitated. I would like Mr. Om Mehta to be somewhat agitated.

SHRI OM MEHTA: I assure my friend that I am equally agitated because I know that when this law and order problem comes up, some innocent people are hurt. We are trying that these things are not repeated in Delhi which is a congested city. He has rightly said about the Delhi police. We are trying to raise the percentage of Muslims in Delhi police. We have given special instructions to Delhi police to recruit more and more Muslims in Delhi police.

[Shri Om Mehta]

The other points he has raised are mostly about Imamah and Waki and it is for them to clarify their position. I have nothing to say about it.

श्री राजनारायण : श्रीमान्, मैं यह चाहूंगा कि सचमुच जब किसी महत्वपूर्ण विषय पर कोई ध्येय निर्धारण किया जाए सरकार का तो सरकार शान्ति से सुने, टालू मिक्चर न पिलाए। सही बात जो हो उसको कबूल करे।

जो मटिया महल जामा-मस्जिद से 16 साल का बच्चा छत पर से गिरा और मरा तो क्या पुलिस ने उस बच्चे को उठा कर अस्पताल ले जाने की तनिक भी कोशिश की? मेरी जानकारी यह है कि पुलिस ने कोशिश नहीं की उठाने की और वह मर गया।

श्री महावीर त्यागो : गोली से मरा ?

श्री राजनारायण : छत से गिर कर मरा।

दूसरी बात मैं यह कहना चाहता हूँ कि जो लड़की के बारे में अनावश्यक ढंग से ओम मेहता ने लम्बी चौड़ी सफाई दी, इस सत्य को क्यों नहीं कबूल किया जाता कि उसको घर में रहते हुए गोली मारी गई। मैं वहाँ गया हूँ और वहाँ जा कर पूरी जानकारी की है, पांच तारीख को। मैं दूसरे कार्यक्रमों को स्थगित करके जामा मस्जिद में पुलिस फायरिंग की घटना की जानकारी प्राप्त करते ही वहाँ गया। 6 बुलेट के निशान जामा-मस्जिद के बड़े फाटक पर मैंने

गिने 5 तारीख को। इसके बाद मैं ऊपर गया। ऊपर गया तो 4 बुलेट श्री नोट श्री के निशान मैंने गिने। यहाँ पर इमाम साहब बैठते हैं, उनका कमरा है। इसके बाद 5 तारीख को ही जामा मस्जिद में चारों तरफ घूमा। वहाँ पर मैंने खून के धब्बे दिवार पर और फर्श पर अपनी आँखों से देखे। हमारे साथ तीन आदमी और थे जामा मस्जिद के अन्दर खून के धब्बे कैसे गए, यह ओम मेहता साहब बताएं। जामा मस्जिद के फाटक पर गोली कैसे चली इसकी भी ओम मेहता साहब सफाई दें। जामा मस्जिद में एक छोटा सा कमरा है जिसमें टेलीफोन वगैरा हैं उसमें दिवार के एक कोने पर गोली की बौछारें कैसे हुई, यह सफाई दें। इमाम साहब के सारे टेलीफोन की तारें काट डाली गईं, बिजली की तारें काट डाली गईं। जब मैं 5 तारीख को वहाँ पहुँचा तब भी उनके टेलीफोन काम नहीं कर रहे थे, क्यों? श्रीमान् नक्शा अगर लोग समझें तो जहाँ आपकी गद्दी है और जो हमारे कर्मचारी खड़े हैं इतना ही फर्क है जामा मस्जिद और पुलिस स्टेशन में।

जामा मस्जिद में जो सड़क है उसमें सिर्फ इतना ही फर्क है। आप देखिये कि पुलिस अपनी चौकी के ऊपर से फायरिंग कर रही है। मैं पूछना चाहता हूँ कि पुलिस अपनी चौकी के ऊपर चढ़कर फायरिंग करे, क्या यह उचित था? इन बातों के अलावा पहले मैं मुबारकबाद देना चाहता हूँ दिल्ली के हिन्दुओं और दिल्ली के मुसलमानों को जिन्होंने श्री ओम मेहता की सरकार द्वारा इसको साम्प्रदायिक रंग देने की पूरी कोशिश करने के बावजूद इस मामले को साम्प्रदायिक रंग नहीं देने दिया। इसके लिए मैं फिर दिल्ली के मुसलमानों और हिन्दुओं, दोनों को मुबारकबाद देता हूँ।

श्रीमान्, इसके बाद आए हमारे उत्तर प्रदेश के एक बहुत प्रतिष्ठित मुस्लिम विधायक श्री मसूद साहब। हमने श्री ओम मेहता को

टेलीफोन किया, लेकिन वे नहीं मिले। इसके बाद हमने सोचा कि दिल्ली के डिप्टी कमिश्नर साहब से मिला जाये। मैंने उस दिन सारे प्रोग्रामों को स्थगित करके यह निश्चय किया कि दूसरे दिन उनसे मिला जाए। डिप्टी कमिश्नर साहब बहादुर ने कहा कि आज तो सन्डे, रहा, इसलिए मैं आपकी चिट्ठी कहीं भेज नहीं पाया। श्री ओम मेहता साहब मिले नहीं। यह भी कहा गया कि चूँकि इमाम साहब को मीसा के अन्दर गिरफ्तार किया गया है, इसलिए इस बारे में घर विभाग की आज्ञा होनी चाहिए। मीसा का मतलब है मैनटेनेन्स आफ इंदिरा सेक्योरिटी ऐक्ट। इसलिए जो आदमी इंदिरा सेक्योरिटी ऐक्ट के अन्दर गिरफ्तार किया गया हो उससे राजनारायण कैसे मिले ?

श्री महावीर त्यागी : यह एक्ट तो तुम्हारे ऊपर भी लगाया गया है।

श्री राजनारायण : मैं बहुत अदब से सरकार से यह निवेदन करना चाहता हूँ कि....। (Interruptions) देखिये अट बन्ट मत बोलिये।

MR. DEPUTY CHAIRMAN: Mr. Yunus Saleem, you spoke for fifteen minutes and you should have no cause for complaint.

SHRI MOHAMMAD YUNUS SALEEM: The way that he is relating a story, an absolutely irrelevant story, he is wasting the time.

श्री राजनारायण : श्रीमन्, मैं यह निवेदन करना चाहता हूँ कि एक श्री मुश्ताक अहमद साहब हैं जो पहले हमारी पार्टी में थे, लेकिन अब कांग्रेस में चले गये हैं।

श्री मुहम्मद यूनुस : मीर मुश्ताक अहमद बनिये।

श्री राजनारायण : मीर आपके लिए होंगे, हमारे लिए तो मुश्ताक अहमद ही हैं। श्री मुश्ताक अहमद उनसे मिले और उन्होंने एक झूठा ब्यान प्रसारित कर दिया जब श्री

मुश्ताक अहमद उनसे मिल सकते हैं तो क्या कारण है कि राजनारायण उनसे नहीं मिल सकता है? हम उनसे इसलिए नहीं मिल सकते हैं क्योंकि हम सरकार की निगाह में इस देश के दूसरे नम्बर के नागरिक हैं, क्या यह बात सही नहीं है?

SHRI B. V. ABDULLA KOYA: Not only you, but even Mr. Ibrahim Sulaiman Sait, President of the Muslim League, could not see him.

श्री राजनारायण : वह भी नहीं मिले। श्रीमन्, मैं यह कहना चाहता हूँ कि पिछले तीन सौ साल से जिस ढंग से इमाम बनता है उसका एक तरीका चला आ रहा है। मैं ईमानदारी के साथ कहना चाहता हूँ कि अगर इस सदन के सम्मानित सदस्य चाहते हैं कि इस तरह की घटनाएं फिर घटित न हों तो यह बहुत आवश्यक है कि इस प्रकार के मामलों में कोई बाहरी दबाव नहीं होना चाहिए। श्री ओम मेहता यह सही बताय कि क्या इस सरकार की यह पूरी कोशिश नहीं है कि वक्फ बोर्ड को सरकारी नियंत्रण में रखा जाए। श्रीमन् मैं यह यहां क्यों बतला रहा हूँ ? मैं इसलिए बताता हूँ कि पण्डित कमलापति त्रिपाठी यहां विद्यमान हैं, उनको पता है जब सैयद अली जहीर ने उत्तर प्रदेश असेम्बली के अन्दर शिया मुस्लिम वक्फ बोर्ड का एक्ट रखा था तब भी हमने कहा यह सरकार मुस्लिम वक्फ बोर्ड को लेने की साजिश कर रही है ताकि उसके पैसे से रूलिंग पार्टी नाजायज काम करे।

मैं आखिरी बात पर आ रहा हूँ। क्या जो मौजूदा इमाम है उनको इमामत की पगड़ी बांधी गई थी और उस वक्त वक्फ बोर्ड के मेम्बर मेट्रोपोलिटन कौंसिल के चैंयरमैन मीर मुश्ताक नहीं थे ?

SHRI MOHAMMAD YUNUS SALEEM: Sir, on a point of order. Sir, it is absolutely incorrect to state that Mir Mushtaq Ahmed was not a member of the Wakf Board.

MR. DEPUTY CHAIRMAN: But, that is not a point of order.

SHRI MOHAMMAD YUNUS SALEEM: It is an incorrect statement of facts.

श्री राजनारायण : क्या दिल्ली के डिप्टी कमिश्नर उस समय वहां पर मौजूद नहीं थे ? मेरी जानकारी है कि वे थे । अब्दुल्ला बोखारी को हुक्मते हिन्द की तरफ से मुसलिम मुल्कों में और रूस में मुसलमानों का नुमाइन्दा ब-हैसियत शाही ईमाम जामा मस्जिद क्या नहीं भेजा गया ? भेजा गया । क्या पासपोर्ट में भी यह नहीं लिखा गया था कि वह इस हैसियत से जा रहे हैं ? क्या फैमिली प्लानिंग पर भारत सरकार ने एक पैम्फलेट शायद नहीं किया था जिस पर लिखा था कि ईमाम जामा मस्जिद सैयद अब्दुल्ला बोखारी का फात्वा है ? और क्या रेडियो पर चांद निकलने का एलान इस तरह होता था कि दिल्ली के शाही ईमाम साहब अब्दुल्ला बोखारी इत्तिफा देते हैं कि आज ईद का चांद हो गया या नहीं हुआ ?

महोदय, 2 फरवरी को यकायक शाह-नवाज खां साहब वहां पहुंचते हैं । उसमें यह साजिश होती है कि उनको इमाम पद से हटाया जाए । जिस आदमी को आप विदेह भेज चुके हैं वह आदमी श्रीमन्, जब 15 अगस्त को भारत की प्रधान मंत्री महोदया लाल किले से बोल रही थीं तो अपना एक माइक अलग से लेकर देश की सच्ची दशा का वर्णन कर रहे थे । वे कह रहे थे कि मुसलमान लोग प्रधान मंत्री के चक्कर में न पड़ें, यह मुसलमानों की शत्रु है, देश को खाना चाहती है, बिल्कुल असत्य और झूठ बोलती हैं, इसलिए जो भी तरक्की का प्रधान मंत्री ऐलान कर रही है वह झूठ है । अब ईमाम ने इधर यह ब्राडकास्ट किया और उसी समय प्रधान मंत्री का भाषण हो रहा था और जब इमाम साहब ने मुल्क की असलियत को जनता के सामने रखना शुरू किया तो यह सारे का सारा मसला एकदम से आ गया—अब इसको

urgent public importance

इस जगह से हटाएंगे । मैं गया हूँ, मैंने ईमाम के लड़के से बात की है ।

MR. DEPUTY CHAIRMAN: You will have to wind up now.

श्री राजनारायण : यह अच्छा तरीका नहीं है । श्रीमन्, मैं इधर उधर की बातें नहीं कहूंगा । कामरेड तेजा सिंह (स्वतंत्र) लोक सभा के सवाल 5676, 2 अप्रैल, 1973 में माननीय फखरुद्दीन साहब ने माना था कि पंजाब वक्फ बोर्ड का 9 लाख 62 हजार 833 रु० और 32 पैसा पंजाब और हरियाणा से बाहर दिल्ली के इंडियन नेशनल बैंक में तबादला किया गया । यह मैं आपको उदाहरण दे रहा हूँ वह वक्फ बोर्ड की सारी आमदनी आज रूलिंग पार्टी अपने गुण्डों के जरिए कब्जा कर लेना चाहती है । श्रीमन्, कहीं 9,000 रु० कहीं 10,000 रु० इधर से उधर गया है । तो मैं आपसे यह कहना चाहता हूँ, जैसा हमारे माननीय मित्रों ने कहा है, इसकी एक जुडिशियल इन्क्वायरी हो । श्रीमन् मेरी तबीयत खराब है आप हमारे ऊपर जरा रहम कीजिये ।

MR. DEPUTY CHAIRMAN: Now I have called him. You have been taking minute after minute.

श्री राजनारायण : मैं एक मिनट में खत्म करता हूँ । हमारा एक सवाल है और श्री ओम मेहता तथा सदन के सम्मानित सदस्य जान लें कि अब हमें ज्यूडिशियल इन्क्वायरी कराने में कोई भरोसा नहीं है । जिस दिन से जस्टिस रे को सीनियर जजों को हटाकर चीफ जस्टिस बना दिया गया, उस दिन से हम ज्यूडिशियल की मांग नहीं मानते हैं । इसलिए मैं कहता हूँ कि संसद में जितने विरोधी दल के लोग हैं और सरकारी पक्ष के लोग हैं, वे अपने-अपने दलों में से अच्छे जानकार आदमियों को चुन लें और इस सारे कांड की एक संसदीय कमेटी जांच करे ।

श्री ओम मेहता : राजनारायण जी को तो हर चीज में हरा ही हरा सूझता है । मैं यह बतलाना चाहता हूँ कि हम इस मामले को साम्प्रदायिक नहीं बनाना चाहते हैं, कम्युनल नहीं बनाना चाहते हैं और हम इस चीज से बचना चाहते हैं ।

(Interruptions)

श्री राजनारायण : उनको अरेस्ट किस धारा के अन्तर्गत किया गया ?

श्री ओम मेहता : उनको आई० पी०सी० की धारा 147, 148, 149, 324, 354, 432, 437, और 442 के अन्तर्गत गिरफ्तार किया गया ।

श्री राजनारायण : श्रीमन्, हमारा प्वाइन्ट आफ आर्डर है मैं जब उनको जेल में मिलने के लिए दरखास्त दी थी, तो मुझ डिप्टी कमिशनर ने और जेल के सुपरिन्टेंडेंट ने कहा कि चूंकि वे मौसा के मातहत गिरफ्तार हैं इसलिए हम आपको मिलने की इजाजत नहीं दे सकते हैं जब तक होम विभाग इस बारे में इजाजत न दे दे । हमने इस सम्बन्ध में ओम मेहता जी से पूछा और उनको फोन किया . . . .

श्री ओम मेहता : मैंने तो कहा था कि वे मौसा के अन्तर्गत बाद में डिटेन किये गये, ओरिजनली तो वे आई० पी० सी० के अन्तर्गत गिरफ्तार किये गये । उन्होंने तो यह कहा कि मस्जिद के अन्दर खून के धब्बे देखे गये, इस सम्बन्ध में मैं यह कहना चाहता हूँ कि जो लोग इज्यूअर हुए थे, जो लोग जख्मी हुए थे, वे लोग शैल्टर लेने के लिए मस्जिद के अन्दर चले गये थे जिसकी वजह से खून के धब्बे पड़ गये ।

श्री राजनारायण : यह बात तो सरकार कहती है, लेकिन फिर वहां पर इतने लोग किस तरह से मर गये । पुलिस ने तो लोगों को मस्जिद के अन्दर जाने ही नहीं दिया और जो वहां जाने लगा उन्हें ही गोली मारी गई और इसी वजह से खून के धब्बे वहां पर बाद तक थे ।

श्री ओम मेहता : मैं यह बात जानता हूँ कि लोगों ने सीढ़ियों पर चढ़कर पत्थर मारे क्योंकि वह ऊंची जगह थी और वहां से इफैक्टिवली पत्थर मारे गये । मैं इस बात को नहीं मानता हूँ कि पुलिस फोर्स ने मस्जिद के अन्दर गोली चलाई जिसकी वजह से लोग मारे गये ।

श्री रबी राय : जांच करने के बारे में बतलाइये ।

श्री ओम मेहता : जांच किस बात की ?

श्री राजनारायण : श्रीमन् मैं यह निवेदन करना चाहता हूँ कि जितने लोगों को गोली लगी है वह कमर से ऊपर लगी है और कमर से नीचे नहीं लगी है ।

MR. DEPUTY CHAIRMAN: I won't allow you to have a running dialogue with the Minister. You have asked for certain clarifications and he is replying to them.

श्री ओम मेहता : उन्होंने यह दो तीन बातें पूछी हैं और मैंने उसको बतला दिया । लेकिन मैं यह बतला देना चाहता हूँ कि हम इमाम के खिलाफ नहीं हैं और उन्होंने इन्दिरा नेहरू के खिलाफ कहा, गवर्नमेंट के खिलाफ कहा, तो इस तरह की बात तो सब विरोधी दल के लोग रोज ही कहते हैं ।

(Interruptions)

श्री राजनारायण : हमारी तो गिरफ्तारी कराई ही गई । कमलापति के राज में और इन्दिरा के राज में हमें 50 दफा से भी ज्यादा बार गिरफ्तार कराया गया ।

श्री ओम मेहता : आप बात ही ऐसी करते हैं तो हम क्या करें । हम बिना किसी कारण के किसी को गिरफ्तार नहीं करें हैं ।



(Interruptions)

Lalit Narain Mishra is the man who has gone

श्री ओम मेहता : ललित नारायण मिश्र के खिलाफ यही सुबह से शाम तक कहते

रहे ।

श्री राजनारायण : मैं बंशीलाल के खिलाफ भी कहता हूँ और उसको यह भी कहता हूँ कि ललित गया, अब वह तुमको भी खाएंगी ।

श्री ओम मेहता : अब ये बंशी लाल के खिलाफ एटमासफियर बना रहे हैं, कल किसी इन्सान ने कुछ कर दिया तो उसकी जिम्मेदारी किस पर होगी ?

श्री राजनारायण : सारी सीट कांग्रेस पार्टी हार गई ।

MR. DEPUTY CHAIRMAN: Mr. Rajnarain you should be prepared to listen to him. Now, there are three more names, but we have taken quite some time and I am not going to be as liberal as I have been, but I will permit them of course; I will give them two minutes each.

SHRI M. KADERSHAH (Tamil Nadu) Mr. Deputy Chairman, Sir, the dispute between the Imam and the Delhi Wakf Board could have been avoided by settling the issue of the Imamatus well in time and by following the accepted principle of the hereditary succession to the Imamhood and the charges, if any, against the Naib Imam could have been disposed of this way or that way through the accepted channels of inquiry and decision. The subsequent riots on the issue and the loss of 12 human lives does not speak well with the Delhi Administration and the Delhi Wakf Board. This is becoming a common feature that on very flimsy and minor issue the lives of human beings are lost and Government do not sincerely try to curb this tendency on the part of local and district officials in charge of maintenance of public security.

The Government while taking the issue to its courts has denegated itself from the federal Government to a level of a local-self Government. The autonomous character of the Delhi Wakf Board and the Jama Masjid Management has been tampered with and it does not speak well that such minor matters of local character should be handled by the top politicians of the ruling party at the Centre. The autonomy is an eyewash with the Government in Delhi and the dictatorial tendencies on the part of Congress leaders are fast increasing. I would appeal to the Prime Minister to put a check on such rising tendency.

In case the Government felt that the functioning of the Delhi Wakf Board was not up to the mark and the Board was not able to solve the issues of the Jama Masjid, proper steps for reconstituting the Board could have been taken instead of keeping the dispute pending till it took the ugly turn. The Muslim population was not even aware of the dispute till February 2 when the riots broke out and the Naib Imam was arrested. The Wakf Board should have taken appropriate steps to inform the Muslim population about the so-called allegations against the Naib Imam and its decision not to allow him succeed his father.

I would like to know whether the crimes alleged to have been committed by the Imam attracted the provisions of MISA. Is it a fact that the Imam used to deliver anti-Congress and pro-Jaya Prakash Narayan speeches inside Jama Masjid? I would also like to know whether the Wakf Board has powers to nominate successor to Imam. In this connection, I want to know whether the Imamatus of Jama Masjid has been recognised by the Wakf Board, or by any other convention, as being hereditary.

I would also like to know whether it is advisable for the Government to permit Mr. Qureshi, Minister of State for Railways, to mediate in the dispute between the Imam and the Wakf

Board, of which another Minister of the Central Government Mr. Shah Nawaz Khan, is the Chairman.

Again, along with my colleagues, I would appeal for a impartial judicial inquiry.

SHRI OM MEHTA: Sir, he has given.

SHRI VEERENDER PATIL (Karnataka): Sir, while replying, I want him to clarify one point. It has been repeatedly said from this side that when the Imam was arrested under the provisions of the Indian Penal Code, why was he detained under MISA subsequently? Because they have given solemn assurance to this House and also the other House that the MISA is going to be used only against smugglers, blackmarketeers and anti-social elements. Let him clarify this.

MR. DEPUTY CHAIRMAN: I want you to reply to Mr. Kadershah first, and then if you want you can reply to the other thing because, otherwise, it is very difficult. The Member is on his legs to ask questions.

SHRI VEERENDRA PATIL: Let him clarify this.

SHRI OM MEHTA: Sir, I have already replied to all the points raised by my honourable friend, and he has given some suggestions also. But I will inform him that it was not that he (the Imam) was delivering anti-Indira or anti-Government speeches. There was a dispute between the Wakf Board and the Naib Imam. He has ....

ant: (Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Rajnarain, I have told you just now that he will reply to Mr. Kadershah.

SHRI OM MEHTA: If Shri Kadershah allows me, I will read from another editorial of "Mulk-o-Millat" whose Editor is a Muslim.

श्री राज नारायण : पोइन्ट ऑफ ऑर्डर ।

हम लोग जब अखबार पढ़ते हैं तो चेयर की तरफ से कहा जाता है कि पूरा अखबार

मत पढ़िए, रिकॉर्ड के लिए कुछ पढ़ना हो तो पढ़ दीजिए ।

MR. DEPUTY CHAIRMAN: Mr. Rajnarain, I know what I am doing and I am very fair in this. You need not draw my attention to this.

SHRI OM MEHTA: I am not reading the full text of the editorial. I read only a few lines:

"That so-called Imam Saheb of Jama Masjid has again started his disruptive activities after a lull of few months. It is known that in the past, selfish elements have always tried to exploit innocent Muslims for their personal ends. Imam Saheb is also at the same game now and in the name of repression of Muslims, he wants to instigate them. The task before the Muslims is to act with wisdom and care. They should not allow misuse of the slogan Allah-hoo-Akbar in the manner of Muslim League before Independence resulting in the Muslims being left in the lurch."

So, Sir, it was not that he was delivering anti-Government or anti-Indira speeches. All sorts of speeches he was delivering from the portals of the Jama Masjid. And I will again say that he was arrested under the Sections of the Indian Penal Code. Subsequently we thought that his return to the place may result in a great disorder. When some representatives of the people came to me and said that on Friday, the 7th, there should not be any curfew at the time of Namaz, I requested the Delhi authorities not to have any curfew at that time. And what happened? When we were having the meeting of the Consultative Committee—Mr. Rajnarain was there—at that time the news came that again a crowd has gathered and attacked the police. Two policemen were injured but for the incidents on the 2nd of February, for the incidents of 7th of February and for the incidents of 14th of February, people have praised the police for the patience and forbear-

[Shri Om Mehta].

ance with which they acted on those occasions when police people were injured. It was not only two police people who were injured; there were many more who were injured. About 28 were injured and still the police did not use any fire arms and all the national dailies which are coming from Delhi have praised the patience with which they acted.

श्री राज नारायण : श्रीमन् इसको साफ नहीं किया गया कि बाद में मीसा में क्यों रखा गया ?

MR. DEPUTY CHAIRMAN: Mr. K. Chandrasekharan.

SHRI K. CHANRASEKHARAN (Kerala): Mr. Deputy Chairman, Sir, I shall confine myself to just three points and leave the matter. Sir, it was very amusing, if I may say so, to hear the hon. Minister's speech that Government have got nothing to do with the dispute and that in the matter of arbitration, Government have absolutely no hand in the matter. It is impossible to imagine, Sir, that Mr. Qureshi could have agreed to take up the arbitration without the consent and agreement of the Government at the highest level. May I say, Sir, that Government had foreseen the demands that are likely to be raised in this discussion and are trying to stall the effects of this discussion by nominating Mr. Qureshi even earlier than these discussions. A definite *modus operandi* is in evidence in the whole matter as is evident by the appointment of the Mathew Commission before Parliament has begun its session. Now, Sir, in the case of this particular grave matter which is to be discussed here, it already came in the newspapers that Mr. Qureshi has agreed to arbitrate.

Then, Sir, the other important thing that I would like to place before the Government is that probably for the first time in this country, the Preventive Detention law has been used against a religious leader. Sir, the Preventive Detention law has not been used, if I know a right, even against

Anand Margis, Anand Marg being probably very much the scare of the Government. But it is most unfortunate, Sir, that the Preventive Detention law has been used against a religious leader of a minority community.

2 P.M. This can repeat itself on a great massive scale in my State of Kerala where the Jacobite Christians, another minority, are very much ridden with disputes, and it would be possible for the Government to preventively detain them.

The third thing that I suggest is that this Wakf Board under the chairmanship of Mr. Shah Nawaz Khan, who behaved as a coward at the time of the incident, has absolutely no reason or justification to exist. The sooner this Wakf Board is dissolved and a new Wakf Board is constituted the better it would be for the Muslims in that area. I would also suggest that the Wakf laws be properly amended so that the system of nomination by which Wakf Boards are constituted is no longer there.

SHRI OM MEHTA: No new points have been raised; I have replied to all the points. About nomination, that is under the Act—whatever they are doing—and they are nominating.

SHRI KHURSHED ALAM KHAN (Delhi): It is very difficult to say something in two minutes.

MR. DEPUTY CHAIRMAN: You have to say because I cannot be giving more time now. We have taken two hours. This is the maximum time that we have taken on a Call Attention Motion.

SHRI KHURSHED ALAM KHAN: The second of February, 1975 was one of the most dismal days in the lives of about half a million people of Shajahanabad after 1857. The whole incident is most unfortunate, and it is all the more deplorable that it is being exploited by the various communal parties for their political ends.

AN HON. MEMBER: Including the Congress.

SHRI KHURSHED ALAM KHAN: Well. I must say that it is not the Congress but it is the most communal political parties, and Congress is not a communal party.. (Interruptions). Why are you getting worked up? Please listen.

The incident of 2nd February has its origin in the lack of communication between the Imam and the Wakf Board. It must be said to the credit of the Wakf Board that they have inherited a rich legacy of difficulties from the previous Wakf Board appointed by the Jana Sangh when they were in power in Delhi. However, there is one thing which is very clear that in all these things, the communal parties have tried to play up the game of exploiting the sentiments of the Muslims. It is to the credit of the Muslims that they have seen through their game and have not played it according to their wishes. There is also another revealing fact. If somebody looks into the issue of papers like the Organiser, the Motherland and the Pratap before the 1st of February and after the 2nd of February, 1975, it will be seen that before the 1st of February the Imam was described as an evil, and all such things were said and written about him; but after the 2nd February the same Imam became a hero; he was treated as a hero. It appears to me that there is a great element of secrecy and surprise about the fire which was set to about 20 shops in rear of the Mosque and the Jamia Hotel. It is reported that the mob was led by one of the ex-municipal counsellors of the party, which is responsible for creating all the trouble in the area.

AN HON. MEMBER: It is the Jana Sangh.

SHRI KHURSHED ALAM KHAN: You have put the word in my mouth. Similarly, the people from the other side were saying why they should not go to the mosque. But these were the gentlemen who burnt three mosque in

the Sadar Bazar area only in last May. Now, Sir, what is the ailment of the Wakf Board? This Wakf Board has failed to do its duty. With due respect to the Chairman of the Wakf Board, though he is a fair-minded person, I feel that he has no time. A person of the status of an Additional Secretary of the Government cannot find time for such a work. Therefore, the Wakf Board Chairman should be replaced. In fact, the Wakf Board should be abolished. There is need for appointing an Administrator for the Wakf Board immediately.

Another important thing is that the Wakf Act itself is outdated and needs comprehensive amendment which must be carried out immediately. This is very important.

As for the Delhi police, recruitment to the Delhi Police will alone not solve the problem. I would request the Home Minister that he should see to it that minority people are recruited in the Border Security Force and the Central Reserve Police because they alone are responsible for maintaining peace and communal harmony.

SHRI OM MEHTA: Sir, some good suggestions have been made. We will try to do whatever is possible.

MR. DEPUTY CHAIRMAN: Shri Rajnarain. Special mention.

#### REFERENCE TO SHRI RAJNARAIN'S ARREST

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन् आपने विशेष कृपा करके मुझे मैन्शन करने का मौका दिया है। मैं बहुत ही जिम्मेदारी के साथ और क्षीम के साथ सारी स्थिति को सदन के सम्मानित सदस्यों के समक्ष रखना चाहता हूँ और मैं यह भी चाहता हूँ कि श्री ओम मेहता जो जिम्मेदार आदमी हैं और गृह मंत्री हैं वे भी लागू बातों को सुनें।