

(b) if so, whether Government were informed about this registration and if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF EDUCATION (SHRI BHAGWAT JHA AZAD) : (a) Yes, Sir.

(b) Government were informed about the registration on the 2nd March, 1967.

SHRI M. P. BHARGAVA : May I know whether the Federation has submitted its first accounts and may I know whether the accounts are in order?

SHRI BHAGWAT JHA AZAD : From time to time the Federation submit the accounts. The last account was about the world meet here and they have submitted their accounts.

SHRI M. P. BHARGAVA : May I know in view of the very poor performance of India in the Olympic Games, what steps the Ministry proposes to take to streamline all the sports bodies so that in 1972 India can acquit better?

SHRI BHAGWAT JHA AZAD : It is true, as is known to the House, that we did very badly and the House knows that when last time the Government wanted to streamline it, the Federations in India not only through papers but through circulars shouted that the Government was interfering with the autonomy of their organisations. The All-India Sports Council will be meeting tomorrow and we shall discuss this matter as to how to do it.

श्री निरंजन वर्मा : क्या यह बात सही है कि इस फेडरेशन की ओर से मास्टर चन्दगी राम और उनके साथी रेसलिंग मुकाबिलों में पार्ट लेने वाले थे और क्या यह भी सही है कि इस फेडरेशन ने समय-समय पर मास्टर चन्दगी राम का विरोध किया ?

श्री भागवत जहा आजाद : इस फेडरेशन ने मास्टर चन्दगी राम को कहा कि वह अमेच्योर नहीं, प्रोफेशनल हैं, जो गलत है, और हमने इस प्रश्न को इंडियन ओलम्पिक प्रेसिडेंट के साथ में लिया और उन्होंने इस क्वेश्चन को देख कर के मास्टर चन्दगी राम को फिर से अमेच्योर बना दिया ।

SHRI A. G. KULKARNI : May I know, Sir, whether it is a fact that one Maruti Mane from Maharashtra was not selected because he was not able to pay ten thousand rupees to the President of the Wrestling Federation?

SHRI BHAGWAT JHA AZAD : Sir, that is not known to us. His name was not recommended by the Federation; therefore, we could not consider his case.

MR. CHAIRMAN : Short Notice Question.

SHORT NOTICE QUESTION AND ANSWER

COMMUNAL TENSION IN CUTTACK

3. SHRI BANKA BEHARY DAS† :
SHRI N. PATRA : SHRI JAGAT NARAIN : SHRI CHITTA BASU :
SHRI M. ASAD MADANI :

Will the Minister of HOME AFFAIRS be pleased to state :

(a) whether the Central Reserve Police Force was sent to Cuttack to assist the State Government to control communal tension?

(b) the reasons that led to this situation there;

(c) the number of battalions of Central Reserve Police Force sent to Cuttack;

(d) whether the situation has been brought under control;

(e) whether the recent judgement of the Supreme Court regarding freedom for playing music before the mosque with certain conditions led to unnecessary misunderstanding between the two communities and the communal elements of both communities are creating tension; and

(f) if so, the steps taken by the Union Government in this respect?

†The question was actually asked on the floor of the House by Shri Banka Behary Das.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : (a) to (f) Sir, on November 26, 1968, a request was received from the State Government of Orissa that some units of the Centra! Reserve Police may be made available as reinforcements since the situation in Cuttack was tense. Immediate instructions were issued for the deployment of some CRP units, and arrangements were made on the same day to despatch nine companies. The Ministry of Home Affairs continuously kept in touch with the State Government regarding their requirements. The situation in Cuttack is now reported to be fully under control.

According to information received from the State Government, the recent Supreme Court judgment had created some tension, which led to communal incidents on November 25, 1968, and on two subsequent days. The implications of the judgment would be gone into in further detail in consultation with the State Government.

SHRI BANKA BEHARY DAS : Sir, now the situation is under control but the tension in Cuttack town and throughout the State remains as it was. I want to know from the Minister whether, before these communal tension and riots started in Cuttack, their own police, besides the State Government, informed them that the situation was gradually going out of control because of this tension in various parts of the State. And if they got such information from their own source—the CBI—then what steps the Government of India immediately took in the matter? I want to know this from the Minister because he is completely silent about part (b) of the question, namely, "the reasons that led to this situation there". Here I am very sorry to say that the town, which always enjoyed communal amity, even during the days of the Noakhali riots, had to face such a situation. There, the students were going in a procession with a shield and they were parading the streets of Cuttack, and when they reached just before a mosque by about noon on the 20th, pelting of stones started and some people attacked them with spears and other weapons. And they immediately dispersed. May I know from the Minister whether they have got any report from the Government, when the student procession was going on—obviously it was a procession having no communal intentions at all—whether the State Government had it

police on the scene when this situation occurred in that part? Secondly, I want to know from the Minister whether, after the Supreme Court judgment—after the Supreme Court judgment, as they have admitted in the reply, tension has started rising in different parts of the town and also in the State—whether they referred the matter to the Government of India, or the Government of India, on their own initiative, apprehending that something might arise out of such a judgment, take any steps in the matter, so that the matter is clarified and there is no misunderstanding between the two communities.

SHRI VIDYA CHARAN SHUKLA : Sir, in my main statement I have clarified part (b) of the hon. Member's question. How the tension started, I have referred to that in my statement. As far as the question of our knowledge is concerned, Sir, we have knowledge of certain matters because we keep on receiving reports, but until the State Government specifically makes a request for some help we normally do not either rush help or send help unless we receive a specific request for that. Then, Sir, as far as the question of arrangements is concerned, the hon. Member has himself stated that, although there was tension, this particular procession which sparked off the incidents was a very innocuous procession of college boys carrying a trophy after winning the final in a football match, and celebrating it with a few crackers, band and all that. And it was not anticipated that this kind of non-religious students' procession would create this kind of trouble. But as soon as the trouble was created, the police immediately got into action; they started arresting people and preventing clashes and preventing looting and arson. But when the situation seemed to be going out of hand, then, as a precautionary measure, a request was made which was received by us on the 26th. And then we made arrangements to send nine companies of CRP, one after another as soon as they were available.

SHRI BANKA BEHARY DAS : Sir because it is not purely a State matter, though law and order is a subject of the State, when communal tension and all that happen in the country in different areas, it is definitely the concern of the Government of India, and the Government of India has set up a Commission also to go into the various aspects of communal riots and tensions that are taking place in different places. The Supreme Court judgment

has definitely created this tension—I am not going to criticise the judgment because the judgment arose out of a case in my own area in my State, and that case was going on for the last four or five years, the Supreme Court judgment clearly stated that the particular community, the Hindus, had the freedom to play music even before mosques subject to certain conditions of law and order. So when such a judgment came and it was being discussed in all the places of India, it is not a question that the Government did not know it. All the papers in India gave double column headlines to that judgment. Now, naturally that created tension everywhere in India, and particularly in my State. We had to give this impression to all concerned, after all, it is a Supreme Court judgment, the Government of India and the State Government must be scrutinising that, so something will come out from them. We were giving this impression to them everywhere in India, and in my State particularly. But for two months neither the State Government took active steps to see what is the judgment, nor did the Government of India look into the matter. So now, because of that misunderstanding such a situation has been created. So the Government of India and the State Government cannot completely absolve themselves of the responsibility.

MR. CHAIRMAN : This is a Short Notice Question. This is no time to make speeches. Put your question.

SHRI BANKA BEHARY DAS : In view of this, because the tension is continuing now in the State, may I ask whether the Government of India will immediately look into the judgment and also refer the matter to the Dayal Commission which is now going round the entire country and looking into this aspect, the aspect of communal riots?

SHRI VIDYA CHARAN SHUKLA : As soon as this judgment was received—and as the hon. Member has indicated, it had a local implication also for Orissa because in that particular area this dispute arose and then the dispute was taken to the Supreme Court by the parties up to concerned; so for that local area—apart from whatever may be the effect in the country—it had some special significance—and knowing this the State Government have reported to us that they did take precautionary measures. And, Sir, regarding the question of examination of the

implications of the Supreme Court judgment and what should be done about it, I have already indicated that we are looking into it in consultation with the State Government, and we shall come to a conclusion.

SHRI N. PATRA : May I ask, Sir, whether it will not be right to think that the State Government of Orissa have lost its initiative and have no control over administration.

MR. CHAIRMAN : Put a question.

SHRI N. PATRA : Yes/Sir, I am coming to the question and putting it. May I ask whether from all that, from the activities of the Orissa Government since it had taken office, at the time of the emergency situations, at the time of drought, at the time of cyclone, at the time of floods, or at the time of communal trouble.

SHRI BRAHMANANDA PANDA : He is making a speech on this, I find, and I think it is not relevant.

SHRI N. PATRA : You are a partner.

(Interruptions)

SHRI A. G. KULKARNI : Please hear me. When questions are put from the Congress Party, they say 'speeches', but when they make long sermons, we have to sit listening to what they are saying—I do not understand it. You must protect every Member here.

(Interruptions)

MR. CHAIRMAN : Please sit down.

SHRI A. G. KULKARNI : You must protect every Member here.

SHRI BRAHMANANDA PANDA : I cannot be forced to hear boring speeches.

MR. CHAIRMAN : You allow me to conduct the proceedings. Please sit down. Please put a question.

SHRI N. PATRA : May I know, Sir, whether any initiative is left in the State Government to face emergencies such as drought, flood, cyclone and communal

riots? We have been seeing the activities of the Orissa Government since it has taken up office. They have done nothing. This time also it seems they have lost all initiative. It is their misdeeds which have landed this Government in a state of bankruptcy. Even economically it has gone very bad. Now, you might have seen from the papers that on the opening day of the State Assembly on the second, there was a grand walk-out by all the Opposition parties. Now, a 'no confidence' motion has been tabled. I want to ask the Minister. Is the Central Government going to act on behalf of the provincial Government which has lost all initiative?

SHRI VIDYA CHARAN SHUKLA : I have already indicated that the State Government had taken precautionary measures and I have also indicated that in such cases it is our bounden duty to act as soon as we get a request for such help from the State Government.

श्री जगत नारायण : मैं वजीर साहब से पूछना चाहता हूँ कि सुप्रीम कोर्ट का जजमेंट क्या है, वह जरा इसके बारे में बतलाये क्योंकि यह एक बहुत बड़ा इम्पार्टेंट जजमेंट है और उसका सारे हिन्दुस्तान पर असर पड़ सकता है।

दूसरी चीज मैं यह पूछना चाहता हूँ कि क्या इसका इम्प्लीकेशन इस किस्म का है कि अगर नमाज पढ़ी जा रही हो तो बाजा नहीं बजेगा? क्या सुप्रीम कोर्ट का जजमेंट इस तरह का है? इसलिए मैं चाहूँगा कि जजमेंट के बारे में बतलाया जाय कि वह क्या है।

तीसरा सवाल मैं यह पूछना चाहता हूँ कि जैसा उन्होंने कहा कि लॉ एन्ड आर्डर ठीक है, इन हैंड है, तो क्या उनको मालूम है कि अभी मुसलमान इकट्ठे रहते हैं और क्या ऐसा अन्देश है कि किसी भी वक्त फसाद हो सकते हैं?

श्री विद्या चरण शुक्ल : जो सर्वोच्च न्यायालय का निर्णय हुआ था वह अखबारों में काफी अच्छी तरह से प्रकाशित हो चुका है। फिर भी उसका जो मुख्य भाग है वह

मैं बतलाना चाहता हूँ। सर्वोच्च न्यायालय के सामने प्रश्न यह उठाया गया था कि जब किसी जगह पर कोई प्रार्थना कर रहा हो तब उस वक्त वहाँ पर कोई बाजा न बजाये और न कोई प्रोसेशन ले जाये और इससे क्या कोई मूलभूत अधिकारों का हनन होता है या नहीं, सुप्रीम कोर्ट ने इसके संबंध में जो निर्णय दिया है उसमें उन्होंने कहा है कि इसमें मूलभूत अधिकारों के हनन का सवाल नहीं है और कानून व्यवस्था के प्रश्न पर जो भी स्थानीय अधिकारी अपना आदेश दे उसके अन्तर्गत इस तरह का बाजा बजाकर या प्रोसेशन निकालकर कोई बाधा नहीं डाली जा सकती है। ट्रैफिक या कानून व्यवस्था के प्रश्न पर यदि स्थानीय अधिकारी कुछ आदेश दे तो उन आदेशों का पालन करते हुए इस तरह के प्रोसेशन निकालने के साथ मूलभूत अधिकारों का हनन नहीं है।

SHRI CHITTA BASU : To say prayer without being disturbed is a right enjoyed by all citizens, including the minority community. The Supreme Court judgment has certain implications regarding this right. The hon. Minister has stated that the State Government did study the matter and they took certain precautionary measures. May I know what were the precautionary measures taken by the State Government, having the implications of the Supreme Court judgment in view? That is No. i. No. 2, may I know whether it is a fact that a large number of citizens of Cuttack did request the State Government to call out the army on the first day of the eruption of the trouble and, if so, what was the reaction of the State Government to that request and whether it was intimated to the Government of India? My third question is ...

SHRI VIDYA CHARAN SHUKLA : What is your second question?

SHRI CHITTA BASU : My second question is, a large number of citizens requested the State Government to call out the army immediately to quell the disturbance on the first day of eruption...

SHRI M. RUTHNASWAMY : How many?

SHRI CHITTA BASU : I did not count, but press reports say that important citizens of the town did request the State Government to call out the army on the first day of eruption. My third question is, what relief has so far been given to the riot victims? Fourthly...

MR. CHAIRMAN : How many questions ?

SHRI CHITTA BASU : I want to have replies to these three questions.

SHRI VIDYA CHARAN SHUKLA : I do not wish to comment on the judgment of the Supreme Court. I have already indicated that the implications of this judgment are being examined. I am not aware of any demand made by the citizens to call out the army, but in any case such matters have to be decided by the authorities themselves, as to when and what steps are necessary to maintain law and order. As far as relief is concerned, we are informed that from the Chief Minister's Relief Fund a sum of Rs. 15,000 has been given.

شری ایم - اسعد مدنی : صدر محترم -

یہ بہت بدقسمتی کی بات ہے کہ ہمارے ملک میں اس طرح کے حوادث پیش آتے ہیں پھر ان حوادث کا بعض مرتبہ مسجدوں اور دوسری عبادت گاہوں کے نام سے تعلق قائم ہو جاتا ہے - یہ عبادت گاہیں انسان کی نجات اور بھلائی کے لئے ہیں وہاں اس طرح سے ایسی چیزیں نہیں ہونی چاہئیں - پچھلی مرتبہ میں نے توجہ دلائی تھی کہ مسجدوں کے بارے میں خاص طور پر ملک میں غلط فہمی پیدا کرنے اور تلخی پیدا کرنے کی کوشش کی جا رہی ہے - میں نے نام لیا تھا گرو گول والکر جی کے انٹرویو کا جو آرگنائزر میں چھپ چکا تھا اور ہوم منسٹری سے یہ درخواست کی تھی کہ وہ جگہ جس کے بارے میں انہوں نے کہا ہے اس کے بارے میں چیز صاف ہو جائے اور ہوم منسٹری باضابطہ اس کا اعلان کرے لیکن آج تک یہ نہیں

ہوا ہے - بہرحال وہاں بدقسمتی سے یہ صورت پیش آئی جو بہت تکلیف دہ ہے - میرے پاس ایسے کے پرونشیل جمعیتہ العلماء کے صدر کا ایک خط ہے جو اس طرح سے ہے -

” ۲۵ نومبر کو دو بچے کٹک اور اس کے اطراف میں مسلمانوں پر مصیبت کا پہاڑ ٹوٹ پڑا ہے - کٹک اور صالح پور وغیرہ کے کل مسلمانوں کی بڑی چھوٹی دکانیں گارخانے - چمڑے کے گوداموں کو لوٹ لیا گیا اور جلا دیا گیا ہے - آمدورفت کے تمام ذرائع محدود ہیں - کرفیو لگا ہوا ہے مگر کرفیو کے اوقات میں ہر قسم کی تباہی مچائی جا رہی ہے - اگرچہ جانی نقصان کی رپورٹ نہیں ہے - مگر کروڑوں روپے کی جائداد ختم کر دی گئی ہے “ -

†[श्री एम० असद मदनी : सदरे मोहत्रिम यह बहुत बदकिस्मती की बात है कि हमारे मुल्क में इस तरह के हवादिस पेश आते हैं फिर इन हवादिस का बाज मरतबा मस्जिदों और दूसरी इबादतगाहों के नाम से ताल्लुक कायम हो जाता है। यह इबादतगाहें इंसान की निजात और भलाई के लिए हैं वहां इस तरह से ऐसी चीजें नहीं होनी चाहिए। पिछली मरतबा मैंने तबज्जो दिलाई थी कि मस्जिदों के बारे में खास तौर पर मुल्क में गलत-फहमी पैदा करने और तलखी पैदा करने की कोशिश की जा रही है। मैंने नाम लिया था गुरु गोलवालकर जी के इन्टरव्यू का जो आर्गेनाइजर में छप चुका था और होम मिनिस्ट्री से यह दरखास्त की थी कि वह जगह जिस के बारे में उन्होंने कहा है उसके बारे में चीज साफ हो जाए और होम मिनिस्ट्री बाज्जाल्ता इसका ऐलान करे लेकिन आज तक यह नहीं हुआ है। बहर हाल वहां बद किस्मती से यह सूरत पेश आई जो बहुत तकलीफदेह

†[] Hindi transliteration.

है। मेरे पास उड़ीसा के प्रोविशियल जमीनतुल-उल्मा के सदर का एक खत है जो इस तरह से है :—

“25 नवम्बर को दो बजे कटक और उसके अतराफ में मुसलमानों पर मुसीबत का पहाड़ टूट पड़ा है। कटक और सालाहपुर वगैरह के कुल मुसलमानों की बड़ी छोटी दुकानें, कारखाने, चमड़े के गोदामों को लूट लिया गया और जला दिया गया है। आमदोरफ्त के तमाम जराए मसदूद हैं। कर्षयू लगा हुआ है मगर कर्षयू के औकात में हर किस्म की तबाही मचाई जा रही है। अगरचे जानी नुकसान की रिपोर्ट नहीं है मगर करोड़ों रुपये की जायदाद खत्म कर दी गई है...”]

SHRI SUNDAR SINGH BHANDARI : What is he reading from?

MR. CHAIRMAN : Kindly do not read the letter. You just mention the points.

شری ایم - اسعد مدنی : میں اس

کے بارے میں پوچھنا چاہتا ہوں -

†[श्री एम० असहद मदनी : मैं इसके बारे में पूछना चाहता हूँ]

SHRI ARJUN ARORA : He is at liberty to quote from the letters which he has received.

MR. CHAIRMAN : Mention only the points.

شری ایم - اسعد مدنی : ان تمام

چیزوں کی تحقیقات ہونی چاہیئے -

یہ ۲۵ نومبر کا خط ہے جس میں انہوں نے کہا ہے کہ صالح پور کے تمام مسلمانوں کی دکانوں کو ختم کر دیا گیا ہے - بازار اور دیہاتوں میں مسلمانوں کو دھمکی دی جاتی ہے کہ جلد کام ختم کر دیا جائے گا ورنہ یہاں سے بھاگ جاؤ - تار - ٹیلیفون بند ہیں - آنا جانا بند ہے - یہ جھگڑا

جب مسجد کے سامنے سے جلوس نکل رہا تھا - اس وقت شروع ہوا تھا آدھ کھنڈے کے اندر اندر پورے شہر میں لوٹ مار شروع ہو گئی - یہ تمام انہوں نے لکھا ہے - وہاں جو ایک اخبار ”پرچا تلتر“ ہے اس میں لکھا ہے ۲۵۰ مکانات اور دوکانیں برباد ہوئی ہیں - کریم بخش کی لاکھوں روپے کی دوکان ختم ہو گئی ہے اور ہندوستان واچ کمپنی بالکل ختم ہو گئی ہے -

†[श्री एम० असहद मदनी : इन तमाम चीजों की तहकीकात होनी चाहिए। यह 25 नवम्बर का खत है जिस में उन्होंने कहा है कि सालाहपुर के तमाम मुसलमानों की दुकानों को खत्म कर दिया गया है। बाजार और देहातों में मुसलमानों को धमकी दी जाती है कि जल्द काम खत्म कर दिया जाएगा वरना यहाँ से भाग जाओ। तार, टेलीफोन बन्द हैं, आना जाना बन्द है। यह झगड़ा जब मस्जिद के सामने से जलूस निकल रहा था उस वक्त शुरू हुआ था। आध घण्टे के अन्दर-अन्दर पूरे शहर में लूट मार शुरू हो गई। यह तमाम उन्होंने लिखा है। वहाँ जो एक अखबार ”प्रजातन्त्र“ है उसमें लिखा है। 250 मकानात और दुकानें बरबाद हुई हैं। करीम बख्श की लाखों रुपये की दुकान खत्म हो गई है और हिन्दुस्तान वाच कम्पनी बिल्कुल खत्म हो गई है।]

MR. CHAIRMAN : You should not go on reading. You merely mention the points. You cannot read the letter.

شری ایم - اسعد مدنی : میں ان

سب چیزوں کے بارے میں پوچھنا چاہتا

ہوں اور میں عرض کرنا چاہتا ہوں کہ

جو وہاں پر اتنا بڑا نقصان ہوا ہے اس کے

بارے میں گورنمنٹ کیا کرنے جا رہی ہے -

وہاں پر کھنچاؤ پندوہ دن پہلے سے ہی

†[] Hindi transliteration.

تھا - تو اس سلسلہ میں پہلے سے کہا کوئی نظر رکھی گئی تھی تا کہ اس طرح کا کوئی حادثہ نہ ہو - اگر ایسی نظر رکھی گئی تھی تو جو غلطی کرنے والے لوگ تھے انہیں گرفتار کیا جاسکتا تھا اور سزا دی جاسکتی تھی - لیکن آدھ گھنٹے کے اندر پورے شہر کے اندر کیندر پارا روٹ اور صالح پور کی تمام دکانیں اور گودام سب ختم ہو گئے جو کہ ۱۷ یا ۱۸ میل کی دوری پر ہے - کریم بخش کی جو دکان تھی وہ بالکل ختم ہو گئی اور اس میں لاکھوں روپے کا نقصان ہوا ہے - اس طرح سے واچ کمپنی کی دکان ختم ہوئی ہے - وہاں کی گڑبڑ اور نقصان کے بارے میں اخباروں میں خبریں نکلی ہیں - تو میں یہ جاننا چاہتا ہوں کہ پہلے سے کوئی انتظام کیا گیا تھا یا نہیں؟ وہاں پر ملگوری کو کیوں نہیں بھیجا گیا - خدا جانے وہاں پر کیا کیا نقصان ہوا ہے مگر اخباروں میں جو جو خبریں نکلی ہیں ان سے معلوم ہوتا ہے کہ ڈیڑھ ۲۰۰ دکانیں بالکل ختم اور برباد ہو گئیں ہیں - جن لوگوں کا نقصان ہوا ہے ان لوگوں کو گورنمنٹ معاوضہ دیگی یا نہیں یا معمولی دیلیف دیکر چھٹی کر دی جائے گی - اس کے بارے میں سرکار کا کیا ارادہ ہے ؟

†[**श्री एम० असद मदनी :** मैं इन सब चीजों के बारे में पूछना चाहता हूँ और मैं अर्थ करना चाहता हूँ कि जो वहाँ पर इतना बड़ा नुकसान हुआ है उसके बारे में गवर्नमेंट क्या करने जा रही है। वहाँ पर खिचाव

†[] Hindi transliteration.

15 दिन पहले से ही था। तो इस सिलसिले में पहले से क्या कोई नज़र रखी गई थी ताकि इस तरह का कोई हादसा न हो ? अगर ऐसी नज़र रखी गई थी तो जो गलती करने वाले लोग थे उन्हें गिरफ्तार किया जा सकता था और सजा दी जा सकती थी। लेकिन आध घण्टे के अन्दर पूरे शहर के अन्दर केन्द्रपारा रोड और सालाहपुर की तमाम दुकानें और गोदाम सब खत्म हो गए जो कि 17 या 18 मील की दूरी पर है। करीब बस्स की जो दुकान थी वह बिल्कुल खत्म हो गई और इस में लाखों रुपये का नुकसान हुआ है। इस तरह से वाच कम्पनी की दुकान खत्म हुई है। वहाँ की गड़बड़ी और नुकसान के बारे में अखबारों में खबरें निकली हैं। तो मैं यह जानना चाहता हूँ कि पहले से कोई इन्तजाम किया गया था या नहीं ? वहाँ पर मिलिटरी को क्यों नहीं भेजा गया ? खुदा जाने वहाँ पर क्या-क्या नुकसान हुआ है मगर अखबारों में जो खबरें निकली हैं उनसे मालूम होता है कि करीब 200 दुकानें बिल्कुल खत्म और बर्बाद हो गई हैं। जिन लोगों का नुकसान हुआ है उन लोगों को गवर्नमेंट मुअवजा देगी या नहीं या मामूली रिलीफ दे कर छुट्टी कर दी जाएगी, इस के बारे में सरकार का क्या इरादा है ?]

श्री विद्या चरण शुक्ल : मैंने अपने उत्तर में पहले ही बताया था कि एहतियात के लिये जो भी कार्यवाही वहाँ करनी थी, वह की गयी थी। उस का विस्तारपूर्वक वर्णन तो मैं नहीं कर सकता कि वहाँ क्या-क्या कार्यवाही की गयी थी लेकिन राज्य सरकारें ऐसे वक्त पर जो प्रिकॉ-शनरी मेजर्स लेती हैं वह लिये गये थे ऐसा मेरा अंदाज है। जहाँ तक नुकसान का सवाल है, नुकसान का विवरण मेरे पास नहीं है कि कितना नुकसान हुआ और कितना नहीं, पर मुझे पूर्ण आशा है कि नुकसान के बारे में राज्य सरकार पूर्णता से जाँच करेगी और

फिर जैसी कार्यवाही वह उचित समझेगी, करेगी। इस के साथ साथ जो कारण की बात है कि क्यों ऐसा हुआ, इस के बारे में तो बात साफ है कि वहाँ पर झगड़ा हुआ क्योंकि मस्जिद के सामने से विद्यार्थियों का एक जलूस गया और उस में बाजे बज रहे थे और उस में पटाखे चलाये गये थे और गड़बड़ दोनों तरफ से हुई।

श्री निरंजन वर्मा : श्रीमन्, क्या यह बताने का कष्ट करेंगे कि अपने देश में अब भी 1947 के पहले जो पाकिस्तानी मनोवृत्ति चल रही थी उसी प्रकार की मनोवृत्ति के कारण यह सब हुआ, यह सही है? जैसे उदाहरण के लिये जब जलूस शान्तिपूर्वक चल रहा था तो उस के ऊपर जो पत्थर आदि फेंके गये तो क्या श्रीमन् को यह रिपोर्ट मिली है कि उन पत्थर फेंकने वालों को पकड़ा गया या नहीं या केवल अल्पसंख्यकों के नाम पर उन को छोड़ दिया गया और उन के विरुद्ध कोई कार्यवाही नहीं की जा रही है?

श्री विद्या चरण शुक्ल : सभापति महोदय, यह कोई पाकिस्तानी या हिन्दुस्तानी मनोवृत्ति का प्रश्न नहीं है। सवाल है सांप्रदायिक मनोवृत्ति का। यह माननीय सदस्यों को मालूम है कि सांप्रदायिक मनोवृत्ति के कारण ही इस तरह की दुखद घटनाएँ हमारे देश में होती हैं। और इस के साथ-साथ जहाँ तक कि कारणों का सवाल है, मैंने पहले ही कहा कि कारण के लिये तो विस्तार में जाया जा सकता है पर गड़बड़ हुई थी और दोनों तरफ से हुई थी। जो लोग पकड़े गये हैं उन में किस धर्म के मानने वाले कितने हैं, यह मुझे मालूम नहीं है।

SHRI A. P. CHATTERJEE : The situation admittedly has arisen because of the judgment of the Supreme Court. The hon. Minister has said that he does not want to comment upon the judgment. I do not know why because the judgment is public property, and every person has a right to comment upon the judgment as

it is delivered. But, Mr. Chairman, I will put one question only. It is this. After all it is quite obvious and clear that so long the law in India was this—was it not and was not such a law enunciated by the highest Courts in the land including, I believe, the Privy Council—that prayers before a mosque should not be disturbed by playing of music. That was the law of the land. If that was the law of the land, the Supreme Court has reversed that law of the land...

SOME HON. MEMBERS : No, no.

SHRI A. P. CHATTERJEE : Because the judge-made law throughout the judicial history of our land has been this that music should not be played before a mosque so that prayers are not interfered with. That has been the judge-made law and that has been the law of the land.

SHRI M. M. DHARIA : The hon. Member in giving this information is only misguiding the House. May I know from him wherefrom he has got it? Why should he say that it is the law of the land?

SHRI A. P. CHATTERJEE : My question is, in view of the fact that the Supreme Court by its judgment has reversed the trend of decisions so long persisting and prevailing in India, and because admittedly the Supreme Court judgment has caused this tension and because every community and certainly the minority community has a right to say its prayers without being disturbed, will the hon. Minister take measures immediately to put by way of an amendment a section in the Indian Penal Code codifying the earlier judicial decision that before a mosque or before a church even the prayers of minority communities should not be allowed to be interfered with by playing of music or other disturbances? That will be necessary for removing the tension.

SHRI VIDYA CHARAN SHUKLA : I have indicated that I cannot comment upon the judgment of the Supreme Court because we are examining the implications of it. Without fully examining the implications of it. I do not want to rush to the House and say things about it. We will come to a considered view about this matter and also take a decision as to what is to be done about it. Only after that we shall be able to tell anything to the House

whether any action is necessary or not. am not at present able to say whether am action will be taken or whether any action will be necessary or not. We will be able to formulate our view—whether to take any action or not to take any action and leave the matter as it is—only after we have grasped the implications of the judgment.

SHRI LOK ANATH MISRA : While condemning communal riots or disturbances everywhere in the country, anywhere and everywhere in the country, may I ask the hon. Minister to tell the House whether he has knowledge of a statement issued by one of the Congress leaders of Orissa, Mr. Biju Patnaik—it is stated by the P.T.I.—which says : Mr. Patnaik congratulated the student community and said that in spite of growing provocation from the other side they, by and large, displayed considerable restraint without which there would have been large-scale bloodshed? This is what the Congress leader in Orissa said and incited the students to keep it up. *(Interruption)* You think there is nothing wrong about Congress things. You want communal riots to continue in the State? May I know from the hon. Minister whether it is not his impression that the Orissa Government put down this communal disturbance within the minimum time possible very ably and very firmly? What is his impression about it? I want the impression of your leader, not of a back-bencher.

SHRI VIDYA CHARAN SHUKLA : The statement that has been quoted by the hon. Member may be the personal view of the gentleman who issued the statement. I have no comments to make on that statement. As far as the action taken by the State Government is concerned, I have already indicated that they have taken action and that action has resulted in peace and quiet.

श्री राजनारायण : श्रीमान्, मैं यह जानना चाहता हूँ कि शुरू-शुरू से क्या मंत्री जी खुद इस बात को जानते हैं कि हम लोग जब छोटे छोटे थे, चेतना जब हम में नहीं थी, अक्षर ज्ञान नहीं था, तब से इस बात को जानते हैं कि मस्जिद के सामने जब नमाज हो रही हो तो बाज़ा न बजे। चाहे कानून में लिखा

हो या न लिखा हो, चाहे यह कहीं का जजमेंट हो या न हो, मगर अपने बचपन से हम ने इस बात को सुन रखा है और बराबर हमारे यहाँ यह व्यवहृत होता है कि जब मस्जिद की नमाज होती हो तो हरगिज़ हरगिज़ उस के सामने बाज़ा न बजे। इस एक अब तक चलने वाले व्यवहार को अगर कोई कोर्ट का जजमेंट उलट दे तो इससे जबरदस्त मुल्क में तबाही पैदा होगी इस चीज़ को समझते हुए जब पिछले महीने की 24 या 25 को यह झगड़ा हुआ तो इस सरकार ने आज दस दिन हो गये, उस के बाद भी क्या नुकसान हुआ, कितने लोग मारे गये, कितनी प्रापर्टी लूटी गयी, कितने घर जलाये गये, इन तमाम के बारे में कोई जानकारी नहीं रखी। यह बड़ा हास्यास्पद है। ऐसा केन्द्रीय सरकार ने क्यों किया? यह साधारण कानून और व्यवस्था का प्रश्न नहीं है। हुआ यह कि एक जजमेंट हुआ और उस जजमेंट के अनुसार उन लोगों ने अपना अधिकार समझा कि सुप्रीम कोर्ट ने हमें अधिकार दे दिया है कि हम मस्जिद के सामने बाज़ा बजाते हुये चले चाहे वहाँ नमाज हो रही हो और लोग बैठ कर ध्यानावस्थित हों या न हों। लोगों ने इसको अपना अधिकार, अपना राइट समझा और इससे यह स्थिति पैदा हुई। जब इस तरह का जजमेंट सुप्रीम कोर्ट का हुआ तो केन्द्रीय सरकार के दिमाग में यह बात क्यों नहीं आई कि यह जजमेंट, जो एक सामान्य प्रथा जब तक चल रही थी उस प्रथा में व्यवधान पैदा करेगा। यह एक मामूली सीधा सा सवाल है। आगे भी इस प्रथा को मान कर यह सरकार क्या कदम शीघ्रातिशीघ्र उठायेगी ताकि ऐसी घटना भविष्य में न हो?

श्री विद्या चरण शुक्ल : सभापति जी, मैंने जो पहले उत्तर दिया उससे यह सब मामला साफ हो जाना चाहिये। सुप्रीम कोर्ट का जो निर्णय है उसके बारे में हम लोग जांच-पड़ताल कर रहे हैं और उसका विश्लेषण कर रहे हैं कि उसका क्या असर होगा और उसके

बारे में क्या करना चाहिये। यह बात भी बिल्कुल साफ है कि सुप्रीम कोर्ट ने यह नहीं कहा है कि मस्जिद के सामने जरूर बाजा बजना चाहिये। यदि सामाजिक रीति रिवाज यह है कि बाजा न बजे तो सुप्रीम कोर्ट का जजमेंट यह नहीं कहता है कि बाजा बजाना लाजिमी है और बाजा नहीं बजेगा तो सजा मिल जायगी। इस तरह से जो पुराना रीति रिवाज है वह ठीक है और वह जानते हैं हम लोग, लेकिन यह जब सवाल अदालत के सामने गया तो उसमें यह निर्णय देना था कि यह मूलभूत अधिकार है या नहीं और सर्वोच्च न्यायालय ने आज का जो कानून है उसके अंतर्गत यह निर्णय दिया। इससे हमारा जो सामाजिक रीति रिवाज है उस पर कोई असर नहीं होता है। सामाजिक रीति रिवाज जैसे हम चाहें वैसे चला सकते हैं।

जहां तक इसकी जानकारी का सवाल है कि कितना नुकसान हुआ, इसकी जानकारी जो राज्य सरकार ने हमारे पास भेजी है, वह है। यह हमने कभी नहीं कहा कि इसकी जानकारी हमारे पास नहीं है।

SHRI BHUPESH GUPTA : I do not know as to why you should be tied down to a narrow discussion of the Supreme Court judgment. Let the Supreme Court decide as it likes according to its understanding and interpretation of law. We are concerned with a question of major public policy. The fact remains that in Cuttack communal disturbances started as a result of some people trying to play music before the mosque when the prayer was on. We have been pursuing a policy in this country that this should not be done. This is a settled fact of our moral and public life that we should respect religious sentiments, that we should not play music before the mosque when the members of a particular religious community is in prayer. These are moral, public principles we have up-held. We do not know how the fundamental rights treat them; nor do we know how the criminal law and procedure treat them- But we know that in order to maintain communal amity...

SHRI ABID ALI : What is the question?

SHRI BHUPESH GUPTA : ... and friendship between the two communities.

MR. CHAIRMAN: You put a question.

SHRI BHUPESH GUPTA : I am asking. All the discussion you allow on everything.

... for the maintenance of peace, we must not do such a thing the Government should be very categorical on this thing. It is not a question of understanding the legal pros and cons of the judgment, the point is that the Government should re-iterate on the floor of the House and to the public that religious sentiments of the minority community or for that matter any community should be respected and such a thing should not be done. Why is not a categorical statement convn¹¹!;? If the law has to be amended, in t matter of moments we shall amend the law here. Let him come up with the proposal.

Finally, Sir, I should also like to know whether he is aware.. (*interruptions*) I know, what I say man/ of you may not like but I have to say something because whenever the question of the minority community comes up, some people...

MR. CHAIRMAN Put a question.

SHRI BHUPESH GUPTA Is it not a fact that 125 shops belonging to the members of the minority community have been looted and they have been subjected to unilateral attack by certain people belonging to the other community?

Is it not a fact thit certain political pai ties, organisations, and certain businessmen were behind the disturbances, instigated some people against the minority-community? And how is it that the hon. Minister disposes of this statement of Mr. Biju Patnaik by saying that it is the statement of a individual? Mr. Biju Patnaik is not an individual in Orissa, he is not an individual, he is the former Chief Minister, the gauleiter of the Congress.

MR. CHAIRMAN : It is a Short Notice question. You cannot go on with a speech.

SHRI BHUPESH GUPTA : I am asking a question. Is he aware that Mr. Biju Patnaik is the gauleiter of the Congress Party, that he is very influential? How is

it that Mr. Biju Patnaik does not condemn communal disturbances and does not attack, in the statement, those people responsible for the riots and does not give a call that the communalists should be called to account? Why does he not advise in this P.T.I. circulated statement that the criminals and others who have launched an attack against the minority community should be punished? We would like to have some explanation.

Finally, before I sit down, how is it that the Union Home Ministry did not send any of its men? Well, I would like to know why, first of all, one of the Ministers did not go to study the situation on the spot. They are bound to do so if they seriously mean to take the decision of the National Integration Council. I should like to know whether other people from the Central Intelligence Agency or other Department or from the Secretariat of the Home Ministry had been sent to Orissa to study the situation.

These questions should be answered properly and there should not be a kind of shadow-boxing over the Supreme Court judgement. We want a categorical assurance that music must not be played before the mosque when the members of the minority community are in prayer. I want a categorical assurance from the Government here, on the floor of the House.

SHRI SUNDAR SINGH BHANDARI : On a point of order, Sir. We have taken 35 minutes. I would like to know whether a Short Notice question has a particular time limit. Whether a proper answer is there or not, it must come to a stop.

MR. CHAIRMAN : A Short Notice question is an ordinary question except that it is a Short Notice question. Certainly, in the case of big and important questions we have limited it to 10 minutes. At the most, we should have on a Short Notice question only 15 minutes. I do not wish to give a ruling today. But I shall certainly give a ruling if Members go on making the Short Notice question a business for making speeches. But I do not want to give a ruling today. But I shall certainly give a ruling if this thing goes on. I want that in 15 minutes a Short Notice question should be over.

श्री राजनारायण : श्रीमान् यह कोई मामूली सवाल नहीं है ...

SHRI BHUPESH GUPTA : We would not ask...

(Interruptions)

SHRI A. P. CHATTERJEE : On a point of order, Sir.

SHRI A. D. MANI : Sir, on a point of order.

SHRI A. P. CHATTERJEE : Sir, I am on a point of order. I am first. Mr. Chairman, Sir, I do not understand and why and under what circumstances.— and whether it is an order—some Members get up on their feet in order to bring to the attention of the Chair the Chairman's duties. The point is this. Whether Short Notice questions have to be answered in 10 or 15 or 20 minutes. . .

AN HON. MEMBER : Or one hour.

SHRI A. P. CHATTERJEE : That is within the discretion of the Chairman and therefore there is no question of ruling being given by your Honour ...

SHRI SUNDAR SINGH BHANDARI : But should I not have brought it to your notice, Sir, that a short notice question should also have some time limit ?

SHRI A. P. CHATTERJEE : so, wheal the hon. Mr. Bhandari got up and asked you whether there was any time limit etc. and all that, I think he was completely out of order in drawing the attention of the Chair to the Chairman's duties, which are very clear. In this way, it is only an obstruction of the proceedings of the house...

(Interruptions)

MR. CHAIRMAN : I can think of restricting a Short Notice question to so many minutes. I have restricted the time to 10 minutes for the ordinary question.

SHRI A. D. MANI : Sir, on a point of order.

MR. CHAIRMAN : I am not giving a ruling now. I will give a ruling after making everybody understand the spirit of what I have stated.

SHRI CHANDRA SHEKHAR : Sir, I rise on a point of order. I am very sorry to say that two Members of this hon. House, Mr. Lokanath Misra and Mr. Bhupesh Gupta, have tried to impress upon the House and the country that Mr. Biju Patnaik...

SHRI LOKANATH MISRA : Sir, I am on a point of order. What is that point of order? He has no right to misinterpret me.

SHRI CHANDRA SHEKHAR : *(Interruption)* I am not going to be interrupted. You have read out of context the statement of an hon'ble Member of the Congress Party I have a right to say... *[Interruption by Shri Lokanath Mitra]* You sit down. You cannot interrupt.

SHRI LOKANATH MISRA : On what are you allowing him to speak, Sir?

SHRI CHANDRA SHEKHAR : I am on a point of order. I am not giving any personal explanation on behalf of Mr. Biju Patnaik. I charge Mr. Lokanath Misra of misleading the House. I want your ruling on this point whether any Member of the House has any authority to mislead the House.

SHRI GODLY MURAHARI : Mr. Bhupesh Gupta and Mr. Lokanath Misra have quoted from a newspaper report.

श्री राजनारायण : यह फैक्ट है। बिजू पटनायक कांग्रेस हाई कमान्ड के मेम्बर रहे हैं। इसमें मिस्लीड कहां किया है?

SHRI CHANDRA SHEKHAR : Mr. Chairman, my only point is that these two hon'ble Members have deliberately tried to mislead this House... *(Interruption)* Will you not hear me?

MR. CHAIRMAN : I shall give some advice. I do not want to state anything now. But it is for me to decide whether a certain thing is a point of order or not. I would only advise Members on both sides not to get into this thing it is not necessary. In fact, my feeling was that you could have made your position stronger by not mentioning Mr. Biju Patnaik. That is my feeling.

SHRI RAJNARAIN : That may be your feeling.

SHRI BHUPESH GUPTA : How do you say that?

SHRI CHANDRA SHEKHAR : Sir, this note has been passed on to me by Mr. Bhupesh Gupta. My only point is whether it is proper for any hon'ble Member to give a truncated quotation from a full statement where Mr. Biju Patnaik has condemned communal action, has appealed to the students to restore amity among the two communities.

SHRI GODEY MURAHARI : He has not condemned.

SHRI BHUPESH GUPTA : Read it.

SHRI CHANDRA SHEKHAR : This is the note supplied by my hon'ble friend.

SHRI AKBAR ALI KHAN : Sir, my respectful submission is we are considering a very serious matter where thousands of people have suffered and we bring in Mr. Biju Patnaik and start a controversy. It is a serious matter. Let us be serious about it. Let us find out what should be done to improve the conditions there and help the people there.

SHRI BHUPESH GUPTA : Let Mr. Biju Patnaik go to hell.

SHRI ABID ALI (Maharashtra) : You too with him.

SHRI CHANDRA SHEKHAR : My only concern is that they have tried to create a feeling that the Congress Party is also responsible for creating communalism which is not a fact.

श्री गोडे मुराहरि : अभी तक तो नहीं कहा, लेकिन अब मैं कहूंगा कि कांग्रेस पार्टी ने डिस्टर्बेन्स को बढ़ाया है। अभी तक बिजू पटनायक का नाम लिया गया था लेकिन अब कांग्रेस पार्टी का नाम भी लिया जायगा।

(Interruption by Shri Chandra Shekhar)

श्री राजनारायण : श्रीमन्, यह पाइन्ट आफ आर्डर नहीं है। चन्द्र शेखर जब भी बड़े हो जायें आप उनको एलाउ कर देते हैं।

SHRI CHANDRA SHEKHAR : He has condemned the Orissa Government for not putting down the communal frenzy immediately. So Mr. Lokanath Misra has taken this opportunity to give a wrong impression about Shri Biju Patnaik in the House.

MR. CHAIRMAN : The matter is closed. Statement by Minister.

DR. BHAI MAHAVIR : On a point of order, Sir. One minute back an hon'ble Member questioned the propriety of Mr. Bhandari having suggested to the Chairman whether it was proper for a Short Notice question to be prolonged. Let me make a submission. Sir, the Chair was kind enough to give the opinion that the Chairman would give a ruling on this particular issue. Then Mr. Chatterjee stood up after that and questioned the propriety of any Member suggesting to the Chair as to what the Chair should do. Sir, after the Chair has given a decision that he would give the decision or give a verdict on it, is it proper for any Member to question the propriety of the decision of the Chair when the Chair has already given a verdict?

SHRI A. P. CHATTERJEE : I have not questioned your propriety. I have questioned the propriety of Mr. Bhandari.

SHRI VIDYACHARAN SHUKLA : Sir, may I read my statement or reply to the question? If you direct me, Sir, I will reply.

SHRI SUNDER SINGH BHANDARI : Sir, what is going on at present ? Is the Short Notice question continuing or the next item on the Agenda Paper taken up ? What is the position?

SHRI BHUPESH GUPTA : Sir, I put a question. May be, Sir, not being as able as you are, my question was long. But let him give a short reply.

SHRI VIDYA CHARAN SHUKLA : Sir, the hon. Member, Mr. Bhupesh Gupta, has raised four points and I have already replied the first point about the social practices and social morals. The Supreme Court judgment, Sir, does not prohibit anybody doing anything. It only clarifies whether this particular issue

involves any fundamental right of the citizen or not. That is the question that they have decided. I agree. Sir, that the religious and social susceptibilities of any community, majority, minority or any community must be fully respected. That is the stand of the Government also and this is a categorical statement that I want to make here that we want to respect the religious susceptibilities of all religious communities whether majority or minority. This is our stand on this matter.

Sir, as far as other things are concerned like our man being rent there, we already have our man there and from him we have been getting reports on this matter. I would request hon'ble Members not to import politics into this matter or bring in political parties or any political leaders. No politics should be brought into such matters.

STATEMENT REGARDING UNSTARRED QUESTION NO. 206 ANSWERED ON THE 20TH NOVEMBER, 1968

EMBEZZLEMENT OF FUNDS OF KAUSALYAPURI FARM

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Sir, it is regretted that there was slight inaccuracy in the reply to Unstarred question No. 206 answered on 20-11-1968 regarding embezzlement of funds of Kausalyapuri Farm, in which it was *inter alia* stated that "The Government of India have not received any letter on the subject." The correct position is that a few letters on the subject have been received in the Ministry of Home Affairs during the last few months.

WRITTEN ANSWERS TO QUESTIONS

FOREIGN MONEY AND MATERIAL RECEIVED BY NEW AGE PRESS

*3J7, SHRI ABID ALI : Will the Minister of HOME AFFAIRS be pleased to state :

(a) the result of the enquiry concerning help rendered by foreigners in the form of money and materials to individuals and institutions in India

(b) what machinery and of what value has been received by the New Age Press and its allied concerns and