

[Shri Bhupesh Gupta.]

points have been raised with regard to the powers between the two Houses and all that. Yesterday we could not sit. So it is better that we defer the discussion so that we can acquaint ourselves with what has been said in the other House with regard to the powers of this House in regard to such matters as are covered by the Committee on Public Undertakings. We should be properly informed. I say this thing because where both the Houses are concerned . . .

MR. CHAIRMAN: What is your proposal?

SHRI BHUPESH GUPTA: My proposal is that this discussion should be deferred. This particular thing you have included in the List of Business for today should be taken up tomorrow or at some later date.

MR. CHAIRMAN: That will depend on the length of the discussion on the other Bill that we are considering.

SHRI BHUPESH GUPTA: I suppose we will finish it today.

MR. CHAIRMAN: Let us hope that it will not be finished. If the House is keen on taking up the other discussion tomorrow—even if the discussion on the present Bill finishes—the discussion on the other subject will continue tomorrow.

SHRI BHUPESH GUPTA: You have got the List of Business; the discussion on the Durgah Khawaja Saheb Bill is there. After that comes Mr. Nityanand Kanungo's Motion on the Committee on Public Undertakings. If we finish the Durgah Khawaja Saheb Bill . . .

MR. CHAIRMAN: I have understood. I am not very slow in the take-up. The discussion will continue, and if the discussion on the Durgah Khawaja Saheb Bill finishes, before we disperse, we will probably begin

the discussion on the subject and it will continue tomorrow also, and Members will have full opportunity of acquainting themselves with the material and they will continue tomorrow.

THE PRESS COUNCIL BILL, 1963

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA NARAYAN SINHA): Sir, I move for leave to introduce a Bill to establish a Press Council for the purpose of preserving the liberty of the Press and of maintaining and improving the standards of newspapers in India.

SHRI BHUPESH GUPTA: (West Bengal): May I ask one question? Was the Bill prepared in consultation with the working journalists of the country?

SHRI SATYA NARAYAN SINHA: The entire country. We have consulted the working journalists also.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to establish a Press Council for the purpose of preserving the liberty of the Press and of maintaining and improving the standards of newspapers in India."

The motion was adopted.

SHRI SATYA NARAYAN SINHA: Sir, I introduce the Bill.

THE DURGHA KHAWAJA SAHEB (AMENDMENT) BILL, 1963-continued

MR. CHAIRMAN: Mr. Khandekar, you were speaking on the Bill. You had not finished. You can do so now.

श्री रमेशचन्द्र अंतराम खांडेकर (मध्य प्रदेश) सभापति महोदय, पिछले समय जब मैं बोल रहा था, तब मैंने निवेदन किया था कि यह जो विधेयक हमारे सम्मुख है, वह देखने में तो बहुत छोटा सा है, लेकिन काफी पहचानपूर्ण है। मैंने यह भी कहा था कि इस बिल को यहाँ लाकर शासन ने एक बड़ा महत्वपूर्ण कदम उठाया है और इस विधेयक को लाने की बड़ी आवश्यकता थी। मैंने उस वक्त यह भी कहा था कि जिन बातों के लिए यह बिल लाया गया है, वे अजमेर शरीफ के लिए या ख्वाजा साहब के लिए ही विशिष्ट नहीं हैं, बल्कि सभी धार्मिक जगहों पर इस प्रकार की कार्यवाही होती है। जहाँ हर साल काफी मात्रा में लोग धार्मिक भावना से आते हैं, वहाँ इस प्रकार की चालबाजी, गुंडागर्दी होती है और नाजायज तौर से पैसा छीनने की लोगो में वहाँ आदत होती है। जो लोग वहाँ धार्मिक भावना से आते हैं, उनको लूटा जाता है। अतः इसको रोकने के लिए इस प्रकार के बिल की बहुत आवश्यकता थी।

इतना कहने के बाद मैं यह निवेदन करूँगा कि शासन को चाहिये कि वह इस बारे में गहरी नज़र में देखे कि ये बाने क्यों होती हैं, इसका क्या कारण है, क्यों जो लोग श्रद्धा से पूजा पाठ करने के लिये देवी-देवताओं के पास जाते हैं, उन बेचारी को लूटा जाता है? मैं समझता हूँ कि इसके दो कारण हैं, एक तो हमारे देश में फैली हुई गरीबी इसका कारण है और दूसरे हमारे देश की बेरोजगारी इसका कारण है। जब लोगो के पास कोई धन नहीं रहता है और इस तरह में आमानी में पैसा मिलता है, तो वे इस प्रकार के काम करते हैं कि लोगो को फसाले हैं और अपना पेट भरते हैं। इसलिए ये जो ऐंटी-सोशल एलिमेंट्स हैं, उनको तो रोकना ही चाहिये, लेकिन इस देश में जो गरीबी और बेरोजगारी है, उसे भी हमें मिटाने की कोशिश करनी चाहिये। लोगो को शिक्षा दे करके उन्हें तरह-तरह के

वर्ग दे करके उनकी आमदनी के जगह बढ़ाने के लिए प्रयत्न करें तो फिर इस प्रकार के बाने की ज़रूरत आवश्यकता नहीं होगी। लोगों का स्टैंडर्ड बढ़ जायेगा तो अपने आप इस प्रकार की चीज़ें—इसे मैं एक मानसिक रोग समझता हूँ—नष्ट हो जायेगी।

[THE DEPUTY CHAIRMAN in the Chair]

मैंने यह निवेदन किया कि यह चीज़ केवल दरगाह ख्वाजा साहब के बारे में या क्रिश्चियन देवी-देवताओं के बारे में ही नहीं है, बल्कि हिन्दुओं के देवी-देवताओं के स्थानों पर भी इस प्रकार ऐंटी-सोशल काम बड़ी भारी मात्रा में होते हैं। उपसभापति महोदय, आपने देखा होगा कि हिन्दुओं की बड़ी बड़ी जगहों पर जहाँ कि लोग अपनी श्रद्धा में फूल-माला चढ़ाने जाते हैं, वहाँ भी इस प्रकार में लोग उल्टे लगते हैं और ऐसा बानावरण इन धार्मिक क्षेत्रों में होता है कि लोग सोचने लगते हैं कि अगर हम इन देवी-देवताओं के दर्शन करने के लिये नहीं आते, तो अच्छा था। तो इस चीज़ को रोकना बहुत आवश्यक है।

अब जब कि यह बिल इस सदन में लाया गया है तो मैं गुज़ारिश करूँगा कि जो पैसा दरगाहों में और खास करके अजमेर में बसूल किया जाता है, उसका शासन सही तरीके से उपयोग करे। इस पैसे को उपयोग करने के कई तरीके हो सकते हैं। अभी भी वहाँ उर्म चल रहा है, शायद इसकी २३ तारीख थी और लाखों आदमी अजमेर इसके लिये जाते हैं, लेकिन उनको ठहरने के लिये कोई जगह मिलनी नहीं है, इसलिये इस पैसे में शासन की ओर से उनके लिये ठहरने का प्रबन्ध करना बहुत आवश्यक है। उनके ठहरने के प्रबन्ध के साथ ही साथ वहाँ के लिये शान्ति और मुख्यवस्था का अच्छा प्रबन्ध होना चाहिये—हालांकि इसकी जिम्मेदारी केन्द्रीय सरकार पर हो कर प्रांतीय सरकार पर है, फिर भी जब कि केन्द्रीय सरकार ने इस दरगाह को अपने हाथ में लेने का विचार किया है तो यह जिम्मेदारी

[श्री रमेशचन्द्र शर्मा खाडेर]

भी केन्द्रीय सरकार पर आ जाती है। उसके साथ साथ जो गरीब बच्चे हैं, जो अजमेर के ही गरीब मुसलमानों के बच्चे हैं, उन बच्चों के लिये कुछ पढ़ाई-लिखाई का प्रबन्ध वहाँ पर किया जाये। कई माननीय सदस्यों ने इस सदन में इसके बारे में विचार रखे हैं और कहा है कि इस रुपये का सही तरीके से उपयोग किया जाये, वहाँ पर गरीब बच्चों की शिक्षा के लिये, कुछ स्कालरशिप्स देकर, कुछ स्कूल खोल कर, प्रबन्ध किया जाये और केन्द्रीय शासन उसके ऊपर निर्भरानी रखे। दक्षिण में इस प्रकार की कई संस्थाएँ हैं, जहाँ इस प्रकार की आमदनी से कई तरह के विद्यालय चलते हैं और जहाँ तक मुझे मालम है विश्वविद्यालय भी उस पैसे से चलते हैं। तो अगर अजमेर में भी इस पैसे का उपयोग सही ढंग पर किया गया, तो उसमें कोई कठिनाई नहीं होगी और एक तरह से यह विधेयक लाने का मकसद पूरा हो जायेगा।

महोदया, एक और बात मैं यह भी निवेदन करना चाहता हूँ कि पहले यह बिल जब लोक सभा में आया था और एक कमेटी की राय पर, जो उन्होंने सिफारिश की थी उनके आधार पर लाया गया था। उस कमेटी ने एक सिफारिश यह की थी कि वहाँ की जो इतजामिया कमेटी है, उसको कुछ मैजिस्टोरियल पावर्स, कुछ जुडीशरी के अधिकार दिये जायें। मेरी समझ में यह नहीं आया कि अभी तक इस सम्बन्ध में क्यों कार्यवाही नहीं की गयी। जैसा कि उसको व्यवस्था के अधिकार दिये गये, उसके साथ ही साथ उसको न्यायिक अधिकार भी दिये जायें, तो उसमें उस दरगाह की व्यवस्था में काफी अच्छी सहूलियत होगी। जब उस वक्त यह विधेयक आया था तो एक आर्गुम शासन की ओर से यह दिया गया कि हम जुडीशरी के और एक्जीक्यूटिव के जो अधिकार हैं उनको अलग अलग रखना चाहते हैं, इसलिए यह जो कमेटी की सिफारिश है

उसको हम नहीं मानते हैं। लेकिन यह जो प्रिन्सिपल है, निदांत है, जुडीशरी और एक्जीक्यूटिव के सेपरेशन का, उनको अलग अलग रखने का, उसका सब समर्थन करते हैं, मैं भी समर्थन करता हूँ। लेकिन जैसा कि कुछ मामूली अधिकार उनको दे दिये गये तो अगर कुछ न्याय के अधिकार भी दे दिये जायें, तो उनको रखने के लिये उन्हें काफी सहूलियत होगी। मेरा निवेदन है कि शासन इस सम्बन्ध में पुनर्विचार करे।

इस विधेयक के सम्बन्ध में एक अमेन्डमेंट भी सदन के समक्ष है। उस अमेन्डमेंट की भी मैं तारीफ करता हूँ और वह अमेन्डमेंट शायद यह है कि जो भी इस एक्ट के द्वारा आयद कर्तव्यों का पालन करने के लिये नियुक्त किया जायेगा, उसको पब्लिक सर्वेंट माना जाये। उसके सम्बन्ध में हमारे दोस्त जिन्होंने अमेन्डमेंट रखा है, प्रकाश डालेंगे। एक और बात हमारे दोस्तों ने कही है विधेयक के सम्बन्ध में। इसमें यह सशोधन है।

"Whenever solicits or receives any nazars or offerings in contravention of the provisions of sub-section (1), shall be punishable with fine which may extend to one thousand rupees"

इसमें यह नहीं कहा गया है कि इसका कागनिजेन्स कौन लेगा, कौन से मैजिस्ट्रेट के सामने, फर्स्ट क्लास या सेकेंड क्लास मैजिस्ट्रेट के सामने मामला जायेगा, या किस प्रकार से उस आदमी के ऊपर मुकदमा चलायेंगे। उसके सम्बन्ध में भी अगर कुछ प्रकाश डाला जाता, तो अच्छा होता।

तो ये जो सुझाव मैंने सदन के सम्मुख रखे हैं, आशा है शासन उन पर विचार करेगा। मुझे इसमें अधिक कुछ कहना नहीं है। यह जो विधेयक सदन के सामने है, वह बड़ा अच्छा है, इसकी आवश्यकता भी और

इसको इस सदन में पास करना बहुत आवश्यक है। इन चन्द शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

SHRI N M ANWAR (Madras)
Madam Deputy Chairman, as I rise to speak on this Bill of the Government of India, The Durgah Khawaja Saheb (Amendment) Bill, 1963, I recall to memory an incident that occurred only last week, on Tuesday, when in one of our usual evening drives that gentleman par excellence, Hafiz Mohammad Ibrahim and I as we were returning on our way back, got landed in a terrific traffic jam, caused by several hundreds of special buses at Mehrauli near Qutub Minar and we were stranded for nearly one hour. But mysterious are the ways of God. That one hour turned out to be the most precious hour for me for heart-searching. That was an eye-opener to the universal majesty of our spiritual heritage, that is the soul of India. I saw before me and before my mind's eye, the vast multitude of men, women and children in their thousands, despite the challenge of chill penury, moving from one shrine to another in their onward march of pilgrimage to what they considered to be at Ajmer the shrine of the patron-saint of India. Well, what really delighted me and brought out the innermost depths of my soul was that in that wonderful congregation, I found devotees drawn from all walks of life, from all the castes and communities of our society, from distant centres and different corners of our country, moving from the shrine of Hazrat Khawaja Nizamuddin Waliullah to the shrine of Hazrat Bakhtiar Kaki Rahmatullah and on they were moving to Hazrat Khawaja Moinuddin Chisti Rahmatullah. Indeed our country is dotted with hundreds of these shrines all over and no wonder we always deem this spiritual heritage of India as our most priceless possession. As I was faced with this human panorama of pilgrimage I

recollected to memory one of the classic couplets which inspire in us the innermost feelings of patriotism

چشتی نے جس زمیں کو اپنا وطن بنایا
نانک نے جس زمیں میں

وحدت کا کوٹ لایا

‘मेरा وطن وہी है, मेरा وطن وہी है’

† चिस्ती ने जिस जमी को अपना वतन बनाया
नानक ने जिस जमी में बहदत का गीत गाया
मेरा वतन वही है, मेरा वतन वही है।]

Believe me, Madam Deputy Chairman, we must realise from out of this wonderful experience that I went through—of course I have never visited Ajmer myself—that if after seven or eight centuries now, Hazrat Khawaja Moinuddin Chisti of Ajmer, could have this tremendous spell over this vast multitude of Indians, a man who had abandoned his roots in the distant land and came all the way towards this country and to him this call to India was a call from God, it is to these saint and seers, sages and savants, the we owe our spiritual heritage. They are the salt of the earth. They are the finest of our humanity who have called us to God. They have hallowed this country with their saintly moorings. Particularly as I see or look around in our country, as even in the world overseas, we are falling far far from the highest standards of character that we must carry forward. After all of what use are these paraphernalia of planning and all these wonderful achievements that we claim in the industrial and economic fields? We have progressed even inside our own country in matters industrial with lightning rapidity. Nevertheless, when I look further deep into the problems that confront us in our country today I recall to memory that meaningful and magnificent maxim that I saw inscribed in gold at a church in London

†[] Hindi transliteration

[Shri N M Anwar]

'When wealth is lost, nothing is lost

When health is lost, something is lost

When character is lost, everything is lost"

And Madam Deputy Chairman, when I look at the progress that we have had after the advent of our freedom, sometimes I feel sick at heart and say to myself "What is all this happening in our country today?" While the masses continue to be as unsophisticated as they were before, among the leading lights, among men of consequence in different walks of life, we have got now a very poor display of our national character and we have fallen far far away from the ideals that the Father of the Nation, Mahatma Gandhi, had set before the men and women of India. And then I remembered, Madam Deputy Chairman, in that precious hour when I was stranded at Mehrauli, that the only answer that we can have to many of the maladies of the spirit under which the nation suffers today, is that we should return to the call of God.

Madam Deputy Chairman, I was immensely pleased when the hon. Minister for Home Affairs, while introducing this Bill, paid a handsome compliment to the Muslim community for having brought under the jurisdiction of a secular State, the administration of their most important shrine of Hazrat Khawaja Moinuddin Chisti of Ajmer. Madam Deputy Chairman, I feel proud of this achievement and I want that this should serve as an example before every community in this country. After all, the essence of secularism is spiritualism. Secularism does not mean that we abandon religion. On the contrary, it provides for harmonious coexistence of the different spiritual beliefs and faiths in this country. Rightly, that has been our spiritual heritage through the centuries. This

land has ever been known for its *rishis* and *munis*, for its saints and sages, for the seers and savants who have brought laurels of glory to this land. That is why Dr. Sir Muhammad Iqbal was perfectly right when in the immortal words that he has put into that single couplet he said something which finds an echo in the heart of every patriot in India.

سارے جہاں سے اچھا ہندوستان ہمارا
ہم پہنچاؤں ہوں اسکی یہ گلستاں ہمارا

†[सारे जहा से अच्छा हिन्दोस्ता हमारा,
हम बुलबुले है उसकी यह गुलिस्ता हमारा।]

We cannot claim any of the wonderful riches of the United States of America, for instance. Nevertheless we have got this richest of her treasures that we have inherited from our forefathers, no matter to which community we belong. After all, as our revered President, Dr. Radhakrishnan, said in his address on "Inter-religious understanding" at the Haverford College in Philadelphia, "saints and seers belong to a single family", no matter in which religion or in which community they may be born. They are the people who have brought the Kingdom of God on earth. It is they who have made this country a heaven on earth. For that reason we feel, and rightly too, that these saints, not only while they were living, but even long long after they are dead, still carry on that wonderful spell as the blessed redeemers of the soul of India. How wonderfully Iqbal has said

نہادہ مومنین سے بدل جاتی ہیں نقدیں

†[निगाहे मर्देमومن से बदल जाती है तकदीर]

It was that which I saw in that hungry multitude. In their eyes, I

saw the hunger of the spirit, the hunger of their soul, their thirst to reach the blessed redeemer whom they believe to be lying buried in Ajmer.

Madam, I ponder over this and I must submit here before this House, that we must try to draw a lesson from this experience of our spiritual heritage. India, our country, has got a history where swords have been drawn between this ruler and that ruler, between this dynasty and that dynasty, between this personality and that personality, sometimes brother against brother, right through our history. How very different it would be if, instead, we went to the roots of our problems, to the common mass of our humanity and tried to re-write our history from the base, after seeing from this right and of the telescope what emotions inspired the people of India. Madam Deputy Chairman, I feel that there must be somebody in our country, amongst the historians, who will echo the example of J. R. Green who wrote, not the history of the kings and queens of England as it used to be customary, but a "short History of the English People." That has got a lesson for this country. If our posterity is to be saved from the ravages of the prejudices which still continue to lurk in certain circles, in the minds of some of our parties, in some leadership, then the only course that we have to take is to see that we let the course of our history move along the right lines of secularism, and see that such a precious heritage which had been built up by our saints and savants, is annotated and brought together so that it may constitute a history of India, a history for which our country is justifiably famous the world over. It is in this country that we find nearly all the great religions of the world. We have Hindus, Muslims, Christians, Parsis, Sikhs millions of nearly every religion in the world.

AN HON. MEMBER: What about the Jews and Buddhists?

SHRI N. M. ANWAR: Yes, Jews, Buddhists and Jains also. Madam Deputy Chairman, I had been going round the world many a time and this is what I used to tell some of my friends overseas. It is much easier to run a government where the people belong to a particular creed; but it is infinitely to the glory and the majesty of our secular State that we in this country, with a conglomeration of different communities, having different traditions of heritage, speaking different languages, nevertheless, live in peace, in this vast country of 450 millions of Indians. Madam Deputy Chairman, it redounds to the glory of our ancestors that they have nurtured us in the arts of peace, in the arts of harmony, in the arts of living with goodwill towards one another. No doubt, I know that there have been certain mental aberrations and certain incidents, when the nation was overtaken by madness here and there. But we are not going to write the history of our nation based only on some misdeeds that happened here and there. On the contrary, the peace that prevails, the harmony that one sees in almost everyone of the 600,000 villages of India, what do they illustrate. The people, the ordinary masses of the people the ordinary run of our mankind, are essentially given to these spiritual urges which constitute the heritage of our country. And that is why, Madam Deputy Chairman, I felt so much overjoyed when I saw that day, not only Muslims—they were no doubt there in their thousands—but also Hindu and Christians who had gathered in large numbers, all on the onward march, on their pilgrimage to the shrine at Ajmer. What does it reveal? It reveals that basically, essentially, the mass of our people in India have got their roots in a spiritual heritage. And the Father of the Nation, that greatest amongst the statesmen that this country has ever produced, understood this very well, this background of our nation, and therefore, he himself sanctified our politics by appealing to the inner

[Shri N. M. Anwar.]

urges, to the soul of India, by himself becoming a Mahatma.

Even in that wonderful way in which he sacrificed his most precious life, he not only saved the lives of the Muslim community in this country but also saved the glory of the Hindu community which would very much have come in for utmost and irreparable damage before the powers that be in the world, before the bar of world opinion. There never was in human history a greater proof of martyrdom and sacrifice such as the Mahatma did and this I say when we are under the shadow of a very great tragedy, a tragedy of the first magnitude, when a young man fired with the great ideals of human liberty, President Kennedy, has died a martyr for causes that now will find their echo in every heart the world over. We are proud, Madam Deputy Chairman, that the Father of the Nation contributed to that legacy, to that spiritual heritage in the most wonderful manner that he could have ever been expected to have. I feel that in our country we must naturally give greater attention and regard, particularly when we are faced with the problem of emotional integration and when we are confronted with the issues of national integration, to these roots of our spiritual heritage. There is a very damaging observation which has entered the books of history and has prejudiced most of our intellectual circles that Islam was spread by the sword but, Madam Deputy Chairman, there cannot be a greater travesty of truth, there cannot be a greater crime against the conscience of mankind than to hurl this most filthy charge that ever was laid against a religion that came in for peace, for brotherhood and for love, for complete surrender to the will of God, as the life of the Holy Prophet to Islam itself vindicated in the deserts of Arabia. Madam Deputy Chairman, when I see these different communities being attracted by the spiritual bonds of love and harmony and peace and goodwill, then it becomes our

duty, our paramount responsibility to see that we cash in on this heritage and try to re-write our history in the light of the spiritual blessings that have been conferred upon the nation. I am by myself not given so much to the worship of the shrines because I feel, as an iconoclast, one should have direct communion with God. I do not believe in intermediaries. Even the Prophet of Islam, when he brought the message, said that he was but a servant of God and that he shall not be worshipped and man shall surrender himself to no authority except God and that the Prophet was but a messenger of God. When that is the tradition in which I have been brought up and which I believe with all my fervour, I can never understand many of the things that now happen in and around shrines all over the country. I now feel that in this country have got to safeguard these shrines under secularism. I now respond to the appeal that the Minister has made that as a minority community, the Muslims have set an example and a glorious example by placing their greatest shrine under the jurisdiction of a Secular State but this is only the beginning and I say with the courage of conviction, as a Muslim amongst Muslims, that I shall not feel happy and satisfied until the day dawns when all the shrines in this country—and I hope even my friends belonging to different communities, and particularly the Hindu community, will agree—will be placed for excellent preservation under the Preservation of Monuments Act. Why do I make that observation which appears to be quite revolutionary? It is because, Madam Deputy Chairman, I see many acts of vandalism. It was George Bernard Shaw who said, and said so rightly, speaking of games and sports, that game money is but a prostitution of games. What is this Nazrana for which Government is now pleading, which it wants to be institutionalised or canalised through proper channels? I ask, do all these saints and seers who lie buried, who had come in order that they can be a source of salvation for the poor, do

they need all these Nazars, people who had come to give succour for the afflicted humanity, for the diseases of the soul, people who had come to see that there shall not be illwill between man and man, that there shall not be jealousy, lust, greed, wickedness, treachery, there shall not be such other evil attributes which bedevil humanity and people who said that man does not live for bread alone, people whose call was to God and who brought the Kingdom of God on earth? Are we to desecrate their memory? Are we to abuse their honour and their legacy by trying to institutionalise beggary? If gate money is prostitution of games in the language of George Bernard Shaw, I must say, equally strongly, that this Nazrana is a prostitution of faith. This is what we are trying to do to the soul of these great saints who have left behind such wonderful traditions of mental and spiritual succour for the poor of this country. This is what is happening today in the name of these devotees of God and certain vested interests have grown around every shrine. These people are living as parasites of our society, trading in the name of religion, prostituting many of the highest ideals for which these saints had brought a message of relief and hope. As we are bringing these tombs and shrines under the care of the Preservation of Monuments Acts, we must equally see that these shrines are saved from the ravages of the parasites of our society. As a Muslim, I cannot give a more glorious example for my community than the wonderful and classic manner in which the tomb of the Prophet of Islam is being preserved in that saired land of Arabia, at Medina. It is free of these parasites. No Nazar is being asked and no Nazar is being accepted and no Nazar shall be offered. Why then do we make an exception here in this country. When I see these thousands and thousands of the hungry multitudes that come over, despite the challenge of their chill penury, is it proper and fair for us to see that they are fleeced by these parasites that live in and around the

shrines, legalised or otherwise? Therefore, Madam Deputy Chairman, that day will be a red letter day for the Secular State when it can guarantee that these shrines will be saved from the clutches of the parasites and that they will be preserved in perpetuity, each according to their religion. That, I believe, is the very essence of secularism. In fact, I go one step further, Madam Deputy Chairman, when I say that secularism is the basic concept of the Holy Quoran. It is the very height of the religious concept of tolerance and goodwill. After all, it is in the Quoran that we see:

“لکم دینکم و لی دین”

†[“लकुम दीनकुम व लो दीन”]

“To each man, his religion dear”.

This is the spirit of tolerance, of goodwill, of co-existence, of harmony and of co-operation that this religion of Islam preaches. This is a secular State in which the different religions and faiths have been living in peace and harmony and we have the wonderful demonstration of communal harmony existing in this great country where people belonging to different faiths and religions live in their millions. Therefore, Madam Deputy Chairman, I attach the greatest value, and I must say this, the greatest importance, to the fact that a secular State must try to secured for the shrines as much preservation of peace as possible, accessible to all the devotees, and held in good state. It is one good thing to see . . .

THE DEPUTY CHAIRMAN: Would you take more time?

SHRI N. M. ANWAR: I should like to take half an hour more.

THE DEPUTY CHAIRMAN: I think you have very near that. You may continue for a little while more after lunch.

The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at one of the clock.

†[] Hindi transliteration.

The House reassembled after lunch at half-past two of the clock THE VICE-CHAIRMAN (SHRI M GOVINDA REDDY) in the Chair

SHRI N M ANWAR Mr Vice-Chairman, I was speaking on how these saints and seers have contributed towards the emotional integration of this country. Indeed I must say that they have become the focal points for national integration, and a Secular State which is called upon to preserve the harmony and also foster love and goodwill between different communities that subsist in this country cannot look to a greater agency for the preservation of peace in this country. Mr Vice-Chairman, only last year about this time when we had the challenge of China across the borders we felt inspired by the spiritual heritage of this country and we felt that it becomes our moral duty and paramount responsibility to defend the cause that we hold dearest to our hearts, to defend the glory of our spiritual heritage as against the military menace brought about by the materialistic civilisation of China. Therefore one cannot overemphasize the great value that these saints and seers, sages and savants have contributed for the promotion of national unity in this country. How I wish I could see that myself. I had never been to Ajmer but nevertheless I feel gratified to hear report that not only there are millions of Hindus among the devotees of this shrine but there are many who have contributed in cash and kind and hear on good authority that one Hindu devotee has constructed what is now come to be called as the *Chandi Chaboothra* at an expense of Rs 13 lakhs. Imagine, Mr Vice-Chairman, these saints, now dead for centuries nevertheless exert a spell, far too superior even to the Kings and Emperors who ever could have exerted in their sovereignty during their time. Now, when I saw at Mehrauli these pilgrims marching towards Ajmer I felt that they were mocking at the ruins, as they passed them, of ever so many Emperors that

clashed with their swords as between brother and brother, and that they were only inspired by the immortal and universal majesty of this deathless spiritual glory of the saints. Naturally, Mr Vice-Chairman, as I said before lunch, we want historians who could echo the language of J R Green and rewrite the history of India not of the Kings and Queens who fought with their arms, as between brother and brother, but we want to see that, instead they write the history of our saints and seers of every community, not only among the Hindus and the Muslims, but among the Christians, the Parsis, among the Sikhs, the Buddhists and Jains. We have got so many hundreds of saints whose shrines and dotted all over the country and they have been missionaries of mercy as against the mercenaries of materialism that we are confronted with today in our society. And let us try to cash in on their goodwill, on their heritage and see that we extend the area of goodwill and bring the different communities in mutual love and goodwill. That shall be a lasting glory for the secular State that is India.

Now, there is one more thing. As I said before lunch, I am an iconoclast, I do not believe very much however supernatural may be the powers that might have been exercised by these saints. I do not believe that for a communion with God there is need for an intermediary, for any devotee can have direct communion with God. Indeed, I subscribe to a theory which has been brilliantly immortalised by Dr Sir Mohammed Iqbal in these words

خودی کو کر بلاد اتنا کہ ہر تقدیر سے پہلے
خدا ہلنے سے خود پوچھے بتا تیری
رضا کیا ہے -

† [خودی کو کر بلاد اتنا کہ ہر تقدیر سے پہلے،
خدا ہلنے سے خود پوچھے بتا تیری رضا کیا ہے]

خدا بد سے خود پوچھے، بتا تیری رضا کیا ہے !]

When I am brought up in this tradition of thinking, in this psychology, verily I can never agree to many of the things that the devotees perform during the pilgrimage to these shrines, particularly during Urs, but yet we have got as a Secular State to respect their sentiments, to respect their religious. Nevertheless, let me tell you, Mr Vice-Chairman, particularly coming as I do from the South, from the State of Madras we have got there some of the greatest *rishis* that this country has ever produced, Sanakaracharya, Ramanujacharya, Madhavacharya, Ramakrishna Paramahansa, Nandanor, Thiruvalluvar, Avvayar who have added to the glory of this great country and only if we try to inculcate in the juvenile minds of our children how these saints have done marvellously well without the strength of the sword but with the atomic energy of their love, of their goodwill of their simplicity, of their life of poverty and piety, we can go very far. These are the things that naturally influence the people of India, the 450 million people of India, despite all that the Communist Party can claim in defence of materialism. It is these strong urges that are there lying dormant in the mind and spirit of India that contribute towards the vitality of the country, despite the problems of our poverty.

Mr Vice-Chairman as I said before the universal majesty of these saints, sceptre and crown have tumbled down many a time. I would like to quote one instance which is of historic significance. But the whole trouble is that our historians have not served the country well. Let me now tell you of a very glorious incident that occurred in Madura sometime during the reign of King Allauddin Khilji, during the 12th century. He deputed his great General, Malik Kafur who in his invincible march ran across the country down the plains. And he reached the gates of Madura where you have got the most wonderful monuments that are a tribute to our Dravidian architecture and sculp-

ture in the glorious temples of Madura. Those temples were likely to be ravaged but for the conduct of the Muslim minority that was there in Madura. Because the Raja of Madura protected their religion and the shrine of their saint—and he himself was also a devotee—the Muslim community took upon itself the responsibility to defend their Raja even against the Muslim invaders that had come from Delhi. What does this illustrate, Mr Vice-Chairman? Malik Kafur sent a message to them that they shall be spared the ravages of war if only they could cross over to their side but the Muslim community in their collective wisdom said, and very correctly, “no, it shall never happen, we shall stand by the Raja because he has defended our religion and our faith. He has given us protection and shelter and naturally it becomes our duty according to the injunctions of the Quran to see that we stand by the ruler.” Malik Kafur was so much pleased with this religious love of the Muslims for their State that he abandoned the invasion of Madura. That is the degree of loyalty that is expected of every true Muslim. Indeed my only regret today is that while we pretend to be Hindus or Muslims, or Christians, or Sikhs, or Parsis or Jains, or Buddhists, how I wish that we could be good Hindus, good Muslims, good Christians, good Parsis, good Sikhs, good Buddhists and good Jains. Then there will not be this trouble, this pandemonium that we have been witnessing time and again all over the country. All religious beckon us to a complete surrender to the will of God. They bring in the majesty of the authority of God and bring to light the humility of human endeavour. And here it happened at Madura. These Muslim leaders said “If the invaders want to walk into the temple of Madura, they will have to walk over our dead bodies, before they could lay their hands on it.” That produced a metamorphosis and that is one of the classic anecdotes of our history, which unfortunately no history has ever placed on record. That saved Madura for the Ruler and

[Shri N. M. Anwar]
that was exactly what brought about a turning point. There are hundreds of such anecdotes of Muslim loyalty. That is why in our part, despite the fact that there had been ever so many troubles during the days of partition, we have been living in a world of goodwill and harmony. Now, I bring to light another example, how Tippu Sultan, himself one of the sacred saints of India, was involved. When he waged a war, he waged a war against the Nizam, a Muslim ally of the British, and even invoked the help of Napoleon Bonaparte in order to expel the British imperialists from this country. In that memorable letter which he had written and which has now become a classic on record, he had signed not as the Ruler of Mysore but—mark the words—as the First Citizen of the Republic of India! The very concept of the Republic of India and of himself being the First Citizen was conceived two centuries ago by that great martyr who died defending the honour of the country against the foreigner. We have got glorious and glowing accounts of secularism.

Let me illustrate it from my own experience. I have the privilege pride and pleasure to be the President of the Vaniyambadi Muslim Educational Society.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Mr. Anwar, you are straying too far from the scope of the Bill.

SHRI N. M. ANWAR: I am rather touching on the most sacred and important problem of secularism which these saints have come to represent. And there I tell you that I have certain experience. We have got a college, the Islamiah College, and I happen to be the President of the Society which runs it, namely, the Vaniyambadi Muslim Educational So-

ciety, with resources exceeding Rs. 60 to Rs. 70 lakhs. We had—long before freedom dawned on this country—thrown open the doors of these institutions, now providing instruction to more than two thousand students, to all the communities. We have taken on the staff members including the Principal, who happen to belong to the majority community and rightly in a majority. It is these high ideals of secularism that we have got to foster. How did we come to take these lessons? It is not from the rulers who only brought about trouble between communities. Let us forget that chapter of our history. Let us not think in terms of Hindu India or Muslim India which has been the bane of our history. It was these saints, whether they were Hindus or Muslims, who brought about goodwill between the different communities and extended the area of harmony between all our countrymen. It is because we drew inspiration from these great saints that we have come to consider these shrines as most sacred and hallowed by their demise. Therefore, we look upon this country as hallowed by the traditions, of these great saints, who sacrificed their homes and came all the way from distant lands in order that they may make this country their home. And because of that I believe this land has become *Punjab Bhumi*—sacred motherland, and we have got to stand together. I would expect the Minister of State to go one step further and see that these institutions and shrines should be taken over under the Preservation of Monuments Act and they should be preserved in perpetuity and for ever. Why do we call Hazrat Moinuddin Chisti as “Garb-Nawaz”? What does that mean? It means a man who came to the succour of the poor, who was considered by the millions of this country as the Blessed Redeemer. And should his shrine be made a burden upon the poor because of the parasites who live on these shrines, live in and around the shrines. I am beholden to my good friend from the Jan Sangh, Mr. Chordia, for the most excellent thing

that he said, namely, these shrines must be protected and must be saved from the depravity of these parasites. I only wish that he should also take some measures and see that there are so many endowments in this country at Tirupati and elsewhere, and the 'gurdwaras' too, which have become pilgrim centres and focal points for emotional integration. Let them also be preserved. I am not here prepared to speak with that authority, but nevertheless I equally plead with my friend on the other side that they should see that these shrines are really preserved as noble monuments and that any and everybody who is a devotee has got access to the shrine regardless of his caste and community. Let there be no impediments. Let there be no handicaps. Let there be no surcharges. Let there be no nazars. I speak in a very vigorous vein. I do not want these things and when I speak, I speak with all the authority and command of a Muslim about the shrine at Ajmer.

Now, I have to echo the soliloquy of Alexander Selkirk where he said:

"Where are the glories that the sages have sung of Society, Friendship and Love, The Divine Blessings bestowed upon man?"

Where are those divinely blessed men today in spite of the fact that the Father of our Nation, Mahatma Gandhi, was dedicated to the higher ideals of the human spirit. Unfortunately we have drifted and drifted farthest from those high ideals and today we are acting ourselves for some of the most vulgar paraphernalia of a materialistic society, always after money and money.

SHRI A M TARIQ (Jammu and Kashmir) Is it money or 'Mani'?

SHRI N M ANWAR Man does not live by bread alone and, therefore, it is that this spiritual solace, this peace of mind, this mental contentment is more important than money. Mr. Mani, let me tell you and the House will be surprised, is a great devotee of Shri 'Sai Baba' and many a time when he had some of his troubles, I used to

wonder and marvel at the sense of complacency with which he would react to such a situation, because he said "My 'Sai Baba' will come to my rescue." And lo and behold, every time he has conceded that he has complete faith in that saint. Mysterious are the ways of faith. We are not going to change our views with any of these, but nevertheless they remain with these different faiths, people of different communities who are dedicated to certain high ideals of the human spirit and these are the saints who symbolise the spiritual values. They have faith, maybe, in 'Sai Baba', maybe in any Valullah, may be in the Gurus of the 'Gurdwaras', or the Rishis and Munis of Dharma. As I said before, let me repeat again that wonderful couplet of Sir Mohammed Iqbal:

چشتی نے جس زمیں کو ایذا وطن بلایا -
نانکے جس زمیں میں وحدت کا گوشت گایا
مہرا وطن دے مہرا وطن دے -

†[बिहारी ने जिस जमी को, अपना बतन बनाया ।
नानक ने जिस जमी में दहदह का गीत गाया
मेरा बतन वही है, मेरा बतन वही है ।]

How many leaders would be able to bring about the sense of patriotism among millions as these saints have done? They have brought the Kingdom of Heaven on earth. They are the holiest of the holies. And they have sanctified this motherland with their holiest remains. Therefore, I repeat once against the patriotic song of Sir Mohammed Iqbal —

سارے جہاں سے اچھا ہندوستان ہمارا
ہم بلالیں ہیں اس کی یہ کنستانتان ہمارا

†[सारे जहाँ से अच्छा हिन्दु स्त हमारा ।
हम बलबलें हैं : सक रह गुलिस्ता हमारा ।]

†[] Hindi transliteration

شری اے - ایم - طارق : مذہب

نہیں سکھاتا .

شری اے۔م۔ تارک : مچھب نہی
نلخاتا . . .

SHRI N M ANWAR, Yes.

مذہب نہیں سکھاتا

آپس میں بھر رکھنا -

ہندی میں ہم وطن ہیں

ہندوستان ہمارا -

†[مچھب نہی نلخاتا آپس مے بئر رلخنا ।

हिन्दी है हम बतन हैं हिन्दोस्ता हमारा ।]

Mr Tariq has also spoken and he has as usual brought up the secular character of our Constitution. Naturally the religion of Islam came to spread the cause of peace. The very word 'Islam' means 'peace'. It is these kings who have fought their own brothers in order to preserve their dynasties in the interests of their self-aggrandisement. Are you to murder me because of some crime committed by some king belonging to my community by accident? On the contrary, I pledge my loyalty and faith in these saints. Though I may be an iconoclast, I may not have to lose faith in them. I believe in direct communion with God. Nevertheless I must say: hats off to these great saints. They have brought laurels to their religion and to this their country. They have the greatest achievements to their credit, that is, they fostered human understanding, love, brotherhood and goodwill, and the greatest of all was faith in God, faith in the majesty of God.

Mr Vice-Chairman, I feel glad that you should have given me this opportunity. The greatest truth which we

†[] Hindi transliteration.

have learnt from all these saints is: "Befriend thy enemy". That is the greatest teaching that we need today. Let us try to understand that as between different men and women we should have to befriend our enemies, and to that extent we have got to conduct ourselves. That is the greatest secret of success in a democracy. Naturally there cannot be a greater accession to our spiritual heritage than what the saints have contributed by their lives and teachings. Let us all be true to their teachings, worthy of their heritage.

شری عبدالغنی - (پنجاب):

وائس چھرمین صاحب - میں اس بل کے لئے انلی سرکار کو بدھائی نہیں دے سکتا - پہلے میں یہ سمجھا تھا کہ آج جلمے جرائم ہیں جو ایسے موقعوں پر ہوتے ہیں وہ صرف ایک اجمیر شریف کی ہی درگاہ میں ہوتے ہیں - باقی سارے ہندوستان میں خدلی درگاہیں ہیں، گردوارے ہیں، مندر ہیں، چاہے کوئی بھی موقع ہو جہاں لاکھوں کی تعداد میں لوگ اکٹھے ہوتے ہیں - جیسے الہ آباد میں کئی دفعہ لاکھوں کی تعداد میں لوگ اکٹھے ہوتے ہیں - ان جگہوں پر یہ برائی ختم ہو گئی ہوگی - ہمارے دیس میں خالمے جرائم پیشہ لوگ ہیں جو دھرم کے نام پر، مذہب کے نام پر اپنی گدی نے نام پر، لوگوں سے نذرانہ مانگنے ہیں یا لینے ہیں وہ سب بلند ہو گئے ہیں اور صرف اجمیر میں ہی یہ برائی رہ گئی ہوگی - جس کی وجہ سے سرکار کو فکر ہوئی اور وہ آج اس

طرح کا بل لا رہی ہے۔ اجمیر درگاہ میں جو تھوڑی سی برائی یا قصور وہ کیا ہے اس کو سرکار اس بل کے ذریعہ ختم کرنا چاہتی ہے۔ میں ایسا محسوس کرتا ہوں کہ اگر سرکار کو کسی ایسے اسکندل کو ختم کرنا ہے خواہ وہ مذہب کے نام پر ہو یا کسی کے نام پر ہو تو سرکار کے پاس پہلے سے ہی بہت سے

ادھیکار ہیں۔ سرکار کی ہوس نے اس پاس اتنے قانون موجود ہیں کہ اس کو اب زیادہ قوانین کی یا زیادہ اختیارات لینے کی ضرورت نہیں ہے۔

میرے محترم آنریبل ممبر شری انور نے اس سلسلہ میں بڑی عالمانہ تقریر کی اور میں یقیناً ایسا محسوس کرتا ہوں کہ ان کی تقریر میں بڑی جان تھی لیکن میری سمجھ میں یہ بات نہیں آئی کہ باقی آنریبل ممبروں نے اپنی تقریروں میں باقی جو نذرانے دئے جاتے ہیں ان کو کیوں نہیں جرم قرار دیا۔ آپ نے سنا ہوگا کہ نذرانے ہر جگہ ہوتے ہیں۔ ہمارے بڑے صاحب نے اپنے گھر میں ایک مندر بنوا رکھا ہے اور وہ اسے نذرانہ دیتے ہیں وہ نذرانہ کہاں جاتا ہے میں نہیں جانتا۔ اس طرح کے نذرانے ہمارے آنریبل منسٹر صاحبان کو ملتے ہیں، ہمارے یہاں جو بڑی بڑی انتہائیں ہوں وہ جتنا چاہیں

نذرانہ میں خرچ کر لیتی ہیں تو آپ اس نذرانہ میں کس طرح فرق کرتے ہیں۔ نہ اس طرح سے ایک نذرانہ جو کہ لاکھوں روپیئے کا نذرانہ ہوتا ہے وہ جائز ہے چاہے اس کا پیسہ کرنے والا کوئی چھف منسٹر ہو یا کوئی دوسری انتہائی ان پارر ہو۔ اس طرح سے وہ لوگ آئے نذرانہ لے کر دیتے ہیں۔

एक माननीय सदस्य : उदाहरण दीजिये।

شری عبدالغنی : شری پٹنائک اور پرتاپ سنگھ کہوں گا نام سن لےجئے۔ میں عرض کرنا چاہتا ہوں کہ آپ نذرانوں اور نذرانوں میں فرق دیں۔ چاہے وہ نذرانہ کسی نیتا کے ذریعہ ملتا ہو اور وہ بھتا چاہے کسی پارٹی کا ہو اگر وہ نذرانہ جائز ہے تو آپ دوسرے نذرانوں میں کیوں فرق کرتے ہیں۔

THE VICE-CHAIRMAN: (SHRI M. GOVINDA REDDY): The Chief Minister is not a Durgah. We are discussing the Durgah Bill.

شری عبدالغنی : وہ نذرانہ جو چیف منسٹر کے پاس آتا ہے وہ درگاہ نہیں ہے۔ درگاہ کے اندر جو نذرانہ دیا جاتا ہے اور جو باہر نیتائوں کو دیا جاتا ہے اس میں آپ کو فرق کرنا چاہئے۔ (Interruption) وہ تو سب ایک ساتھ بول رہے ہیں جو کہ میری سمجھ میں نہیں آتا۔ اگر ایک ایک بولے تو میں ان کا جواب دوں۔ بہر حال مجھے پر ان کے

[شری عبدالغنی]

کھلمے کا کوئی اثر نہیں ہوتا چاہے وہ سب ایک ساتھ ہی کہوں نہ بولیں۔ وائس چیمبرمین - میں سرکار سے یہ جاننا چاہتا ہوں کہ آیا نذرانہ صرف اجمیر کی درگاہ ہی میں ملتا ہے اور جو یہ نذرانہ دیلمے والے ہیں وہ صرف درگاہ اجمیر ہی میں جاتے ہیں اور کہیں نہیں جاتے؟ کیا نذرانہ کے یہ معنی ہیں کہ تھوڑا سا روپیہ پیسہ کہا جائے یا لاکھوں روپیہ پیسہ کہا جائے - نذرانہ تو آخر نذرانہ رہے گا - کیونکہ مہرا یقیناً ہے جب کوئی کسی کو نذرانہ دیتا ہے چاہے وہ تھوڑا روپیہ دے یا ہزاروں روپیہ دے تو وہ بچہ سمجھ کر دیتا ہے - کوئی بڑی آدمی چمے وہ فقیر کو نذرانہ دیتا ہو یا سو فی کو نذرانہ دیتا ہو تو آپ کو پتہ ہے کہ اجمیر درگاہ شریف ایک بڑی درگاہ ہے جہاں بڑے بڑے لوگ جاتے ہیں اور جن کی وجہ سے عوام کو بڑا فائدہ ہوتا ہے - اس طرح سے بڑے بڑے انستٹی ٹیوشن ہوتے ہیں اور ان کے پیچھے ایک بڑا گروہ ہوتا ہے - جیسے مثال کے طور پر جمعیتہ الصوفیہ - ان کے جو نہتا ہیں ان کو لاکھوں روپیہ نذرانہ میں ملتا ہے - مجھے بھی حضرت نظام الدین میں جانے کا اتفاق ہوا اور طارق صاحب کے ساتھ میں گیا تھا - شاہ نواز صاحب بھی

وہاں جاتے ہیں، ملک بہر کے لوگ وہاں آتے ہیں، چاہے مسلمان ہوں، چاہے ہندو ہوں - تو آپ جانتے ہیں وہاں جو ملک بہر کے لوگ جاتے ہیں وہ نذرانہ دیتے ہیں نو وہ نذرانہ ان کے لئے کٹا ہے کیوں؟ اگر وہ لیتے ہیں تو اس طرح کی دس درگاہیں ہیں جہاں پر نذرانہ پیسہ کہا جاتا ہے جو صرف اجمیر شریف کی درگاہ کے لئے ہی آپ اس طرح کا قانون کہیں لا رہے ہیں؟ آخر اگر ایک اسکندل ہے تو وہ سب جگہ اسکندل ہی ہے - اگر کوئی چار سو پیسے سے نذرانہ لیتا ہے تو آپ کے ہاتھ میں قانون ہے، آپ کے ہاتھ میں پولیس کا قنڈا ہے - آپ اس کو سزا دے سکتے ہیں - اس میں کوئی جرم کی بات نہیں ہے - آپ اس بل کے مانتے اس آدمی کو جو نذرانہ دے گا، اس کو ایک ہزار روپیہ جرمانہ کریں گے اور آپ یہ نہیں طے کر پاتے اور نہ آئیڈیل مسلمان نے ہی بتلایا کہ وہ جرمانہ کون کرے گا، اس جرمانہ کے کرنے کا اختیار کس کو ہوگا - بہر حال میں یہ کہنا چاہتا ہوں اپنی سرکار سے کہ وہ جو بل لائی ہے سوائے اس کے کہ اس سے کچھ لوگوں میں تلخی پیدا ہو، کسی خاص فرقہ یا کسی گروہ میں یا کسی خہال کے لوگوں میں یہ خہال پیدا ہو کہ صرف اجمیر شریف کے لئے یہ بل کہوں لایا جا رہا ہے -

کمپ کے مہلہ کے کروکشیتر کے مہلہ
 کے لئے یا دربار صاحب کے معاملہ
 میں اس طرح کی کارروائی کہوں
 نہیں کی جاتی - میرے خیال میں
 سرکار نے کوئی خدمت نہیں کی اور
 سرکار نے برائی روکنے کی کوشش
 نہیں کی کہوں کہ میں جانتا ہوں اور
 آپ سب لوگ جانتے ہیں کہ بہت
 سے مقبرے ہیں بہت سی مساجد
 ہیں درگاہیں ہیں جو کہ زبردستی
 غیر مسلم بھائیوں کے قبضہ میں
 ہیں اگر گستاخی معاف ہو تو
 سرکار کے قبضہ میں بھی ہیں یا
 ایسی سہاؤں کے قبضہ میں ہیں جو
 سرکار کے تحت چلتی ہیں - ان کے
 بارے میں سرکار کو خیال کہوں نہیں
 آیا کہ وہ اس طرح کی زیادتی کو
 ختم کرنے کے بارے میں بل لائے اور
 ان پر لاگو کرے - ہمارا ملک جب
 سیکولر اسٹیٹ ہے تو باقی دیہ
 میں جو اس طرح کے ادارے ہیں
 جہاں پر اس طرح کا نذرانہ لہا یا دیا
 جاتا ہے ان کے بارے میں کہوں نہ
 آپ اس طرح کا قانون بنائیں - میں
 ایسا محسوس کرتا ہوں اگر سرکار
 کو اس برائی کو روکنا ہے تو جیسا
 کہ دوسرے ممبران نے بھی کہا ہے کہ
 سرکار کو سیکولر روپ میں اس بل
 کو پیش کرنا چاہئے تھا -

کسی بھی ایسی جگہ پر جہاں
 دھرم کے نام پر جہاں مذہب کے
 767RSD-6.

نام پر اجتماع ہو وہاں کوئی بنیاد
 سوچے سمجھے ہوئے بن سے کسی کو
 کچھ دے دے - - -

श्री शीलभद्र याजी (बिहार) : हिन्दू
 रेलिजस एन्डामेंट्स में सब जगह यह है ।
 जितने बड़े-बड़े मंदिर या धार्मिक स्थान हैं
 सब के लिये कानून बताये गये हैं । इस लिये
 यह जो आप कह रहे हैं कि यह सेक्युलर नहीं
 है, यह ठीक नहीं है । यह दरगाह सेन्ट्रल गवर्न-
 मेंट की है, इस लिये यहां बिल लाया गया है ।

شری عبدالغنی : وائس چهر
 میں صاحب - بھاجی جی نے ایسی
 بات کہی - - -

श्री शीलभद्र याजी : मैंने सही बात कही
 है ।

شری عبدالغنی : میں نے کہی
 نہیں کہا کہ بھاجی جی غلط بات
 کہتے ہیں - میں یہ عرض کر رہا تھا
 کہ ہندوستان میں صرف ایک درگاہ
 اجمہر شریف رہ گئی تھی جہاں کے
 لئے قانون بنانا باقی تھا - - -

श्री शीलभद्र याजी : बाकी जगह के
 लिये बन गये हैं ।

شری عبدالغنی : جیسا آپ
 کہتے ہیں ویسا نہیں ہے -

श्री शीलभद्र याजी : है ।

شری عبدالغنی : وہ نہیں ہے
 جو آپ کہتے ہیں -

THE VICE-CHAIRMAN (SHRI M.
 GOVINDA REDDY) : Mr. Ghani, there is
 an Act for the Durgah Khawaja

[Shri M. Govinda Reddy]

Saheb. This is an amendment to that Act. Your suggestion is that on these lines, several other measures may be brought forward.

شری عبدالغنی : میں بھی

جانتا ہوں کہ ایکٹ ہے لیکن اس ایکٹ میں آپ کہہ رہے ہیں - آپ کہہ رہے ہیں کہ درگاہ شریف کا نذرانہ کسی آدمی کو نہ ملے اور جتنے بڑے مسجدیں یا صوفی وہاں جاتے ہیں وہ اگر کسی سے نذرانہ لیں تو ان کو پکڑ کر اندر کر دیا جائے تو آپ بات ایسی کہتے ہیں جو میرے دماغ میں نہیں گھس سکتی ہے - اس لئے مجھے ایلا پروائلٹ آف ویو سرکار کے سامنے رکھنا ہے اور یاچی جی کا نہیں رکھنا ہے -

श्री शीलभद्र याजी : आप समझ नहीं

रहे हैं।

شری عبدالغنی : یقیناً اگر آپ

سمجھا دیں تو میں سمجھنے کی کوشش کروں گا - میں سمجھ تو کئی باتیں سرکار کی نہیں پاتا ہوں جیسے مسٹر ایس - آر - داس کہروں کے ڈکومینٹس لے کر آتے ہیں اور بریف کس ان کا کم ہو جاتا ہے اور اس کے بعد پھر مل جاتا ہے - یہ اب سمجھ میں کیسے آئے کہ وہ کیسے کم ہوا - کہوں کم ہوا - کم ہونے کے بعد کہا ہوا کون جانے؟ اس لئے میں کہتا ہوں کہ مجھے سمجھانے

کی کوشش مت کیجئے - میں خوب سمجھتا ہوں - ایسا نہیں ہے کہ میں سمجھتا ہی نہیں -

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Mr. Ghani, please speak on the Bill.

شری عبدالغنی : انور بھائی نے

کیلیدی کے مقرر سے لے کر نہیں معلوم کئے اہم مسائل یہاں کہے اور میں بڑے شوق سے ان کو سنتا رہا - اب آپ میری ایک بات نہیں سن رہے ہیں - جو کچھ میں نے کہا وہ کوئی بڑی بات نہیں ہے - میں نے کسی پر الزام نہیں لگایا - میں نے صرف یہ کہا کہ کئی باتیں سمجھ سے باہر ہوتی ہیں -

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That is true but you do not want to do the same thing. Do you?

شری عبدالغنی : میں تبھی

کہتا ہوں کہ بعض باتیں سمجھ سے باہر ہوتی ہیں اور ان کو سمجھنے کی کوشش بیکار ہوتی ہے جیسا کہ یہ داس صاحب کے بریف کیس کے غائب ہونے کا معاملہ -

تو میں یہ عرض کر رہا تھا کہ اگر میں آپ کی بات سے اتفاق بھی کر لوں اور میرے بھائی جو بڑے قابل ہیں ان کے بارے میں یہ مان بھی لوں کہ وہ جو کچھ کہتے ہیں وہ ٹھیک ہے تب بھی یہ کلیر نہیں ہے کہ وہ جو مانہ کرے گا کون اور

کس انتہائی کو اختیار ہوگا کہ وہ جرمانہ کرے - آخر اس بات کو واضح تو کرنا ہی چاہئے -

دوسری بات میں یہ کہنا چاہتا ہوں کہ اس وقت واقعی کوئی سیکولر طور سے ان تمام یادگاروں کے لئے چاہے وہ کسی بزرگ کی ہو، کوئی ایسی آرگنائزیشن قائم کی جائے جس آرگنائزیشن کے سامنے کسی مذہب کا سوال نہ ہو اور اس کو اسی طرح ان تمام یادگاروں کو سنبھالنا چاہئے اور ان کا انتظام کرنا چاہئے جیسا کہ سکھ بھائیوں نے اپنے گورودواروں میں کیا ہے - ایک چھوٹی سی قوم ہوتے ہوئے بھی سکھ بھائیوں نے اپنے گورودواروں میں جو انہیں نذرانہ ملتا ہے اس سے درجنوں کالج بنائے ہیں اور نہ صرف وہ پوعلی پڑھانے کے کالج ہیں بلکہ انجینئرنگ وغیرہ کے کالج ہیں - اس لئے ایسی جتنی آمدنی ہے خوارہ و ملندروں سے ہو، خوارہ گورودواروں سے، خوارہ درگاہوں سے ہو وہ اس سب کو لے کر ایک ملا جلا بورڈ قوم کی بھلائی میں لگائے اور اس میں کوئی ایسا امتیاز نہ رکھے کہ یہ مسلمان کا بیچہ ہے، یہ ہندو کا بیچہ ہے، یہ سکھ کا بیچہ ہے - آج کل یہ پتہ چلتا ہے کہ مسلمانوں کی قابلیت کا خانہ بالکل ختم ہو گیا ہے - یہ کہا جاتا ہے کہ وہ کسی کمیٹیشن میں کامیاب نہیں ہو

سکتے - خیر وہ عقل کا خانہ ختم ہوا لیکن ان کی صحت بھی ختم ہو گئی کیوں کہ ایسی جگہ جہاں صرف صحت کا تعلق ہے وہاں بھی ان کو بہتری نہیں کہا جاتا - میں یہ کسی سے شکوہ نہیں کرتا لیکن یہ چاہتا ہوں کہ ایسے جتنے بھی اوقات ہیں چاہے وہ کسی مذہب سے تعلق رکھتے ہوں ان سب کے لئے ایک ملا جلا نظام قائم کیا جائے تاکہ ایسی تمام جگہوں سے کروڑوں نہیں بلکہ اربوں روپیہ جو جمع ہو اس کو ہم مشکل کے وقت کام میں لا سکیں چاہے چائنا جیسا کوئی احمق ہو کوئی ہم سے خواستخواہ الجھنے کی کوشش کرے تو اس کے خلاف بھی ہم اس روپیہ کو استعمال میں لا سکیں - تو اس ایکٹ کو بناتے وقت اس قانون کو بناتے وقت ہم اس بات کو بھی مد نظر رکھیں کہ آیا ہم اس آمدنی سے کوئی قوم کی خدمت کرنے جا رہے ہیں یا نہیں جس سے قوم کا معیار زیادہ سے زیادہ اونچا ہو اور قوم میں انٹیگریٹی آئے -

وائس چورمیں صاحب - مجھے بعض اوقات کچھ خیال آ جاتا ہے اور میں آپ سے کچھ کہتا ہوں آپ کی اجازت سے تو وہ کہنے کا مقصد یہ ہوتا ہے کہ سرکار کے کان ان باتوں کی طرف بھی جائیں جو کہ لوگوں

[شری عبدالغنی]

میں چلتی ہوں - میں یہ سمجھتا ہوں کہ آج ہم ذرا دشمن جو ہے وہ بہت ہی چوکنا ہے اور وہ چھوٹی چھوٹی باتوں کو اچھالتا ہے - سرکار میں یہی کہتا ہوں کہ یہ سمجھتے ہیں

زاہد تلگ نظر نے مجھے کانر جانا
سولہ برس تک میں نے مسلم
لوگ کے جوتے کھائے اور میں مہاشہ
عبدالغنی اور انہیں معلوم کیا کیا
کہلایا لیکن آج حالت یہ ہے - - -

زاہد تلگ نظر نے
مجھے کانر جانا -

اور کانر یہ سمجھتا ہے
مسلمان ہوں میں -

آج پلنگہ میں یہ ہو رہا ہے کہ
عبدالغنی کو کسی طرح پاکستان
کے ساتھ جوڑ کر جیل میں بھیج دیا
جائے لیکن مجھے ان باتوں کی کوئی
پرورہ نہیں ہے - جیل بھیجنے والے
ہاں دکھیں گے وہ کمیشن میں اپنے
حرائم پر پردہ نہ ڈال سکیں گے - انا
کہہ رہا ہوں اپنی بات ختم کرتا ہوں -
شکریہ -

†[श्री अब्दुल गनी (पंजाब) : वाइस
चैयरमैन साहब, मैं इस बिल के लिये अपनी
सरकार को बधाई नहीं दे सकता। पहले मैं
यह समझा था कि आज जितने जरायम
हैं जो ऐसे मौकों पर होते हैं वो सिर्फ
एक अजमेर शरीफ की ही दरगाह में होते

हैं बाकी सारे हिन्दुस्तान में जितनी दरगाहे
हैं, गुरुद्वारे हैं, मंदिर हैं चाहे कोई भी मौका
हो जहां लाखों की तादाद में लोग इकट्ठे
होते हैं, जैसे इलाहाबाद में कई दफ लाखों की
ताबाद में लोग इकट्ठे होते हैं, इन जगहों पर
यह बुराई खत्म हो गई होगी। हमारे देश में
जितने जरायम-पेशा लोग हैं जो धर्म के नाम
पर मजहब के नाम पर, अपनी गद्दी के नाम
पर लोगों से नजराना मांगते हैं या लेते
हैं वो सब बन्द हो गये होंगे और सिर्फ अजमेर
में ही यह बुराई रह गई होगी, जिसकी
वजह से सरकार को फिक्क हुई और वो आज
इस तरह का बिल ला रही है। अजमेर
दरगाह में जो थोड़ी सी बुराई या कसूर रह
गया है, उसको सरकार इस बिल के जरिये
खत्म करना चाहती है। मैं ऐसा महसूस करता
हूं कि अगर सरकार को किसी ऐसे स्केन्डल
को खत्म करना है खास वो मजहब के
नाम पर हो या किसी के नाम पर हो तो सरकार
के पास पहले से ही बहुत से अधिकार हैं।
सरकार की पुलिस के पास इतने कानून
मौजूद हैं कि उसको अब ज्यादा क्वानिनी की
या ज्यादा अख्तियारत लेने की जरूरत नहीं
है।

मेरे मुहतरम ओनरेबल मेम्बर श्री अनवर
ने इस सिलसिले में बड़ी आलिमाना तकरीर
की और मैं यकीनन ऐसा महसूस करत
हूं कि उनकी तकरीर में बड़ी जान थी लेकिन
मेरी समझ में यह बात नहीं आई कि बाकी
ओनरेबल मेम्बरों ने अपनी तकरीरों में
बाकी जो नजराने किये जाते हैं उनको क्यों
नहीं जुर्म करार दिया। आपने सुना होगा
कि नजराने हर जगह होते हैं, हमारे बिरला
साहब ने अपने घर में एक मंदिर बना रखा
है और वो उसे नजराना देते हैं। वो नजराना
कहां जाता है मैं नहीं जानता। इस तरह
के नजराने हमारे अनरेबल मिनिस्टर साह-
बान को भी मिलते हैं। हमारे यहां जो बड़ी-
बड़ी अथारिटीज हैं वो जितना चाहें नज-
राने में खर्च कर लेती हैं। तो आप इस नज-

राने में किस तरह फर्क करते हैं। तो इस तरह से नजराना जो कि लाखों रुपये का नजराना होता है वो जायज है चाहे उसका पेश करने वाला कोई चीफ मिनिस्टर हो या कोई दूसरी अथॉरिटी इन पा र हो इस तरह से वो लोग आगे नजराना लेकर देते हैं।

एन. र. नं. १ सस् : उदाहरण दीजिये।

श्री प्रभुल गनी : श्री पटनायक और राताप सिंह कैर का नाम सुन लीजिये। मैं अर्ज करना चाहता हूँ कि आप नजरानों और नजरानों में फर्क करें। चाहे वो नजराना किसी नेता के जरिये मिलता हो और वो नेता चाहे किसी पार्टी का हो अगर वो नजराना जायज है तो आप दूसरे नजरानों में क्यों फर्क करते हैं।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): The Chief Minister is not a Durgah. We are discussing the Durgah Bill.

श्री प्रभुल गनी : वो नजराना जो चीफ मिनिस्टर के पास आता है वो दरगाह नहीं है। दरगाह के प्रन्दर जो नजराना दिया जाता है और जो बाहर नेताओं को दिया जाता है, उन्हीं फर्क करना चाहिये।

(Interruption) वो तो सब एक साथ बोल रहे हैं जो कि मेरो समझ में नहीं आता।, अगर एक एक बोलें तो मैं उनका जवाब दूँ। बहरहाल मुझ पर उन के कहने का कोई असर नहीं होता चाहे वो सब एक साथ ही क्यों न बोलें। वाइस चैयरमैन साहब, मैं सरकार से यह जानना चाहता हूँ कि आया नजराना सिर्फ अजमेर के दरगाह ही में मिलता है और जो यह नजराना देने वाले हैं वो सिर्फ दरगाह अजमेर ही में जाते हैं और कहीं नहीं जाते। क्या नजराने के यह मायने हैं कि थोड़ा सा रुपया पेश किया जाय या लाखों रुपया

पेश किया जाय। नजराना तो आखिर नजराना रहेगा। क्योंकि मेरा यकीन है कि जब कोई किसी को नजराना देता है चाहे वह थोड़ा रुपया दे या हजारों रुपया दे, तो वो सोच समझ कर देता है। कोई भी आदमी चाहे वो फकीर को नजराना देता हो या सूफी को नजराना देता हो। तो आपको पता है कि अजमेर दरगाह शरीफ एक बड़ी दरगाह है जहाँ बड़े बड़े लोग जाते हैं और जिनकी वजह से अवाम को बड़ा फायदा होता है। इस तरह से बड़े बड़े इस्टेब्लिशमेंटें हैं और उनके पैसे एक बड़ा गिरीह होता है जैसे मिसाल के तौर पर जमैयतुल सूफिया। उनके जो नेता हैं उनको लाखों रुपया नजराने में मिलता है। मुझे भी हजरत निजामुद्दीन में जाने का इत्फाक हुआ और तारिक साब के साथ मैं गया था। शाह नवाज, साहब भी वहाँ जाते हैं। मुल्क भर के लोग वहाँ आते हैं, चाहे मुसलमान हों, चाहे हिन्दू हों, तो आप जानते हैं वहाँ जो मुल्क भर के लोग वहाँ जाते हैं वो नजराना देते हैं तो वो नजराना उनके लिये गुनाह क्यों? अगर वो लेते हैं तो इस तरह की दस दरगाहें हैं जहाँ पर नजराना पेश किया जाता है तो सिर्फ अजमेर शरीफ के दरगाह के लिये ही आप इस तरह का कानून क्यों ला रहे हैं। आखिर अगर एक स्केण्डल है तो वो सब जगह स्केण्डल होंगे। अगर कोई चार सौ बायो से नजराना लेता है तो आपके हाथ में कानून है, आपके हाथ में पुलिस का डंडा है आप उसको सजा दे सकते हैं, उसमें कोई जुर्म की बात नहीं है। आप इस बिल के मातहत उस आदमी को जो नजराना देगा उसको एक हजार रुपया जुर्माना करेंगे और आप यह नहीं तय कर पाते और न अनरेबल मेम्बरान ने ही बतलाया कि वो जुर्माना कौन करेगा, उस जुर्माना के करने का अख्तियार किस को होगा। बहरहाल मैं यह कहना चाहता हूँ अपनी सरकार से कि वो जो बिज लाई है सिवाय इसके कि इससे कुछ लोगों में तलखी पैदा हो किसी खास फिरका या

[श्री अब्दुल गनी]

गिरोह में या किसी ख्याल के लोगो में यह ख्याल पैदा हो कि सिर्फ अजमेर शरीफ के लिये यह बिल क्यों लाया जा रहा है, कुम्भ के मेले के, कुरुक्षेत्र के मेले के लिये या दरगाह साहब के मामले में इस तरह की कार्यवाही क्यों नहीं की जाती। मेरे ख्याल में सरकार ने कोई खिदमत नहीं की और सरकार ने बुराई रोकने की कोशिश नहीं की क्योंकि मैं जानता हूँ और आप सब लोग जानते हैं कि बहुत से मकबरे हैं और बहुत सी मसजिद हैं, दरगाहें हैं, जो कि जबरदस्ती गैरमुस्लिम भाइयों के कब्जे में हैं अगर गुस्ताखी मुआफ हो तो सरकार के कब्जे में भी है, या ऐसी सभाओं के कब्जे में है जो सरकार के तहत चलती हैं। उनके बारे में सरकार को ख्याल क्यों नहीं आया कि वो इस तरह की ज्यादाती को खत्म करने के बारे में बिल लाये और उन पर लागू करे। हमारा मुल्क जब सेक्यूलर स्टेट है तो बाकी देश में जो इस तरह के इदारे हैं जहाँ पर इस तरह का नजराना लिया या दिया जाता है, उनके बारे में क्यों न आप इस तरह का कानून बनाये। मैं ऐसा महसूस करता हूँ अगर सरकार को इस बुराई को रोकना है, जैसा कि दूसरे मेम्बरान ने भी कहा है कि सरकार का सेक्यूलर रूप में इस बिल को पेश करना चाहिये था। किसी भी ऐसी जगह पर जहाँ धर्म के नाम पर, जहाँ मजहब के नाम पर इजतमा हो वहाँ कोई बगैर सोचे समझे भोलेपन से किसी को कुछ दे दे . .

श्री शीलभद्र याजी . हिन्दू रिलिजस एन्डाउमेन्ट्स ऐक्ट्स में सब जगह यह है। जितने बड़े बड़े मंदिर या धार्मिक स्थान हैं सब के लिये कानून बनाये गये हैं। इस लिये यह जो आप कह रहे हैं कि यह सेक्यूलर नहीं है, यह ठीक नहीं है। यह दरगाह सेट्रल गवर्नमेन्ट की है, इसलिये यहाँ यह बिल लाया गया है।

श्री अब्दुल गनी वाइस चैयरमैन साहब, याजी जी ने ऐसी बात कही

श्री शीलभद्र याजी मैंने सही बात कही है।

श्री अब्दुल गनी मैंने कभी नहीं कहा कि याजी जी गलत बात कहते हैं। मैं यह अर्ज कर रहा था कि हिन्दुस्तान में सिर्फ एक दरगाह अजमेर शरीफ रह गई थी जहाँ के लिये कानून बनाना बाकी था .

श्री शीलभद्र याजी बाकी जगह के लिये बन गये हैं।

श्री अब्दुल गनी जैसा आप कहते हैं वैसा नहीं है।

श्री शीलभद्र याजी है।

श्री अब्दुल गनी वो नहीं है जो आप कहते हैं।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Mr. Ghani, there is an Act for the Durgah Khawaja Saheb. This is an amendment to that Act. Your suggestion is that on these lines, several other measures may be brought forward.

श्री अब्दुल गनी मैं जानता हूँ कि ऐक्ट है लेकिन इस ऐक्ट में कह क्या रहे हैं। आप कह रहे हैं कि दरगाह शरीफ का नजराना किसी आदमी को न मिले और जितने बड़े मुजदहदीन या सूफी वहाँ जाते हैं वो अगर किसी से नजराना लें तो उनको पकड़ कर अदर कर दिया जाये। तो आप बात ऐसी कहते हैं जो मेरे दिमाग में नहीं घुसती है। इसलिये मुझे अपना पाइंट आफ व्यू सरकार के सामने रखना है और याजी का नहीं रखना है।

श्री शीलभद्र याजी आप समझ नहीं रहे हैं।

श्री अब्दुल गनी : यकीनन अगर आप समझा दें तो मैं समझने की कोशिश करूंगा। मैं समझ तो कई बातें सरकार की नहीं पाता हूं। जैसे मिस्टर एस० आर० दास कैरो के डाकुमेंट लेकर आते हैं और ब्रीफ केस उनका गुम हो जाता है और उसके बाद फिर मिल जाता है। यह अब समझ में कैसे आये कि वो कैसे गुम हुआ, क्यों गुम हुआ गुम होने के बाद क्या हुआ, कौन जाने। इसलिये मैं कहता हूं कि मुझे समझाने की कोशिश मत कीजिये, मैं खूब समझता हूं। ऐसा नहीं है कि मैं समझता ही नहीं।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Mr. Ghani, please speak on the Bill.

श्री अब्दुल गनी : अनवर भाई ने कैंनेडी के मरडर से लेकर नहीं मालूम कितने अहम मसायल यहां कहें और मैं बड़े शौक से उनको सुनता रहा। अब आप मेरी एक बात नहीं सुन रहे हैं। जो कुछ मने कहा वो कुछ बुरी बात नहीं है। मैंने किसी पर इल्जाम नहीं लगाया। मैंने सिर्फ यह कहा कि कई बातें समझ से बाहर होती हैं।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That is true but you do not want to do the same thing. Do you?

श्री अब्दुल गनी : मैं तभी कहता हूं कि बाज बातें समझ से बाहर होती हैं और उनको समझने की कोशिश बेकार होती है। जैसा कि यह दास साहब के ब्रीफ केस के गायब होने का मामला।

तो मैं यह अर्ज कर रहा था कि अगर मैं आपकी बात से इत्तिफाक भी कर लूं और मेरे भाई जो बड़े काबिल हैं उनके बारे में यह मान लूं कि वो जो कुछ कहते हैं वो ठीक है तब भी यह क्लियर नहीं है कि वो जुर्माना करेगा, कौन और किस अथॉरिटी को अख्तियार होगा कि वो जुर्माना करे। आखिर इस बात को बाज्रा तो करना ही चाहिये।

दूसरी बात मैं यह कहना चाहता हूं कि इस वक्त वाकई कोई सेक्यूलर तर्ज से इन तमाम यादगारों के लिये, चाहे वो किसी बुजुर्ग की हों, कोई ऐसी ऑर्गेनाइजेशन कायम की जाये जिस ऑर्गेनाइजेशन के सामने किसी मजहब का सवाल न हो और इसको इसी तरह इन तमाम यादगारों को सम्बालना चाहिये और उनका इंतजाम करना चाहिये जैसा कि सिक्ख भाईयों ने अपने गुरुद्वारों में किया है। एक छोटी सी कौम होते हुए भी सिक्ख भाईयों ने अपने गुरुद्वारों में जो उन्हें नजराना मिलता है उससे दर्जनों कालेज बनाये हैं और न सिर्फ वो पढ़ने पढ़ाने के कालेज हैं बल्कि इंजिनियरिंग वगैरह के कालेज हैं। इसलिये ऐसी जितनी आमदनी है, खाह वो मंदिरों से हो, खाह वो गुरुद्वारों से हो खाह वो दरगाहों से ही, उस सब को लेकर एक मिलाजुला बोर्ड कौम की भलाई में लगाये और उसमें कोई ऐसा इंतियाज न रखे कि यह मुसलमान का बच्चा है, यह हिन्दू का बच्चा है या यह सिक्ख का बच्चा है। आजकल यह पता चलता है कि मुसलमानों की काबलियत का खाना बिल्कुल खत्म हो गया है। यह कहा जाता है कि वो किसी कम्पीटिशन में कामयाब नहीं हो सकते। खैर वो अक्ल का खाना खत्म हुआ लेकिन उनकी सेहत भी खत्म हो गई क्योंकि ऐसी जगह जहां सिर्फ सेहत का ताल्लुक है वहां भी उनको भर्ती नहीं किया जाता। मैं यह किसी से शिकवा नहीं करता लेकिन यह चाहता हूं कि ऐसे जितने भी श्रीकाफ हैं, चाहे वो किसी मजहब से ताल्लुक रखते हों, उन सब के लिये एक मिलाजुला निजाम कायम किया जाये ताकि ऐसी तमाम जगहों से करोड़ों नहीं बल्कि अरबों रुपया जो जमा हो उसको हम मुश्किल के वक्त काम में ला सकें। चाहे चायना जैसा कोई अहमक हो, चाहे पाकिस्तान हो, चाहे कोई हो, अगर कोई हमसे खामख्वाह उलझने की कोशिश करे तो उसके खिलाफ भी हम इस रुपये को इस्तेमाल में ला सकें। तो इस एक्ट को बनाते वक्त, इस

कानून को बनाते वक्त, हम इस बात को भी भूँ-नज़र रखें कि आया हम इस आमदनी से कोई कौम की खिदमत करने जा रहे हैं या नहीं जिससे कौम का मियार ज्यादा से ज्यादा ऊँचा हो और कौम में इटेग्रीटी आये ।

वाइस चैंबरमैन साहब, मुझे बाज ओकात कुछ ख्याल आ जाता है और मैं आपसे कुछ कहता हूँ, आपकी इजाजत से, तो वो कहने का मकसद यह होता है कि सरकार के कान उन बातों की तरफ़ भी जायें जो कि लोगों में चलती हैं । मैं यह समझता हूँ कि आज हमारा दुश्मन जो है वो बहुत ही चौकन्ना है और वो छोटी छोटी बातों को उछालता है । सरकार में भी कुछ ऐसे लोग हैं जो यह समझते हैं ।

जाहिदे तंग नज़र ने मुझे काफ़िर जाना ।

सोलह वर्ष तक मैंने मुस्लिम लीग के जूते खाय़े और मैं महाशय अब्दुल ग़नी और नहीं मालूम क्या क्या कहलाया लेकिन आज हालत यह है—

जाहिदे तंग नज़र ने मुझे काफ़िर जाना और काफ़िर यह समझता है मुसलमान हूँ मैं ।

आज पंजाब में यह हो रहा है कि अब्दुल ग़नी को किसी तरह पाकिस्तान के साथ जोड़कर जेल में भेज दिया जाये लेकिन मुझे इन बातों की कोई परवाह नहीं है । जेल भेजने वाले यदि रखें कि वो कमीशन में अपने जुरायम पर पर्दा न डाल सकेंगे । इतना कह कर मैं अपनी बात ख़त्म करता हूँ । शुक्रिया ।]

SHRI ABID ALI (Maharashtra): Mr. Vice-Chairman, while supporting the amending Bill, I submit that it is necessary, it is the call of the times, that the Government's action—it is secular—in such matters also should be secular in a fullfledged manner. Whenever such propositions come up, they should be made universally applicable to all the places of all the religions, where *nazrana* or offerings are made or received. I heartily support the suggestions made by the previous speakers that it was not

necessary to single out Ajmer Khawaja Saheb for this purpose. I have said that I am supporting the Bill, I am supporting the principle, I am supporting the amendment but the suggestion is that it should be made universally applicable to all the places of religious worship or mutts or durgahs.

SHRI K. SANTHANAM (Madras): May I draw the attention of the hon. Member that in Madras, all the Hindu temples are governed by an Act which regulates their affairs more strictly than this Bill? (Interruption).

SHRI ABID ALI: It is true, and I am aware that in most of the States there are Acts under which these places are administrated. But again, I submit that there are several other places to which no Act has been made applicable.

श्री शीलभद्र याजी : कहाँ ऐसा है, मिसाल दीजिये ।

श्री आबिद अली : बम्बई में है, मैं जानता हूँ In Bombay also there is . . .

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): There are many outside its scope.

SHRI ABID ALI: There are several which are not covered still. Therefore my submission is that they should be covered. In Bombay, we have got an Act which is applicable to the charitable institutions of all religions of Muslims, Hindus, Parsis, everybody; no exception has been made there. So far as I am concerned, I want that religion should be a personal affair and it should be confined to the houses, or places of worship. (Interruptions). But it should not be exhibited in public as it is the case in Turkey; there no religious procession can be brought out in the streets. No religious ceremony can be performed in a public place. It may be in any house or in any religious place bounded by walls, not in public places or public streets.

I wish that gradually the same situation should develop in this country as well.

SHRI LOKANATH MISRA (Orissa): But that is what is happening in Russia and we are objecting to it.

SHRI ABID ALI: Leave Russia alone. Fortunately, the Communists are absent now. Otherwise they would be . . .

SHRI LOKANATH MISRA: Secular State does not envisage that religious functions should be controlled by the State.

SHRI ABID ALI: What is the religion? My friend seems to be entirely aware of the position in Russia. There, religion as such is not permitted to exist. The church which was in Leningrad..... (Interruptions).... I want religion to exist but I want . .

SHRI SHEEL BHADRA YAJEE: Mosques are there.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Yes, that is true. Church is not abolished; church is there; worship is there.

SHRI LOKANATH MISRA: How can you prevent somebody from going in a procession? Religious processions can never . . .

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That is his view. You go on, Mr. Abid Ali.

SHRI ABID ALI: I was submitting that in Russia churches which were used for the purpose of religion have now been converted into anti-religious propaganda centres. (Interruptions).

SHRI A. M. TARIQ: No, who told you? It is not a fact. I have also been to Russia in recent times, and from what I have seen, some mosques

are in a better condition there than in India. I have seen the tomb of the prophet's cousin, Hazarate Abbas. I have seen the tomb of Bahauddin Ganjibaksh. I have seen Timur's famous mosque. I have prayed in Samarqand there under the leadership of Mufti Zia-ud-din. There were thousands of Muslims at the time. My friend, the famous poet Shri Dinkar, was there, who is a Member of this House. I took him with me.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That will do, Mr. Tariq.

SHRI A. M. TARIQ: Recently, the president of Jamiat-ul-Ulema was there and when he came back, he also mentioned about these things. Mr. Vice-Chairman, I am not here on behalf of Russia, but we should not say something which is not correct.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Yes, you are right. There are churches and mosques in Russia. You go on, Mr. Abid Ali.

SHRI ABID ALI: What my friend has just asserted (Interruptions) is based on his information—he has moved about. But I also have moved about sufficiently in Russia. I know there is a mosque in Russia and that people go there for Juma prayers. I was there myself. But I know what is the condition of the locality where the mosque is situated and of the persons who take care of the mosque and of the persons who go to the mosque. They have kept some places to make a show. In Moscow they could not do the tricks which they have done in other places because, in Moscow, there are the embassies of Islamic countries, and they have to show to the world that Islam does exist and is allowed to exist in Russia. (Interruptions.)

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): It does not matter. You go on.

SHRI SHEEL BHADRA YAJEE: We are not discussing Moscow.

SHRI ABID ALI: But as the matter has come up . . .

SHRI A. M. TARIQ: It is not a fact.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That is his view. He admits that . . .

SHRI ABID ALI: I do not know how the hon. Member is so much enthusiastic to misrepresent facts. (Interruptions).

SHRI A. M. TARIQ: Just one second, Sir. On a point of information; for the information of the hon. Member who happened to be once a Deputy Minister of this great country I must tell him that it is not only in Moscow but also in Bukhara, thousands of miles away, in the desert, so to say, of Bukhara, there is a mosque; also in Samarkhand, thousands of miles away, there is the famous mosque of Khwaja Khazar and Chashmi-Ayub, and I saw in the library thousands of Qurans, especially one from Kashmir also written in gold which was a hundred years ago. (Interruptions).

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): He may not have seen all those objects but he has admitted that there is a mosque in Moscow; he admits that there is a mosque there. Now we need not enter into that controversy. Go on, Mr. Abid Ali.

SHRI ABID ALI: That is true; I do not say that there are no mosques in Russia. Had he been to the mosque in Leningrad and seen how it was functioning? Was there not a big lock on it?

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Mr. Abid Ali, please do not enter into that controversy. You are not on strong ground, I am afraid. Do not enter into that controversy. (Interruptions).

SHRI SYED AHMAD (Madhya Pradesh): This is all absolutely irrelevant.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Order order.

SHRI SHEEL BHADRA YAJEE: He should discuss Durgah Bill.

SHRI ABID ALI: So, Sir, coming to *nazarana* it was unfortunate that in some of the important places of other countries, of Iraq and Iran, where pilgrims in large numbers were going—even to Mecca Sheriff—they were harassed and large amounts were extracted from them under one pretext or the other. But some orders passed by the Governments of these countries, Saudi Arabia, Iraq and Iran have made it impossible for anyone there to ask for money, and there is no question of offering; my friend from the Punjab was objecting to the stoppage of *nazarana*. It is not proposed to stop *nazarana*. Anyone wanting to offer any amount for the Durgah, any devotee like that can offer it, can put it in the box and there is a regular committee for Ajmer Durgah Sheriff also to regularise it; the amount is used. What is suggested by the proposed amendment is that no individual can give to any person there, and extracting money should not be permitted. It is the intention that people going there from different parts not only of India but of other countries also should give, should put their *nazarana* in the box for being utilised properly. I was submitting that in Iraq and Iran also, the Governments there have regularised these matters. Recently I visited the shrines in those countries, and at one place I felt that I should make an offering to a person there who was very much helpful to me and kind. But he refused to accept it in spite of my attempts. I offered it when we came out, when we were outside the precincts of the Mazar Sheriff. I tried to make him accept it for his children. But he said that it was impossible for him and added, "I will never touch it"—not that there was anybody seeing him. He said, "It is bad; we have been asked not to take

money and I will not touch it." And he did not take anything. So I wish that that atmosphere should prevail in this country also, and the steps which the Government propose to take should be successful to that extent. For the *sajjadanashin* under the Act of 1955, Rs. 200 per month are mentioned. Looking to the changes that have taken place during this intervening period I feel that Rs. 200 is very small now and steps should be taken to increase the amount.

Khadims who have been prohibited from taking Nazrana have got their own legitimate needs. Arrangements will have to be made to meet these needs of the Khadims and their families for maintenance and the like. For this purpose, I am sure, the Government is thinking of making appropriate arrangement.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI R. M. HAJARNAVIS): May I explain? The present arrangement itself provides that if a certain sum of money is offered without denoting the purpose of the offering, then it goes to the Durgah. But it is possible that any one who makes an offering of Nazrana says that this is for the services rendered by Khadims, that is permitted. What is not permitted is accepting money in offering as Nazrana on behalf of the Durgah and then diverting it for personal use. With that, I believe, the hon. Member will have no dispute or controversy.

SHRI ABID ALI: What I was submitting was that in case the income of Khadims is reduced because of the proposed amendment, then appropriate arrangement may be made to compensate them accordingly.

With regard to the suggestion made by my friend from Madras, Mr. Anwar, that the Government should take possession of all the shrines of all religions, my submission is that there is much more to be done by the Government with regard to other matters.

Let them take care of those obligations first. After having accomplished their programme of attainment of socialism through prosperity, these things can be thought of, not at present.

About the criticism of the hon. Member from Punjab, I may submit that it is not proper to have Kaironphobia always particularly when he is not present in this House. Secondly, always there is the other side as well. Now a regular enquiry is being conducted. Let them make out a case that there is some misbehaviour and things will take care of themselves.

As far as Nazrana is concerned, I may submit to the friends concerned that since they are themselves sitting in glass houses, it is better not to throw stones at others. Thank you, Sir.

SHRI NAFISUL HASAN (Uttar Pradesh): Mr. Vice-Chairman, Sir, I rise to give my whole-hearted support to the motion moved by the hon. Minister. I am afraid the speeches which I have heard, most of them were beyond the scope of the present amending Bill. What is the present amending Bill about? It only provides that if persons who are not entitled to get offerings/Nazrana, try to get it, they will be guilty of offence. I may inform the House that the parent Act of 1955 was passed after a high-powered committee presided over by Mr. Justice Ghulam Hasan had gone into the affairs of the shrine of Ajmer. And as far as Nazars are concerned, they have dealt with this question on page 101 of the report. The report says:—

"Nazars, whether cash or kind, made at the Durgah, either inside the dome or at any other place within the precincts of the Durgah, shall be the exclusive property of the Dargah without any right of co-sharership in the Khadims or in any other person. Nazars and contributions for specific charities shall be collected in boxes to be

kept by the manager under the orders of the high-powered committee at appropriate places appointed by it and no person, whether Khadim or any other, shall ask for, or receive, any nazar, in cash or kind, from any visitor within the precincts of the Dargah. Contravention of this rule shall be an offence rendering the offender liable to ejection from the Dargah premises and a fine not exceeding Rs. 200."

Now, Sir, it seems that although most of the recommendations of the Committee were incorporated in the Act, it so happened that this recommendation "that such an act should be declared an offence", by oversight, could not be incorporated in the Act itself, and that omission is being made up by this amending Bill.

Sir, something has been said about these Nazars. My friend, Mr. Anwar, has described them as extortions and has used sufficiently strong language about them. Originally, there was mismanagement and there were party feelings in the affairs of the Durgah mostly because of these Nazars and offerings as to who should share them. This Committee went into the question. I will read out from the report of the Committee as to what they said so that in future there should be no quarrel about it. They said:—

"The manager shall open the box kept inside the dome for nazars on a fixed day in the week and shall allocate the contents thereof to the objects specified below:—"

Now the element of extortion goes away when nobody is allowed to canvass for Nazars. They are to be placed inside a box and only those who want to put Nazar for the use of the poor will do so.

About the object it says:—

"(i) He shall spend one-sixth of the nazar for the education of the

descendants of Khawaja Saheb and one-sixth for the support and maintenance of the orphans, widows and the needy and indigent amongst those descendants.

(ii) He shall spend one-sixth of the nazar for the education of the deserving khadims and one-six for the support and maintenance of the orphans, widows and the needy and indigent members of the khadim community."

Originally, these Nazars used to be shared by khadims and *Sajjadana-shins* and some others. Now the Committee has recommended that they should be spent for the good of the community. It says:

"A list of members referred to in (i) and (ii) shall be prepared by the manager from time to time in consultation with the *Sajjadana-shin* and the accredited bodies of the khadims. The high-powered committee shall have the power to revise the list.

(iii) He shall distribute the remaining one-third among the members of the Haft Chowki as remuneration for their services in guarding the Mazar Sharif, its adjoining places and its moveable properties."

So it will appear that the Nazars and the offerings are to be spent for good purposes and no extortion should be there. I feel, however, that the present amendment is not sufficient because there is another aspect of the question. By this amendment we are going to declare the taking of these Nazars or offerings by a person who is not a servant of the Mazar, or who is not a Nazim, to be offence. But it is also possible that the servants of the Mazars the Nazims and others may be obstructed in getting these Nazars.

For that purpose I have given notice of an amendment the object of which is that these persons who are serving the Mazar should for the purpose of

the L.P.C. be deemed to be public servants so that nobody should interfere with these people, knowing that if he interferes with the work and the performance of the duties under the Act, he will be liable to be considered to be interfering with a public servant in the performance of his duties. At the appropriate time I will move that amendment. I had given notice of the amendment and I have modified it a bit and I will move it in the modified form.

With these words, I give my support to this motion.

[THE DEPUTY CHAIRMAN in the Chair]

شیخ ہمدانی لال کریئر مطالبہ

(اثر پردیہ): - یہودیہ - یہ ایک

سادہ بل ہے جو اس سदन کے سامنے

ہے جس پر کہ کوئی زیادہ بحث

کرنے کی ضرورت نہیں اور نہ وہ کسی

کلیتروسی کے قابل ہے - یہ تھیک ہے

کہ ہمارے یہاں سیکرٹریزم ہے ہمارے

سرکار سیکرٹری ہے اور مذہبی معاملات

میں دھارمک باتوں میں سرکار کو

داخل نہیں دینا چاہئے مگر اگر

مذہب کے نام پر یا دھرم کے نام پر

کوئی غیر مذہبی اور متغرب اخلاق

باتوں ہوں یا سوسائٹی کے اندر کوئی

برائیاں پیدا ہوتی ہوں یا ان باتوں

سے سوسائٹی پر کچھ برا اثر پڑتا ہو

تو سرکار کا ایک ویلفیئر سرکار کا کاموں

کہ ہمارے ویلفیئر استھٹ ہے فرض

ہوتا ہے کہ وہ غیر مذہبی باتوں اور

متغرب اخلاق کاموں کو روکے - یہ

درگاہ بہت مشہور درگاہ ہے -

ہندوستان کے کونے کونے سے یہاں پر

لوگ آتے ہیں اور اس میں ہندو

بھی شامل ہیں، دوسرے مذاہب کے

لوگ شامل ہیں - جن کو فہم ہے

اس درگاہ پر وہ آتے ہیں اور نذر دیتے

ہیں - اس درگاہ کی بڑی بھاری

اہمیت ہے اور اس طرح کی اور بہت

سی درگاہیں ہیں جہاں پر لوگ

جاتے ہیں اور نذر دیتے ہیں - اور

ہندوؤں کے تہرتہ استھان بھی ہیں،

بڑے بڑے ملندہ ہیں جہاں یہ نذرین

چوہائی جاتی ہیں، بھیمت چوہائی

جاتی ہیں - ابھی ایک صاحب نے

کہا جہاں تک ہندوؤں کے ملندروں اور

تہرتہ استھانوں کا تعلق ہے ان میں

کوئی پابندی نہیں ہے - اصولاً میں

اس بل کی حمایت کروں گا اس

لئے کہ جو بڑے بڑے ملندہ ہیں ان

کے بارے میں بھی ہمیں سوچنا ہے -

ابھی حال ہی میں اس سदन میں

اور اسمبلیوں میں بھی ایسے بل

پاس ہوئے ہیں ایسی سرکاری کمیٹیاں

بلی ہیں مہتممیت کمیٹی

وغیرہ مثلاً یہ کھدار ناتھ تھول کے لئے

بھی ایک سرکاری کمیٹی

بلی ہے، مہتممیت کرنے کے لئے

اور بھی ساروتھ کے جٹلمے بڑے

بڑے ملندہ ہیں ان میں بھی سرکار

کی طرف سے کمیٹی بلی ہے - سرکار

داخل دیتی ہے تاکہ پیسہ ناجائز

طور پر استعمال نہ ہو اور خود غرض

لوگوں کے ہاتھ میں نہ جائے اور وہ

اس سے ناجائز فائدہ نہ اٹھائیں - تو

اصولاً میں اس بل کی حمایت کرتا

ہوں کہ ایسا ہونا چاہئے اور چونکہ

یہ درگاہ بہت مشہور درگاہ ہے ہزاروں

[شری پیارے لال کرپل دہطالبہ]

کی تعداد میں لوگ وہاں جاتے ہیں اور کافی پیسہ آتا ہے اس لئے اور بھی ایسا کرنا ضروری ہے - یہ صحیح ہے کہ بہت سے ایسے مندر جہاں روپیہ آتا ہے ان کا مندر بہت نہ سرکار کے ہانہ میں ہے نہ پولک ہانہ میں بلکہ وہاں کے پجاری یا جن لوگوں نے مندر کو بنایا ہے وہ ہی پیسے کو خرچ کرتے ہیں مثلاً یہ بڑا ٹیمپل ہے لیجئے - ہزاروں روپیہ ماہوار آتا ہے لیکن یہ روپیہ کس طرح سے خرچ ہوتا ہے اور آیا سرکار کی طرف سے اس روپیہ پر پابندی ہے یا سرکار کی طرف سے کسی قسم کی روک ہے کہ وہ جائز طور پر خرچ ہو تو مجھے معلوم نہیں ہے مگر مجھے جہاں تک معلوم ہے کوئی ایسی کمیٹی نہیں ہے - اور اس قسم کے بہت سے مندر ہیں بہت سی درگاہیں بھی ہیں جہاں پر چار روپیہ وہاں آتا ہے اس کا جائز استعمال نہیں ہوتا مگر یہ بہت مشہور درگاہ ہے اور یہ سب لوگ اچھی طرح سے جانتے ہیں کہ یہاں پر کافی روپیہ آتا ہے اور اس کا جائز استعمال ہونا چاہئے اور بہت سے ایسے مندر بھی ہیں جہاں پر روپیہ آتا ہے وہ تو ہمارا آپ کا فرض ہے سرکار کا بھی فرض ہے کہ ان مندروں میں جو روپیہ آتا ہے اس کا جائز استعمال

ہو - اس میں کسی کو کچھ کہنے یا اعتراض کی گنجائش نہیں ہے -

بہت سے لوگ مذہب کے نام پر دھرم کے نام پر غریب لوگوں سے کہوں کہ سمجھدار آدمی پڑھا لکھا آدمی تو بہت کم ان درگاہوں پر جاتا ہے اور جاتا ہے تو اچھی طرح سے جانتا ہے اسے کیا کرنا چاہئے روپیہ جو وہ نذر کرنا ہے وہ پراپر آدمی کو دیتا ہے ناظم کو دیتا ہے یا سجادہ نشین کو دیتا ہے - مگر بڑی بھاری تعداد ان لوگوں کی ہے جو دیہاتوں سے آتے ہیں پڑھے لکھے نہیں ہیں - کوئی بھی آدمی سامنے آ گیا جس نے چوغہ پہن رکھا ہے یا ایسا ٹھٹھا پہن رکھا ہے جس سے معلوم ہوتا ہو کہ مہاتما ہے، صوفی ہے تو اس کو پیسہ دیدیتے ہیں -

پیسہ اکٹھا کر کے نا جائز طور پر خرچ کرتے ہیں اور جہاں پیسہ جانا چاہئے وہاں نہیں جاتا اور جس بات پر خرچ ہونا چاہئے وہ نہیں ہوتا - اس چیز کو روکنے کے لئے اس بل میں ایمنڈمنٹ ہوا ہے - بل تو موجود ہی ہے - کوئی نئی بات نہیں ہے - ذرا سا ایمنڈمنٹ ہوا ہے کہ ایسے ان اتھارٹڈ پرسنس اس روپیہ کو نہ لے پائیں اور وہ روپیہ جس کام پر آنا چاہئے - جس بات پر خرچ ہونا چاہئے صحیح طور پر خرچ ہو اس کے لئے ہے -

ایہ بات کی طرف میں ذرا سا دھیان دلانا چاہوں گا کہ یہ جو ایمینڈمنٹ ہمارے شری نفیس الحسن نے دیا ہے میں اس کو سپورٹ کرتا ہوں اور چاہتا ہوں کہ سرکار کو اس ایمینڈمنٹ کو ماننے میں کسی قسم کی دقت نہ ہوگی - اس کے علاوہ جو سزا رکھی گئی ہے - ایک ہزار روپیہ کا جرمانہ یہ میں جہاں تک سمجھ پایا ہوں کم ہے اگر ایک آدمی کئی ہزار روپیئے ناجائز طور پر جمع کرتا ہے اور وہ سمجھتا ہے کہ ایک ہزار روپیئے دے کر میرا چھٹکارا ہو جائے گا تو وہ کوئی ڈیگرینٹ پنشنمنٹ نہیں ہے کہ آئندہ کوئی حرکت نہیں کرے گا - میں پرزور الفاظ میں سرکار سے - غارش کروں گا کہ وہ کوئی امپروونمنٹ ایک مہینہ کو، پندرہ دن کی، ایک ہفتہ کی، جو بھی مناسب سمجھیں ہونی چاہئے صرف جرمانہ ڈیگرینٹ پنشنمنٹ نہیں ہے - جس درجہ پر ہزارہا روپیہ آتا ہے ہزاروں لوگ جمع ہوتے ہیں اس نے ایک ہزار روپیہ دے کر چھٹکارا پا لیا تو یہ سوسائٹی کے رہنما کی بات نہیں ہے اور میں زیادہ نہ کہتے ہوئے یہی کہوں گا کہ اصولاً میں اس بل کی حمایت کرتا ہوں اور یہ جو سزا ہے وہ ذرا بڑھائی جائے اور یہ ہو اور ملندروں کے لئے بھی کوئی جنرل سا بل آنا چاہئے جس سے تقریباً تمام مذہبی اور دھارمک استھانوں پر

جہاں پر روپیہ آتا ہے اس کو دیکھنے کے لئے کہ آیا یہ روپیہ صحیح طور پر جائز طور پر خرچ ہوتا ہے یا نہیں ہونا ہے اس کے لئے جنرل بل آ جائے تو اچھا ہوگا تاکہ ہم اپنی سیکورسٹی کے کیریئٹر کو اس طرح سے قائم رکھ سکیں - زیادہ نہ کہتے ہوئے اتنا ہی عوض کوئی چاہتا ہوں -

†[श्री प्यारे लाल कुरील 'तालिब' (उत्तर प्रदेश) : महोदय, यह एक सादा बिल है जो इस सदन के सामने है जिस पर कि कोई ज्यादा बहस करने की जरूरत नहीं और ना वो किसी कन्ट्रोवर्सी के काबिल है। यह ठीक है कि हमारे यहा हमारी सरकार सेक्यूलर है और मजहबी मुआमलात में, धार्मिक बातों में, सरकार को दखल नहीं देना चाहिए, मगर अगर मजहब के नाम पर या धर्म के नाम पर कोई गैर मजहबी और मुखरिबे अखलाक बाते हों या सोसाइटी के अन्दर कोई बुराइयां पैदा हों या उन बातों से सोसाइटी पर कुछ बुरा असर पडता हो, तो सरकार का, एक वेलफेयर सरकार का, क्योंकि हमारी वेलफेयर स्टेट है, फर्ज होता है कि वो गैर मजहबी बातों को, मुखरिबे अखलाक कामों को, रोके। यह दरगाह बहुत मशहूर दरगाह है। हिन्दुस्तान के कोने कोने से यहां पर लोग आते है और उस में हिन्दू भी शामिल है, दूसरे मजहब के लोग शामिल है। जिन को फेथ है इस दरगाह पर वो आते है और नज़र देते हैं। इस दरगाह की बड़ी भारी अहमीयत है और इस तरह की और बहुत सी दरगाहे हैं जहां पर लोग जाते हैं और नज़र देते हैं। और हिन्दुओं के तीर्थ स्थान भी है बड़े बड़े मन्दिर है जहां पर ये नज़रे चढ़ाई जाती हैं, भेट चढ़ाई जाती है, अभी एक माहब ने कहा जहा तक हिन्दुओं के मन्दिरों और

[श्री पारल्ल कुरोल, तालिव]
 तीर्थ स्थानों का ताल्लुक है उन में कोई पाबन्दी नहीं है। असूलन में इस बिल की हिमायत कहां इसलिए कि जो बड़े बड़े मन्दिर हैं उन के बारे में भी हमें सोचना है। अभी हाल ही में इस सदन में भी और ऐसेम्बलियों में भी ऐसे बिल पास हुए हैं, ऐसी सरकारी कमेटियां बनी हैं, मैनेजिंग कमेटी घरीरा, मसलन किदारनाथ टैम्पल के लिए भी एक सरकारी कमेटी बनी है, मैनेजमेंट करने के लिए। और भी साउथ के कितने बड़े बड़े मन्दिर हैं उन में भी सरकार की तरफ से कमेटी बनी है। सरकार दखल देती है ताकि पैसा नाजाइज तौर पर इस्तेमाल न हो और खुदगर्ज लोगों के हाथ में न जाये और वो इस से नाजाइज फायदा न उठाये। तो असूलन में इस बिल की हिमायत करता हूं कि ऐसा होना चाहिए और चूंकि यह दरगाह बहुत मशहूर दरगाह है, हजारों की तादाद में लोग वहां जाते हैं और काफी पैसा आता है, इसलिए और भी ऐसा करना जरूरी है। यह सही है कि बहुत से ऐसे मन्दिर जहां रुपया आता है उनका मैनेजमेंट न सरकार के हाथ में है, न पब्लिक के हाथ में बल्कि वहां के पुजारी या जिन लोगों ने मन्दिर को बनाया है वो ही पैसे को खर्च करते हैं मसलन यह बिरला टैम्पल ले लीजिये। हजारों रुपया माहवार आता है लेकिन ये रुपया किस तरह से खर्च होता है और आया सरकार की तरफ से इस रुपये पर पाबन्दी है या सरकार की तरफ से किसी किस्म की रोक है कि वो जाइज तौर पर खर्च हो, तो मुझे मालूम नहीं है, मगर मुझे जहां तक मालूम है कोई ऐसी कमेटी नहीं है और इस किस्म के बहुत से मन्दिर हैं, बहुत सी दरगाहें भी हैं जहां पर जो रुपया वहां आता है उसका जाइज इस्तेमाल नहीं होता, मगर यह बहुत मशहूर दरगाह है और ये सब लोग अच्छी तरह से जानते हैं कि यहां पर काफी रुपया आता है और इसका जाइज इस्तेमाल होना चाहिए और ऐसे बहुत से मन्दिर भी हैं जहां पर रुपया आता है

वो तो हमारा आप का फर्ज है, सरकार का भी फर्ज है, कि इन मन्दिरों में जो रुपया आता है उसका जाइज इस्तेमाल हो। इस में किसी को कुछ कहने या एतराज की गुंजाइश नहीं है।

बहुत से लोग मजहब के नाम पर, धर्म के नाम पर, गरीब लोगों से क्योंकि समझदार आदमी, पढ़ा लिखा आदमी तो बहुत कम इन दरगाहों पर जाता है और जाता है तो अच्छी तरह से जानता है कि इसे क्या करना चाहिए, रुपया जो वह नजर करता है वो प्रोपर आदमी को देता है, नाजिम को देता है या सजदानशीन को देता है। मगर बड़ी भारी तादाद उन लोगों की है जो देहातों से आते हैं, पढ़े लिखे नहीं हैं, कोई भी आदमी सामने से आ गया जिसने चोगा पहन रखा है या ऐसा कपड़ा पहन रखा है जिस से मालूम होता है कि वह महात्मा है, सूफी है, तो उस को पैसा दे देते हैं। पैसा इकट्ठा कर के नाजाइज तौर पर खर्च करते हैं और जहां पर पैसा जाना चाहिए वहां नहीं जाता और जिस बात पर खर्च होना चाहिए वह नहीं होता। इस चीज को रोकने के लिए इस बिल में एमेंडमेंट हुआ है। बिल तो मौजूद ही है। कोई नई बात नहीं है। सिर्फ जरा सा एमेंडमेंट हुआ है कि ऐसे अन-आथोराइज्ड परसन्स इस रुपये को न ले पायें और वो रुपया जिस काम पर आना चाहिए, जिस बात पर खर्च होना चाहिए, सही तौर पर खर्च हो उसके लिए है।

एक बात की तरफ मैं जरा सा ध्यान दिलाना चाहूंगा कि जो ये एमेंडमेंट हमारे श्री नफीसुल हसन ने दिया है मैं उस को सपोर्ट करता हूं और चाहता हूं कि सरकार को इस एमेंडमेंट को मानने में किसी किस्म की दिक्कत न होगी, इस के इलावा जो सजा रखी गयी है, एक हजार रुपये का जुर्माना, यह मैं जहां तक समझ पाया हूं कम है अगर एक आदमी कई हजार रुपये नाजाइज तौर पर जमा करता है और वह समझता है कि एक हजार रुपया दे कर मेरा छूटकारा हो जायेगा तो वो कोई

डेटेरेन्ट पनिशमेंट नहीं है कि आइन्दा वह ऐसी कोई हरकत नहीं करेगा । मैं पुरजोर अल्फाज में सरकार से यह सिफारिश करूंगा कि वो कोई इम्परिजनमेंट एक महीने की, पन्द्रह दिन की, एक हफ्ते की, जो भी मुनासिब समझें होनी चाहिए, सिर्फ जुर्माना डेटेरेन्ट पनिशमेंट नहीं है । जिस दरगाह पर हजारहा रुपया आता है, हजारों लोग जमा होते हैं, उस में एक हजार रुपया दे कर छुटकारा पा लिया तो यह सोसाइटी के रिफार्म की बात नहीं है और मैं ज्यादा न कहते हुए यही कहूंगा। असूलन मैं इस बिल की हिमायत करता हूं और यह जो सजा है वह जरा बढ़ाई जाये और यह हो कि मन्दिरों के लिए भी कोई जनरल सा बिल आना चाहिए । जिस से तकरीबन तमाम मजहबी और धार्मिक स्थानों पर जहां पर रुपया आता है उस को देखने के लिए कि आया यह रुपया सही तौर पर, जाइज तौर पर खर्च होता है या नहीं होता है इस के लिए जनरल बिल आ जाये तो अच्छा होगा ताकि हम अपनी सेक्यूलर स्टेट के केरेक्टर को इसी तरह से कायम रख सकें । मैं ज्यादा न कहते हुए इतना ही अर्ज करना चाहता हूँ ।]

SHRI R. M. HAJARNAVIS: Madam Deputy Chairman, I express my deep gratitude to the Members of the House, who have extended their whole hearted support to this Bill, for the sympathy they have expressed, for the objects of the Bill. I have also taken notice of the many suggestions which fell from hon. Members and at the appropriate time, I assure the House, we will give consideration to those suggestions. There is however some doubt as to the exact significance of the Bill as to whether those persons who rendered assistance to the pilgrims, Khadims, are sought to be completely excluded from their traditional role. I must make it clear that it is certainly intended to put down and put down with a heavy hand all the abuses which are at pre-

sent committed in the name of religion, whether they are by Nazims, Sajjadanashins or Khuddam against whom numerous complaints have been received and voiced. But what exactly is the provision of law? The House will bear with me, I hope, for a short while if I place before the House the various provisions of the Act. Under Section 2, sub-section (d) Durgah Endowment has been defined and 'Durgah Endowment' includes Durgah Khawaja Saheb, Ajmer, all buildings and immovable property within the boundaries of the Durgah Sharif and sub-section (v), says: "All such Nazars or offerings as are received on behalf of the Durgah by the Nazim or any person authorised by him." Therefore, if there is any nazar or offering received on behalf of the Durgah, that becomes part of the money given to the Durgah.

Now we come to section 14 which says:

"It shall be lawful to the Nazim or any person authorised by him in this behalf, to solicit and receive, on behalf of the Durgah, any nazars or offerings from any person, and notwithstanding anything contained in any rule, law or decision to the contrary, no person other than the Nazim or any other person authorised by him in this behalf, shall receive or be entitled to receive nazars or offerings on behalf of the Durgah."

Therefore, the position is like this. The moment any person makes an offering to the Durgah, then it has got to go into the treasures of the Durgah. It cannot be diverted elsewhere. That does not prevent, I am sure, the Khadims being paid anything for any other purpose. The whole object of the Bill is to prevent any money which has been offered as an offering to the Durgah, being used for purposes which are not regarded as lawful purposes under the Act.

SHRI SYED AHMAD: I would request the hon. Minister to clear one point. It has been said in this House that offerings made inside the compound or the precincts of the Durgah only are covered by this Act. If I heard some of the hon. Members correctly, that is what I gathered. I want to know whether this measure covers cases where the offerings are sent by money-order?

SHRI R. M. HAJARNAVIS: I don't think it will be part of my submissions to this House to give interpretation of the law which of course, shall be the business of the courts or the functions of the courts to give. The hon. Member himself is a very distinguished lawyer and I can point out to him section 14 which clearly states:

"It shall be lawful to the Nazim or any person authorised by him in this behalf, to solicit and receive, on behalf of the Durgah, any *nazars* or offerings".

So the substantive part of the section speaks about the offerings.

SHRI NAFISUL HASAN: Even if it is offered outside, but if it is given as a *nazar* to the Durgah, it goes to the funds of the Durgah.

SHRI M. GOVINDA REDDY (Mysore): If it is a *nazar* meant for the Durgah, then certainly it should go to the Durgah.

SHRI SYED AHMAD: Suppose somebody comes to me and asks me for a *nazarana* for the Durgah, what happens? Persons come to me and ask me: "You give some *nazarana* for the Durgah Saheb." Will that be covered by this measure? I do not want the hon. Minister to do any interpretations that the courts have to do but the case that he puts forward should not have any confusion and he should make the position clear.

SHRI R. M. HAJARNAVIS: There is no confusion. If the hon. Member feels that the words that we have used, if he feels that the words used by the draftsman are not clear . .

THE DEPUTY CHAIRMAN: But the Minister can clarify the position and answer the point raised by the hon. Member.

SHRI R. M. HAJARNAVIS: Yes, Madam, and therefore, I submit, if the words lead to any ambiguity, I shall be grateful to the hon. Member if he will suggest to me alternative words or an alternative expression which will remove the ambiguity. As far as I am concerned, Rule 16—rules have been framed under the Act—makes the position quite clear.

THE DEPUTY CHAIRMAN: The point about the place of giving and receiving has to be clarified, I think.

SHRI SYED AHMAD: Yes, Madam, my point was that. I may add that I am strongly in favour of this Bill, although I did not say so in so many words. And I want that there should be no loopholes in it. Offering *nazarana* by money-order may not be covered and this appeared to me to be a loophole and that is why I have raised this point now.

SHRI NAFISUL HASAN: If it is meant for the Durgah, it must go to the Durgah, no matter where it was given or how given.

SHRI R. M. HAJARNAVIS: The hon. Member probably is referring to the extract from the Report which was read by Shri Nafisul Hasan. That is not in the Act. That particular limitation does not find place in the Act, as far as I have been able to see. The substantive part of the Act is contained in section 14 which I have read and which says that it shall be the Nazim and the Nazim alone who shall solicit and receive the *nazarana* on behalf of the Durgah. And now we are adding a clause containing the penal provision to say that if any person other than the Nazim receives or solicits *nazarana*, then it will be an offence. It is certainly not the intention to outlaw the Khadims, for rule 16 which deals with the Khadims and their rights says:

"(a) The Khadims shall continue to perform such duties at the Durgah as they have been traditionally performing."

This rule is certainly not to be overruled by this amendment. And then it says:

"(b) They shall not harass any visitor or pilgrim visiting the Durgah.

(c) They shall neither solicit nor receive any *nazars* or offerings from any person on behalf of the Durgah or in the name of Khawaja Sahab."

So if they by money-order solicit money on behalf of the Durgah and then appropriate it for their own use, then certainly that will become an offence under this Act, because it is stated here:

"They shall neither solicit nor receive any *nazars* or offerings from any person on behalf of the Durgah."

And then it is stated:

"(d) They shall abide by such other rules of conduct in the Durgah as the Committee may prescribe."

That is to say, their conduct is liable to be regulated by the rules to be made by the Durgah Committee. And then rule 18 states:

"All *nazars* and offerings, whether in cash or in kind, made by the pilgrims or others to the Durgah shall be earmarked for the purpose indicated by the donor."

If the purpose is indicated, then it will be used for that purpose. But, "In the absence of such indication, such *nazars* or offerings will be presumed to have been made for the maintenance of the Durgah and accordingly credited to its funds." If nothing is mentioned, then the presumption is that the offering is for the maintenance of the Durgah and it goes to its general revenues. If it is given for a specific purpose, then

it goes to that particular purpose. That, Madam, is the Bill.

SHRI SYED AHMAD: Madam, I want another point to be made clear. It appears from the amending clause that this offence is non-cognisable. Is that the position?

SHRI R. M. HAJARNAVIS: I don't think it is cognisable.

SHRI SYED AHMAD: Then the sanction is very inadequate.

AN HON. MEMBER: How can it be cognisable?

SHRI SYED AHMAD: At least the soliciting of money as *nazarana*, or the soliciting of *nazarana* should be made cognisable. If it is not made cognisable, then it is quite useless.

SHRI R. M. HAJARNAVIS: No, it is not useless. Otherwise it will lead to blackmail and a lot of harassment. Let us assume that it is effective. If later, in this particular form, it is ineffective, then surely we can make it cognisable.

SHRI NAFISUL HASAN: Later on, we can make it.

SHRI R. M. HAJARNAVIS: I am grateful to the hon. Member Shri Nafisul Hasan for pointing out a certain lacuna and the amendment suggested by him is certainly an improvement of the Act. It flows out of the Report itself and I am grateful to the hon. Member and I express my gratitude on behalf of the Government for his pointing out these improvements. He will no doubt bring the amendment at the appropriate time and it shall be my privilege to accept it.

SHRI SYED AHMAD: Before the hon. Minister accepts the amendment—I am sorry, Madam, I find myself interrupting the hon. Minister so many times, though today is the first day I do it, and if you wish the last—I would like to get another point

[Shri Syed Ahmad.]

cleared. The amendment has been brought by my gallant friend Shri Nafisul Hasan to the effect that certain employees of the Durgah discharging their duties or performing their duties should be considered "public servants". I think that proposition is too wide a proposition, because if it were to apply to all the Durgahs or to all religious institutions that are managed by the Government, then it would create too many government servants. So I suggest that only for the purpose of the collection of the *nazars* they may be deemed to be government servants, not otherwise. To create Government servants out of the priest or the manager, the Khadim or somebody who just uses the broom in that Dargah would be going too far so far as the scope of a public servant is concerned.

SHRI R. M. HAJARNAVIS: I move, Madam.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill to amend the Durgah Khawaja Saheb Act, 1955, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill. There is an amendment standing in the name of Shri Nafisul Hasan.

Clause 2—Amendment of Section 14

SHRI NAFISUL HASAN: Madam, I beg to move:

"That at page 1,—

(i) in line 9, for the word 'sub-section', the word 'sub-sections' be substituted; and

(ii) after line 12, the following be added, namely:—

'(3) The Nazim, the Sajjada-nashin, the employees and servants of the Durgah Endowment and all other persons authorised to do any act under this Act shall, while acting or purporting to act in pursuance of any of the provisions made by or under this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.'

I have not much to say about this amendment as the hon. Minister has indicated that he is prepared to accept it. But as far as the objection raised by my friend, Mr. Syed Ahmed, is concerned, I may tell him that there is a similar provision in the Muslim Wakfs Act. Section 46 of the Muslim Wakfs Act, 1954, reads as follows:

"The Commissioner, every auditor, every officer and servant of the Board and every other person duly appointed to discharge any duties imposed upon him by this Act or rules or orders made thereunder would be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code."

Therefore, there is nothing new that is sought to be done here. This provision is already there in the Muslim Wakfs Act and since we are regulating the administration of this Durgah by means of an Act, and if certain duties are being performed by the employees or by the Sajjadanashins or Nazim, duties imposed by this Act, I think there is no harm in treating them as public servants and this is in line with similar provisions in other enactments. I hope the House will be pleased to accept this.

The question was proposed.

THE DEPUTY CHAIRMAN: The Minister has already accepted this amendment?

SHRI R. M. HAJARNAVIS: Yes, Madam.

THE DEPUTY CHAIRMAN: The question is:

"That at page 1,—

(i) in line 9, for the word 'sub-section' the word 'sub-sections' be substituted; and

(ii) after line 12, the following be added namely:—

'(3) The Nazim, the Sajjada-nashin, the employees and servants of the Durgah Endowment and all other persons authorised to do any act under this Act shall, while acting or purporting to act in pursuance of any of the provisions made by or under this Act, be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.'

The motion was adopted.

THE DEPUTY CHAIRMAN: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI R. M. HAJARNAVIS: Madam, I move:

"That the Bill, as amended, be passed."

The question was put and the motion was adopted.

MOTION REGARDING COMMITTEE ON PUBLIC UNDERTAKINGS

THE MINISTER OF INDUSTRY (SHRI N. KANUNGO): Madam, I move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do agree to nominate five members from the Rajya Sabha to associate with the Committee on Public Undertakings."

Madam, the original motion has three parts. Paras 1 and 3 deal with the size and composition of the proposed committee. Para 2 is the substantive part of the motion. The history and concept of this motion are fairly well-known to many Members of both the Houses. Therefore, I shall endeavour to take as little time as possible of this House. The Resolution on Industrial Policy, which has the approval of both the Houses, is the sheet anchor of all the policies of the Government. According to the Resolution, there is a group of industries in which the State only would have the initiative and ownership. There is the other group where initiative is open to private enterprise but the Government can enter in the field if the circumstances justify this step. In the first category, many undertakings have already been established and more will come into being in course of time. Most of the undertakings are established as joint stock companies registered under the Companies Act. Such companies are regulated like any other company according to the provisions of the Companies Act and such regulation is rather elaborate. The Companies Act has some special provisions regarding Government companies inasmuch as it is obligatory for such companies to place their annual reports and accounts on the Table of the Houses of Parliament and the Auditor-General has special powers of supervision of the audit of such companies. In other words, Government undertakings, by and large, besides being governed by the elaborate provisions of the Companies Act, are also subject to special regulation. In such undertakings a Minister or Government has no more power than that of a shareholder vis-a-vis the Company. This arrangement is designed to