

[श्री जुगल किशोर]

थोड़े से अरसे के अन्दर अगर वे चाहते हैं कि जनता की सहानुभूति अपने साथ रखें तो मैं समझता हूँ कि छः महीने का बड़ा अरसा है और उसके अन्दर जरूर इस बनस्पति धी में कोई रंग तजवीज करके दे दिया जायेगा ताकि जनता को तसल्ली हो जाये कि बाकई आज की सरकार जनता की आवाज सुनने के लिये तैयार है ।

मैं और ज्यादा कुछ न कहते हुए—चूँकि हमारे आनरेबिल मिनिस्टर साहब ने यह यकीन दिलाया है कि बनस्पति धी में जल्द से जल्द रंग दिये जाने की कोशिश की जायेगी और यह कोशिश हो रही है, मैं भी समझता हूँ कि कोशिश मुद्दत से चल रही है लेकिन और ज्यादा कोशिश की जरूरत है—मैं इन लफ्जों के साथ अपनी तकरीर खत्म करता हूँ । अगर थोड़ा सा दिल लगा कर और दिलचस्पी लेकर इस काम को किया जाय तो कोई ऐसी मुश्किल बात नहीं कि कोई रंग न मिले । आज की साइंस की दुनिया में यह कह देना कि रंग नहीं मिलता, कोई साधारण आदमी भी इसमें यकीन नहीं कर सकता है । अगर उस को यकीन दिलाना है तो मैं आनरेबिल मिनिस्टर साहब से यह अर्ज करूँगा कि जल्द से जल्द इस बनस्पति धी में रंग देकर, जनता की सहानुभूति हासिल की जाये ।

इन लफ्जों के साथ चूँकि सरकार की तरफ से यकीन दिलाया गया है कि इस तरह का जल्दी कदम उठाया जायेगा, मैं

Sir, I beg leave to withdraw my Bill.

The Bill was, by leave, withdrawn.

### THE CATHOLIC CHURCH PREMISES AND ECCLESIASTIC ORDER (RESTRICTION OF POLITICAL ACTIVITY) BILL, 1959.

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to move:

"That the Bill to restrict the use of the Catholic Church for political purposes and the participation of Ecclesiastical personnel of the Catholic Church in political activity-be taken into consideration."

At the very outset ....

SHRI K. SANTHANAM (Madras): On a point of order, Sir. I think this Bill is out of order because this Bill is plainly and blatantly unconstitutional.

SHRI BHUPESH GUPTA: The hon. Member knows that this is no point of order because constitutional points we do not discuss. In any case, an identical Bill has been introduced and discussed in the Lok Sabha.

MR. DEPUTY CHAIRMAN: Let him say what he has got to say.

SHRI K. SANTHANAM: A point of order can be raised at any stage. Under article 15 (1), the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them. If the Bill had been drafted to include all people, then there might have been no objection. But today according to the Bill, a Hindu priest can take part in political activities; Hindu temples can be used for political purposes. Only the Roman Catholic priests, only people belonging to the Roman Catholic religion and only the Roman Catholic premises could not be used. I think this is a plain contravention of article 15(1). If there were doubts about it, of course, I would not like the Presiding Officer—the Deputy Chairman—to decide a constitutional point; it would go to the court. But this House, having been set up under the Consti-

tuuon, it will be wrong for us to proceed, with such a Bill which is so blatantly unconstitutional. So I think it ngnt lor you to throw out tins Bill altogether.

MR. DEPUTY CHAIRMAN: No objection has been taken for the introduction of the Bill, and the Bill is on tHe Agenda. And besides, you can make it a point to vote down the Bill. You can raise this constitutional provision. I think there is no point of order. Mr. Gupta, you way proceed with the **Bill**.

**SHK. BHUPESH GUPTA:** Mr. . Depu.y Chairman, I thought that there might be a little inteirupUon when this point of order wai being at.empted. The hon. Member would not have . . .

SHRI T. SRINIVASAN (Madras): After the introduction of the Bill, the lower House has thrown it out.

SHRI BHUPESH GUPTA Is it another point of order?

SHRI T. SRINIVASAN: It has thrown out an identical Bill. It is a clear was^e, of time to take it up here.

MR. DEPUTY CHAIRMAN: We are not concerned with what has happened in the other House.

SHRI BHUPESH GUPTA: Yes. Therefore, the point of order about the wastage of time has not for once been admitted. Anyway, Sir, there are so many ways of wasting or using the time. It all depends on the ways. Now, I can understand the concern of some hon. Members because this Bill did not have a very easy time even before it came to this House. Once I attempted to introduce this Bill, I think some time in the beginning 01 last year. It was opposed at the introduction stage by the Government or somebody, although at the other place it was accepted. And then later on it was not opposed. That is how the Bill is here before us. As far as the consti-

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tutional posi.ion is concerned, we wil discuss it. There wUl be opportunities for hon. Members to express tneir opinions. .But I chmk it will place an important issue beiore us and we can reiect upon JUS proposition witrn some amount 01 objectivity and. lack 01 pou.ical prejudices or political passions. At trie very outset, I wisn to make it ctear mat it is not the intention of tne Bill to curtail in any manner the fundamental rights of Catholics as citizens of India wnen they engage ia political activities. On the contrary, as you know, Sir, we stand for the extension and enforcement of the fundamental rights of the citizens, of our country and wnen I say citizens', I mean citizens belonging to all relig.ons including, of course, the Catholics. The Bill is concerned with the participation of a particular order or a particular individual of the order—in the present case the ecclesiastical personnel—in the pontics and in the affairs of the State, because such participation would be out of accord with the concepts of what we understand by a secular State. Therefore, Sir, on that score, there need be no hesitation, there need be no doubt or misgiving that the Bill wants to curtail the fundamental rights cf those people who belong to the Catholic faith.

SHRI JOSEPH MATHEN (Kerala): Question.

SHRI BHUPESH GUPTA: Citizens belonging to that faith, :hey may exercise their right to -vote; the Constitution gives them every right and the Bill does not intend . . .

SHRI T. SRINIVASAN: It nted not be a political activity.

SHRI BHUPESH GUPTA: will come to that. I shall deal with every point. And as you ki.cv-, we will have . . .

SHRI T. SRINIVASAN: As crizens, they have got every right. How can you make a blank provision?

SHRI BHUPESH GUPTA: The hon. Member need not anticipate what I am going to say. (career here. Some of 'nem may not have experience; some of them may have experience elsewhere. Therefore, we should

**SHRI T. SRINIVASAN:** The fundamental rights apply to all the citizens. When the ecclesiastic order consists of citizens, how can you bring forward such a Bill and restrict their political activities?

MR. DEPUTY CHAIRMAN: You will have your chance.

SHRI T. SRINIVASAN: In a democratic party system . . .

SHRI BHUPESH GUPTA: Don't you see there is a difference between the Catholic order and a Catholic?

SHRI T. SRINIVASAN: There are Catholics and there is no Catholic order.

SHRI BHUPESH GUPTA: It does seem to be there now, that Catholic order. The hon. Member certainly is not very familiar with the way certain things are arranged in this society and in this wide world. Well, Sir, I will deal with this point.

The second point which I wish to make clear again in answer to what Shri Datar may have in his mind is this. When an identical Bill came up before the other House, as you have just now been told, he said that it was born out of political frustration. Well, Sir •

SHRI JOSEPH MATHEN: On a point of order, Sir. Can a Member refer to a reply that has been given in the other House?

MR. DEPUTY CHAIRMAN: Statements of Ministers can be used.

SHRI BHUPESH GUPTA: The hon. Member by and by will get easily and readily accustomed to the ways of this Parliament. I think whenever they raise points of order, especially when they are newcomers, they must be given an opportunity. After all, he has just begun his

career here. Some of them may not have experience; some of them may have experience elsewhere. Therefore, we should be always accommodating them.

Now—forget what he said, if you like—seems to be of the view that we are sponsoring this measure out of political frustration. But he had in mind evidently the Kerala election results. I think I got him right. But may I point out to him with all humility that this particular measure was sought to be sponsored by me before the gentlemen of the Treasury Benches with all their hatred and violence turned upon the Kerala Government and succeeded, through their agency of Central intervention, in ousting it? Therefore in point of time, the frustration could not have been born at the time when the Kerala Government was in existence. You might say we did it out of fear of them—for the gentlemen in Treasury Benches are fearsome people. Shri Datar should not be guided by such kind of wrong notions, about what he thinks to be the height of wisdom.

SHRI SONUSING DHANSING PATIL (Bombay): Give us the merits of the Bill. We are interested in its merits.

SHRI BHUPESH GUPTA: Undoubtedly.  
The hon. Member will be . . .

SHRI JOSEPH MATHEN: The hon. Members in the other House threw out the same Bill.

**SHRI BHUPESH GUPTA:** Undoubtedly, hon. Members will be interested in the merits of the Bill. But I am equally interested in them and their arguments. That is the position. After all, you are not sponsoring the Bill.

Therefore you need not rise at this time on a  
pointless point of order es has been just seen, I  
may again tell

you, as I did in the beginning, that it is nothing of the kind; it is not born out of frustration.

Sir, I have sponsored the Bill—or rather, we have sponsored the Bill—with the object of placing before the Parliament and the country a vital proposition, so that Parliament in its wisdom can again reflect over this matter and come to its conclusion. Even if the Bill is defeated—no doubt it will be with Mr. Datar looking askance at it—I know—at the same time, it will be possible for us to discuss this matter in such a way—there is to be discussion in a democracy such as ours—that what we talk about has some meaning and everybody will profit by mutual talks and discussion on the subject. Therefore I make no partisan approach in this matter. Why should I after all, because here I am sponsoring a measure which is based on the shared traditions and ideas of those days of our freedom struggle, when it was the Congress leaders, and above all Mahatma Gandhi, who used to say that religion should not be allowed to be imported into politics! How many times did the Congress organisation pass resolutions condemning the intrusion of religion into politics? How many times did they speak for separating politics from religion—all facts of history, which nobody can obscure by any kind of casuistry or argumentation?

SHRI T. SRINIVASAN: In your Bill State interference with religion is advocated which is denial of Fundamental Rights.

MR. DEPUTY CHAIRMAN: Order, order, you may have your say later.

SHRI BHUPESH GUPTA: Yes, Sir, I think you should give him two hours' time, because the hon. Member seems to be bursting with novel ideas and very good arguments against the Bill. He will get his time; he should be given. Therefore, Sir, I wish to tell you that it is not a partisan approach. It is true it is

coming from the Communist Party; it is true the other party will also reply, the Congress Party, the Treasury Benches, but at the same time if I look back and refer to the pages in the history of our freedom struggle, I find that over a matter of this kind Congressmen, Communists, liberal-minded democrats and others including social reformers spoke in the same accent. There was a common *modus Vivendi* over this matter and there was no controversy of the kind that may arise in the course of the discussion here because the mood in the House today happens to divide Mr. Datar from me, apart from, of course, the political things. Therefore I say in the very beginning that you have to consider it in that light, on merits. I agree, but then, when you judge it on merits, you need not anticipate, that I have a political motive, just as I would not anticipate, if hon. Members from the opposite side give arguments, that they have any political motive. Such matters should be discussed dispassionately without imputing motives to each other. Now here again, Mr. Deputy Chairman, I should like to refer to very many things, but for the present I think I can mention straightaway that after independence also the matter came up in a big way before the Madhya Pradesh Government because that Government thought—also a Government under the control of the Congress—that the Catholic Church and the Christian missionaries there especially were indulging in all kinds of activities which were not only contrary to national interests but which went against the very accepted norms of a secular State. Apart from carrying on a particular type of proselytisation they were carrying on political activities of a type which would be impermissible if we were to adhere to the concepts of a secular State. In that connection naturally I would refer to the Report of the Christian Missionary Activities Inquiry Committee. This Committee was appointed in 1954—in April I think. Very

[SHRI Bhupesh Gupta.] eminent people were put on this committee and were given the assignment to go into the question of the activities of the Christian missionaries in our country and make their recommendations. The report was submitted in 1956, and as far as I can make out by reading this document, it is a very important document, an enlightening document. The only thing regrettable in this connection is that many people have forgotten it because, when I was trying to get a copy of this document, I could not easily find it. Therefore, Sir, it is clear that this report . . .

SHRI K. SANTHANAM: Were the missionaries referred to in this report all Roman Catholics?

SHRI BHUPESH GUPTA: Other Catholics are there.

SHRI T. SRINIVASAN: How are Christian missionaries or their political activity or party politics relevant to the Bill?

MR. DEPUTY CHAIRMAN: He does not yet read out anything from that report.

SHRI BHUPESH GUPTA: I Will read for you; but probably you will get a little time—because the House is going to adjourn—and you should read it. If you have read it, then read it again the report does not seem to have made much impression, on the hon. Member there.

MR. DEPUTY CHAIRMAN: Go on.

SHRI BHUPESH GUPTA: Why are you asking me to go on? Do you want me to speak faster? I can do it.

Now, Sir, this report contains very many important recommendations and findings. Therefore it is clear that even the Congress Party and the Congress Government were worried over the activities of the Catholic Church and other missionaries in the country so much so that a committee had to be appointed to go into this question and come out with a report.

Am I speaking then in a partisan manner or on a subject which is partisan in outlook or on a matter which adeems the Communist Party and us of no concern to the Congress Party or the Congress Government? Wobody will say that. I am taking an approach of this kind as long as this report exists. Now, Sir, an hon. Member asked and here is a lot of things about the Catholic Church in the report, political activities included. in this connection I wish to tell the House: Let us look at the subject in its historical background so that we do not misunderstand the position. It was in the thirteenth century that Christianity unfurled its banner—if I may say so—in this country. The Church came and since that time many things have happened; many things have happened in our society some of which we have liked and some of which we may not have liked also. But one thing is clear in the report itself—and in other literature also—and you will clearly find a statement which everyone should take notice of. It is said generally that with the advent of Christian missionaries—after the thirteenth century—the aggressive missionary era of the Christian Church in India began towards the end of the fifteenth century. It is said here. It had been said in various other writings by the historians of our country, by the politicians of our country, and if I might remind you, in some of the books and writings of Pandit Jawaharlal Nehru you would find references of this kind to the activities of the missionaries in this country including the Catholic Church. Therefore, Sir, thus began that era and then, in the period of British rule, time and again we saw how the Catholic Church, enjoying privileges and advantages under the alien rule, took the side of the British Empire and went against the national traditions, political movements and the liberation struggle of this country. I think any book of history on this subject would give you many many examples of such activities on the part of the Catholic Order and the Christian missionaries organised under that

Order, so much so that even Gandhiji at one time was constrained to say things, to make a very strong comment on the Catholic Church and the Christian missionaries here. And in this report it is quoted . . .

SHRI T. SRINIVASAN: It is all past history.

SHRI BHUPESH GUPTA: Well, Sir, the hon. Member sits in the House with the legacy of the past. Why should I not refer to the past history which points to the future? You cannot learn otherwise. You cannot do things without referring to the past. Even Gandhiji, you might say, is a past thing. You won't say that, I believe.

The hon. Member need not get needlessly excited because, after all, we live in the present to go to the future.

MR. DEPUTY CHAIRMAN: You will continue on the next day.

# MESSAGE FROM THE LOK SABHA

## TUB rUAMCE BILL, 1960

SECRETARY: Sir, I have to report of rule 96 of the Rules of Procedure received from the Lok Sabha, signed by the Secretary of the Lok Sabha: —

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Finance Bill, 1960, as passed by Lok Sabha at its sitting held on the 21st April, 1960.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay the Bill on the Table.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at five of the clock till eleven of the clock on Saturday, the 23rd April, 1960.