

*The House reassembled after lunch at thirty minutes past two of the clock,*

MR. CHAIRMAN *in the Chair.*

### **SUPPLEMENTARY DEMANDS FOR GRANTS, 2022-23**

MR. CHAIRMAN: We will now take up the Supplementary Demands for Grants, 2022-23. Shri Pankaj Chaudhary.

**वित्त मंत्रालय में राज्य मंत्री (श्री पंकज चौधरी) :** महोदय, मैं अनुपूरक अनुदान मांगों, 2022-23 को दर्शाने वाला विवरण (अंग्रेज़ी और हिन्दी में) सभा पटल पर रखता हूँ।

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### **PRIVATE MEMBERS' BILLS**

#### **The Uniform Civil Code in India Bill, 2020**

MR. CHAIRMAN: Members, we will take up Bills for introduction under Private Members' Legislative Business. Now, let me tell the hon. Members, let us follow a procedure. You know it more than I do. If there is any objection, you will have a right to say and you have already indicated the only mechanism to avail that right. You may further indicate. Each of you will get an opportunity to put your point rationally and briefly.

SHRI ELAMARAM KAREEM (Kerala): Sir, we have given a letter.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, it will open the Pandora's box. Every time he gets up in the House, I don't know how every time he gets the opportunity to...  
...(Interruptions)... We are sorry, Sir. ... (Interruptions)...

MR. CHAIRMAN: One, the Uniform Civil Code in India Bill, 2020 by Shri Kirodi Lal Meena to move for leave to introduce the Bill... (Interruptions)... All of you, would you please take your seats? Can I appeal to you? Does the Member have a right to bring a Private Member Bill? The answer is, 'yes'. Whether it will be taken up further depends on the mandate of this House. The Member has unqualified right to go to the extent I am indicating. Those of you who have a point in support or otherwise and are keen to make an input, can it be done in a chorus? Can it be in a fashion that it will open the Pandora's box? ... (Interruptions)... Wait for your turn, one by one. Let



the nation know his stand, your stand and ultimately the wisdom of the House. That is the only way. I will sit for days and days on Friday, till midnight, but let us follow this situation. I hope I am on the same page. I hope. Okay, Now, Dr. Kirodi Lal Meena.

SHRI DEREK O'BRIEN (West Bengal): Sir, if you allow me to speak...

MR. CHAIRMAN: Once he moves, then you will get a chance.

DR. KIRODI LAL MEENA (Rajasthan): Sir, I move for leave to introduce a Bill to provide for the constitution of the National Inspection and Investigation Committee for preparation of Uniform Civil Code and its implementation throughout the territory of India and for matters connected therewith or incidental thereto. ...*(Interruptions)*...

SHRI VAIKO (Tamil Nadu): Under rule 67, I have given notice opposing the introduction of the Bill. This will destroy the country.

MR. CHAIRMAN: Hon. Member, please take your seat. Once there is a slip from your side, you will get full opportunity. Take recourse to the rule. Please take your seat. Let us not generate optics beyond what is permissible under the rules. I have all the intelligent approach, please.

SHRI VAIKO: Sir, it is very dangerous to the country. ...*(Interruptions)*... The Common Civil Code is dangerous. ...*(Interruptions)*... It will destroy the unity of the country. ...*(Interruptions)*...

MR. CHAIRMAN: Hon. Member, take your seat. ...*(Interruptions)*... Would you please take your seat? ...*(Interruptions)*...

SHRI VAIKO: Sir, you kindly permit me to say something. ...*(Interruptions)*...

MR. CHAIRMAN: I am on my legs. ...*(Interruptions)*... Please take your seat first. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... I appeal to the hon. Member, I have indicated with clarity something which is constitutional premise. We have to decide things here through dialogue, discussion and deliberation, which means, everyone will have his or her say in a methodical manner. Can it be so chaotic? Anyone will rise and say anything one



likes! If you have a point, when I call your name, say everything you wish to. If I find all that you have said is in accordance with law, it will go on record. If any Member makes an observation which I find is not in accordance with law, I will take a call on that. ...*(Interruptions)*... So, we will follow the rule. You must send your slips.

SHRI VAIKO: Sir, I have already given notice. ...*(Interruptions)*...

MR. CHAIRMAN: If you have given notice, it is with me.

SHRI VAIKO: I have given notice under Rule 67. ...*(Interruptions)*...

MR. CHAIRMAN: If you have given notice, it is with me. Wait for my call. Motion is moved.

There are three notices — one is given by Shri Vaiko, Shri Abdul Wahab and a joint notice given by Shri Elamaram Kareem, Shri Bikash Ranjan Bhattacharyya, Dr. V. Sivadasan, Dr. John Brittas and Shri A.A. Rahim opposing the introduction of the Uniform Civil Code in India Bill, 2020. Now, Dr. Kirodi Lal Meena.

DR. KIRODI LAL MEENA: Sir, I introduce the Bill.

MR. CHAIRMAN: Would the hon. Member like to say anything about the Bill?

SHRI TIRUCHI SIVA: Sir, it is only introduction. ...*(Interruptions)*...

SHRI DEREK O'BRIEN: Sir, it is only introduction. ...*(Interruptions)*...

**डा. किरोड़ी लाल मीणा :** सर, मैं इस पर कंसिडरेशन के समय सदन में विस्तृत जानकारी दूंगा और उस समय इस पर चर्चा की जाएगी।

MR. CHAIRMAN: Okay. He has made his point.

SHRI VAIKO: Sir, we are opposing the very introduction of the Bill.

MR. CHAIRMAN: One second. Please, take your seat. ...*(Interruptions)*...

SHRI VAIKO: It impacts every religion. ...*(Interruptions)*...



MR. CHAIRMAN: Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Hon. Member, take your seat. ...*(Interruptions)*... Hon. Member, please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*...

SHRI VAIKO: Sir, it will impact every faith, every religion. ...*(Interruptions)*... Where are we going? ...*(Interruptions)*...

MR. CHAIRMAN: Hon. Member, please take your seat. ...*(Interruptions)*...

SHRI VAIKO: Sir, we are really disturbed. ...*(Interruptions)*... I am opposing the introduction. ...*(Interruptions)*...

MR. CHAIRMAN: Please take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*...

DR. LAXMIKANT BAJPAYEE (Uttar Pradesh): Mr. Chairman, Sir, I am on a point of order. ...*(Interruptions)*...

MR. CHAIRMAN: One second. ...*(Interruptions)*...

SHRI VAIKO: Sir, I have got every respect for you. ...*(Interruptions)*...

MR. CHAIRMAN: If you have respect for the Chairman, would you for one minute take your seat? Please take your seat. ...*(Interruptions)*... Take your seat.

SHRI VAIKO: I am opposing the introduction itself. ...*(Interruptions)*...

MR. CHAIRMAN: I urge you to take your seat. ...*(Interruptions)*... Take your seat first. ...*(Interruptions)*...

SHRI VAIKO: I totally oppose this Bill. ...*(Interruptions)*...

MR. CHAIRMAN: Hon. Member, please take your seat. ...*(Interruptions)*...

SHRI VAIKO: We oppose the very introduction. ...*(Interruptions)*...



MR. CHAIRMAN: Hon. Member, I am urging you to take your seat, so that I can proceed further. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Take your seat. Please take your seat. ...*(Interruptions)*... Wait for my next direction. Take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Resume your seat. ...*(Interruptions)*... Hon. Member, take your seat. ...*(Interruptions)*... See what I do. ...*(Interruptions)*... First take your seat. I appeal to you...*(Interruptions)*... Hon. Member, I appeal to you to take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Hon. Member, please take your seat. ...*(Interruptions)*... First take your seat. ...*(Interruptions)*... Take your seat. I will go according to rule. Take your seat. ...*(Interruptions)*... First take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... You will find the highest traditions being maintained. ...*(Interruptions)*... Mr. Vaiko, please take your seat. ...*(Interruptions)*... Mr. Vaiko, please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... First, please take your seat. ...*(Interruptions)*... You don't have respite even for five minutes. ...*(Interruptions)*... Take your seat, take your seat. ...*(Interruptions)*... Mr. Vaiko, please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Please take your seat. ...*(Interruptions)*... Mr. Vaiko, don't force me beyond a limit. ...*(Interruptions)*... Mr. Vaiko, Mr. Vaiko...*(Interruptions)*... Nothing goes on record. ...*(Interruptions)*... Nothing is going on record. ...*(Interruptions)*... Mr. Vaiko is required to take his seat. ...*(Interruptions)*...

SHRI VAIKO:\*

MR. CHAIRMAN: Hon. Members, I seek your protection. What I was going to do was to call upon Mr. Vaiko and thereafter others to express their view on this. He would not allow. He would like to have his way. This is not a physical affair. I am extremely in anguish. Disillusionment of the people at large is to an extreme degree. Here is a Chairperson who is giving you fullest opportunity; you don't want to avail it. I was reading out that these are the gentlemen who have given notice and each of them will have their say. You don't allow me. Are we here to generate optics? Are we here to

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\* Not recorded.



generate theatrics? Are we here to generate an impression that we are a House in mess and we don't believe in decorum and in rational approach? I appeal to you with a heavy heart and great pain: For heaven's sake, believe in yourselves; believe in rule of law. Let us not get ridiculed in the public at large. The expectations of 1.3 billion people from us are enormous. Let us not fail them. I call upon. ...*(Interruptions)*... One second, please. ...*(Interruptions)*...

SHRI VAIKO:\*

MR. CHAIRMAN: I call upon...*(Interruptions)*... I call upon Shri Vaiko. ...*(Interruptions)*... Take your seat, Mr. Vaiko. ...*(Interruptions)*... I call upon Shri Vaiko to make his input on this.

SHRI VAIKO: India consists of so many religions, so many faiths, so many languages, so many cultures. So, this is a country of so many nationalities. It is not one nationality. ...*(Interruptions)*...

SHRI PRAKASH JAVADEKAR (Maharashtra): No; no, nation is one. ...*(Interruptions)*...

SHRI VAIKO: No, it is my view. I am putting my view. I am entitled to put my view.

SHRI PRAKASH JAVADEKAR: We have our view. ...*(Interruptions)*...

SHRI VAIKO: Patriotism is not the monopoly of you people. You may have majority. With your brutal majority, you cannot destroy everything. ...*(Interruptions)*..

MR. CHAIRMAN: Address the Chair. ...*(Interruptions)*.. Address the Chair.

SHRI TIRUCHI SIVA: Since they are not talking, we also will not.

MR. CHAIRMAN: Okay. Address the Chair. ..*(Interruptions)*..

SHRI TIRUCHI SIVA: No, no. We are obeying the Chairman. ...*(Interruptions)*..

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\* Not recorded.



MR. CHAIRMAN: Address the Chair. ...(*Interruptions*)..

SHRI VAIKO: Since you are having the brutal majority..(*Interruptions*)..

MR. CHAIRMAN: Address the Chair. ...(*Interruptions*)..

SHRI TIRUCHI SIVA: We are paying respect to the Chairman. ...(*Interruptions*)..

MR. CHAIRMAN: Everyone has to keep calm and composure. ...(*Interruptions*)..

SHRI VAIKO: We can also talk with you. ...(*Interruptions*)..

MR. CHAIRMAN: Address the Chair. ...(*Interruptions*)..

**श्री संजय सिंह :** जब चेयरमैन सर ने एलाउ कर दिया है, तो आप लोग क्यों बोल रहे हैं?  
..(व्यवधान)..

AN HON. MEMBER: We are keeping quite because we respect the Chairman.  
...(*Interruptions*)..

MR. CHAIRMAN: Take your seats. Only Mr. Vaiko will be on his legs. Mr. Vaiko will have time to make his input on this significant issue. Let us give him rapt attention and I would appeal to everyone not to be agitated. He has full right and protection of the Chair to express his opinion. And, no one in the House should interrupt him or take position while he is speaking. You are allowed to take your position only when your turn is there. Mr. Vaiko, you may go ahead.

SHRI VAIKO: Mr. Chairman, Sir, I am so thankful to you for permitting me to put my views. They are implementing one after another the agenda of RSS and BJP. They have finished Kashmir. Now, they have come to Uniform Civil Code. So, in that manner, where are we going? Where are we leading? We are leading towards the disaster of the country and disintegration of the country. The minority people are terribly hurt. Their sentiments have been totally annoyed. Therefore, Mr. Chairman, Sir, kindly see that the Bill is not introduced today. Last time, they tried. But, then, when they thought that they would not get a majority, they did not proceed. They ran away. This time, they have got majority. Therefore, they are trying to bulldoze this



thing. But this will lead towards disaster and danger to the country, which is the day of shame and sorrow. I am very sorry. Today, we have to go through this. Kindly allow them not to introduce the Bill. This is my view.

SHRI ABDUL WAHAB (Kerala): Mr. Chairman, Sir, as regards the Uniform Civil Code, it has come so many times before. This is a sort of provocation, which, deliberately, our BJP friends are doing. The Uniform Civil Code cannot be implemented in India. With whatever majority there may be, with whatever force, this is not going to be happening. It is a simple civil code, not a criminal code. If they are not, particularly, tolerable for that one -- everywhere, intolerance is there -- at least, let us have our own civil law. There is no point in this and it is not a big thing also. In the Uniform Civil Code, only on a few areas, there is no agreement. Otherwise, everybody is agreeing. I am very sorry about our Congress friends who are not there in the Benches. ...*(Interruptions)*.. Instead of saying so many things, -- last time also it came up; it was maybe Rakesh Sinha or some other Sinha, ..*(Interruptions)*.. Rakesh Sinha's was there about the issues of children, birth control, etc. --- I appeal to the hon. Member to take it back. When it is ripe, when the Government feels, let them take up. Please don't make another intolerance in the community now. Anyway, you are going to pass this one, especially, with these few people. But it is not for the benefit of India. It is not for the benefit of our nation. That is why I request, earnestly request, my friend to take back this Bill. Thank you.

SHRI ELAMARAM KAREEM: Sir, we have given the notice prior to introducing that Bill. We thought that before allowing to introduce that Bill, you will dispose our request. Anyhow, you first called him, and he introduced it.

MR. CHAIRMAN: It was motion for leave.

SHRI ELAMARAM KAREEM: On earlier occasions, he was withdrawing. He kept himself absent from the House, and it was not introduced in this House. Our country is a secular country. Our Constitution is giving protection to all sections of the people. The Uniform Civil Code is a controversial subject. ...*(Interruptions)*... There are so many other principles, so many other principles. Why are you not implementing those principles? ...*(Interruptions)*...

MR. CHAIRMAN: Please. ...*(Interruptions)*... Hon. Members, no cross-talks. ...*(Interruptions)*...



SHRI ELAMARAM KAREEM: Wealth should not be allowed to accumulate in a few. That is the constitutional principle. You are not talking about that. ...*(Interruptions)*...

MR. CHAIRMAN: Keep conduct.

SHRI ELAMARAM KAREEM: Why are you not insisting on that?

MR. CHAIRMAN: Yes, hon. Member, address the Chair.

SHRI ELAMARAM KAREEM: Sir, decent wages should be given to the workers. Why are you not implementing that? You are very particular only on this issue. That is your agenda. We are not agreeable to that.

Sir, before bringing such a legislation, we should have wide consultations with different communities, with different religions, with various sections of the people. Otherwise, it will create difference between the people; it will burn the country. So, I earnestly request, Sir, ask him to withdraw the Bill from this House.

SHRI BIKASH RANJAN BHATTACHARYYA (West Bengal): Sir, my earnest appeal would be to the Member who has introduced the Bill to reconsider whether he wants the unity of the country or he wants to expedite the diversity to be destroyed. 'Unity in Diversity' is the philosophy in India, which India was built up through centuries.

Now, I will just request the Member to consider the Constituent Assembly debates. In those debates, all things were discussed. Ultimately, we had given a call, 'We, the people of India ..'. That is the final call for unity, not go for making division and division. The country is now facing a crisis. Let us restore the unity, let us restore the civility so that the country may smoothly progress as the hon. Prime Minister accordingly desires too. The division amongst the people would not help you either to grow economically or socially. Therefore, my earnest appeal to the Member, please wait. Let the society get matured. Let the society discuss amongst themselves. Let the people feel, they are one-in-one. By imposing your forceful things, you are going to destroy the structure. Therefore, please do not destroy the structure of the country and withdraw this. This is my earnest appeal.

DR. V. SIVADASAN (Kerala): Respected Chairman, I think the main aim of these types of Bills is to ruin the strength, ruin the unity of the nation. The basic principle of



our nation is, 'Unity in Diversity'. So, we should protect that 'Unity in Diversity'. So, my humble request to the Member is to withdraw the proposed Bill. This is my request. Sir, India is not built by the bricks and stones. India is built by the spirit of the fighters of freedom movement.

DR. JOHN BRITTAS (Kerala): Sir, it is with a heavy heart, I am objecting the introduction of this Bill under Rule 67. Sir, the Treasury Benches always harp on the fact, '*Sabka Sath, Sabka Vikas*'. But whatever they do is against the spirit of the slogan which they always try to raise. Sir, why did the 21<sup>st</sup> Law Commission conclude in its report, and I quote, "A uniform civil code is neither necessary nor desirable"? That was the sum and substance of the recommendation of the 21<sup>st</sup> Law Commission Report and I think the Law Minister should be aware of that. If he gets some time, if he takes his hands away from attacking the Supreme Court, he should be having some thought about it. Sir, why this piece of legislation against the spirit of the Constitution? That is the point which the hon. Member and the Treasury Benches have to think about.

Sir, there is a strange situation that has occurred now. In the name of uniform civil code there are a number of civil codes that have come up in different States. There is a civil code for Himachal Pradesh, there is a civil code for Gujarat and there is a civil code for all the BJP-ruled States. So, essentially, it beats their decision to have a uniform civil code. So, this is supposed to be an 'uncivil code' and not a civil code. Sir, let us be very clear about the fact that we should not use a piece of legislation to create polarization in the society and something which is detrimental to the unity of this nation.

I strongly object to this Bill and request the Member to withdraw this Bill immediately.

SHRI A.A. RAHIM (Kerala): Sir, this is a political exercise of the *Sangh Parivar*. Many of my colleagues here have spoken on this issue. Sir, India is a land of pluralism. Pluralism is the soul and heart of our Constitution and our country. This is a highly controversial issue. The RSS and the *Sangh Parivar* have often used this issue as a political tool. Mr. Chairman, Sir, you have spoken about the integrity of this House on many occasions. I would like to underline, in your way, the integrity of this House. We should keep the integrity of this House and not play political cards in this House. Once again, I would like to remind this House and Members that India is a land of pluralism and India is the largest democratic and secular country in the world. We have to remember our Freedom fighters. This is the land of *Shaheed* Bhagat Singh



and *Shaheed* Uddham Singh, who was popularly known as Ram Mohammad Singh Azad. I wish to say with pride that I come from Kerala, from the land of INA hero, Vakkom Mohammad Abdul Khader. I would, again and again, pray to the hon. Chair to ask the hon. Member to withdraw the Bill. I strongly oppose this Bill.

**श्री सभापति :** प्रो. राम गोपाल यादव।

**प्रो. राम गोपाल यादव** (उत्तर प्रदेश) : श्रीमन्, मेरा पहला एतराज तो यह है कि यह बिल, जिस पर हम लोग एतराज कर रहे हैं, यह बेसिकली संविधान के ही खिलाफ है, संविधान की कुछ धाराओं के खिलाफ है। आप आर्टिकल्स 26(बी) और 29(1) देखिए। सर, ये फंडामेंटल राइट्स में हैं। आर्टिकल 26(बी) में है, "Subject to public order, morality and health, every religious denomination or any section thereof shall have the right to manage its own affairs in matters of religion."

3.00 P.M.

आर्टिकल 29(1) में, कल्चरल एंड एजुकेशनल राइट्स को लेकर वे कहते हैं, "Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same."

सर, मेरा इन्हीं दो आर्टिकल्स एवं कुछ अन्य बातों को लेकर इस बिल पर गम्भीर एतराज है। सर, आपने शुरू में ही कहा था कि अगर कोई बात संविधान के अनुकूल है, तो उसको रखने से, इंट्रोड्यूस करने से कोई रोक नहीं सकता है, लेकिन अगर कोई बात संविधान के प्रतिकूल है, तब तो उसको रोका ही जा सकता है। आपको इस बिल को एलाउ ही नहीं करना चाहिए था, इन्हें इसे विद्‌ड्रॉ कर लेना चाहिए था।

सर, उस वक्त की संविधान सभा में हिन्दुस्तान की इंटेलेक्चुअल क्रीम के लोग थे। डा. भीमराव अम्बेडकर से लेकर श्यामा प्रसाद मुखर्जी तक, बहुत काबिल और बहुत विद्वान लोग थे। अगर हम स्वयं को उनसे ज्यादा काबिल समझते हैं, तो ईश्वर ही रक्षा करें। उन्होंने इन्हीं सब बातों से बचने के लिए कि जो लोग माइनॉरिटी में हैं, कहीं उनके सामाजिक, सांस्कृतिक और अन्य अधिकारों को बुल्डोज़ न किया जा सके, संविधान के मौलिक अधिकारों में इसकी व्यवस्था की थी।

सर, हम जानते हैं कि मुस्लिम्स में चचेरी बहन से शादी करना सबसे अच्छा माना जाता है। क्या हिन्दुओं में ऐसा सम्भव है? अगर आप समान आचार संहिता की बात करते हैं, तो उसको इधर से लागू करेंगे या उधर से लागू करेंगे? ये सब अनावश्यक बातें हैं। आप देश में शांति बनाए रखिए और लोगों की जेबों तक 15-15 लाख रुपया पहुंचाने का काम कीजिए। मीणा साहब, आप इस बिल को वापस ले लीजिए। 75 साल के बाद आपको कोई पूछेगा नहीं।...(व्यवधान)... दिक्कत यह है कि ये सब 75 साल के...(व्यवधान)... आप राष्ट्रपति के लिए हैं, उपराष्ट्रपति के लिए तो नहीं हैं।...(व्यवधान)... मेरा अनुरोध है कि संविधान को देखते हुए, लोगों की मंशा को देखते हुए,



देश में किसी भी तरह, किसी के प्रति लोगों का अविश्वास पैदा नहीं हो। सत्ता में बैठे हुए लोगों के प्रति भी किसी को अविश्वास न हो, इसलिए महोदय, मैं आपके माध्यम से मीणा साहब से इस बिल को वापस लेने का अनुरोध करता हूँ।

SHRI SANDOSH KUMAR P (Kerala): Sir, I would like to request the hon. Member, through you, to withdraw this very dangerous Bill. My Party has a principled stand on this issue of uniform civil code. We believe in the unity of this country, not in the uniformity. So, what we need is unity, not uniformity. We are a country with hundreds of religions, castes and different types of civil codes. So, we need to think about this issue seriously. This is not a time to initiate such a legal proceeding. This will further endanger the secular credentials of this country. These people have already divided the Indian villages and created a feeling of India-Pak in almost all villages of this country. They want to enhance that division further. So, please don't allow them to introduce this dangerous Bill which is detrimental to the national interest.

SHRI TIRUCHI SIVA: Sir, we are also equally against this Bill. The same Bill has been listed many a time before, but, on request, was not introduced. Today also, we did the same. But we had a bitter experience of breach of trust; I don't want to go into that. As everyone pointed out here, this country's base is secularism and federalism. Both are at stake now. We foresee something which may happen if this Bill is passed here even if it is a Private Member's Bill. When my Private Member's Bill was passed, I know, what the consequences were. If the Bill is introduced, it becomes the property of the House. Automatically, it will be taken up for consideration. When it is taken up for consideration and debated, it will be put to vote, and as they have the majority, automatically, it will get passed.

I again foresee what the mindset of minorities in the country would be. We should not, at any cost, create an apprehension in their minds. You know very well. You are well educated, well informed. At the time of partition, Mohammed Ali Jinnah asked all the Muslims to come with him to Pakistan, but Muslims here said, "We are Muslims, but India is our nation." So, they all stayed here. They have contributed to the military. They have contributed to the development of the country. They have got their own religious code, and other minorities also have their own traditions. We should not, at any cost, create a panic in their minds. That is why, I said that it is like opening Pandora's box. We are really agonized and we are all trembling, and it is unusual of our mentality because the whole country will be watching this. So, I think just because one has got the majority, one cannot do whatever he wants. Consider



the future of this country, the safety of everyone, and the individual uniqueness of India should be maintained.

Sir, I request the Member not to introduce the Bill, and I request you to kindly protect the House, the Members and the nation's future. Thank you very much.

MR. CHAIRMAN: Shri Jayant Chaudhary.

SHRI JAYANT CHAUDHARY (Uttar Pradesh): Sir, I move for leave to introduce a Bill further to amend the Constitution of India...

MR. CHAIRMAN: Are you saying anything on this issue that we are discussing?

SHRI JAYANT CHAUDHARY: No, Sir, I am just introducing the Bill. If I have the opportunity, I would like to mention what the Bill is about. ...*(Interruptions)*...

MR. CHAIRMAN: Now, Dr. L. Hanumanthaiah.

DR. L. HANUMANTHAIAH (Karnataka): Sir, in a democracy like India where 140 crore people are involved, many times, there will be a brutal majority in the Parliament and in the Assemblies. ...*(Interruptions)*... It is called brutal majority. ...*(Interruptions)*...

SHRI PRAKASH JAVADEKAR: In 1984, it was brutal majority. ...*(Interruptions)*...

DR. L. HANUMANTHAIAH: Exactly, I agree. With reference to that, I am telling. I am not afraid of telling this. ...*(Interruptions)*...

MR. CHAIRMAN: Please address the Chair. ...*(Interruptions)*...

DR. L. HANUMANTHAIAH: So, I wanted to inform hon. Members...*(Interruptions)*... He should speak when he gets a chance. He cannot speak now. ...*(Interruptions)*...

**श्री प्रकाश जावडेकर :** यह लोगों का अपमान है। ...*(व्यवधान)*... मतदाताओं का अपमान है। ...*(व्यवधान)*...

MR. CHAIRMAN: Mr. Javadekar, it was inappropriate, not expected, and it is not approved. We must all maintain decorum. We are not here to create chaos. Let me



remind you, the Constituent Assembly consisted of the people of great worth, talent, and at that point, they were as representative as possible. Presently, as I have indicated in my speech also, with each election, our representation is getting deeper and deeper. This House has enormous talent. If the Constituent Assembly could traverse critical issues, complex issues, divisive issues without there being single disruption, if it could traverse, negotiate and navigate by dialogue, debate and discussion, as a senior Member, I am sure, this should not have happened. I appeal to everyone to observe discipline and give full expression. Dr. L. Hanumanthaiah.

DR. L. HANUMANTHAIAH: Thank you, Sir. As I said just now, in a democracy, any brutal majority will be a dangerous thing, and it is dangerous to the sensible democracy of any country. We have seen across the world that an extreme leftist or extreme rightist approach will sometimes becomes dangerous to the democracy. So, I feel that we should not enter into such extremities in a healthy democracy such as India. Nobel Laureate, Shri Rabindranath Tagore had always pleaded in all his literature that this country should be a pluralist country; it should not go to extremities. We cannot digest the extremities. We have experienced it. Sir, I also want to bring to your kind notice that across the world, every country, which has gone to the extent of taking extreme decisions, has suffered and it could not retain its democracy. So, we should not go to that extent and get our democracy derailed.

Sir, a Kannada poet named Kuvempu, who is almost equal to a Nobel Laureate, said, "This country should be *sarva janangada shantiya thota*." It should be a garden of all the flowers, all the varieties. That is the real beauty of the society, that is, India. This is what he said. We should retain that fabric forever then only this country will retain democracy for long years. We have only a small democracy of 75 years and 75 years is not a big number. We have yet to go a long way for a democracy to get experience and experiment. Sir, as I do not want that these kinds of extremities should spoil the democratic fabric of this country, I sincerely request the hon. Member to withdraw and give way to all the healthy minds to go on like this and go on forever. Thank you.

SHRI JAWHAR SIRCAR (West Bengal): Sir, I thank you very much for giving me this opportunity. I rise in anguish to see how a Bill, a Private Member's Bill, which is totally unconstitutional, unethical and anti-secular, is being introduced as a Private Member's Bill by an indulgent Government to test the waters in a very dangerous game. This is brinkmanship. Sir, all I would like to say is, still, there is time to refrain from making demonstrations of a temporary majority and inflict a one-sided opinion



on a very secular and plural India. I seek your guidance and I beseech upon the Member to take better sense and withdraw the Bill. I request you to use your kind power, your wisdom not to allow such games to be played. Thank you, Sir.

SHRIMATI JEBI MATHER HISHAM (Kerala): Sir, as a beginner, through you, I actually want to ask the House itself - shouldn't a Private Bill be in the larger public interest? I am sorry to say that this type of Private Bill is not in the public interest. It is totally against the constitutional values enshrined in our Constitution, and, even if it goes further, it will not stand the judicial scrutiny and it will definitely be struck down because it is unconstitutional and against the basic structure doctrine of the Constitution. Sir, in our country, we believe in unity in diversity. If we believe in unity in diversity, we can never have uniformity in diversity because uniformity and diversity are self-contradictory. Sir, here, I wish to quote Pandit Jawaharlal Nehru, who said, "Democracy means tolerance, not only towards those who agree but also towards those who disagree". There are immense examples in the country where in terms of speeches, in terms of words and in terms of actions, democracy is being derailed, where the minority voice is being submerged. But, Sir, that's not how it should be, that's not how it was meant to be foreseen by our forefathers, Dr. Ambedkar and all other great leaders who have had a vision for our country. Sir, once again, I want to quote Pandit Jawaharlal Nehru. He said, 'Without peace, all other dreams vanish and are reduced to ashes.'

Sir, through you, I want to tell the House that if this is the kind of law that is to be brought in, then there will be no peace in the country. Sir, my request, through you, is, let this Bill be withdrawn.

THE LEADER OF THE HOUSE (SHRI PIYUSH GOYAL): Hon. Chairman, Sir, I am pained to hear some of the comments which are being made using very, very illustrious names -- Dr. Babasaheb Ambedkar, including the leaders of the Congress Party, the Constitution-makers, and Members of the Constituent Assembly who in their wisdom brought this in as a Directive Principle. My colleague Shri Prakash Javadekar has referred to the constitutional provisions in this regard. I think it is the legitimate right of a Member to raise an issue which is the Directive Principle of the Constitution. Let this subject be debated in the House. ...*(Interruptions)*... I did not disturb you.

MR. CHAIRMAN: Mr. Vaiko, please. Hon. Leader of the House, please don't have cross talk through me. Mr. Vaiko, please sit down. ...*(Interruptions)*... Please sit



down. Please observe order. Please take your seat. ...*(Interruptions)*... Go ahead. ...*(Interruptions)*... Nothing will go on record. I plead with you. Have a reflective mind. Take your seat. You had your say uninterrupted and if you want to have further say, take recourse to Rules. Platform is open. But take your seat. This frequent interruption does not do justice to your personality. It sends a very bad signal. Can we go to that level? Do we have that kind of obstinate approach? You have as much right as anyone else has. Everyone has a right. The Leader of the House.

SHRI PIYUSH GOYAL: Hon. Chairman, Sir, my colleague, Shri Prakash Javadekar, will elaborate on the constitutional provisions. But very clearly, at this stage, to cast aspersions on the Government...*(Interruptions)*...

MR. CHAIRMAN: Please be brief.

SHRI PIYUSH GOYAL: And to use the names of the very Members of the Constituent Assembly to try and criticize this Bill at the introduction stage is uncalled for. I would appeal to the House, let this Bill be introduced. It is the Member's right. When the debate comes up on this subject, of course, everybody will have a point of view. ...*(Interruptions)*... When it becomes the property of the House, they will decide what they have to do.

MR. CHAIRMAN: Prof. Manoj Kumar Jha. ...*(Interruptions)*... Prof. Manoj Kumar Jha.

PROF. MANOJ KUMAR JHA (Bihar): This Bill came for introduction on very many occasions earlier. Good sense prevailed. My friends from the BJP requested Dr. Kirodi Lal Meena not to proceed further. I am witness to six such occasions. What has changed? I don't know, Sir. The Leader of the House is not here. I have read that part dealing with making of the Indian Constitution where Uniform Civil Code was discussed. Partition had happened. The Members were very certain that we should not go for a legislation which further creates barriers between people and communities. सर, अभी जी-20 में हम एक पृथ्वी, एक परिवार, एक भविष्य की बात कर रहे हैं, लेकिन ...*(व्यवधान)*... सर, मैं पेन देने के लिए नहीं खड़ा हुआ हूँ, मैं माननीय सभापति महोदय के समक्ष यह कह रहा हूँ कि दुनिया की दीवारों को गिराने के लिए अपने घर की दीवारों को भी गिराना होगा। दीवारें बड़ी हैं, कोई माने या न माने, लोगों के बीच में अविश्वास बढ़ा है। गाँव बँट गए हैं, शहर बँट गए हैं। यह छोड़िए, मेरा और आपका परिवार बँट गया है। अगर इस तरह के



बैठवारे के बीच में हम इस तरह का बिल लाएँगे -- किरोड़ी लाल जी, मैं आग्रह करूँगा कि आपका अपना कद भी बहुत बड़ा है, इसको आप कृपापूर्वक वापस ले लीजिए। यह देशहित में नहीं है। यह हमारे सरोकारों के हित में नहीं है। यह हमको एक अंधी खाई में ले जाएगा, जहाँ रोशनी का सुराग नहीं होगा। थैंक यू, सर।

DR. FAUZIA KHAN (Maharashtra): Mr. Chairman, Sir, here, I would like to say that the beauty of our Indian democracy and the uniqueness of India in the whole world lies in its unity in diversity. Our diversity is extremely important and it has to be retained; it cannot be ravaged like this. Just like a rainbow in the sky where many colours are there and it gives beauty to the sky; in the same way, our diversity gives beauty to our democracy. The way this Bill has been tried to be introduced in the House, through you, I would only plead to the hon. Member to kindly withdraw this Bill because it is not in consonance with the uniqueness of our democracy. It is not just a Muslim-Hindu issue; it is a question of diversities in every way. It does not deal with Muslims or anybody. I absolutely deny that it relates to any particular kind of community. It deals with the diversity of our country which has got millions of different cultures, traditions, etc. So, it has to be maintained this way. Sir, through you, I request the hon. Member to kindly withdraw the Bill. Thank you.

**श्री इमरान प्रतापगढ़ी (महाराष्ट्र) :** आदरणीय सभापति महोदय, मैं इस उच्च सदन में खड़ा होकर आपसे यह अनुरोध करूँगा कि देश में जिस तरह का माहौल बनाया गया है, बना हुआ है, ऐसे वक्त में इस तरह का एक और बिल लाकर उस खाई को और बढ़ाने की कोशिश करना न ही प्रासंगिक है और न ज़रूरी है। वर्ष 2018 की लॉ कमीशन की रिपोर्ट है, जिसमें जस्टिस बी.एस. चौहान साहब का साफ कहना है कि अभी इस तरह के कानून की न कोई आवश्यकता है और न कोई ज़रूरत है। ऐसे में मैं यहाँ खड़ा होकर आपके माध्यम से यह कहना चाह रहा हूँ कि इस सदन की जो ज़िम्मेदारी है, इस सदन में बैठा हुआ हर एक सदस्य, वह किसी भी पार्टी का हो, चाहे वह सत्ता पक्ष का हो या विपक्ष का हो, वह देश के लिए नए विचार प्रस्तुत करे, नई बात लाए, नया माहौल बनाने की कोशिश करे, न कि ऐसी चीज़ें इन्द्रोड्यूस करे, जिससे समुदायों और धर्मों में आपस में कहीं न कहीं दुराव पैदा हो। मैं आपसे अनुरोध करूँगा कि इस बिल की कोई प्रासंगिकता नहीं है, कृपया आप इस बिल को स्वयं एक्सेप्ट न करें और माननीय सदस्य से भी अनुरोध है कि इस तरह का कोई बिल लाकर सदन में उस पर बहस करने की ज़रूरत नहीं है। मेरी आपसे गुज़ारिश है कि इस बिल को किसी भी तरह से एक्सेप्ट न किया जाए।

MR. CHAIRMAN: Hon. Members, we did have some tempers. I am happy that my thought process which emanates from your wisdom could find some reflection. Everyone has had his say and that is the beauty and essence of a structured debate. And we learnt this from the Constituent Assembly that it is the structured debate,



through discussion and dialogue, that in a serious theatre like this, the Upper House, we give message to the entire country.

The question is that leave be granted to introduce the Bill.

SHRI VAIKO: Sir, I want division. ...*(Interruptions)*... I am entitled to seek division. ...*(Interruptions)*...

MR. CHAIRMAN: Mr. Vaiko, you are a very senior and distinguished person. Very few people can have that kind of credentials. You traversed decades. When I was about to give floor to you, you did not allow me to give the floor, and we took five minutes. When I was about to seek your response, you did not give me that opportunity. I will go by procedure. Trust me. If at all I have to lean, I will lean constitutionally towards this side. And, therefore, why be in agitated mode? We have to mentally, persuasively, strongly give voice to our thought process. I have simply said: "Those in favour will please say 'Aye'". They have given. Now, I say: "Those against will please say 'No'".

SOME HON. MEMBERS: No. ...*(Interruptions)*...

SHRI VAIKO: Sir, I want division. I have got every right.

MR. CHAIRMAN: Hon. Member, you have every right to seek division. We will take steps. Let the lobbies be cleared. The question is:

That leave be granted to introduce a Bill to provide for the constitution of the National Inspection and Investigation Committee for preparation of Uniform Civil Code and its implementation throughout the territory of India and for matters connected therewith or incidental thereto.

*The House divided.*

MR. CHAIRMAN: Hon. Members, please observe decorum. As they say, no crosstalks. I give you the indulgence. Crosstalk only through the Chair. Am I right, Professor? ...*(Interruptions)*...

DR. JOHN BRITTAS : Sir, through you, I am talking.



MR. CHAIRMAN: But please take your seat. Secretary-General will now explain the voting procedure. Hon. Members, result of the division on the motion for introduction of the Uniform Civil Code in India Bill, 2020, is:

Ayes : 63  
 Noes : 23  
 Abstention : NIL

**AYES : 63**

Agrawal, Dr. Anil  
 Agrawal, Dr. Radha Mohan Das  
 Ali, Shri Gulam  
 Anavadiya, Shri Dineshchandra Jemalbhai  
 Bajpai, Dr. Ashok  
 Bajpayee, Dr. Laxmikant  
 Balmik, Shrimati Sumitra  
 Baluni, Shri Anil  
 Bansal, Shri Naresh  
 Bara, Shrimati Ramilaben Becharbhai  
 Bonde, Dr. Anil Sukhdeorao  
 Brijlal, Shri  
 Dubey, Shri Hardwar  
 Dubey, Shri Satish Chandra  
 Dwivedi, Shrimati Seema  
 Geeta alias Chandraprabha, Shrimati  
 Goswami, Ms. Indu Bala  
 Goyal, Shri Piyush  
 Jangra, Shri Ram Chander  
 Kadadi, Shri Iranna  
 Karad, Dr. Bhagwat  
 Kardam, Shrimati Kanta  
 Kumar, Shri Mithlesh  
 Kumar, Dr. Sikander  
 Laxman, Dr. K.



Leishemba, Shri Maharaja Sanajaoba  
Lokhandwala, Shri Jugalsinh  
Mahadik, Shri Dhananjay Bhimrao  
Mandaviya, Dr. Mansukh  
Margherita, Shri Pabitra  
Meena, Dr. Kirodi Lal  
Mokariya, Shri Rambhai Harjibhai  
Muraleedharan, Shri V.  
Murugan, Dr. L.  
Nadda, Shri Jagat Prakash  
Nagar, Shri Surendra Singh  
Nishad, Shri Baburam  
Panwar, Shri Krishan Lal  
Patel, Shri Shambhu Sharan  
Patidar, Ms. Kavita  
Prasad, Shri Aditya  
Puri, Shri Hardeep Singh  
Ram Shakal, Shri  
Rao, Shri G.V.L. Narasimha  
Rupala, Shri Parshottam  
Saini, Dr. Kalpana  
Shekhar, Shri Neeraj  
Singh, Shri Ajay Pratap  
Singh, Shrimati Darshana  
Sinha, Shri Rakesh  
Siroya, Shri Lahar Singh  
Solanki, Dr. Sumer Singh  
Soni, Shri Kailash  
Tasa, Shri Kamakhya Prasad  
Tendulkar, Shri Vinay Dinu  
Tiwari, Shri Ghanshyam  
Tomar, Shri Vijay Pal Singh  
Usha, Shrimati P. T.  
Vaishnaw, Shri Ashwini  
Vats (Retd.), Lt.Gen. (Dr.) D. P.  
Verma, Shri B.L.  
Yadav, Shri Bhupender



Yadav, Shri Harnath Singh

**NOES : 23**

Abdul Wahab, Shri  
Abdulla, Shri M. Mohamed  
Bhattacharyya, Shri Bikash Ranjan  
Brittas, Dr. John  
Chakraborty, Shri Subhasish  
Chandrashekhar, Shri G.C.  
Chhetri, Shrimati Shanta  
Girirajan, Shri R.  
Hanumanthaiah, Dr. L.  
Jha, Prof. Manoj Kumar  
Khan, Dr. Fauzia  
Khan, Shri Javed Ali  
Mather Hisham, Shrimati Jebi  
P, Shri Sandosh Kumar  
Pratapgarhi, Shri Imran  
Rahim, Shri A. A.  
Shanmugam, Shri M.  
Sircar, Shri Jawhar  
Siva, Shri Tiruchi  
Sivadasan, Dr. V.  
Vaiko, Shri  
Wilson, Shri P.  
Yadav, Prof. Ram Gopal

*The motion was adopted.*

DR. KIRODI LAL MEENA: Sir, I introduce the Bill.

MR. CHAIRMAN: The Waqf Repeal Bill, 2022. Shri Harnath Singh Yadav — not present.

The Representation of the People (Amendment) Bill, 2022. Shri Iranna Kadadi.