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India is Hinduism; Hindutva is Bharatiyata; Hindu Rashtra is Secular State Supreme Court Endorses False Equations of Hindu Fundamentalism A Plea for Urgent Review of Thackeray- Joshi Judgements by Constitution Bench

Advertently or inadvertently the Supreme Court has provided a political bonanza to the Bharatiya Janata Party on the eve of the General Election, 1996.

The BJP leadership has long been advocating the establishment of Hindu Rashtra, though, by virtue of the Constitution and the Law of the land, it has been forced to pay lip service to the principle of Secularism and expressing loyalty to the Secular State. It has tried to bridge over the obvious dichotomy and resolve the clear contradiction between the Hindu State and the Secular State by propounding the philosophy of Hindutva and defining Hinduism as an all-inclusive 'Dharma'. Thus, according to the Sangh Parivar, the Hindu Dharma is the eternal religion of mankind while all other religions are mere sects with their own 'forms of worship'. In its generosity, the Sangh Parivar offers to embrace the followers of all religions and the former President of the BJP has gone to the extent of defining Muslims, Christians, Sikhs, Buddhists and Jains as Mohammadi Hindus, Issawi Hindus, Nanaki (or bearded) Hindus, Buddavi Hindus and Mahabiri Hindus. Taken to its logical limit, are all those who call themselves Hindus be redefined as 'Hindu Hindus'? When asked this question, Joshi had no answer.

There is yet another problem with the term 'Hindu'. The term, as defined by Savarkar and as propagated by the Sangh Parivar, does not cover everyone those born in India, it includes only those among them who follow an 'indigenous' religion and consider India not only their motherland (or fatherland, as Savarkar put it) but as 'Punjabhoomi, 'place of worship', Muslims, Christians, Zoroastrians are thus put beyond the pale. On the other hand, the Sangh Parivar adopting the Goebbelsian technique goes on repeating the lie that it regards all Indians as 'Hindus' and therefore equal in the legal sense, irrespective of creed, caste, language, race etc.

There is yet another problem. The Constitution defines the term Hindu in a restrictive sense. One wonder why the Supreme Court omitted any reference to the Constitution which speaks of religious minorities and specially defines the Sikhs as Hindu for the specific purpose of bringing the Sikhs belonging to the Scheduled Castes, within the

purview of reservation, as a recompense for originally proposed reservation in legislature and services for all minorities. Indeed the Constitutional Order keeps out non-Hindus which explains the genesis of the demand of the Christian Dalits to be included in the list of Scheduled Castes and of Hindu Dalits not to be excluded if they opt out of Hinduism and embrace Buddhism or Christianity or Islam - i.e. a religion other than Hinduism, in exercise of freedom of religion and of consciences enshrined in the Constitution.

The concept of Secular State is founded on the multiplicity of religions in our country. If everyone is a Hindu, the society is mono-religious. There is no question of the state being neutral in inter-religious conflicts of interest or disputes, of its being non-aligned towards or equidistant to all religions in all its dispensations, of its tilting in favour of one or the other. Howsoever, flawed in practice, a secular state has to adhere to and follow these precepts.

Moreover, if everyone is a Hindu, there is no religious majority and there are no religious minorities at the national or state levels. Yet the same BJP cries hoarse in favour of real and imagined grievances of the Hindu 'minority' in the state of J&K (or in Pakistan or in Bangladesh or in any Muslim country). On the other hand, the Sangh Parivar or the BJP has not been known ever to shed a tear when Muslim Indians are massacred or deprived of employment and livelihood or discriminated against, humiliated. Furthermore if the Hindus living abroad are Hindus, what are the Muslims and Christians and Buddhists and Sikhs living abroad? No doubt Hinduism is an Indo-centric religion but if there is no distinction between Hinduism and Bharatiyata, there are all Hindus living abroad, whatever their national status, Indians? Is there a Hindu, sorry, Indian Diaspora and will the Indian state, like Israel, which is frankly Zionist, open its doors and grant a right to return to all Indians?

The deeper one analyses the Savarkar - Sangh Parivar's equation of Hinduhood and Indianness, of Hinduism and India, of Hindutva and Bharatiyata, the more complicated the conundrum becomes and the less one finds it possible to apply it to real life.

The Supreme Court has, in its wisdom, upheld these equations, albeit, on a philosophical plane. We

should be grateful to the Supreme Court for this mercy. But should the Hon'ble Judges engage in unnecessary obiter and pen uninvited theses as if they were research scholars or pure academicians, shut up in their ivory towns distant and aloof from real life. The Supreme Court was dealing with an electoral contest in which appeal to religion attracts legal penalties. Are the candidates and their supporters, on one hand, and the electorate on the other, engaging in an academic or scholarly dialogue or debate, defining each term with philosophical profundity, razor sharp logic or semantic accuracy? No, they do not. In the give-and-take in the market place of politics, what matters is the ordinary meaning as currently understood and not as propounded in books of philosophy or encyclopaedias or even dictionaries and everyone understands what is meant when terms like Hindus, Hindutva or Hindu Rashtra are used. In the language of contemporary politics, which has been deeply communalised, these terms not only mean that the purveyor is pro-Hindu but that he is against non-Hindus, that he advocates (not hopes for) the establishment of Hindu Raj, the rule of the Hindu majority and the sub-ordination, if possible denationalisation, nay, even forcing out on pain of liquidation of the religious minorities. The salesmen of Hindu Rashtra are not selling a way of life, the eternal dharma of wisdom and tolerance.

It is amazing that the Supreme Court cannot visualise or even catch the spirit of the political campaign, the tone, the over-tone and the undertone of the electoral discourse, the anger, the distrust, the hatred, the violence that is sought to be incited by the purveyors of Hindu Rashtra and Hindutva.

And the Supreme Court, in its wisdom, not only exonerates such incitement against the secular order, against the fundamental structure, the very foundation of the Republic but provides the demolition squad with philosophical tools and ideological justification to carry on the nefarious enterprise, even more vigorously and in peace and in freedom from all legal restraint.

The Indian State, as a secular state, makes and most make a clear distinction among various religions whose followers inhabit the land, refrain from considering one as good and the others as bad, one as virtuous and the others as vicious, one as superior and the others as inferior, one as INDIAN and the others as non-Indian! The Indian State must protect the religious minorities from the permanent

tyranny of the religious majority, against absorption and assimilation, against coercion and violence, against fear and hatred incited by the unchecked articulations of the religious right, the extremist fringe, the chauvinist groups and the fundamentalist parties, through their anti-secular, anti-democratic, anti-constitutional ravings and rantings, particularly at the time of elections.

No doubt Hinduism and Hindutva can be defined in universalistic and humane terms but that is the mask behind which lurks the revanchist mind and the fascist face, distorted by anger and revenge. The face must be unmasked by all those who believe in a civil society and in the destiny of our country to provide a model of peaceful coexistence for a multi-cultural, multi-religious, multi-racial, multi-linguistic and multi-cultural 'one world'.

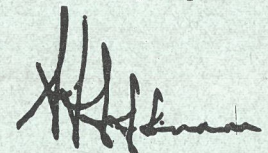
For long have Advani, Joshi and Co. preached Cultural Nationalism. Not surprisingly the Sangh Parivar, the BJP in particular, feels elated with joy. But all other political parties have been shocked by this judgement of the Supreme Court and are worried by its short and long-term fall-out.

Indian Culture cannot be reduced to Hindu Culture, just as 5000 years of Indian history cannot be capsuled as Hindu History or the History of the Hindu People. The Indian People are a bigger category than the Hindu people and a fraction, howsoever big, cannot be equal to the whole.

Mr. A.G. Noorani, in his inimitable style, has analysed this judgement from the legal angle and suggested its review. Many political parties have also demanded a review by a Constitution Bench. Such a review must be undertaken urgently before the BJP reaps an electoral harvest, by openly exploiting the religiosity of our Hindu citizens and by appealing, without let or hindrance, to their religious sentiments and by bringing out into the open the under-currents of communalism that, thanks to our history, our educational system and our politics, unfortunately continue to flow across our mental loudspeaker.

And one final appeal to the Hon'ble Judges of the Supreme Court. Please act as judges and interpret our Constitution and our Laws. Please do not set yourself as an academic teachers or political theorists or religious pundits. No more obiter, if you please!

New Delhi
1 January, 1996



SYED SHAHABUDDIN

Supreme Court Upholds Electoral appeal to Hindutva and Hinduism

Relevant Extracts from Full Bench Judgement in Thackeray Case

... The next contention relates to the meaning of 'Hindutva' and 'Hinduism' and the effect of the use of these expressions in the election speeches.

We have already indicated the meaning of sub-section (3) of Section 123 of the R.P. Act and the limit of its operation. It may be said straightaway that any speech wherein these expressions are used, irrespective of their meaning, cannot by itself fall within the ambit of sub-section (3) of Section 123 unless the speech can be construed as an appeal to vote for a candidate on the ground that he is a Hindu or to refrain from voting for a candidate on the ground of his religion, i.e., he not being a Hindu. We have also indicated that mere reference to any religion in an election speech does not bring it within the net of sub-section (3) and/or sub-section (3A) of Section 123, since reference can be made to any religion in the context of secularism or to criticise any political party for practising discrimination against any religious group or generally for preservation of the Indian culture. In short, mere use of the word 'Hindutva' or 'Hinduism' or mention of any other religion in an election speech does not bring it within the net of sub-section (3) and/or sub-section (3A) of Section 123, unless the further elements indicated are also present in that speech. It is also necessary to see the meaning and purport of the speech and the manner in which it was likely to be understood by the audience to which the speech was addressed. These words are not to be construed in the abstract, when used in an election speech.

Both sides referred copiously to the meaning of the words 'Hindutva' and 'Hinduism' with reference to several writings. Shri Jethmalani referred to them for the purpose of indicating the several meanings of these words and to emphasise that the word 'Hindutva' relates to Indian culture based on the geographical division known as Hindustan, i.e., India. On the other hand, Shri Ashok Desai emphasised that the term 'Hindutva' used in election speeches is an emphasis on Hindu religion bawaring no relation to the fact that India is also known as Hindustan, and the term can relate to Indian culture. ...

When we think of the Hindu religion, we find it difficult, if not impossible, to define Hindu religion or even adequately describe it. Unlike other religions in the world, the Hindu religion does not claim any one prophet; it does not worship any one God; it does not subscribe to any one dogma; it does not believe in any one philosophic concept; it does not follow any one set of religious rites or performances; in fact, it does not appear to satisfy the narrow traditional features of any religion or creed. It may broadly be described as a way of life and nothing more. ...

We have already indicated that the usual tests which can be applied in relation to any recognised religion or

religious creed in the world turn out to be inadequate in dealing with the problem of Hindu religion. Normally, any recognised religion or religious creed subscribes to a body of set philosophic concepts and theological beliefs. Does this test apply to the Hindu religion? ...

... No precise meaning can be ascribed to the terms 'Hindu', 'Hindutva' and 'Hinduism', and no meaning in the abstract can confine it to the narrow limits of religion alone, excluding the content of Indian culture and heritage. It is also indicated that the term 'Hindutva' is related more to the way of life of the people in the sub-continent. It is difficult to appreciate how in the face of these decisions the term 'Hindutva' per se, in the abstract, can be assumed to mean and be equated with narrow fundamentalist Hindu religious bigotry, or be construed to fall within the prohibition in sub-sections (3) and/or (3A) of Section 123 of the R.P. Act. ...

... The word 'Hindutva' is used and understood as a synonym of 'Indianisation' i.e., development of uniform culture by obliterating the differences between all the cultures co-existing in the country...

Thus, it cannot be doubted, particularly in view of the Constitution Bench decisions of this Court that the words 'Hinduism' or 'Hindutva' are not necessarily to be understood and construed narrowly, confined only to the strict Hindu religious practices unrelated to the culture and ethos of the people of India, depicting the way of life of the Indian people. Unless the context of a speech indicates a contrary meaning or use, in the abstract these terms are indicative more of a way of life of the Indian people and are not confined merely to describe persons practising the Hindu religion as a faith. Considering the terms 'Hinduism' or 'Hindutva' per se as depicting hostility, enmity or intolerance towards other religious faiths or professing communalism, proceeds from an improper appreciation and perception of the true meaning of these expressions emerging from the detailed discussion in earlier authorities of this Court. Misuse of these expressions to promote communalism cannot alter the true meaning of these terms. The mischief resulting from the misuse of the terms by anyone in his speech has to be checked and not its permissible use. It is indeed very unfortunate, if in spite of the liberal and tolerant features of 'Hinduism' recognised in judicial decisions, these terms are misused by anyone during the elections to gain any unfair political advantage. Fundamentalism of any colour or kind must be curbed with a heavy hand to preserve and promote the secular creed of the nation. Any misuse of these terms must, therefore, be dealt with strictly.

It is, therefore, a fallacy and an error of law to proceed on the assumption that any reference to Hindutva or Hinduism in a speech makes it automatically a speech

based on the Hindu religion as opposed to the other religions or that the use of words 'Hindutva' or 'Hinduism' per se depict an attitude hostile to all persons practising any religion other than the Hindu religion. It is the kind of use made of these words and the meaning sought to be conveyed in the speech which has to be seen and unless such a construction leads to the conclusion that these words were used to appeal for votes for a Hindu candidate on the ground that he is a Hindu or not to vote for a candidate because he is not a Hindu, the mere fact that these words are used in the speech would not bring it within the prohibition of sub-section (3) or (3A) of section 123. It may well be, that these words are used in a speech to promote secularism or to emphasise the way of life of the Indian people and the Indian culture or ethos, or to criticise the policy of any political party as discriminatory or intolerant. The Parliamentary debates, including the clarifications made by the Law Minister quoted earlier, also bring out this difference between the prohibited and permissible speech in this context. Whether a particular speech in which reference is made to Hindutva and/or Hinduism falls within the prohibition under sub-section (3) or (3A) of Section 123 is, therefore, a question of fact in each case.

This is the correct premise in our view on which all such matters are to be examined. The fallacy is in the assumption that a speech in which reference is made to Hindutva or Hinduism must be a speech on the ground of Hindu religion so that if the candidate for whom the speech is made happens to be a Hindu, it must necessarily amount to a corrupt practice under sub-section (3) or sub-section (3A) of Section 123 of the R.P. Act. As indicated, there is no such presumption permissible in law. ...

(Source: The Organiser, 24 December, 1995)

CPI(M): Politbureau Statement

The Supreme Court bench has also opined that appeals based on Hindutva and Hinduism do not constitute an appeal to religion or against any other religious group. The whole approach is a narrow one which does not consider the specific context in which the Hindutva platform is used to incite feelings against the minorities and to advocate a Hindu state. It is this approach which has led to the quashing of the Bombay High Court's adverse verdict on the speeches of Ramabhar.

The Polit Bureau of the CPI(M) considers the Supreme Court judgement, in its totality, an ambiguous one on the question of the use of religion for electoral purposes, even though the bench has decried the misuse of religion during elections. It will provide encouragement for the use of religion for political ends. It, therefore, becomes necessary, to review the provisions of the RP Act in this connection to ensure that no legal ambiguity exists in defining and prohibiting the use of religion for electoral purposes.



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A.G. Noorani on Supreme Court Verdict on Hindutva

The two judgements pronounced on December 11 by Justice J.S. Verma, on behalf of himself and Justices N.P. Singh and K. Venkataswami of the Supreme Court in the election appeals by Bal Thackeray and Manoj Joshi, caused ... surprise and disquiet... overtaken by shock and concern for the future of India's secularism and, no less, its judiciary....

Five features of the judgement stand out boldly and alarmingly. One is that Justice Verma equates Hindutva with Hinduism... There are millions of devout Hindus who have always rejected Hindutva. Gandhi was foremost among them. In 1923, his staunch foe, the Hindu Mahasabha leader V.D. Savarkar, wrote a pamphlet propounding the two-nation theory. It was entitled "Hindutva: Who is a Hindu?"...

A second and authoritative edition appeared in 1942. Its publisher S.S. Savarkar, wrote in the preface: "Apart from the religious aspect involved in the conception of the words 'Hindu' and 'Hinduism', Veer Savarkar had to coin some new words such as 'Hindutva', 'Hinduness', 'Hindudom' in order to express totality of the cultural, historical, and above all the national aspects along with the religious one, which mark out the Hindu People as a whole. The definition is not consequently meant to be a definition of Hindu Dharma, or Hindu religion. It is a definition of 'Hindutva', 'Hinduness'. It is essentially national in its outlook and comprehends the Hindu People as a Hindu-Rashtra - a Hindu State". This newfangled and pernicious doctrine was taken over by the RSS, the Jan Sangh and the BJP. It is diametrically opposed to the great religion of Hinduism. Hinduism is ancient. Hindutva is modern. The former is a matter of faith. Hindutva belongs to sordid expediency.

The second feature of Justice Verma's judgement is its gloss on Hindutva in order to purge it of its current and established meaning, give it a benign one, and put on it the imprimatur of the approval of the country's highest court.

The third is that, in the process, he has gone to the length of legitimizing the Jan Sangh's notorious campaign launched in 1969 for "Indianization". It was denounced by Jayaprakash Narayan and by all the political parties represented at the National Integration Council (NIC), except the Sangh. Everyone knew that it was a dishonest euphemism for Hinduization. Yet, writes Justice Verma, "the word 'Hindutva' is used and understood as a synonym of 'Indianisation'". This is written in approval of both; not in censure.

The fourth feature is a selectivity in quotation which would have earned censure even for a partisan or an advocate but is utterly unworthy of a judicial pronouncement.

The last feature is that none of this was required of the Bench at all. Justice Verma's elaborate disquisition on who a Hindu is, what constitutes Hindutva and the rest

was totally unnecessary for deciding the cases. It was pure obiter. But the obiter was pronounced consciously, with effort and in gross error. It is worse than wasteful. It is productive of grave public harm.

Even on the basis of the Court's benign construction, the three impugned speeches of Mr. Thackeray were considered offensive enough to be regarded as "corrupt practices" under Section 123(3) of the Representation of the People Act, 1951. It forbids appeal by a candidate or by any other person with his consent or his election agent to vote or refrain from voting for any person "on the ground of his religion, race, caste, community or language or the use of, or appeal to religious symbols' for electoral ends. One of the three speeches was held to be violative also of sub-section (3A) which forbids promotion of "feelings of enmity or hatred" between citizens on those grounds by those persons.

Surely, if even on the most favourable and narrowest construction of the law Mr. Thackeray's pronouncements were violative of it, the case could well have been disposed of accordingly without venturing into such issues as who a Hindu is and what Hindutva means. The same holds good in the ... appeal of the Chief Minister of Maharashtra, Mr. Manohar Joshi. Most of the judgement deals in his case with technical questions of limitation, pleading and proof, leaving just one speech proved against him. He had said on February 24, 1990 in Bombay that "the first Hindu State will be established in Maharashtra"

'A Hope'

Justice Verma observes: "In our opinion, a mere statement that the first Hindu State will be established in Maharashtra is by itself not an appeal for votes on the ground of his religion but the expression, at best, of such a hope. However, despicable be such a statement, it cannot be said to amount to an appeal for votes on the ground of his religion. Assuming that the making of such a statement in the speech of the appellant at that meeting is proved, we cannot hold that it constitutes the corrupt practice either under sub-section (3) or sub-section (3A) of Section 123, even though we would express our disdain at the entertaining of such a thought..."

Election candidates do not waste time expressing hopes in order to titillate the electorate. They know that its vote will be given against promises and pledges. "Will be established" is not an expression of hope but a pledge by a Shiv Sena leader at a meeting in a predominantly Hindu locality. If this is not seeking votes "on the ground of his religion", what is? -

And, if this be the law, there is nothing to prevent an Akali candidate from running an election campaign on the plank of a Khalsa state or a Kashmiri from advocating an Islamic state with all that these imply. In one fell blow, the wall of separation which the Founding Fathers built so laboriously to keep religion and politics apart is

destroyed. Elections can be fought to make India a theoretic state. ...

... Hinduism may be hard to define. Not so Hindutva; unless, of course, one identifies it with Hinduism. Justice Verma does just that: "ordinarily, Hindutva is understood as a way of life or a state of mind and it is not to be equated with or understood as religious Hindu fundamentalism". Has the BJP extended time, effort and money all these years to espouse "a way of life"?

... Any authority in support of this weird conclusion? Yes, there is. In the very next sentence, Justice Verma proceeds to quote it. The quotation and his inference deserve to be set out in full.

National Unity

"In 'Indian Muslims - the Need for a Positive Outlook' by Maulana Wahiduddin Khan (1994) it is said: 'The strategy worked out to solve the minorities problem was, although differently worded, that of Hindutva or Indianisation. This strategy, briefly stated, aims at developing a uniform culture by obliterating the differences between all of the cultures co-existing in the country. This was felt to be the way to communal harmony and national unity. It was thought that this would put an end once and for all to the minorities problem.'"

From this Justice Verma concludes: "The above opinion indicates that the word 'Hindutva' is used and understood as a synonym of 'Indianisation', i.e., development of uniform culture by obliterating the differences between all the cultures co-existing in the country." ...

... Far from supporting the learned Judge's conclusion, the quote refutes it thoroughly. It was not in praise of Hindutva or its euphemism "Indianization" but in their censure... Unlike Justice Verma who quotes this to imply approval of this process, the Maulana disapproved of it. He is for the co-existence of "all of the cultures" in our diverse land. ...

As for the Indianization, the Standing Committee of the NIC adopted a statement, on October 16, 1969, which said: "We condemn the spread of the idea that any community requires to be Indianised..." An all-party conference was convened under its auspices on November 3, 1969, with the Prime Minister, Indira Gandhi, in the chair. It denounced Indianization. The Jan Sangh alone opted out. Indianization was a subterfuge. As a Sangh leader then put it, Indian culture "is essentially Vedic Hindu culture", and "every Indian, whatever his religion may be, is a Hindu". The Sangh and its successor the BJP's nationalism is not territorial but cultural in basis. "The Indian nation is basically a cultural unit and not a political unit." Not everyone born in India is an Indian. He is an Indian who subscribed to the "Indian Culture", which is "the essentially Vedic Hindu culture" and such an Indian is a Hindu "whatever his religion may be". There was no room for any other culture. The Sangh's policy statement declared "any talk of composite

culture... is not only untrue but also dangerous, for it tends to weaken national unity and encourage fissiparous tendencies".

Acceptance of India's composite culture is at the heart of the concept of secularism. Without it, secularism is reduced to a husk. The RSS supremo, M.S. Golwalkar, was blunt: "The one hope of redemption is nationalism which, in the case of Hindusthan, is Hinduism", he said on February 22, 1970.

... V.D. Savarkar's definition of the Hindu in 1923... spread on the title page of (his) book: "A Hindu means a person who regards this land of Bharatvarsha, from the Indus to the Seas, as his Father-Land as well as his Holy-Land that is the cradle land of his religion".

By this definition no one whose religion originated outside India - Islam, Christianity, Zoroastrianism and Judaism - can be a Hindu. Hinduism is a noble religion, an outlook on life. Hindutva is politics of the fascist variety.

Justice Verma is altogether wrong when he holds that the Court's earlier rulings support his view that "the words 'Hinduism' or 'Hindutva' are not necessarily to be understood and construed narrowly.

... "If the camel of Hindutva is swallowed, it is no consolation that the gnat of its "misuse" is strained at.

Helpful Test

But there is a most helpful test which Justice Verma himself propounds: "It may well be that these words are used in a speech to promote secularism or to emphasize the way of life of the Indian people and the Indian culture or ethos, or to criticize the policy of any political party as discriminatory or intolerant". Indeed. Has anyone ever come across a member of any of the non-BJP parties - the Congress(I), CPI(M), CPI, Janata Dal and the rest - who has used the slogan of Hindutva "to promote secularism"? Only an argument as laboured and fanciful as this can support the conclusion Justice Verma drew.

His "fervent hope that our observation has some chastening effect in the future election campaigns" is groundless.. No one reading the newspapers could be in any doubt as to what the ruling spells - it permits use of the Hindutva plank in the Lok Sabha elections; a plank which has already exacted a heavy toll in human blood.

The ruling conflicts with the Court's view in S.R. Bommai's case that secularism is part of the basic structure of the Constitution...

The Constitution itself indicates that the word "Hindu" is not synonymous with the word "Indian" (Article 25, Explanation II). To regard Hinduism as "indicative more of a way of life of the Indian people" is to obliterate the distinction and rob the concept of secularism of all content, leaving its husk to remind Indians of what was once a secular state.

That shall not come to pass. The ruling - uncalled for and untenable - deserves a speedy burial before its consequence lead to the burial of whatever remains of Indian secularism.

(Source: The Statesman, 26 & 27 December, 1995)

Jaffer Sharief's Resignation from Cabinet

The HindustanTimes Report, 22 November

...President S.D. Sharma accepting Mr. C.K. Jaffer Sharief's resignation from the Union Cabinet on the advice of the Prime Minister. Mr. Sharief's resignation was announced by the Rashtrapati Bhawan today...

... Individuals ... not matter. Whether the Muslims will vote or not vote (for the Congress) will depend on different issues altogether. It will depend on the problems of the Muslims, their security and economic needs...

... The Congress had given the 'go-by to aggressive secularism'. He said he saw some distortion in the secularism practised by the party now as compared to the days of Pandit Jawaharlal Nehru, Indira Gandhi and Rajiv Gandhi. "The Government is irrelevant. Its tenure will be for three or four months. What is more important to me is to educate the people and build a strong and secular polity of the nation"... More than jobs the minorities were worried about safety, honour and dignity and they were looking for people who would ensure that.

"There is no point in saying something for the sake of it. The Prime Minister or the Home Minister or those at the helm should address themselves to the issue of building confidence (among minorities). That is where aggressive secularism is required"...

UNI Report, 22 November, 1995

... The 'aggressive' secularism pursued by Prime Ministers belonging to the Congress in the past, had somewhat been diluted.

This was because some elements in the party spoke both ways. If the party could get rid of such elements, it still had a future.... People at the helm of affairs, be it the Prime Minister or the Home Minister (should) address themselves to the problems of minorities.

The Babari Masjid demolition had hurt them both "religiously and physically. We have to build their confidence in us"... Now that (I am) free from ministerial responsibility, I would educate the people on the need to strengthen secularism. We have to work for secular polity. I would continue to be in the party if he was needed.

The minorities would look for safety, security, dignity and honour for them from a political party. That was why leaders like Laloo Prasad Yadav in Bihar and Mulayam Singh Yadav in UttarPradesh were looked upon as saviours. ...

Mr. Sharief said (I am) a 'small man' and could not claim to be a spokesman for minorities. No party, including the Congress had opposed the statement of Bharatiya Janata Party chief L.K. Advani on the need for a relook at the Constitution. ...

Out at Last

Editorial, The Hindustan Times, 24 Nov. 1995

Except Mr. Jaffer Sharief, few would shed tears over his exit from the Union Cabinet... A Union Minister cannot afford to adopt a sectarian approach in politics. By taking up the cause of the Muslims too often, Mr. Sharief had shown his eagerness to emerge as a leader of the community to which he belongs. In other words, he got himself too much involved in vote-bank politics. If each Minister plays the role of a defender of his community, the main casualty will be his national perspective. Mr. Sharief had also gone wrong in ... during the fag end of his career as Minister posing threats to the Prime Minister, maybe indirectly, that the Muslims would turn against the Congress if he was not retained in the Cabinet... The prerogative of the Prime Minister to appoint or sack his Cabinet colleagues is unquestionable in a parliamentary democracy. Mr. Sharief had also made himself more vulnerable politically by not promptly resigning when the Prime Minister had deprived him of the ... portfolio of Railways... It is still early to write him off politically. In ... Karnataka, he still enjoys some clout... The Congress needs support from all sections... It cannot afford to antagonise even Mr. Sharief...

Down, but not out

Editorial, The Patriot, 25 November, 1995

The resignation of Mr. C.K. Jaffer Sharief, Minister without portfolio, was not unexpected... Obvious.. was Mr. Sharief's patently sectarian approach of fanning Muslim sentiments and using that as a crutch to put pressure on Mr. Rao. Indeed, he was only too aware of his community's anti-Congress feelings following the Ayodhya disaster of December 1992. The former Union Minister for Railways... was probably looking for an appropriate moment to play the Muslim card again. Astutely, he rued the abandonment of 'aggressive secularism' typified by the Nehru-Gandhi family, by the present run of Congress leadership. No doubt, Mr. Sharief wanted to kill two birds with one stone.

Mr. Sharief's action may be a cause of concern for the Congress... which, by and large, has lost its Muslim vote-bank. It is also likely to win him the sympathy of his co-religionists... The political scenario in his home State, Karnataka, may have been yet another consideration... In Karnataka, where the JD is in power and the BJP has emerged as the second major opposition, Mr. Sharief would like to win the backing of his community... Alignment and realignment of forces are normal features of democratic politics... It might be unwise to write him off. He is a political player of some standing and needs to be watched.

A Chadar will not Buy Muslim Votes for Congress

Iqbal Masud in *The Pioneer*, 11 December, 1995

... Will Mr. Narasimha Rao's chadar make Muslims forget the humiliation of Babari Masjid and the following genocide? They may do so for other reasons but hardly because of the chadar. They know it, Mr. Rao knows it. But the ritual must be gone through. Why this farce and hypocrisy? ...

... Nirad C. Chaudhuri (Autobiography of an Unknown Indian)... says of Hindu perception of Muslim round about the Swadeshi Movement of 1906. "First, we felt a retrospective hostility towards the Muslims for their one-time domination of us, the Hindus; secondly, on the plane of thought we were utterly indifferent to the Muslims; thirdly we had friendliness for Muslims of our own economic and social status with whom we came into personal contact. Our fourth feeling was mixed concern and contempt for the Muslim peasants whom we saw in the same light as our low caste peasant, in other words, as our livestock". Remarkable. Give or take a phrase or two from the description of 90 years, is not 1906 the same as 1995? Are these not the same feelings engendered by the Sangh Parivar propaganda against Muslims in the 1990s?

But to get back to 1906, Chaudhuri points out how both, Bengal renaissance and the Swadeshi Movement, did not have a place for Muslims. "The renaissance was a feast to which the Muslims were not invited". Of all the "Muslim watchers" in India, Chaudhuri has been the most probing and insistent, though biased. He blames the post-1947 Muslim plight on their "fighting" and "winning" a lost cause in 1947. In the *Continent of Circe* he has a whole chapter on Muslims: "The Least of the Minorities". He begins the chapter by apostrophising a Muslim lady in burqa (veil): "Lady, your whole community was under a veil." It is the most ruthless analysis of Muslims in India I have read. And in their heart of heart most non-Muslim leaders of all parties agree with it. Why cannot the Muslims make an effort to integrate?

Cycle of Hostility

Chaudhuri points out that the Hindu-Muslim relationship is not bilateral but trilateral. Pakistan and now Jammu & Kashmir has come into it. A silent accusatory finger is pointed at Muslims when the US steps up aid to Pakistan or "militants" in Jammu & Kashmir. At the end of the powerful chapter, Chaudhuri calls Indian Muslims a "lost cause". Why is the "lost cause" being wooed today? Now the differences between 1906, 1947 and 1995 have to be established.

The basic "divide" from 1906 onwards (was) accentuated by the impending departure of the British. This trend reached its climax in 1947 with well-known results. The post-1947 Congress policy towards Muslims did not really depart from the "lost cause" analysis. But for electoral reasons it sought to sweeten the pill for Muslims.

By and large the Congress after 1947 followed the

British pattern as far as the Muslims were concerned. That is, secure a minimum degree of physical security for them... Gradually the police all over India became anti-Muslim in mental approach. It was "them" as separate from "us" - an expression I heard as early as in 1947 in Madras. It was not used in a hostile fashion but casually as a statement of fact. So in riots the Muslims increasingly got it in the neck. But a show had to be made of affirmative action. In fact, Nehru wanted "mass contact" with Muslims as early as in 1937: This phrase showed the Muslims were outside the pale of Nehruvian thought as much as the Bengal renaissance masters'. In *Thy Hand, Great Anarch* (p.465-71), Chaudhuri details the farce which resulted when the aristocratic Sarat and Subhas Chandra Bose invited the maulanas to their house in obedience to Nehru's command... I realised how expertly Chaudhuri had caught the difference between "Hindus" and "Muslims". Nehru after 1947 had become totally anti-Pakistan! Thus began the dreary cycle of hostility which continues today. No special attempt was made to improve the lot of Muslims.

No Forgetting Babari Masjid

Indira Gandhi sought to use Muslims, hence the famous 15-Point Plan, etc. Mrs. Gandhi used to ask Muslim ministers mechanically: "Well, what have you done for Muslims?" without really expecting enlightenment. She gave general directions to increase Muslim employment but they were never so precise that they could not be got around. Perhaps, that was her intention...

The Rajiv Gandhi Government saved Muslim Personal Law but gave away Babari Masjid. The Rao Government collaborated by inaction in its destruction and also in the genocide which followed. Now the Muslims are told: "Take the chadar, keep your personal law, forget all about the past and vote for us."

Despite the non-Muslim total indifference/ignorance of Muslim psychology (as charted by Chaudhuri), does Congress believe this elementary therapy will work? Sharad Pawar reportedly said brutally to a friend at the last Assembly elections: "The Muslims have no alternative." That is the silent assumption behind the chadar. Two questions arise: One, Is the Muslim vote really "critical"? Two, Are the Muslims going to vote en bloc? My answer is negative on both counts. With the kind of drive now being mounted by the BJP, ... the Muslim vote might become non-critical, unless, of course, substantial dissent arises on the non-Muslim side because of the caste factor.

Secondly, I doubt if the Muslims will vote en bloc... The Muslims will not forget Babari Masjid or the genocide. But this generation has a life to lead.

So they will vote for their interests...

A chadar will not buy them now.

Olga Tellis on BJP National Convention

If all the Bharatiya Janata Party wanted to do was to prove that it is a party with a mass base and to infuse confidence in its units, that objective was successfully achieved through the party's three-day, Rs. 5 crore mahadhivshan (plenary session) at the Mahalaxmi Race Course.

But apart from this, there was no indication, in the party's political or economic resolution, that the BJP is readying to take over the reins of power in New Delhi. ...

... Though the scene at Mahalakshmi was one of camaraderie, many commented on the low profile of former party president Dr. M.M. Joshi. It was mostly Advani and Vajpayee all the way. Political observers felt this did not augur well for the party's unity...

According to these observers, a piqued Dr. Joshi always seemed to take a stand opposite to that of Advani, probably to gain attention. They felt if Advani and Vajpayee could find a way to work as a triumvirate (or a trishul, as the more militant Hindutva protagonists would say), it would be more beneficial to the party ...

Long time party workers also continue to be sore about the fact that "infiltrators into the party are straightaway made members of the national executive". They cite the instance of Ramkrishna Vikal of Uttar Pradesh, an old Congress hand who joined the BJP and was made a member of the executive.

Similarly, a retired chairman of Coal India Limited, sundry retired generals, former comptroller and auditor general T.N. Chaturvedi, former Maharashtra chief secretary P.G. Gavai, and IAS and IFS officers like J.C. Jetley and Brijesh Mishra respectively, have all been inducted into the national executive.

The workers claimed that almost 40 per cent of the national executive is now made up of such 'outsiders'.

While there may not be much dispute about the competence of these recruits, the workers' grouse is that these people enjoy high positions in government till the age of retirement then move to high positions in the party and clamour for Rajya Sabha seats, leaving hard-working and sincere activists high and dry.

Another instance cited in this regard is Yashwant Sinha who... was even assigned the task of moving the ... economic resolution.

The workers' main worry is that if the party is seen as a definite winner in next year's Lok Sabha elections, more such fair-weather friends will clamour to be let in.

Some of the delegates were also worried that "no remedial measures were in sight to retrieve discipline in the states where there is intense infighting". Many felt there was an urgent need for better co-ordination between

the government and the party at the state level, and some sort of mechanism at the central level to constantly monitor and evaluate the functioning of the state governments and legislators.

Many delegates this reporter spoke to felt there should be a vigilance committee, like the disciplinary committee, to keep a close watch on the lifestyle of party MLAs and MPs, and to look into complaints against these elected representatives.

All agreed that the party's most important Lok Sabha poll plank would be the performance of its four state governments... That will be the acid test that will show the electorate how, if at all, the BJP is different from the Congress.

(Source: The Sunday Observer, 19 November, 1995)

SS: Views of Bal Thackeray

On Kashmir Problem:

On Kashmir, BJP opposed elections, but also said if elections take place they will take part in it. If you ask me. I will say, no elections till the Kashmiri Pandits can go back and cast their votes. That's why I said the BJP is trying to eat sugar and chillies together.

We should give the army a free hand. Now it's like giving them Sten guns without bullets. Pakistani extremists have encroached upon our land, and it is our right to retaliate and protect our sovereign state. Shoot them, kill them. No dialogue, not even with Yasin Malik. People must feel the pinch that there is a government. Or we are helpless, raped by everybody. We have a prime minister, we have a home minister, so why should we move like orphans without parents? ...

On Personal Threat

My Shiv Sainiks have thrown a challenge to Dawood that if you want, come here, rather than sit in Dubai and hire some supari killers from there. I am well protected by my Shiv Sainiks, they are my real bullet-proof jacket... If anything happens to me this whole country will go up in flames. You can put it in writing and I will sign it. There will be anarchy. It is not that easy to finish me. And if they do it, Dawood or anybody, we have a human bomb which will blast the country. And the civil war will start not in 1998, as I have predicted, but immediately. I have told my boys to be ready. They will go berserk if anything happens to me. If they touch me it will flare up throughout the country. It will be disastrous for everybody...

On Nationalism

My Hinduism is nationalism, not communalism. I am proud of being a Hindu.

(Source: The India Today, 15 December, 1995)

CPI(M) Leader Prakash Karat On UP Civic Poll Results

The UP civic polls ... underscore the following tasks for the Left and secular forces:

- 1) There has to be more serious efforts to forge wider unity among all the secular opposition forces.
- 2) Both the SP and JD has to set aside their subjective prejudices so that a full understanding and adjustment can be worked out between themselves and with the Left parties. The important step initiating the unity of the SP and JD must be carried forward.
- 3) A joint campaign must be taken up by all the secular and Left forces to mobilise the people against the communal forces.

It is in this direction that the electoral tactics to defeat the BJP must be shaped.

(Source: The People's Democracy)

Smita Gupta in The Times of India

The BJP emerged as the clear winner in the just concluded three-tier civic polls in U.P. But despite the division in the non-BJP vote, there was no arithmetical swing in favour of the party. For instance, in eight of the 11 cities in which it won mayoral contests, the sitting MPs are also from the BJP. And in elections to the city boards (nagar palika parishads), it won less than a third of the chairpersons' seats, while in the town areas (nagar panchayats), its score fell to approximately one fourth.

So while the results of these polls - which covered about 206 of the 425 assembly seats or 41 of the Lok Sabha seats 0 has come as a morale booster for the party, they do not represent any increase in its strength on the ground. These polls have also underlined the extent to which the Congress has been decimated in the state - in the 1990 mayoral elections, the Congress won nine of the 11 seats and the BJP only two (Agra and Bareilly).

Another fact that emerges from these results is that while the SP remains the second strongest force in the state, the "truncated" BSP cannot yet be written off - it finished third, ahead of the JD, the two left parties and the two factions of the Congress.

These results are bound to have an impact on the unity talks going on among the constituents of the Third Front. Though voting percentages are not yet available, it is evident that the Janata Dal's claims in the state have been put to severe test and the arguments of the pro-Bahujan Samaj Party element in the party have been proved right - the BSP has made a good showing in western UP (with quite a few Muslim candidates) where neither the SP nor the JD have much of a base.

As JD ideologue Surendra Mohan puts it, "The BJP has always been strong in the big cities. But if there had been a JD-SP-BSP combination in the kasbas and mofussil areas (i.e. for the nagar palika parishads and nagar panchayats), the results could have been different. If these parties wish to learn a lesson, it is that the BJP

CPI: National Executive, 22-23 November, 1995 (Political Resolution) BJP's Maha Adhiveshan

The BJP's Maha Adhiveshan had the calculated objective of making an all-out bid for power, and putting itself forward as the only party which is bound to take over after the poll.

Trying to camouflage its aggressive "Hindutva" it has now put on a new face given a broad-based name for it, viz, 'cultural nationalism' though it cannot of course deny the original product. The five components of this 'cultural nationalism' ultimately boil down to the following scrap article 370, reject Kashmir package, uniform civil code, stop Bangladeshi influx, build Ram temple (to be followed by Mathura and Varanasi, though they are not now on the agenda). ...

Events have however shown up the weaknesses of the BJP and demolished their claim to be a 'different type of a party', a cadre-based and value based party. Dissidence and inner conflicts, leading to violence, resignation and so forth have caught up with it fast in all states where it matters and pins its hopes.

The BJP's relations with its allies also give no ground for comfort to it. It will hold on to its alliance with the Shiv Sena at any cost, but the latter is everyday taking pot shots at it, and taunting it for "toning down the saffron colour". Its hope of taking advantage of the support to the BSP government has backfired...

Its laboured attempt at posing that politics now is 'either BJP or anti-BJP' come up against the growing reality of a third alternative which is both against the Congress and BJP, and the fact that it has not much of a presence in the eastern and southern states. As to its Ashwamedh, it is being said that if wishes were horses, then perhaps the BJP could ride to power.

Efforts to Fore Third Alternative

The National Executive analysed the political developments... The situation in general is fast changing. It continues to be complex and in a flux. Efforts to achieve the national objective of defeating Congress and BJP and projecting viable left-democratic-secular alternative is to be pursued sincerely taking the specific concrete situation in each state.

The CPI will take all possible initiatives to interact with other left, democratic and secular forces to sort out the issues as early as possible. ...

(Source: The New Age, 3-9 December, 1995)

can be stopped by an all-out effort."

Is this an indication that the Muslim vote is not totally with the SP, as it claims? Mr. Mohan says that while the BSP's winning Dalit-Muslim combination in parts of western UP "have not appeared elsewhere, it will be difficult for Mulayam Singh to sustain the claim that he has the entire Muslim vote. It means it will be difficult to keep the BJP in check unless the BSP is involved."

(Source: The Times of India, 1 December, 1995)

UP Civic Election

National Press on BJP's Good Showing

'No' to Caste-based Politics

Editorial, The Patriot

... The majority of the candidates elected - as many as 70 per cent - are independents... As far as parties are concerned, the BJP has emerged as number one... The Samajwadi Party of former Chief Minister Mulayam Singh Yadav and the Bahujan Samajwadi Party of Mr. Kanshi Ram have been badly mauled... The Congress as well as the Congress-T stand nowhere. The BJP has bagged the majority of the Mayoral positions in the 11 Municipal Corporations, including ... Lucknow... of the newly-elected members of the Lucknow Municipal...

The UP civic elections are quite significant and can rightly be described as mini-general election in view of the fact that it entailed filling up as many as 11,000 seats of presidents and members of various categories of local bodies from among 48,000 candidates all over the State. With as many as 1.84 crore voters participating and the turn-out ranging between 70 and 95 per cent, it was undoubtedly a massive exercise which may indicate the trends likely to be witnessed during the forthcoming Lok Sabha and Assembly elections in the State...

The poll outcome must have come as a damper to the ambitions and political intrigues of Mr. M.S. Yadav who is busy making electoral alliances.... Thanks to another former Chief Minister Ms. Mayawati, her BSP is in no better a position either. The near rout of the Congress must have come as another shock to its leaders and the rank and file. The poll outcome makes it clear that the people are fed up with caste-based politics and if they voted for independents or the BJP as the second choice, it was because there was none at position number one.

BJP's Success

Editorial, The Indian Express, 29 Nov., 1995

The BJP has reasons to be satisfied with the outcome of the recent civic elections in Uttar Pradesh. Although the party was always known to have considerable influence in the urban areas, the results from the various nagar palika parishads and nagar panchayats are bound to act as a morale booster. ... Although the victory of a large number of independents, who will gradually reveal their true colours, has shown that the BJP has not had its way everywhere, even then it has done much better as a party than its main rivals in the field - the Samajwadi Party and the Bahujan Samaj Party. True, just as the BJP is largely known as an urban outfit, the strongholds of the SP and the BSP are mainly in the countryside, and only a contest encompassing both the sectors can give a correct picture of the State's political scene....

On their part, the SP and the BSP will have to take a long hard look at their own less than satisfactory performance. Even if it is acknowledged that they never had much of a presence in the towns, the outcome will

BJP Juggernaut

Editorial, The Pioneer, 30 November, 1995

... The BJP has come to acquire the position of pre-eminence in Uttar Pradesh politics. The results of the last two Assembly elections in the State have conclusively shown that the BJP has been able to forge itself as a viable first party - a position enjoyed by the Congress till a few years ago. Now, by winning eight of the 11 mayoral seats, 71 of the 196 chairperson's seats in the city boards, and 97 of the 418 seats in town areas; the Hindutva party has once again proved that it is the single largest party... It would not be easy... to explain away the civic election results by dubbing it as an "urban" party.

However, it would be equally wrong on the part of the BJP to view these results as an affirmation of its aggressive Hindutva ideology, or of its unclear stand on a host of issues, including Swadeshi... What has obviously helped it most is the disunity in the opposition ranks and the moribund state of the Congress organisation. The Janata Dal of 1989 does not exist any more... where... group led by Mr. Mulayam Singh Yadav has come to be regarded as the strongest in comparison with the Janata Dal and Samajwadi Janata Party (SJP) of Chandra Shekhar. Mr. Ajit Singh's joining the Congress may not have helped the party but it has certainly done harm to the Janata Dal. Mr. Singh's traditionally anti-Congress base among the western U.P. Jats and other backward castes had shifted to the BJP in the past Lok Sabha and Assembly elections. Now with him being in the Congress, there is not much hope that the JD or its offshoots can regain it...(though) SP and JD... have of late come closer. Mr. Yadav's optimism about straight contests between the BJP and a united opposition in the forthcoming Lok Sabha and Assembly elections does not look convincing.

The ... results are bound to give impetus to efforts of forging poll alliance among the non-Congress parties which are trying to forge a third force. However, the rift between the SP and the Bahujan Samaj Party (BSP) is a big impediment... Any effective antidote to the BJP can be formulated only if the leaders resolve to assign a secondary role to their ambitions and give first priority to defeating the BJP. Otherwise, nobody will be able to stop the Hindutva party's juggernaut.

probably make them realise that such verdicts often have a psychological impact on other segments of the population. It is not impossible that the collapse of the two successive coalition governments involving these two parties had affected their chances, especially since the BJP is quite adept at projecting itself as a stabilising force... Of the others, the Congress has shown that it continues to remain a party of virtually no consequence in India's largest State. The Janata Dal, too, is nowhere in the picture...

Samata Party: National Executive Resolutions, 9 December, 1995

On Confirmation of the Suspension of Shri George Fernandes, Shri Nitish Kumar and Ms. Jaya Jaitley from the Membership of the Samata Party

This meeting of the National Executive held at 1, Jantar Mantar Road, New Delhi on December 9, 1995 endorses the suspension and subsequent expulsion of Shri George Fernandes, Shri Nitish Kumar and Ms. Jaya Jaitley by the Acting President Shri Syed Shahabuddin with a deep sense of sadness particularly because this action had to be taken against Shri Fernandes who has fought all his life for the empowerment of the working classes of our country. We acknowledge his profound empathy for the struggles of the Indian people, without any consideration of caste, creed, gender, religion or even ideology. A wide cross-section of political activists ranging from the RSS to militant youth in Andhra Pradesh, North-East and Kashmir had deep regard and trust in his sense of justice. Democratic Socialist workers, whatever their party affiliation, had regarded him as one of the most courageous and dynamic leaders committed to the cause of socialism, i.e., an unambiguous commitment to secularism and the idea of equality in all spheres of existence: cultural, social, economic and political.

Since our defeat in the Bihar Assembly elections, Shri Fernandes was not the same person. On April 22-23, 1995, the national executive resolution stated:

“The National Executive believes that this situation is fraught with grave consequences, as it is out of such situations that seeds of fascism have sprouted elsewhere in the world. Only if all the socialist, democratic and secular forces come together to meet these challenges facing the nation will it be possible to steer the country to a safe destination”.

The resolution concluded by saying that:

While exploring the possibilities of creating a socialist and radical alternative through strategic and tactical alliances with parties committed to social justice and economic freedom, the Samata Party must devote its energies to organising the poor and exploited masses in urban and rural areas and leading their struggles against every form of injustice they are subjected to. It is only through such action will it be possible to fulfill our commitment to the people.

Shri Fernandes, since this meeting, showed little desire and will to implement this resolution. On July 30, the Samata Parliamentary Party pleaded with him to take initiatives to explore the possibility of a larger unity with

the National Front and the Samajwadi Party. Again Shri Fernandes did not act on this. Instead, he either ignored or tacitly endorsed the hobnobbing of Shri Nitish Kumar with the BJP. Patience, dialogue and moderation are important virtues of a democratic culture. This prevented us from precipitating any action against Shri Kumar. But all limits were surpassed when he alongwith Ms. Jaitley shared the dais of the BJP Convention in Bombay on November 9, 1995 as special guests of the BJP leadership. We were still hoping that Shri Fernandes would condemn and disown this event. Shri Harkishore Singh and Dr. S.S. Srivastava were therefore requested to meet Shri Fernandes to ascertain his position. We were shocked to learn that he asked them also to attend the BJP Convention. It was clear that this was a prelude to the announcement that Shri Fernandes, Shri Kumar and Ms. Jaitley would like to have an electoral adjustment with the BJP.

We are thus left with no option but to endorse the decision of the acting president to suspend Shri Fernandes, Nitish Kumar and Ms. Jaitley from the Party. We also authorise the acting President that if, within a week, we do not receive an unconditional apology from these three persons for their support to the BJP as well as a clear undertaking that they will not seek an electoral adjustment with a party that represents the most organised force of communalism and upper caste hegemony, then they will be expelled from the Party.

The glorious tradition of secularism as practised by a majority of our people, the statement of Principles of the Samata Party adopted on August 19, 1994 and the Resolutions of our National Executive leave us with no choice but to part company with those who are seeking a relationship with the forces of communalism and disunity in the country.

On the Reorganisation of the Samata Party

The Samata Party National Executive hereby appoints a reorganising committee comprising the acting president, the leader of the Parliamentary Party, the Secretary General (the chief whip in Parliament). The national executive directs the leader of the parliamentary party to ask all members to undertake a pledge that no member of the parliament would entertain the idea of an electoral adjustment with the BJP and its allied parties. The leader is also authorised to expel those members who refuse to give such an undertaking and to inform the Speaker of the Lok Sabha accordingly. The executive directs the reorganising committee to get a similar commitment from both the present and future office bearers of the Party.

Inder Malhotra on Samata Party's Crisis

... The Samata's current crisis, which has virtually torn it apart and might yet destroy it, is rooted in its shattering humiliation in the Bihar Assembly in March last. Mr. Kumar's renewed claims of doing in the forthcoming Lok Sabha poll what he could not achieve the last time are little more than empty bombast. His warning that if Mr. Laloo Yadav were allowed to "rig elections a second time" nothing would be able to "save Bihar from turning into another Kashmir", is also overblown rhetoric. Behind this smokescreen, Mr. Kumar and his cohorts, with full and loud backing from Mr. Fernandes, are really looking for some way to return to the Lok Sabha in April-May, 1996. But, then again, where is the sitting MP, regardless of party affiliations, who is not driven by precisely the same motivation?

Were this all the Samata's affairs, at times laughable and often lamentable, they would not have merited such attention. But what makes them noteworthy is that they are reflective of what is going on practically all across the political spectrum. The Samata leaders... are not alone in giving the crass search for personal or factional gain precedence over everything else, glorifying opportunistic and often shifting alliances as "political skill", and making out a cynical betrayal of longheld ideologies and ideals to be something akin to political virtuosity. In short, the Samata shenanigans need watching because they are not an aberration but part of a fast-expanding pattern that looks like embracing the entire Indian polity.

As the old Indian saying goes, there can be no clapping with only one hand. It takes two to tango. And why blame the Kumar-Fernandes faction of the Samata if the BJP is as happy to be its dancing partner as it is in seeking an anchorage in the Hindutva party?

On behalf of Mr. Nitish Kumar and his fellow-travellers, it can surely be argued that they are looking for any port in storm. They cannot be choosy. They know that in Bihar, unlike in UP, the BJP did not amount to much either in the 1991 elections or in those held earlier this year. But where else can they go? Having burnt their boats with Mr. Laloo Yadav, indeed earned his wrath, they cannot have any place in the Janata Dal. Nor is knocking at the door of the Congress as a viable option.

For one thing, as in UP, so in Bihar, the Congress(I) has been virtually decimated... It is no secret that Mr. P.V. Narasimha Rao is keeping open the possibility of some kind of electoral deals with the two Yadavs, Mr. Laloo Prasad in Bihar and Mr. Mulayam Singh in U.P.

Even this elaborate rationale of Mr. Kumar and his friends has not disposed of the glaring contradiction between his past commitment to secular ideals and his present eagerness to join hands with the BJP. In the Assembly elections only eight months ago, he had given the BJP a wide berth and made common cause with, of all

parties, the CPI (Marxist-Leninist). Now he is justifying his switch to the other extreme by quoting Kautilya's familiar dictum that an enemy's enemy is one's best friend.

And this brings me to the saddest part of the story which also underscores a dangerous weakness of the political party system in this country as a whole. There is absolutely no evidence to show that all the 14 Samata MPs ever sat together to discuss their strategy vis-a-vis the BJP. If the logic of shelter in the BJP camp is as strong as Messrs Kumar and Fernandes believe it to be, should they not have made an effort to persuade their colleagues before Mr. Kumar rushed off to the BJP's "massive rally" in Bombay at Mr. Fernandes's behest?

So much for the Samata. But what about the BJP and its calculations in Bihar? ... Behind the BJP's anxiety to embrace Mr. Kumar in Bihar lies its craven calculation that his pull with the Kurmi caste - accentuated by the feeling that Mr. Laloo Yadav has converted the State into not only "Lalooland" but also "Yadavland" - would enable the Hindutva party to widen its narrow base confined largely to the upper castes. This surely exposes as hollow the BJP's avowed objective of defeating the forces that, in the name of Mandal, are trying to divide the Hindu society along caste lines. That was what the Mandir card was all about. But when political expediency is all, who cares? ...

(Source: The Hindu, 25 November, 1995)

Vinod Sharma on BSP's Strength

... Even on an ideological plane, a strong case can be made out in favour of Mr. Kanshi Ram's presence in evolving third political force. The vote the BSP has retained in UP is secular and only the revival of the social alliance of OBCs, Muslims and Scheduled Castes, which existed when the SP-BSP coalition ruled the State, can effectively keep communal forces at bay.

Moreover, the BSP cut essentially into the traditional Congress support base among the Scheduled Castes to carve a constituency for itself. And in UP, its brief understanding with Mr. Mulayam Singh brought, for the first time, the OBCs closer to the SCs; a social alliance under tremendous strain since the fall of the SP-BSP Government in Lucknow.

"If the SP and BSP move together in the company of the JD", remarked a leader from Uttar Pradesh, "not only would the communal forces be defeated at the hustings but the weaker sections of the society would get closer to power". He felt that a viable Third Force can only be created by first identifying the secular forces and then bringing them together under a common banner or in pursuit of a common cause.

(Source: The Hindustan Times, 29 November, 1995)

Ajit Kumar Jha on Myth of Minority Votebanks

... Given a ten per cent or more Muslim population in 207 parliamentary constituencies, the Millat (community) appears to be almost in a position to make or break the fortunes of a political party... In the face of the impression that the Congress has virtually given up on the support of the Muslim community after the Babari Masjid demolition, whether the search for lost minority votes will bear some fruit largely remains an open question.

Monolithic?

Are religious communities monolithic in terms of their political preferences? Perhaps nothing is farther from truth. Every attempt to create a major national political party of the Muslims after independence has failed... With the impending general elections in 1996, old myths have begun masquerading in the guise of truth. The greatest of these is the phenomena of minority votebanks. Periodically revived by politicians, particularly at election time, this myth is also legitimised by biased pollsters and bad media analysts...

... Their voting patterns ... despite the communal consequences of the partition have been greatly intriguing. It is this conundrum that the votebank theory tried to address but ended up in communalising the discourse of election analysis.

Muslim voting behaviour pattern disproves the 'minorities as a monolith' hypothesis... If in the initial elections the percentages of Muslim voting for the Congress were somewhat higher than those of the majority community, this could have been the result of the partition, and the charismatic, secular appeal of Pandit Nehru... Between 1962 and 1971, Muslims voted more or less along the lines of the majority community.

The Congress - Muslim hiatus came with the excesses of Emergency in 1975, the formal separation following in the 1977 general elections... Right after 1977, the Muslim community moved back to the Congress... from 1977 to 1984 the Congress polled a lower percentage of votes in constituencies that had higher Muslim population content than others.

The explanation... lies in the growing division between the Ashraf and the Ajlaf, the forward and the backward classes among the Muslims. While the Congress could win back some of the Ashraf ... after 1977, the more backward sections among the Muslims proved more difficult to be wooed. This differential pattern of voting among the Muslims was clearly evident in the recent state assembly elections in Bihar and Madhya Pradesh. The Muslim-Yadav coalition of the Bihar chief minister, Mr. Laloo Yadav, has largely been a backward class coalition from both... It was precisely the division of Muslim vote between Janata Dal, Samata

Party and the Congress in the 1995 Bihar assembly elections which helped the BJP to make its first inroads in several constituencies of north Bihar.

While the long-term patterns of minority voting behaviour explode the myth of the Muslims monolith, short-term trends and constituency based research disprove the mini-vote bank thesis... The strategies employed by the minorities are neither uniform nor simple. Electoral research has conclusively shown that not only minorities of various regions and provinces vote very differently, even within the same region there are differential voting patterns even among neighbouring constituencies. This seems to hold true both for assembly and parliamentary polls.

... While constituencies with higher Muslim populations voted more for Muslim candidates, those below the critical 20 to 25 per cent population voted strategically for the candidate most likely candidate to win. Below 10 per cent population, Muslims within a constituency voted like their Hindu brethren...

...With uncertainties galore in the run-up to the impending polls, a process of dealignment between voters of all communities and political parties has set in. Old equations are out and new ones are yet to form. Therefore, it cannot be claimed that the preferences of the Muslim voter will be shaped entirely by their response to the Babari Masjid demolition. It also cannot be said that the Muslim vote would simply be a response to the issue of reservations or various (gifts) by the government right before the elections. The choice will be much more complex, determined largely by local constraints. While Muslims in larger numbers are certain to vote for the third front in the Hindi heartland, the Congress will be a serious contender for the minority votes in Madhya Pradesh, Gujarat, Maharashtra and Andhra Pradesh. The CPI-M will corner a large percentage of Muslim support in West Bengal, but in Kerala the confessional parties could gain from it. **Any division of minority votes among various contenders will have only one clear outcome, which was evident in the Bihar assembly elections: it will benefit the BJP in various parts of the country.**

(Source: The Times of India, 15 December, 1995)

ROLL OF BACKWARDNESS

Indian Delegation for World Women Conference, Beijing, September, 1995

Total : 34 Muslim : 2 1) Dr. (Smt.) Najma Heptulla
2) Smt. Fatima Bibi

(Source: LSUQ No. 228 dated 28 November, 1995 by R. Ray, P.C. Verma, S.K. Mandal & S.K. Patel)

Saeed Naqvi on Muslim Vote

... In these days of the market economy, supply follows demand. There is much a heavy premium on the Muslim vote, that the market is cluttered with mofussil netas, journalists, failed script writers, marginal film makers, scions of a faded nawabi and peripheral maulanās besides innumerable sundry busy bodies, all of whom guarantee the Muslim vote to any formation that says it is in need of it.

Farooq Abdullah is credited with the idea that if elections are held in Kashmir on "his terms", in March, the Congress will be able to sweep the general elections in April.

Those not yet under a contractual obligation to any party, are willing to up the ante by insisting on namaz at the Babari Masjid site so that the burgeoning market can give them a look as well.

The other day a group claiming to be leaders from the Aligarh Muslim University arrived in the capital. They were treated with due deference by selected members of the union cabinet.

Two days later, another delegation arrived claiming a greater hold on the "Muslim mind" than the ones feted earlier.

The difficulty with the current scramble is that the Muslim vote is being looked upon as a huge, monolithic uncertainty.

That Muslims in West Bengal, Bihar, UP, Kerala, Karnataka, Maharashtra, Gujarat, Assam (and elsewhere in the country) all speak different languages and respond to different stimuli is lost sight of.

Muslims in UP, it is said, will vote en bloc for the former Chief Minister Mulayam Singh Yadav. How then does one explain a degree of goodwill that the much maligned Kalpana Rai has left behind among the Muslim weavers in his area of influence?

How does one explain why so many Muslim candidates (stand) on BSP tickets.

In West Bengal, the sizeable Muslim vote is said to be with the Left Front. This is largely true. But has anyone looked at the disenchantment among West Bengal's Muslims who believe that Saifuddin Chowdhury has not been accorded the respect he deserves in the CPM hierarchy?

These regional variations (and I can list them almost in every State) have to be taken into account while understanding the Muslim vote, but an analysis of the Muslim mind must take into account a host of other factors as well.

The attention span of the vote seekers is so small that

any serious assessment of the Muslim predicament is simply not possible. In the absence of a serious appraisal, the tendency is to fall back on the lazy expedient of Muslim Ministers and the "Muslims" leaders. As far as the Congress is concerned even this tokenism is half-hearted.

When the Babari Masjid fell, the Muslim vote bolted from the Congress. One Muslim minister after another Muslim minister was accommodated in the Union Council of Ministers. Did the Congress really expect this tokenism to lure back the Muslims?

Let us consider the case of Salman Khurshid. He is civilized, cultured, suave, does us proud in every world forum where he represents us. It is commonly known that he is in that select group of four or five ministers who are not tainted by even a shadow of corruption.

Yet, send him to Aligarh or any Muslim enclave for that matter, and he will be booed. Why should this be so?

That Salman Khurshid is associated with a Government which, in the perception of the average Muslim, was a passive witness to the demolition of the Babari Masjid is a very small part of the reason why he is ineffective among Muslims.

The real reason is that, along with Jaffer Sharief, Ghulam Nabi Azad and others, he is seen as a "show-boy", a sort of decoration on the mantle piece, a device to trick the Muslims into believing that the Congress was still secular when it has long ceased to demonstrate its secular credentials in tangible terms.

Why should this be the popular perception among Muslims?

Some months ago a committee of Union ministers was formed to monitor the affairs in Jammu and Kashmir. In those days PM Sayeed was the Minister of State in the Ministry of Home Affairs. He was not taken on this committee.

From the Ministry of External Affairs, Salman Khurshid was ignored as were Jaffer Sharief and Ghulam Nabi Azad. ...

Whatever the government's intentions, the impression that has percolated through to the informed levels of Muslim society is that the Government wished to play the Kashmir hand extremely close to its chest and that Muslim ministers had not been taken into confidence on this sensitive issue.

Little wonder then that Muslim Ministers in the Union Council of Minister are not the greatest "turn-on" as far as the Muslim vote is concerned. ...

(Source: The Pioneer, 10 December, 1995)

Vrinda Gopinath on Muslim Vote

... The alienation of the minority community with the party had already begun at the time when Rajiv Gandhi, as Prime Minister, broke open the locks of the Babari Masjid and held the shilanyas (foundation laying ceremony) on the Masjid's grounds. The complete betrayal came six years later when the mosque was torn down. The riots and violence targetted against Muslims that followed after the demolition of the Babari Masjid convinced the community that Rao and the Congress had left them to their own mercy. Rao's inaction confirmed their suspicion that the party was shifting away from its centrist position. The resentment was fully visible in State Assembly elections in 1994 and 1995.

In the 10 States that went to poll, the Congress could only win four - Madhya Pradesh, Orissa, Arunachal Pradesh and Goa. The big shock came in the Deccan. Its once traditional bastion Maharashtra, the Congress came a poor second while in Andhra Pradesh and Karnataka, it lagged miserably behind. In Uttar Pradesh and Bihar, the party was almost wiped out. "There was a time in the pre-Ayodhya days when the first priority of the community was to defeat the BJP and they backed any winning candidate be it Congress or the National Front," says an observer. "Today, even if the only candidate who could threaten the BJP is a Congressman, they won't vote for him".

According to a senior Congress leader, the anger and frustration the minority community felt against the Congress has cooled down considerably. "Their anger has diluted", he says, "and their unhappiness with the BJP and the lack of another alternative, the Congress may get the negative vote which is quite favourable." This situation, he hastens to add, will come only if the Third Force (non-Congress, non-BJP secular parties) does not get its act together. He also believes that this is what the party high command is banking on. The other dilemma for the community, he says, is that even if its members vote for the Congress they still have Rao to contend with as there is no alternative to his leadership in the party as yet.

The party has tried to salvage this dismal situation vis-a-vis the Muslims in a superficial way. Both Rao and Chavan have been busy cultivating Muslim religious leaders but not every occasion has gone favourably for the due. The Prime Minister's visit to the famous ... Dargah in Bareilly in July... was marred by shouting mobs. "Lahol wa-la quwwat," they said, "Vanish you devil", and Rao who waited for three hours... had to beat a hasty retreat. However, three months later, Chavan set off on the same mission and under tight security, he could offer the chadar (cloth), but as soon as he left, local residents washed the shrine to "purify" it.

Feelers were also sent to persuade Ali Mian, Chairman of the Muslim Personal Law Board to soften his stand on the Congress but other members of the Board forced an undertaking on Ali Mian that he would not make any such utterances. On the recommendation of the Supreme Court... the Government has declared its intention to improve the salaries of the "pesh imams," who lead the prayers in the mosque, to a more dignified level. "This is also the only Cabinet in history which has the maximum number of Muslim Ministers. Of course the Government has not capitalised on it", says an analyst. The Government also set up the Rs. 500 crore Minorities Finance Commission last year. But the Muslims are unmoved by these gestures...

... "The community has realised that these are mere cosmetic changes. They want concrete proposals on education, jobs, development... None of that has come yet," says the senior Congress leader. In fact there is a sharp division in the party on the kind of benefits to be given to the community.

While a section led by Welfare Minister Sitaram Kesri feels that the package should have some serious handouts like reservation, etc. the other side which includes Rao believe that the Muslims are lost forever and they need only make those gestures that will restore the party's secular credentials.

The vocal section of the party has launched an aggressive campaign with two of its well-known Muslim faces - Civil Aviation Minister Ghulam Nabi Azad and Congress All India Minority Cell chairperson Tariq Anwar... Taking the cue from Kesri, both leaders have ... expressed their commitment to reservation ... and have promised them that they will work to make it an official policy.

But Sharief's resignation, feels Anwar, can disturb the efforts being made to woo the Muslims...

Neither are many party members impressed by the Centre's efforts to woo Muslims. Minister of State for External Affairs Salman Khursheed had recently expressed his doubts. "The mood of the minority community is still not favourable to the Congress despite efforts to win them back... It would be incorrect to say we have won them over." The way it is going there is little reason to believe that the Congress convince the Muslims to forgive.

(Source: The Pioneer, 3 December, 1995)

The proposed third front would be a new year gift for the people in the country.

- Jyoti Basu, CM of West Bengal

Saeed Naqvi

On Shahabuddin's Entry in Politics

... When the Janata Government came to power in 1977, Atal Behari Vajpayee became the Foreign Minister. Syed Shahabuddin was then a Joint Secretary in the MEA. It was Vajpayee's search for a "liberal" Muslim leader that led to Shahabuddin being drafted into the political arena. And look what happened. Shahabuddin began to create a constituency among the minorities and played a leading role in vitiating Hindu-Muslim relations in the country. It must be said to his credit that he has realised his mistakes. ...

(Source: The Pioneer, 17 December, 1995)

The Mythical Votebank

Editorial, The Times of India, 27 Nov., 1995

... One of the greatest myths generated by sectarian politicians and bad pollsters in modern India is existence of a minority votebank. Electoral research has conclusively proved that not only minorities of various regions and provinces vote very differently, but even within the same region there are differential voting patterns even between neighbouring constituencies. The myth emerged from the fact that until 1962 the community voted predominantly for the Congress party. But so did the majority community, except that relatively greater percentage of Muslims voted for the Congress. Between 1962 and 1971, the Muslims voted more or less on the same pattern as the Hindus. From 1977 to 1984, the Congress showed a lower percentage of votes in constituencies with a higher predominance of Muslim population compared to those with less, showing that in the post-Emergency period the Muslim voters had moved away from the Congress. The pattern that began in 1977 more or less continues. The alienation of large sections of the community from the Congress and their identification with the "third-front" constituents has become more pronounced after Ayodhya and the Bombay riots... Differential pattern of voting, increasingly evident among the forward and backward sections of the Muslim does away with the theory of the Muslim constituting a monolith.

In fact, Harry Blair in his research on Muslim voting patterns in Bihar has demonstrated that population percentages of minorities within a constituency acted as a critical variable: while constituencies with higher population of Muslims voted for confessional parties and Muslim candidates, those below the critical 25% population voted strategically for the most likely candidate to win. When below 10%, Muslims within a constituency voted like their Hindi brethren. What better proof that Indian voters, Muslim or otherwise, may be passionate but not bigoted.

Shahabuddin's Reply to the Pioneer, 20 December, 1995

Mr. Saeed Naqvi in his article "Is a liberal Muslim leadership possible" has come again repeated the falsehood that Atal Bihari Vajpayee, the then Foreign Minister had drafted me into the political arena in 1978. To nail the lie I must place it on record that I had resigned on my own and my resignation on 18 November, 1978 from the Indian Foreign Service was in fact the culmination of my thinking since the imposition of the Emergency in 1975. I was dissuaded from doing so by Shri R.K. Trivedi, the Joint Secretary Personnel who advised me to wait for a couple of years because the government was working on the 20 year Rules. In fact I was the first beneficiary of the 20 year Rule in the whole country in the IFS, IAS and IPS after its introduction in August, 1978. Atalji, with whom I had the privilege of working tried to dissuade me at least three times. I had planned to resign on 14 November, 1978, the birthday of Jawaharlal Nehru. At his request I agreed to defer the D-Day by four days, because of the impending conclusion of an agreement with Indonesia on maritime boundaries.

It is also a fact that I left Delhi the very next day for Patna with the intention of starting legal practice. It was after the sudden death of Shri P. Chatterjee (Rajya Sabha) in June, 1979, that a vacancy arose and I was elected to the Rajya Sabha in July, 1979 on the ticket of the then Janata Party.

I was nominated unanimously as the candidate at the last meeting of the Janata Party Parliamentary Board in early July. Shri Vajpayee indeed supported my nomination which was proposed by Chandra Shekhar.

In the first meeting of the National Executive of the Janata Party. I raised the question and expressed my doubt whether RSS had been charged on being embraced by the Janata Party and Shri Advani took it seriously enough to give a reply.

Rajiv Shukla on BJP's Rise

In Bihar ... the BJP is making steady headway after Nitish Kumar broke away from the Samata Party. The party can now hope to get a bulk of the Kurmi votes in that state. And the support of socialist leader George Fernandes and Muslim leader Abdul Gaffar will also help the BJP to get a few more seats from Bihar. All this will come in handy for the BJP to make a serious bid for power at the Centre.

(Source: The Sunday, 10-16 December, 1995)

MHA: Inflow of Foreign Contribution during 1993-94

Receipt of Foreign Contribution during 1993-94:

Information gathered from the returns furnished by the Associations reveal that the receipt of total foreign contribution during the year April 1993 to March 1994 was Rs. 1865.70 crores as compared to Rs. 1584.30 crores in 1992-93 and Rs. 1412.13 crores in 1991-92 (15 months). ...

State-wise Position:

Tamilnadu continues to head the table in terms of the total number of organisations showing receipt of foreign contribution. Delhi heads the table on the basis of amount received. Table shows the names of states reporting receipt of foreign contribution of more than 10 crores during 1993-94. The list of these States has gone up from 16 to 17. The comparative statement of receipt of foreign contribution by different States for year 1992-93 and 1993-94 together with percentage increase/decrease is given below:

Table-I (Amount in crore)

States (Over 10 crores)	1992-93		1993-94		% increase/ decrease over 1992-93
	No. of Orgns.	FC Receipt	No. of Orgns.	FC Receipt	
INDIA	10201	1584.30	10963	1865.70	17.8
Delhi	477	232.02	518	336.52	45.0
Tamil Nadu	1763	272.76	1692	309.40	13.4
Maharashtra	989	164.47	1058	210.18	27.8
Karnataka	796	163.90	934	185.39	13.1
A.P.	970	147.81	982	177.55	21.1
Kerala	1344	159.79	1486	173.29	8.4
West Bengal	812	118.25	968	123.62	4.5
Bihar	408	55.15	429	55.77	1.1
Gujarat	525	40.33	555	52.57	30.3
Uttar Pradesh	480	35.88	558	46.87	30.5
M.P.	323	42.49	363	45.32	6.7
Orissa	373	35.28	401	37.71	6.9
Meghalaya	91	17.65	90	17.89	1.4
H.P.	-	4.7	55	14.76	212.8
Assam	127	11.37	143	12.95	13.9
Punjab	68	32.93	75	11.21	(-) 66.0
Rajasthan	134	12.24	146	10.99	(-) 10.2

Foster Parents Plan International, USA has topped the list of foreign donor agencies by donating Rs. 67.55 crores followed by agencies from Germany namely; Missio (Rs. 36.03 crores), Kinder Not Hilfe (Rs. 33.99 crores). A list of major foreign donor agencies and the amount of foreign contribution donated by them is at Annexure-I.

Analysis of foreign contribution data indicates the following receipt of contribution against each

programme:

1. Religious	: Rs. 221.05 crores
2. Economic	: Rs. 213.58 crores
3. Educational	: Rs. 317.32 crores
4. Social	: Rs. 428.26 crores

There has been a marked increase in the receipt of foreign contribution on all.

Major Recipient Associations:

Analysis of foreign contribution received by the Associations in the country show that 301 associations received foreign contribution between Rs. 1 to 5 crores, 27 associations received Rs. 5 to 10 crores and 19 associations received more than Rs. 10 crores.

The analysis revealed that during the year 1993-94 Foster Parents Plan International, Delhi reported the largest receipt of foreign contribution (Rs. 40.37 crores) followed by World Vision of India, Tamil Nadu (Rs. 26.88 crores), Caritas India, Delhi (Rs. 24.78 crores), Maharishi Ved Vigyan Vidyapeeth, Delhi (Rs. 21.70 crores). A list of major recipient associations is at Annexure-II.

Purpose-wise Analysis:

... A list of purpose-wise details of foreign contribution received for 1993-94 is given Annexure-III.

Annexure-I

Major Foreign Donors, 1993-94

S.No.	Name	Amount (Rs. in crores)
1.	Foster Parents Plan International, USA	67.5
2.	Missio, Germany	36.0
3.	Kinder Not Hilfe, Germany	34.0
4.	Save the Children Fund	33.1
5.	Evangelische Zentralstelle For Entwich, Germany	29.0
6.	Christian Children Fund, USA	27.1
7.	Miseror, Mozetrasse, Germany	26.9
8.	World Vision International, USA	22.2
9.	Action Aid, London, UK	21.2
10.	Cebemo, Netherelands	19.7
11.	Ford Foundation, USA	18.3
12.	Gospel for Asia, USA	17.3
13.	Inter Church Co-ordination Committee, Netherlands	16.1
14.	Manos Unidas, Spain	15.8
15.	Christoffel Blinden Mission, Germany	12.9
16.	Oxfam, U.K.	12.1
17.	Novib, Netherlands	11.3
18.	General Conf. of 7th Day Adventists, USA	11.3
19.	Zemtrastelle Fur Entwikeingshilefe, Germany	10.8

20. Lutheran World Federation, Switzerland	10.7
21. Opere Don Bosco, Italy	10.5
22. Caritas	10.2
23. International Planned Parenthood Federation, U.K.	10.1
24. Asia Partnership for Human Development	9.1
25. Save a Family Plan	8.6

Annexure-II

Top Recipient Associations of Foreign Contribution, 1993-94

S.No.	Name of the Association	State	Foreign Amount (Rs. in crores)
1.	Foster Parents Plan International	Delhi	40.4
2.	World Vision of India	Tamil Nadu	26.9
3.	Caritas India	Delhi	24.8
4.	Maharishi Ved Vigyan Vishwa Vidyapeeth	Delhi	21.7
5.	Save the Children Fund	Delhi	20.2
6.	C.S.I. Council for Child Care	Karnataka	19.9
7.	Action Aid	Karnataka	19.3
8.	MYRADA (Mysore Reser & Dev. Agency)	Karnataka	17.7
9.	Gospel for Asia	Kerala	16.7
10.	Community Aid Sponsorship Project	Maharashtra	16.1
11.	Churches Auxiliary for Social Action	Delhi	13.9
12.	A.M.G. India International	A.P.	13.0
13.	Family Planning Assn. of India	Maharashtra	12.6
14.	S.O.S. Children Village of India	Delhi	12.6
15.	Ser. Assn. of 7th Day Adventists	Tamil Nadu	12.5
16.	Missionary of Charity	West Bengal	12.3
17.	Oxfam (India) Trust	Delhi	12.0
18.	Sri Sathya Sai Medical Trust	A.P.	11.4
19.	Leprosy Mission Trust - India	Delhi	10.3
20.	Indo German Social Service Society	Delhi	9.8
21.	Indian Red Cross Society	Delhi	9.0
22.	Luthern World Service - India	West Bengal	8.9
23.	Bible Society of India	Karnataka	8.9
24.	Save a Family Plan - India	Kerala	8.6
24.	St. Stephen's Hospital	Delhi	8.2

Annexure-III

Purpose-wise Foreign Contribution Received during 1993-94

Purpose	Foreign Amount (Rs. in crores)	% increase/ decrease over 92-93
Care of Orphans	95.11	24.5
Maint./Repair of Religious Places	24.08	49.3
Publish Religious Books & Literature	6.28	34.7
Non-Religious Books & Literature	2.09	(-) 28.0

Government Statements On Photo Identity Cards

Voter lists and identity cards have not been prepared all over the country.

The summary revision of electoral rolls with reference to 1.1.1996 as the qualifying date is in progress in all States/Union territories except the State of Assam and Jammu & Kashmir and the Union territory of Lakshadweep as per the programme fixed by the Election Commission. Similarly, the work of preparation of photo identity cards is at different stages of completion in all States/Union territories except the State of Jammu and Kashmir. As per directions of the Election Commission, the work of preparation and issue of photo identity cards is required to be completed well in time before the next general elections.

The Commission has not yet taken any decision on whether all voters will be allowed to exercise their franchise in the ensuing general election without their Photo Identity Cards.

(Source: LSSQ No. 49 dated 29 November, 1995 by B. Chikhalia & N.K. Rai)

On Infiltration from Bangladesh and Nepal

India's security-related concerns have been shared with the Government of Bangladesh...

... A Joint Working Group has been set up to examine, in depth, all outstanding issues and to recommend practical measures for resolving them. ...

(Source: LSUQ No. 1842 dated 7 December, 1995 by R.P. Singh)

Construction/Extension of		
Religious Places	62.17	(-) 14.2
Help Poor, Aged and Destitutes	90.65	26.5
Seminars and Conferences	18.20	25.2
Religious Education to Priests etc.	24.95	8.0
Religious Functions	26.66	11.9
Non-Religious Functions	2.83	13.2
Construction/Maint. of Hostels	63.21	22.7
Const./Mait. of Schools/Colleges	78.39	(-) 15.1
Agricultural Activities	17.95	37.4
Animal Husbandry	1.65	(-) 48.2
Rural Development	173.23	(-) 1.6
Technical Education	5.85	(-) 32.8
Research	35.04	63.8
Stipends and Scholarships	17.27	(-) 4.4
Vocational Training	21.85	26.0
Health Care and Family Welfare	122.26	(-) 6.9
Relief for Natural Calamities	40.74	91.5
Relief for Riot Victims	2.43	(-) 1.2
Other than the above	932.81	29.7
Total	1865.70	17.8

(Source: Annual Report of GOT, 1993-94)

Government Statements

On Support to India's Position on Kashmir

All countries in Eastern Europe with the exception of Bosnia-Herzegovina and Albania support the position that issue relating to Kashmir should be resolved through bilateral dialogue in accordance with Simla Agreement. All West European countries support, with varying degrees of convergence, Indian position on Kashmir.

The US Government's position has been that direct negotiations between India and Pakistan, as envisaged by the Simla Agreement, provide the best means for resolving the Kashmir issue. However, the will of the Kashmir people should also be ascertained.

There has been no change in the position of East European countries. All fifteen west European countries, who are members of the European Union, subscribe to the broad elements of the European Union's position which is understood to be follows:

- (i) A lasting solution to the Kashmir issue can only be found through bilateral dialogue.
- (ii) The EU deplores the continuing violence in Kashmir and reports of violations of human rights.
- (iii) Calls for cessation of external support to militant violence.
- (iv) Welcomes steps taken by the Government of India to improve transparency.
- (v) Urges the Government of India to redouble its efforts to establish a political process in Kashmir.

The same position, more or less, applies for countries in West Europe who are not members of the European Union. ...

(Source: LSUQ NO. 2199 /11 December, 1995 by R. Chennithala)

On Excesses Committed by Para-Military Forces

52 allegations of excesses committed by para-military personnel were received during the past two years.

Action Taken	No. of Cases
i) Appropriate penalties imposed after departmental proceedings	2
ii) Court of Inquiry proceedings in progress	2
iii) Departmental Inquiry in progress	1
iv) Cases in which police investigations are in progress	30
v) Filed as untraced after investigations	8
vi) Investigations have found cases to be false.	5
vii) Charge sheets filed in Courts	4
Total	: 52

(Source: LSUQ No. 1732 dated 7 December, 1995 by V. Pawar)

On US Offer of Mediation

The US has expressed willingness to help India and Pakistan resume a dialogue on outstanding issues in Indo-Pak relations, if this is desired by both sides.

Pakistan has also called for US mediation in Kashmir.

Government have conveyed categorically that outstanding issues in Indo- relations, including Kashmir, can only be resolved through bilateral dialogue between India and Pakistan, as envisaged under the Simla Agreement. Government have ruled out any third party mediation, including by the US, in this matter.

(Source: LSSQ No. 110/4.12. 1995 by R.P. Singh and S.D. Singh)

On Infiltration of Militants

It is a fact that ISI has been masterminding subversion, sabotage and espionage activities in parts of the country. Government are deeply concerned about Pakistan's continued support to subversion and terrorism directed against India. ISI has also been actively involved in infiltrating a large number of trained and armed militants to indulge in violence and terrorism in Jammu and Kashmir. So far around 1400 militants have been killed near the Line of Control in the State since 1990.

The Government is taking all necessary steps to combat and frustrate the designs of ISI by sensitising and gearing up the intelligence machinery, sharing of intelligence and coordinated action by the concerned Central and State agencies, and strengthening of vigil and security arrangements on the borders to check infiltration.

(Source: LSUQ No.724 /30.111995 by M.V.V.S. Murthy and 3 others)

On OIC Pressure on Kashmir

According to reports, Pakistani spokesmen and militants from Kashmir addressed the Ministerial meeting of the Organisation of Islamic Countries, held in New York recently (October, 1995)... and made anti-Indian statements.

Government are committed to the normalization of the situation in the Jammu and Kashmir and to the resumption of normal political processes through elections.

Government have, time and again, reiterated their willingness to hold talks with Pakistan without any preconditions on all aspects of Indo-Pakistan bilateral relations. Pakistan has, as yet, not responded positively to this offer.

(Source: LSUQ No. 1127 dated 4 December, 1995 by S.K. Patel)

On Insurgency in Jammu and Kashmir

The total number of persons killed in terrorist violence in J&K during 1994 and upto September 1995 is 4981. This includes 1967 civilians, 394 security force personnel and 2630 militants. ...

(Source: LSUQ No. 1589 dated 6 December, 1995 by S. Shahabuddin)

Government Statement On Political Leaders Killed in J&K

As per information made available by the Government of J&K, the political leaders who have been killed in Jammu and Kashmir during the period from 1991 to April, 1994 include the following:-

1. Mohd. Subhan Bhat, Ex-MLA(NCF)
2. Hissam-ud-Din Bandy, Ex-Minister (NCF)
3. Ghulam Qadir Niloora, Ex-MLA (NCF)
4. Mohd. Ismail Rather @ Nissar, Cong-I
5. Santosh Kumar, BJP
6. Satish Bhandari, BJP
7. Ali Mohd. Dar, NCF
8. Wali Mohd. Itto, Ex-Speaker, NCF
9. Ghulam Qadir Mir, Ex-MLA
10. Ghulam Qadir Janbaz, NCF

Cases have been registered in the murder of Mohd. Subhan Bhat, Ex-MLA (NCF), Shri Hissam-ud-Din Bandy, Ex-Minister (NCF), Ghulam Qadir Niloora, Ex-MLA (NCF), Mohd. Ismail Rather Nissar, Cong-I leader, Ali Mohd. Dar, NCF Leader, and Ghulam Qadir Mir, Ex-MLA of Muran. However, the cases have been closed as the assassins are untraced. Therefore, there is no question of assassins having been identified and apprehended.

With regard to the case of Santosh Kumar, resident of Doda (BJP), the case has been closed as challaned. Out of the 5 accused identified in this case, one has died in cross firing, one Tariq Ahmad, r/o Nagar, Doda has been arrested while the rest three (all Pak trained militants) are absconding.

The case regarding Satish Kumar Bhandari r/o Doda, BJP leader has been transferred to State Crime Branch where the same is still under investigation.

With regard to the murder case of Shri Wali Mohd. Itto, Ex-Speaker, two accused have been identified, of them one Bashir Ahmad Padroo, r/o Adjan, Damhal-Hanjipora, Kulgam (Anantnag) was killed in an encounter with the security forces while the other accused Ghulam Hassan Lone @ Usman, r/o Nagam, Noorabad, Kulgam is still absconding. The case has been transferred to State Crime Branch, where the same is still under investigation.

The case of Ghulam Qadir Janbaz, NCF leader is presently under investigation.

All the militants identified belong to Hizbul Mujahideen outfit.

(Source: LSUQ No. 6372 dated 5.5.1994 by S. Shahabuddin)

Our objective is to destroy the existing power structure in Kashmir and build a new one. None of us is interested in an election farce.

- Abdul Ghani Lone, Hurriyat leader

CPI(M) Leader Prakash Karat On Kashmir Accords

The record shows that each Kashmir Accord was made under duress or pressure; Pakistan's aggression in the first and India's pressures for the rest. There was a progressive diminution in Kashmir's autonomy and its leader's bargaining power with each accord. Need one ask today: Kashmir ko ghussa kyon ata hai? (Why is Kashmir angry today?)

This debris of accords cannot be cleared by piling one more of its kind on the top - the Qugadougou package. What is sorely needed is a considered policy of conciliation which tackles the basics in negotiations with the Hurriyat leaders on the understanding that if a definition of azadi within the Indian Union is arrived at, India will be agreeable to a pact of mutual assurance with Pakistan that extends the same status of POK and allows the State of Jammu and Kashmir to be master of its own affairs without undermining the defence and security of either India or Pakistan.

(Source: The Statesman, 13 December, 1995)

SJP: Views of President Chandra Shekhar

To look at the Kashmir problem in perspective, it is instructive to remember 1965, when (DMK leader) C.N. Annadurai made a two-hour speech in the Rajya Sabha demanding the secession of Tamil Nadu from the Union. Two years later he was sworn in as chief minister, and became a national figure. Similarly, many in Kashmir now talking of secession will change their minds, if we are patient with them.

What is needed is to reduce the use of coercive methods, and increase the area of co-operation. In Kashmir so long as Farooq Abdullah was the CM, matters were under some control. Then, after the Congress got defeated in 1989, the new government started giving him pinpricks, because of personal ego of some of its leaders. Then, a governor was appointed who was against him, forcing him to resign. After that, chaos. Today we should repair this by first setting out the limits to which autonomy can be conceded without altering Kashmir's status as an Indian state, and then accepting demands that fall within this limit.

Once Pakistan realises that it cannot capture Kashmir, it will accept the need for better ties. They are wrong in assuming that India wants to dismantle Pakistan. That took place in 1971, but did India get any benefit? What is needed is to establish a working relationship, so that we both fight poverty and not each other. Many of the problems we face are common, and a joint effort can solve them faster. Hot words we can understand. But there should be no hot deeds, such as support to terrorism.

...

Sunil Sethi on Kashmir Situation

... Will an election in Kashmir be successful? Almost everyone thinks not. In New Delhi, the Congress Party itself is divided on the subject and there is no consensus among the Opposition. In J&K no party except the Congress, not even the National Conference, supports the poll. The Hurriyat Conference is dead against the idea and getting tougher... Defence analysts and intelligence experts predict a sharp increase in terrorist activity and disruption moves from across the border.

... Many say that elections in the dead of winter and with foreign hostages unreleased after four months, would be a monumental blunder. ...

... On what basis does the PM think that he can pull off a credible election in Jammu & Kashmir? Some considerations, such as the weather, are obvious. The mountain passes between Indian and Pakistan will be snowed up next month and deter a fresh influx of armed terrorists from across the border. Cold weather in the Valley, a disincentive for people to come out, could be a convenient cover for low voter turnout.

Tactically the PM is acting on the advice of... Governor K.V. Krishna Rao, and also the evidence of the Home Ministry's reports compiled from intelligence sources. For whatever these are worth, they suggest that the exercise of restoring democracy in Kashmir is worth the risk. The usual fact and figures are being trotted out: that the militants are on the defensive, the people are fed up... and that even a 2 or 3 per cent turnout in the Valley (combined with bigger numbers of voters in Jammu and Ladakh) could make the election look respectable. ...

... (This) slapstick strategy best characterized by the Punjabi phrase "Jhat mangni, phat biyah" (quick engagement, fast wedding) assumes that if you go through the preliminaries fast enough a great love affair will bloom on the wedding night.

Alas, not in Kashmir, where the estrangement runs deep and memories of New Delhi's old betrayals are bitter. It will be a bloody wedding.... (An) army officer stuck in Srinagar for years, an expert in psychological warfare... explained it so: "Think of the India-Kashmir relationship as a dead marriage," he said. "Husband and wife are forced to live in the same house for the same of the children but Kashmir is the beautiful wife who refuses to sleep with the husband because of his horrible cruelty and infidelity. You have to woo her back like Elizabeth Taylor with the biggest diamonds. It will require big gifts, but also time and infinite patience."

Narasimha Rao's gift - the 1975 package - aren't good enough. Even Farooq Abdullah, N-w Delhi's sole... bet in Kashmir, has rejected it.

Moreover, New Delhi's timing has been hopelessly wrong. At the very moment when the young and popular

K.K. Katyal on Kashmir Problem

... Within the country, the critics did not oppose the election per se but found fault with its timing or the circumstances, in which it was intended to be gone through. The arguments varied - for instance, the National Conference wanted an immediate announcement of a package for autonomy while the BJP not only opposed any such move, but also reiterated its demand for the repeal of Article 370 of the Constitution, which accorded special status to Jammu and Kashmir in the Indian Union.

What are the lessons that could be learnt from the thwarted move for elections. For all the talk about the poll plan that had gone on this year, there was an abruptness about the final phase. Weather-wise, December is not the ideal time for holding the election in the State. There was no explanation by the Government but some of those speaking on its behalf defended the winter poll on the ground that the snow-bound passes could act as a barrier to the infiltrators from Pakistan. The explanation did not carry full conviction and the suspicion persisted that the Prime Minister, Mr. P. V. Narasimha Rao, was in a hurry to do a Punjab in Jammu and Kashmir, with a view to cashing in on the double advantage in the Lok Sabha elections. Even those in the Opposition who supported the election, were suspicious about the timing. The delay in the Kashmir poll would automatically delink it from the general election and, to that extent, it could be held in a relaxed atmosphere.

Despite the Government's claim, the interaction with the Opposition parties was far from thorough. Whether and, if so, to what extent the next Government at the centre would be better placed in this regard is to be seen. The National Conference leader, Dr. Farooq Abdullah, had no doubt been in frequent touch with the Prime Minister and others, but their discussions had been far from conclusive. Here again, the pressure free climate, after the general election, could contribute to a meaningful dialogue....

(Source: The Hindu, 13 November, 1995)

Hurriyat leaders Shabbir Shah and Yasin Malik are opening a centre in the Capital, New Delhi goes and spoils it all. Sage and sober Opposition Parliamentarians like Indrajit Gupta and I.K. Gujral are provoked into losing their shirts, Kashmiri Pandits get hysterical and the Hurriyat boys start talking rot. What could have been a crucial moment for plainspeak... as a prelude to opening dialogue ended in pandemonium...

In this serious behaviour from a statesman who wants to solve the Kashmir problem and thereby ensure his own political future?...

(Source: The Times of India, 12 November, 1995)

Sardar Patel's Attitude towards Kashmir

Extracts from Krishna's Biography

... What was Patel's attitude towards Kashmir? Hardly anyone knows or knew. He seldom opened his mind even to his intimate colleagues. While travelling with him in his car once, Vishnu Sahay heard him muttering to himself: "I will not take what's not mine; but I will not part with what's mine". Dr. Rajendra Prasad told Jayaprakash Narayan: "The Sardar used to evade an answer with the remark that he had left the problem for Jawaharlal to tackle. But once he did say that when we had given away Punjab, Sind and the NWFP, of what value could the small valley of Kashmir have for us? Will the people there ever agree to live happily with us?" Rajendra Prasad said that "it was an unexpressed thought with Patel that the Valley could be separated from the State and given to Pakistan, while Ladakh and Jammu would remain with India"? When a peaceful solution could have possibly been thus reached, India was, an Alan Campbell-Johnson confirms, 'amply provoked' by the tribesmen's invasion of the Valley. Hence, in Mountbatten's view, "the accession had indeed been brought about by violence, but the violence came from the tribes, for whom Pakistan, and not India, was responsible". As opposed to Jinnah's petulance and impetuosity, Patel was calm, cool and tremendously patient. According to Campbell-Johnson, "Mountbatten was empowered to advise him (the Maharaja) on the authority of Patel that if his decision was to throw in his lot with Pakistan and join their Constituent Assembly in advance of the transfer of power, it would not be regarded as an unfriendly act by India".

Patel told M.R. Masani that, "but for Nehru, he could settle the Kashmir issue in no time by arranging that the Kashmir Valley go to Pakistan and East Pakistan to India. Both countries would benefit from such an arrangement." V.P. Menon held the same view. Patel knew that Jinnah would succumb to the idea both on emotional and strategic grounds. Kashmir was nearer to his heart than East Pakistan. He could sojourn there during Pakistan's hot summer in the regal style of the Moghuls. He considered, though erroneously, that the Kashmiri Muslims were nearer to the West Pakistan Muslims culturally and ethnically than the Muslims from East Pakistan, who were closer to the Bengali Hindus in language and culture. Field-Marshal Auchinleck wrote to a friend: "Pakistan should let East Pakistan go. They will always be a millstone round their necks and a great danger, or more. Jinnah made a big mistake when he fought for their inclusion... Punjabis and Pathans will never mix with Bengalis; they are like oil and water.

They differ so in every way except religion, and I always think a Bengali is a Bengali first and a Muslim second! I think myself that they should agree to separate". He wrote to another friend in December 180: "Jinnah should not have insisted on East Pakistan. It is alien to West Pakistan in every conceivable way except religion. Much more akin to Hindu Bengal. Why cannot they do a deal over Kashmir?" That was coming round to Patel's thinking.

There was more of logic and less of emotion in Patel's thinking in the exchange of the two regions. His logic was that of an Administrator who sought a quick settlement of the Kashmir issue without letting outsiders poison Indo-Pakistani relations, and without allowing time to make it more and more complicated as years pass. An exchange would have drained out the poison on which successive rulers in Pakistan whipped up anti-India hysteria. Nor would it have given foreign powers an opportunity to play power politics between India and Pakistan; and even plot with Abdullah to turn Kashmir into a sovereign 'Switzerland'. If Kashmir spared the Defence Budgets of India and Pakistan from running a mad race for arms, the two under-developed countries would have had enough money for developmental activities aimed at the economic well-being of the poor. Patel appeared to have had other reasons as well: the highly complementary economies of the two Bengals in agricultural produce especially jute, the harnessing of waterways, harmony through the composite culture of the two, which would have promoted and sustained India's secularism, protection of nearly 10 million non-Muslim Chittagong hill-tribes, and proper control of India's eastern land borders and eastern waters through the port of Chittagong. Above all, Patel would have thereby eliminated East Bengal becoming West Pakistan's second front on India's back. In 1960, when the Naga trouble erupted, the rebels were found receiving assistance 'in various ways by the authorities in what was then East Pakistan'....

Mr. Rao's three nation policy - of India, Pakistan and Jammu and Kashmir - was worse than Mohammad Ali Jinnah's two nation concept.

- L.K. Advani, BJP President

I will wait through my lifetime if I have to until my people can vote freely.

- Farooq Abdullah, NC Leader

Disunity in Hurriyat

PTI Report, Srinagar, 17 December, 1995

The All Party Hurriyat Conference (APHC), the apex conglomerate formed a little over two years ago to co-ordinate the various political and militant groups in Kashmir, is passing through a difficult phase and cracks within it are apparent.

The main reason behind this, as observers feel, is lack of unity within the umbrella, even on its prime demand of independence or direct annexation with Pakistan. Some parties entirely sponsored by Pakistan are in favour of the so-called direct annexation, while some support the demand for independent Kashmir.

The third option, right of self-determination, however, is confined to the so-called charter of Hurriyat.

Speaking to reporters, Gulam Nabi Sumzi, vice-president of Muslim Conference, one of the main constituents of APHC said that his party never favoured the call for independence. "We favour Kashmir's annexation with Pakistan, while Jammu be merged with India and Ladakhis asked to decide their fate," Sumzi said. Sumzi, a former Assembly member, also emphasized that the demand for independence should be dropped as it is not feasible. However, the lobby supporting independence, mainly constituting of leaders like Abdul Gani Lone and Yaseen Malik, dismisses Sumzi's remark as baseless. The other main reason for the chaos and confusion within the organization is the fear or militant's gun, which has suddenly turned its barrel towards the leaders of APHC or their kins.

The recent killing of Abdul Razak Mir, a former MLA and a leader of pro-Pak Jamaat-e-Islamia, and Mr. Sultan Bhat, brother of senior Hurriyat leader Prof. Abdul Gani Bhat, has struck terror within the faction.

"Although they (APHC) blame security forces for the killings, there is enough proof that Prof. Bhat was killed by Hizbul Mujahideen," says a senior leader of APHC who did not want to be named. He said the reason behind the killing was that Prof. Bhat had been a staunch supporter of independence.

The kidnapping of a senior Hurriyat leader, Mr. Abdul Gani Lone, a few months back in ... Anantnag... and the recent abortive attempt on his life or launching of rockets at the house of acting chairman Syed Ali Shah Geelani has put an average Kashmiri in a dilemma. ...

Sensing trouble, the chairman of the APHC, Mirwaiz Umer Farooq has decided to keep armed security guards from J&K police for his personal safety. ... APHC is also not acceptable to several militant outfits who feel that the organization is headed by political leaders believing in machinations and not in gun culture.

Sahid-ul-Islam, chief of Hizbullah outfit, in his latest release labelled some leaders as manipulators who are using the so-called ongoing movement for their own political gains.

Another serious crisis which is brewing in the Hurriyat ... is about the accountability of foreign funds directly paid to them and kept as a guarded secret and giving representation to communities in other parts of region. Fight is also on among political and militant wings of various constituents. The militant wings allege that funds meant for them are kept secret and are not being used for the intended purpose.

Recently some militants from Lashkar-e-Tuiba, comprising entirely of foreign mercenaries, (admitted) during interrogation a conspiracy to eliminate Geelani, alleging that he had misused funds to the tune of Rs. 5 crores.

6- Point Indira Gandhi-Sheikh Abdullah Pact of 1975

Summary of Agreed Conclusions:

- * J&K, which is a constituent unit of the Union of India, shall in its relations with the Union continue to be governed by Article 370 of the Indian Constitution.
- * The residuary powers of legislation shall remain with the state; however, Parliament will continue to have power to make laws relating to the prevention of activities against the sovereignty and territorial integrity of India.
- * Any provision of the Indian Constitution which had been applied to the state with modifications will be altered or repealed by presidential order; but provisions already applied without modification are unalterable.
- * The state will be free to have its own legislation on matters like welfare measures, cultural matters, personal law and procedural laws. The State government can review the laws made by Parliament or extended to the State after 1953 on any matter relatable to the Concurrent List and may decide which of them needs amendment or repeal. In future the state government shall be consulted regarding the application of any such law to the state.
- * Any law made by the state legislature seeking to change any provision of the state constitution relating to a) the appointment, powers and immunities of the governor; b) the control of elections by the Indian Election Commission, eligibility for inclusion in the electoral rolls without discrimination, adult suffrage and composition of the Legislative Council will need the president's assent.
- * No agreement was possible on the question of nomenclature of the governor and the chief minister. (Sheikh Abdullah wanted the titles to the Sadar-e-Riyasat (head of state) and Wazir-e-Azam (prime minister)).

Joint Statement on Observance of 46th Anniversary of Illegal Occupation of Babari Masjid, New Delhi, 15 December, 1995

"The national tragedy of the demolition of Babari Masjid on 6 December, 1992 can be traced back to the night of 22-23 December, 1949 when idols were planted in the open court of the Masjid, under the cover of darkness, in an act of unlawful trespass. This act of illegality was legalised the injunction issued by a local magistrate against the removal of the idols and by the continuance of the injunction even after its statutory life had elapsed by executive fiat. Simultaneously, the Masjid was declared out-of-bound for the Muslims. Thus the Masjid was converted into a defacto Mandir with a Pujari performing religious rites, although the idols could not, in law, be considered as deities because the installation rites had never been performed.

On 22 December, 1995 falls the 46th anniversary of the first assault on the sanctity of the Masjid by the forces of Hindu revanchism and chauvinism.

On this occasion, the AIMPLB, BMC, the BMMCC and the AIBMAC, jointly propose that the congregations in all mosques must recall the unlawful occupation of the Masjid at the time of the Namaz-e-Juma and pray to the Almighty for the restoration of the Babari Masjid site and the reconstruction of the Masjid thereon.

The Friday congregations should also remind the Central Government of the unanimous demand of the Muslim community and the secular forces by a telegram whose text suggested below

"The Friday Congregation in Masjid in demands

- (i) immediate removal of illegal makeshift temple on Babari Masjid site;
- (ii) reconstruction of Babari Masjid in accordance with statutory principle of restitution, subject to judicial decision on title;
- (iii) expeditious hearing of title suit by Special Bench of Allahabad High Court, pending contempt cases and appeals by Supreme Court, inquiry by Liberhan Commission and criminal cases by Special Court;
- (iv) Unequivocal assurance by the Prime Minister that if title suit is decided in favour of Muslim community, the Babari Masjid site shall be restored to them; and
- (v) Prosecution of VHP leaders for promoting Hindu fanaticism, generating hatred against Muslims and threatening Muslims with more demolitions and even genocide"

Ebrahim Sulaiman Sait, MP
Convener, AIMPLB-BMC
Syed Shahabuddin, MP
Convener, BMMCC
Sultan Salahuddin Owaisi, MP
President, AIBMAC

Joint Statement of Prominent Personalities On 3rd Anniversary of Demolition

There are certain events in the history of our nation which we will do well not to forget. Some due to their positive contributions and others because of the dangers they represent. The demolition of the Babari Masjid on December 6, 1992, by a crowd of Hindu fanatics in the presence of the leaders of the Bharatiya Janata Party belongs to the latter. Recalling to memory this reprehensible crime and its implications is necessary to guard against the possible recurrence of this violence elsewhere.

As in Ayodhya, in Kashi and Mathura the Vishwa Hindu Parishad is acting as the advance guard and the BJP indulges in its familiar double-talk. The Jalabhishek at Kashi and Mahayagnya at Mathura are reminiscent of similar symbolic acts at Ayodhya. Committed to installing a party at the Centre, which has been defaming Hinduism in the name of Hindutva, as the Vishwa Hindu Parishad is, these may as well be the precursors to what is in store during the run-up to the elections. The Mahayagnya at Mathura had almost provoked a communal riot; worse might happen if we are not vigilant.

Ayodhya has done great damage to democratic and secular foundations of the republic. December 6 should remind us the need to assert in defence of the principle of democracy and secularism without which the nation will find it difficult to survive.

P.N. Haksar Romila Thapar Habib Tanvir
Bhisham Sahni Namwar Singh K.N. Panikkar
 (Source: The Times of India, 6 December, 1995)

Ansar Harvani's Letter On Post-Partition Excesses

... I wish to draw the attention of the Government of India and the leaders of the Muslim community, who are engrossed with protecting the Muslim personal law, to the plight of thousands of Indian Muslims whose houses are still in illegal possession...It may be recalled that most of the property of the community in North India was declared evacuee property by the Home Minister in Nehru's Government following Partition.

To cite a few examples, there were the properties of Prof. K.G. Saiydain, a well-known educationist and Secretary to the Government of India, and Muslim nationalist, and K.A. Abbas, author, film-maker and journalist. In Delhi itself the prime properties of Sulaiman Japanwala, the Marina Hotel and Haleem Yar Jung's Hameed Manzil in Daryaganj were declared evacuee properties. ...

Mr. N.V. Gadgil, a close associate of Vallabhai Patel, who was Minister of Works and Housing in the Nehru Government, in his autobiography justifies the possession of many mosque by refugees from Pakistan...

(Source: The Pioneer, 28 November, 1995)

Kuldip Nayar

On 6 December, 1992

The sixth December in 1992 was like any other day. ... Yet ... (Ayodhya) was turned into a veritable hell in no time... A few leaders of the Vishwa Hindu Parishad (VHP) and Bharatiya Janata Party (BJP), the two Hindu fundamentalist organisations, began to execute their well-guarded plan to destroy the mosque.

It was a sequel to the rath yatra which fostered a climate of intolerance and extremism. The fundamentalists explained it as the redemption of their promise to build a temple at the place where, they said, Ram was born thousands of years ago... Even before anybody realised what it was all about, there was a hive of vandals pulling down the mosque.

... The security forces on the spot stood quietly, frozen in inaction. Leaders like L.K. Advani, the BJP president, egged on the people to lay burning tyres on the road to check the police from reaching the place. Before long, the 500-year-old masjid ... was demolished to the last brick. Some VHP and BJP activists went after press reporters and photographers so as to obliterate every trace of pillage.

The BJP leaders celebrated, Uma Bharati riding the back of Murli Manohar Joshi and many others distributing sweets. ... But what spread all over the country was a wave of shock, remorse and guilt...

For the first time India realised that secularism had not taken roots in the country firmly. For the first time many stopped dreaming great dreams of maintaining the centuries-old composite culture and the pluralistic society. ...

... On November 30 at the National Integration Council's meeting in New Delhi, Prime Minister Narasimha Rao was given full authority to take any step he thought fit to protect the mosque.

Still he failed to stop the destruction, which went on for four hours, unchallenged...

At least, he dismissed the UP government, banned the RSS, and arrested persons like Advani and Joshi but ... releasing them within 36 hours. He also broadcast an assurance that the mosque would be rebuilt at the same place. It was once again a promise which he knew he would not keep.

He invited some senior journalists to explain how the BJP had let him down and how the government did all it could in the circumstances... He offered no apology. But he did not sound convincing.

'How did a small temple come up after the central government took over the UP administration on the sixth

evening?', I asked. He said that they could not land the troops because it was foggy there. They had to wait till the crowd would clear. But he promised: 'I assure you that the small temple will not be there for long.' That was three years ago. ...

The Babari Masjid structure had come to be a symbol of belief in a society that did not mix religion with politics and ensured equality to all communities before the law. That impression got smudged. Still bigger damage was done to India's reputation of being a law-abiding nation, particularly when even the Supreme Court was flouted. Still some leaders had the cheek to say that their religious faith had more sanctity than the law of the land.

Yet something positive emerged on the Sixth December. Secular forces took up the gauntlet thrown down by the fundamentalists. The real confrontation between communal and non-communal forces began from that time. It is a long battle....

(Source: The Nation and the World)

All India Muslim Intelligentsia Forum Charter of Demands

1. Due proportionate representation of the Muslim community in Police and other security forces.
2. Fixation of responsibility for occurrence of communal riots on local administration.
3. Due representation for the Muslims in administrative and law and order machinery.
4. Establishment of Central Schools in Muslim-majority localities.
5. Administrative sanction for private technical and non-technical institutions established by the Muslims.
6. Due representation of the Muslim community in Central and State Committees for preparation of educational syllabus.
7. Reservation for Muslims in all educational and social institutions.
8. Establishment of independent financial institutions for education, employment and trade by the Muslims.
9. Release of Muslim properties under occupation of Central and State Governments.
10. Establishment of Ministry for Minority Affairs at Central and State level.

D.R. Goyal on Babari Masjid Shadow Over Indian Politics

Babari Masjid continues to cast a long, menacing shadow over Indian polity. A group of eminent intellectuals have called upon the nation not to forget December 6, 1992. In their opinion 'it represents a danger against which the nation must remain vigilant'. Unfortunately, it has been remembered more by competing communalists who celebrated it as "Swabhimani Diwas" or "Black Day". The non-communal political parties have used it to abuse their rivals rather than for assertion of secularism and democracy so vitally necessary for India's survival as a nation. ...

The demolition was patently a criminal act, it being a blatant, shame-faced, defiant violation of the highest court in the land. No less a person than Vice President K.R. Narayanan had described it as the second great tragedy after the assassination of Mahatma Gandhi. As such it should have been expected to produce the effect that the earlier crime did. The mindset behind these tragedies should have become a pariah after December 6, 1992 as happened after that black evening of January 30, 1948. If it has not happened it is cause enough for anxious soul-searching.

Why is it that after some hesitant expression of remorse the perpetrators of the crime feel emboldened to flaunt it as a matter of national pride and as a first step towards creating a Hindu Rashtra of their dreams? Why do organised groups like VHP still feel tempted to whip up similar controversies and mock the statute book carrying the Places of Religious Worship (Protection) Act? Why does the nation not treat audacious defiance and mockery of law and Constitution as a challenge to its very being? Where have we gone wrong that the nation's sensitivity is so blunted that there is no upsurge of outraged reaction...

The pathetic competition is breast-beating over injustice to the Muslim community was seized upon by the BJP and its associate organisations to unfurl the anti-appeasement flag. All criticism of its defiance of law and Constitution was fended off as an exercise to attract Muslim vote bank. Holding the Congress Prime Minister equally guilty proved to be the best escape route for the BJP... The Congress campaigners developed a complex that strong attack on BJP, RSS or VHP might make the appeasement charge stick and cost them Hindu votes. ...

The appeasement complex that paralysed the Congress has affected the non-Congress parties also. The BSP leaders made snide remarks against Muslims. Mulayam Singh Yadav felt constrained to declare himself a devout Sanatanist Hindu. NTR in Andhra projected his celluloid Krishna image. From the Janata Dal rhetoric the Babari Masjid was missing. Only the Muslim leaders of all parties were left to bemoan it and they too continued to talk about it as attack on the community rather than on the nation itself...

The comparative silence over the Babari issue on political platforms is driving the Muslim community into its own shell. The politicians in the community, finding no purchase for the Babari issue, have started airing other

grievances, some real some imaginary. Advocates of withdrawal from politics have once again got voice, hurling plague on all the political formations. Jinnah's advocacy of separatism is becoming respectable with exhortative expressions like "tyranny of numbers". While a small section is advocating reconciliation to living with a Hindu Rashtra a noticeably large section is expressing doubts about genuineness of secularism. No serious thinking can be observed about evolving a strategy to defend and strengthen secularism. It is a dreadful scenario underlining Bal Thackeray's gloomy predication about impending civil war.

High time for all secular parties to take a second look at their strategies...

The most important question in this context is: should the perpetrator of a crime be treated as guilty as the one who remained helpless spectator to the crime? ...

To raise this question is not to exonerate Mr. Narasimha Rao. He certainly is guilty because he failed first to ensure strict observance of the Court's order and then to prevent the setting up of a make-shift temple at the controversial site. But then would it be fair to treat his guilt at par with that of those who whipped up the frenzy that manifested in the crime.

Rao baiting is no answer to the questions posed by the demolition of Babari Masjid, particularly because to the making of this tragedy most of the leading lights of contemporary politics have contributed in one way or the other. ...

... The tragedy was the result of failure to evolve a united national strategy against the Sangh strategy to use the Babari issue for communal polarisation. Even on December 6, 1992 if the non-Congress and anti-Rao parties and individuals had not waited to see Rao's discomfiture the misfortune that fell could be averted. ...

Proper approach to the daunting challenge even today is to avoid the temptation for one-upmanship and build a united approach on the communal question. Otherwise the nation may go beyond the precipice.

(Source: The Secular Democracy, December, 1995)

Khushwant Singh

On Advani, the Mosque-Breaker

Advani, more than anyone else, organised the rath yatra from Somnath to Ayodhya and brought together the destructive forces of the Vishwa Hindu Parishad, the Shiv Sena and the Bajrang Dal to demolish the Babari Masjid.

He is far too intelligent not to have known that the mosque was not 'an old dilapidated disputed structure' as he described it, but had become the symbol of Indian secularism, and that encouraging its demolition would bring in its wake destruction of scores of Hindu and Sikh temples scattered over the world. He has much to answer for the spilling of Hindu, Muslim and Sikh blood following the Ayodhya vandalism. But he has no regrets. Such men are dangerous.

(Source: The Sunday Observer, 10 October, 1995)

Allahabad High Court On Gift Under Personal Law

Ghulam Mohammad, Appellant v. Taj Mohammad Khan and others, Respondents

B. MEHROTRA, J.

(A) Transfer of Property Act (4 of 1882), Section 123 - Gift - Document whether constitutes gift - Parties Muslim - Document reciting that by this agreement certain house property is given by executor to his three brothers - Further recital that executor or his heirs will henceforth have no right in the house property - No whisper of word gift in entire document - Document held was an agreement of transfer - Not a gift by Muslim or document executed in cognition of an earlier oral gift - Document requires registration - Document unregistered - Not admissible in evidence.

(B) Civil P.C. (1908), Order 47, Rule 1 - Review - Decree for eviction of licensee - Suit contented by licensee only on ground that disputed property was ancestral property of licensee and on plea of adverse possession - No plea that licensee was owner under gift deed raised - Property continuing to be recorded in name of plaintiffs father throughout - Review of eviction decree sought by son of licensee on ground of discovery of document evidencing gift in favour of his father - Not tenable as in absence of assertion of rights by licensee as donee and change in records of property gift could not be said to have been accepted by licensee.

[Source: AIR 1995 Allahabad 333]

Allahabad High Court on Cow Slaughter

Mohd. Yaseen alias Chiddoo, Petitioner v. Zila Parishad Gonda and others, Respondents.

S.H.A. RAZA AND I.S. MATHUR, JJ.

U.P. Zila Parishad and Kshetra Samiti Adhinyam (1961), Section 239 - Slaughtering of animals - Licence - Bye laws framed under Section 239 prohibiting slaughter of bulls, bullocks, buffaloes and she-buffaloes - Violative of Article 19 of Constitution and Section 3 of U.P. Act 1 of 1956.

Constitution of India, Article 19.

U.P. Prevention of Cow Slaughter Act (1 of 1956), Section 3.

Bye-law 1 (b) framed under Section 239 which completely prohibits the slaughter of animals which include bulls, bullocks, buffaloes and she-buffaloes also, would be violative of Article 19 of the Constitution as also of Section 3 of the U.P. Act 1 of 1956. Similarly in bye-laws 6 (d) there is also reference to bye-law 1(b) and the entire provision is with reference to bye-law 1(b) which has been found to be illegal, thus bye-law 6(d) would also be liable to be struck down.

(Source: AIR 1995 Allahabad 352)

Shahabuddin On Islam and Gender Rights Letter to the Indian Express, 15 Dec., 1995

There can be no religious bar on codification of Muslim personal law to promote social reform and to make it uniformly applicable and combine the substantive Shariat-based rules with due process of law, since practically all Muslim countries have done so. The essential point is whether the codification is within the framework of the Shariat whose basic sources are the Holy Quran and the authentic Traditions of the Holy Prophet. Muslims are bound by the mandates of the Quran and not by the opinion of the commentators. The trouble arises when the Muslims are called upon to 'reform' the Shariat and to 'revise' or 're-edit' the Holy Quran. In fact, those who urge the introduction of uniform civil code mix up three separate issues: Reform of the Muslim society 'revision' of the Shariat, codification of the Muslim personal law and imposition of a uniform code! I wish the debate was more analytical and well-structured.

I may add that various groups of Ulema and academicians are working on a model Muslim Code based on a synthesis of all schools of Muslim jurisprudence. But will it satisfy the anti-Muslim forces?

I may also add that Islam stands for complete gender equality in all walks of life, except within the family for the sake of stability. This is why it places the responsibility of maintenance of the family, the education of the children and the marriage of the daughter squarely on the husband. A Muslim wife is entitled to keep her income and not share the household or family expenditure.

MUSLIM WORLD

Ravi Velloor

on Islamic Upsurge in Indonesia

A higher dose of Islam in national life, and as always, the politicians are the first to catch the shifting winds.

This week, President Suharto, the former military General who has been the sprawling archipelagic nation's unquestioned ruler for 29 years, appeared at the Congress of a Muslim intellectual's body to pay public tribute to the role of Muslim groups in the nation's struggle for independence from the Dutch, 50 years ago. The event passed largely unnoticed in the international media, but in the Indonesian context, Suharto's action assumed significance. Indonesia's State ideology is Pancasila, and not Islam. Although close to 90 per cent of Indonesia is Muslim - the rest is Christian, Hindu and a few animistic groups. Pronouncedly, Islamic groups have traditionally been kept at a safe distance from the politics

(Contd. on page 42)

V.R. Krishna Iyer on Uniform Civil Code

The Constitution is paramount... The need for a uniform civil code is inscribed in Article 44, not as an immediate or imminent statutory mandate but as a destination to be reached by Operation State Endeavour, stage by stage...

... The finer synthesis of these two values - secularism and right to religion - is the genius of our polity. The principle that secularity is the warp and woof of Indian society and State and that freedom of religion and conscience, within its legitimate frontiers, is a categorical imperative must be happily reconciled...

The right to freedom of religion is subject to public order, morality and health and the State may by law regulate or restrict any economic, political or secular activity associated with religious practice and provide for social welfare and reform. ...

... Two propositions are non-negotiable. The first is that the power of the legislatures to make laws in any temporal sphere of human affairs and even with respect to religious freedom and its frontiers is unchallengeable. The Islamic laws are enforceable in our country not because of the authority of the Quran (which is of supreme value to Muslims, tho') but because the Indian State commands so. Similarly, the Hindu scriptures, however sacred, become binding law only by the State's authority. ...

The second proposition is that the power to adjudicate on the legal limits which separate religion from secularism and demarcate the boundaries between 'Caesar' and 'God' belongs to the courts. If a jural imbroglio creates a dispute as to where religion comes into conflict with a State statute, the court, not ulema, acharya or cardinal, declares the bounds...

Should we have a uniform civil code? Is that an open question? If not, what are the political processes towards that end? After considerable deliberation in the Constituent Assembly, it has been finally decided that there shall be a uniform civil code. At the same time, the means whereby this end is to be achieved may be gradual...

... How should we go about it since the measure of a democracy is not to force measures by brute majority but by suasive processes, but remaining firm on basics like gender non-discrimination... What we need is not Hindu law nor Muslim nor other theological system but an eclectic, progressive corpus juris with an Indian flavour and unitive genre. Let us make haste slowly - not rashly.

... Indian communalists - Hindu and Muslim - in ballooning the advocacy and hostility centering round a uniform civil code (UCC) swear by excess as a means of success. Heavens will not fall if no UCC incarnates the morrow morn. In the U.S. each State has its own laws and yet American nationalism faces no crisis of breakup. Likewise, there is in Indian a UCC in Goa and Islam has not committed 'harakiri' there. There is already a UCC in

a large part of our corpus juris.... Nor are Hindus all that secular or gender-just. There is more bigamy among Hindus now than among Muslims; more cruelty and discrimination against women in the Hindu fold what with dowry and sati and denial of coparcenary. But objectively viewed, the argument for a UCC is based, not on the need for rigid uniformity or Procrustean equality for all Indians alike but on the need to nullify the pathologically communal nexus between Family Law and religion with its explosive potential in the Indian polity.

... The validity of the secular laws, says Frankfurter in the American context, cannot be measured by their conformity to religious doctrines.

... So the State must take some intelligent steps and not hibernate for half a century. Regrettably, Rajiv Gandhi even reversed the process under ulema ukase and Mr. P.V. Narasimha Rao is amnesic about Article 44 when ulemas gather. This is contra-constitutional conduct...

The first step is to produce an Islamic code with a vision of values concordant with current human rights and values non-discriminatory against women... What is actually intended is ... the formulation of a comprehensive statute taking the best from various family laws, improve upon them and make a model for a pluralist society, keeping as closely as possible the genius and traditions of Indian family values.

Indeed, as an experimental measure a facultative code may immediately be drawn up... which may also contain flexibility enough to accommodate some changes, if the parties so desire. This special code may be enacted as an optional legislation. Any citizen of India may take advantage of it by a formal act of his. Nobody need be coerced but everybody will have the choice to enjoy the benefit of such a code.

... The Bar Council of India has done some service, not in achieving consensus, but by essaying the drafting of a code under Article 44, through a Convention (1986)...

... Similarly, the National Commission for Women has prepared a draft of an Indian women's code applicable regardless of religion. ...

(Source: The Hindu, 22 & 23 August, 1995)

Abul Hasan Ali Nadvi

On Payment of Imams' Salary by Govt.

The A.I. Muslim Personal Law Board has declared that the Government decision was 'illegal' and against Shariat.

Once the Imams become the employees of the Government, they would be used for election purposes by the parties. We are aware of the conspiracy to use them as election agents.

Government Statement On Recommendations of NHRC

The National Human Rights Commission has, inter-alia, made following recommendations in respect of the areas affected by the insurgency and terrorism:

- i) In States where the security forces are called upon to assist the civil authorities, the local magistrate and/or police officers should be associated, in particular with cordon and search operations, in order to allay misgivings regarding the conduct of personnel of the security forces and to prevent misuse of powers.
- ii) The District Magistrate should chair regular meetings involving the security forces and be kept fully informed of operations by the latter. To the extent possible, leading non-officials, representatives of non-governmental organisations and other should be associated with such meetings.
- iii) Appropriate political measures and initiatives be taken, as in the long run, they have far more lasting and beneficial results than reliance essentially on security forces.

As regards recommendations at (i) and (ii) above, local magistrate, village elders as well as police officers were already being associated with cordon and search operations in the State of Jammu and Kashmir. The State Government has strengthened the mechanism to make it more effective and responsive. In every district there is a Screening-cum-Coordination Committee headed by Deputy Commissioner concerned and comprises the District Superintendent of Police and representatives of the security forces at senior levels. This Committee takes up, inter-alia, matters connected with search operations, army aid to civil authorities for maintaining public order etc. in its meetings which are held regularly. In North-Eastern Region, the State Governments, particularly those handling insurgency situation in their States, were advised to set-up a coordination mechanism at the State and district levels (at the State level under the Chairmanship of Chief Secretary and at the district level, under the Deputy Commissioners with representatives of security forces, police and intelligence agencies). In these coordination meetings the subject of human rights are raised and human rights concerns addressed. The seriously affected States viz. Assam, Nagaland and Manipur have already set up such Committees which are meeting frequently. The coordination committees give due consideration to complaints and suggestions made by individuals and non-governmental organisations in their deliberations and make appropriate recommendations.

As for the recommendations at (iii), the aim of the

Government is to restore a democratic Government in the State of Jammu and Kashmir at the earliest through the conduct of elections. A popular Government is expected to accelerate the process of restoration of complete normalcy and peace in the State. All efforts are, therefore, being made to hold peaceful, free and fair elections. As for the North-Eastern Region, the policy of the Government has been on the one hand to deal firmly with those indulging in violent activities and on the other to encourage them to join the national mainstream provided they abjure violence and agree to work within the Constitution of India. Within this policy framework, there has been several accords. However, there are some insurgent groups/outfits active in the NE States which have not yet shown any inclination to shun violence and to work within the Constitution. Therefore, there is no alternative but to take firm legal steps permissible under law to curb violence, killing, arson, extortion etc. perpetrated by such terrorist groups.

(Source: LSUQ No. 1894 dated 7 December, 1995 by S.S. Owaisi)

US Department

On Protection of Human Rights in India

... The treatment of religious minority groups in India, including Muslims, has been a human rights concern of ours for some time. The State Department's annual human rights reports of the last several years for India have noted major examples of communal violence as well as general instances of Hindu-Muslim tension, but contain few individual examples of discrimination against Muslims.

We have a regular dialogue with the Government of India on a wide range of human rights problems, including persecution on grounds of religion. We will continue to raise this important issue with the government.

We have been impressed with the work of the National Human Rights Commission of India (NHRC). The Commission has had some success in bringing cases against government officials and others responsible for human rights abuses across India...

I am against Pakistanis and the Muslims living in this country with a Pro-Pakistani mentality.

- Bal Thackeray

Government Statements

On Education in Mother Tongue

The policy of the Government, in regard to medium of instruction at the primary stage is set out in Article 350 A of the Constitution and the National Policy on Education, 1986.

The National Policy on Education was developed in association with State Governments and after due consideration, by Central Advisory Board on Education (CABE) and National Development Council.

(Source: LSUQ No. 2407 dated 12 December, 1995 by G. Devi & R. Ray)

On Language Teachers in Kendriya Vidyalayas

As per information furnished by Kendriya Vidyalaya Sangathan the number of posts of language teachers sanctioned as on 31.10.1995 are given below:-

Language	PGT	TGT
Hindi	956	1940
English	984	2100
Sanskrit	53	972

Media of instruction in all Kendriya Vidyalayas are English and Hindi.

(Source: LSUQ No. 2371 dated 12.12.1995 by S. Shahabuddin)

Shahabuddin on Educational Rights of Linguistic Minorities

Letter to Minister of Human Resource Development Scindia, 18 December, 1995

May I draw your attention to three replies on the question of language teaching by your Ministry Nos. LSUQ 2371, 2403 and 2407.

It has been stated that the Three Language Formula is being implemented practically all over the country with the exception of Tamilnadu and Pondicherry. The Three Language Formula should include the mother tongue.

In one of the replies reference has been made to Article 350 of the Constitution which provides for mother tongue as the medium for primary institutions. However, in the first reply it has been mentioned that the Kendriya Vidyalayas has language teachers only in three languages, namely, Hindi, English and Sanskrit. Thus the position is that either the Kendriya Vidyalayas do not admit children whose mother tongue is other than Hindi or English or they are violating the Constitution by not providing instruction in the mother tongue of non-English/Hindi speaking children.

I would be grateful to know the correct position and urge that under no circumstances should the Constitution be violated in letter or in spirit.

On Expenditure on Education

The Total Revenue Expenditure on education by Education Departments of Centre and States in 1993-94 (RE) is about 3.5 per cent of GNP.

While there is no international norm, India's expenditure on education as percentage of GNP compares favourably with other developing countries.

Faster economic growth coupled with restructuring of Central and State budgets would enable achieving the goal of raising public outlay on education to 6% of GNP.

(Source: LSUQ No.316 dated 28.11.1995 by S. Jena & R. Kumar)

On Hindi University

The main objective of the proposal of setting up of the Mahatma Gandhi Antarrashtriya Hindi Vishwavidyalaya at Wardha is promotion and development of Hindi language and literature, through teaching and research, with a view to enabling Hindi to achieve greater functional efficiency and recognition as a major international language.

The non-recurring expenditure on the establishment of the University is estimated at Rs. 30 crores during the Eighth and Ninth Plan periods. The estimated recurring expenditure would be Rs. 10 crores per annum after the University becomes functional.

A bill to establish and incorporate the proposed University has already been introduced in the Rajya Sabha. (LSUQ No. 2357 dated 12 December, 1995 by R.S. Rawat)

On Educational Development for Minority Students

In pursuance of the Programme of Action, 1992 the Central Schemes of Area Intensive Programme for Educationally Backward Minorities and Modernisation of Madarsa Education were launched during 1993-94.

Under the above mentioned schemes, no grants have yet been released to Government of Bihar for want of suitable proposals from them.

(Source: LSUQ No. 290 dated 28 November, 1995 by V.K. Yadav)

On Promotion & Development of Languages

Expenditure on Promotion and Development of Languages from 1992-93 to 31.10.1995 (Plan).

Language	(Rs. in Lakhs)
Hindi	2157.22
English	277.78
Modern Indian Languages (15 Languages including Urdu)	595.23
Sanskrit	1913.88
Arabic and Persian	44.83

(Source: LSUQ No.1363 dated 5 December, 1995 by R.P. Patel)

Shahabuddin's Bill for Status of Official Language to all Lanauges The Constitution (Amendment) Bill, 1995 Introduced in Lok Sabha on 1 Dec., 1995

... 2. In Article 345 of the Constitution after the existing proviso, the following proviso shall be added, namely:-

“Provided further that the languages, which have been declared as their mother tongue by not less than ten per cent of the population of a State, or of any district, block or panchayat therein, and which have been recognised by the State for educational purposes, shall be declared as additional official languages of the State to be used in administration, for specified purposes, in the State as a whole or in specified parts thereof, as the case may be.”

3. Article 347 of the Constitution shall be omitted.

STATEMENT OF OBJECTS AND REASONS

All national languages recognised in the Constitution or by educational authorities are majority languages in one or more States but each one of them is a minority language in other States or Union territories. Also the States or the Union territories may have a majority language in the State but that language itself may constitute a minority within the same State, sometimes at the district and more often at the block and Panchayat levels.

All linguistic groups have a common aspiration to be recognised officially in the field of education, mass information and administration atleast for specified purposes. Some States have taken ad hoc legislative and executive steps in this regard. What is needed is a national norm to eliminate frustration and agitation and to ensure that no linguistic group anywhere feels deprived.

Any language which is recognised by the State for educational purposes and declared by some people of the State as their mother tongue should have the status of additional official language (apart from the principal official language of the State) at the State, District, Block/Tehsil and Panchayat levels, if it is spoken by atleast 10 per cent of the population at that level. The norm may also specify the limited purposes for which the additional official languages shall be used.

The implementation of such a norm will go a long way to give a sense of participation to the citizens who form a linguistic minority at the appropriate level, particularly under the Panchayati Raj institutions. It may be added that at the State level, nearly 20 per cent of our population constitutes linguistic minorities but if the linguistic minorities at district, block, tehsil and panchayat level are to be added, the total proportion of linguistic minorities at various levels would be substantially higher.

The existing provision of article 347 of the

Constitution has been rarely used while the linguistic in all States have been frustrated in their effort to find an adequate place for their language in education and administration. It is, therefore, necessary to replace the recommendatory provision under article 347 by a mandatory provision under article 345 so that their legitimate aspirations can be fully accommodated.

Al-Ameen Scholarship Committee

The Al-Ameen Educational Society, Bangalore constituted the Al-Ameen Scholarship Committee under the chairmanship of Alhaj Farook Mahmood.

During the year 1994-95 about 1721 students have received financial assistance by way of fees and uniforms.

A sum of Rs. 6,32,444/- was collected as donations and contributions by way of Zakath during the year 1994-95. A target of Rs. 10,00,000/- has been fixed for the current year. Apart from the Al-Ameen Scholarships, the Committee also awards the following scholarships:

1. Al-Ameen Hamid Alijan Memorial Scholarships.
2. Al-Ameen Haji M.A. Razack Scholarships.
3. Al-Ameen Sadiq Ali Shariff Scholarships.
4. Al-Ameen Irshad Basith Scholarships.
5. Al-Ameen Mohd. Ghouse Memorial Scholarships.
6. Al-Ameen C. Abdul Kareem Memorial Scholarships.
7. H.J.S. Scholarships.
8. Al-Ameen Khathija Beeve Memorial Scholarships.
9. Dr. Farooq Tareen & Dr. Nazira Tareen Endowment Scholarships.
10. M/s A.R. Khaeel and Family Endowment Scholarships.
11. Al-Ameen A.R. Chida Endowment Fund Scholarships.
12. Al-Ameen Osman Abdulla Endowment Fund Scholarships.

Address: Alhaj Irfan Razack

Hony. Secretary,

Al-Ameen Educational Society

109, Millia Building, 2nd Floor,

N.R. Road, Bangalore - 560 002.

Freedom of opinion is fine, but... the freedom can be a kind of madness. One can be critical but not sneering. That is why I do not feel sympathetic towards Rushdie.

- Nissim Ezekiel
on Salman Rushdie's The Moor's Last Sigh

European Charter for Regional or Minority Languages, Article 8 - Education

1. With regard to education, the Parties undertake, within the territory in which such languages are used, according to the situation of each of these languages, and without prejudice to the teaching of the official language(s) of the State:

- a.
 - i) to make available pre-school education in the relevant regional or minority languages; or
 - ii) to make available a substantial part of pre-school education in the relevant regional or minority languages; or
 - iii) to apply one of the measures provided for under i and ii above at least to those pupils whose families so request and whose number is considered sufficient; or
 - iv) if the public authorities have no direct competence in the field of pre-school education, to favour and/or encourage the application of the measures referred to under i to iii above;
- b.
 - i) to make available primary education in the relevant regional or minority languages; or
 - ii) to make available a substantial part of primary education in the relevant regional or minority languages; or
 - iii) to provide, within primary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv) to apply one of the measures provided for under i to iii above at least to those pupils whose families so request and whose number is considered sufficient;
- c.
 - i) to make available secondary education in the relevant regional or minority languages; or
 - ii) to make available a substantial part of secondary education in the relevant regional or minority languages; or
 - iii) to provide, within secondary education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv) to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- d.
 - i) to make available technical and vocational education in the relevant regional or minority languages; or
 - ii) to make available a substantial part of technical and vocational education in the relevant regional or minority languages; or
 - iii) to provide, within technical and vocational education, for the teaching of the relevant regional or minority languages as an integral part of the curriculum; or
 - iv) to apply one of the measures provided for under i to iii above at least to those pupils who, or where appropriate whose families, so wish in a number considered sufficient;
- e.
 - i) to make available university and other higher education in regional or minority languages; or
 - ii) to provide facilities for the study of these languages as university and higher education subjects; or
 - iii) if, by reason of the role of the State in relation to higher education institutions, sub-paragraphs i and ii cannot be applied, to encourage and/or allow the provision of university or other forms of higher education in regional or minority languages or of facilities for the study of these languages as university or higher education subjects;
- f. to make arrangements to ensure the teaching of the history and the culture which is reflected by the regional or minority language;
- g. to provide the basic and further training of the teachers required to implement those of paragraphs a to g accepted by the Party;
- h. to set up a supervisory body or bodies responsible for monitoring the measures taken and progress achieved in establishing or developing the teaching of regional or minority languages and for drawing up periodic reports of their findings, which will be made public.

(Contd. from page 35)

within the Hindu fold as society's atonement for the injustice meted out to the outcasts. The demand for extending quotas to Muslims and Christians can be countenanced only on the admission that their social structure also suffers from the same inequities that the caste system represents in Hinduism. But when egalitarianism is projected as the distinctive feature of these two minority faiths, the insidious injection of the caste cleavage flies in the face of logic... The clamour for the reservation cake... is solely due to the need to ensure that its absence does not act as a disincentive to conversion or spur the reverse flow...

Religion preaches that the way to truth is service and science provides us the means to do so.

- Dr. Shankar Dayal Sharma,
President of India

Government Statements On Reservation for OBCs

(Provision of) reservation of seats in general and professional colleges for students belonging to other backward classes (OBCs) is under active consideration of the Government.

(Source: LSUQ No. 711 dated 30 November, 1995 by M.R. Salkia)

On Reservation on the Basis of Religion

There is no proposal for giving separate reservation on the basis of religion in public employment and educational institutions. However, those sections of the religious minority communities which are socially and educationally backward have been included in the Central List of Other Backward Classes for the purposes of providing reservation in direct recruitment in civil posts and services under the Government of India. The proposal to discuss this matter with the political parties is being examined.

(Source: LSUQ No. 1754 dated 7 December, 1995 by B.C. Khanduri & A.B. Vajpayee)

Quota for Christians

Editorial, The Hindustan Times, 23 Nov. 1995

As if the cause itself was not controversial The Catholic Bishops Conference of India compounded its espousal by forcing on Tuesday the closure of hundreds of schools and colleges managed by the community to press for the extension of reservation benefits to Dalits converted to Christianity... The coercive tactic was employed, keeping in mind the electoral exigencies of the Congress, which could not afford the alienation of another minority community after the disenchantment of the Muslims. But in case the government does not give in to the patently preposterous demand, will the closure of the hospitals and medical centres run by the community by the next step? Though constituting only 2.34 per cent of the population, Christians manage over 20 per cent of the educational institutions in the country, with a degree of autonomy in administration and admission matters that sets them apart as a privileged community. But if this clout is used to press demands that will not stand scrutiny, it will amount to the misuse of the special rights on education that cannot but harm the interests of the community itself.

For once, Mother Teresa has extended her support to a campaign that has sadly brought her down from the pedestal, she occupies in the eyes of the nation as an apostle of peace harmony and compassion. The day-long dharna she observed on Saturday in solidarity with the Bishops' Movement goes against the grain of all that she has stood for so long... The constitutional provision for reservation was put in place only for Scheduled Castes

(Contd. on page 34)

Sunil Sethi on Urdu Poetry

... Two tragedies in independent India (are) hard to stomach. One is a canard and the other a profound loss. The canard is the widely-held impression that Urdu is the language of Muslims. A greater lie than this was never told. And the loss is the death of poetry among the people. In my opinion, the death of poetry is directly related to the death of Urdu... Let me explain how not just a language but a whole way of life came to be assassinated. ...

Urdu is a language connected to a region, not a religion. It is not a very old language; in fact it is nothing more than a derivative of a dialect spoken down the centuries in the bazaars of Delhi and in parts of Haryana and western UP that was spiced up with bits of Persian and Hindi. Indeed, the word "Urdu" derives from the Turkish word for "army encampment"; it is the same root from which the English word "horde" derives.

Born in army camps as the illicit offspring of Persian, the foreign language of the court, and Sanskrit, the indigenous language of Hindu scripture, it was widely popular because of its power to communicate. Ornate poetry and ... prose were written in Urdu but at its heart it remained a simple, stirring street language, a form of Hindustani commonly spoken and understood by Hindus and Muslims alike. That was the reason for its runaway success in north India. More Indians know Kaifi Azmi's lyrics in *Kaagaz ke phool* by heart than they do Bachchan's *Madhushala*.

The trouble started after Partition when Pakistan, in confirmation of a two-nation theory, appropriated Urdu, albeit a highly Persianised form of it, as its official language.

And India's response was to unofficially murder it by shovelling a Sanskritised Hindi down everyone's throat. You can divide a piece of territory into two but how do you tear a language in half? Urdu, the uniter of people, became a weapon in the hands of politicians to divide them. One result is that while many Pakistanis do not fully understand the high-flown Urdu of their TV news bulletins, most Indians cannot understand Doordarshan's Hindi. But listeners on both sides know exactly what's what when the poet starts singing...

Urdu verse lends itself naturally to music, which is why Bombay's film industry has been its constant refuge in an inconstant world...

There is the old argument about whether the world would be a better place to live in if poets and not politicians ran it... The real reason we need poets is that by communicating directly with people, they can speak the truth. ...

(Source: The Pioneer, 3 December, 1995)

Haj 1996: Statewise Quota

S.No.	State	Muslim Population (Census 1991)	Quota	Applications received	Surplus/ Deficit	Addl. Allotment	Final Deficit
1.	Andaman & Nicobar	21,354	10	12	(+2)	2	-
2.	Andhra Pradesh	59,23,954	2732	1790	(-)942	-	-
3.	Assam	64,75,617	2986	480	(-)2506	-	-
4.	Bihar	127,87,985	5897	625	(-)5272	-	-
5.	Chandigarh	17,477	8	55	(+)47	41	6
6.	Daman & Diu	9,048	4	23	(+)19	17	2
7.	Delhi	8,89,641	410	1567	(+)1157	1010	147
8.	Goa	61,455	28	28	-	-	-
9.	Gujarat	36,10,261	1665	5885	(+)4220	3683	537
10.	Haryana	7,63,775	352	1576	(+)1224	1068	156
11.	Himachal Pradesh	89,134	41	-	(-)41	-	-
12.	Jammu & Kashmir	41,22,525	1901	2552	(+)651	568	83
13.	Karnataka	52,34,023	2414	2496	(+)82	72	10
14.	Kerala	67,88,364	3130	4800	(+)1670	1457	213
15.	Lakshadweep	48,765	22	86	(+)64	56	8
16.	Madhya Pradesh	32,82,800	1514	2740	(+)1226	1070	156
17.	Maharashtra	76,28,755	3518	8145	(+)4627	4039	588
18.	Manipur	1,33,535	62	135	(+)73	64	9
19.	Orissa	5,77,775	266	147	(-)119	-	-
20.	Pondicherry	52,867	24	31	(+)7	6	1
21.	Punjab	2,39,401	110	426	(+)316	276	40
22.	Rajasthan	35,25,339	1626	3060	(+)1434	1252	182
23.	Tamil Nadu	30,52,717	1408	2487	(+)1079	942	137
24.	Tripura	1,96,495	91	-	(-)91	-	-
25.	Uttar Pradesh	241,09,684	11118	10569	(-)549	-	-
26.	West Bengal	160,75,836	7413	1310	(-)6103	-	-
27.	Government Quota		1250	1250	-	-	-
	Total	105,718,582	50,000	52,275	(+)17,898 (-)15,623	15,623	2275

Government Statements

On Financial Assistance to Pilgrims

The number of Haj pilgrims who visited Saudi Arabia under the arrangements made by the Central Haj Committee, to whom concessional air fare was made available through chartered flights, are as follows:

1993	-	25,205
1994	-	25,685
1995	-	31,000

The number of pilgrims who participated in the Kailash Mansarovar Yatra is as follows:

1993-94	: 365	1994-95	: 370	1995-96	: 340
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(Source: LSSQ No. 208 dated 11 December, 1995 by C. Swami)

On Subsidy for Haj Pilgrims

Indian pilgrims proceeding for Haj pilgrimage have the option to draw Saudi Riyals 4600/- or Saudi Riyals 5500/-. Due to change in exchange rate, they will have to incur an additional expenditure of Rs. 6072/- or Rs. 7260/-, depending on the option exercised, for Haj-96 as compared to Haj-95.

The Government have been providing concessional air-fare to Indian Haj pilgrims. The chartering of aircraft for Haj-1996 has still to be finalised and decision regarding the concessional fare will be taken thereafter.

(Source: LSUQ No.2249 dated 11 December, 1995 by S.S. Owaisi)

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Government Statements

On Minorities Concentration Districts

The criteria adopted for the identification of the existing list of minority concentration districts was that the minorities should account for 20% of its population, which was the percentage of population of all minorities put together in the country (as per 1971 Census).

Total population of Minorities in 41 minority concentration districts (as per 1981 Census)	percentage of minority communities in 41 minority concentration districts to total minority population in the country (as per 1981 Census)
3,02,93,231	27.65%

The exercise to review the list is in progress. Poverty, Educational Backwardness of an area besides the population as per 1991 Census are the guiding principles for the revision of the list of minority concentration districts in the country.

(Source: LSUQ No. 1719 dated 7 December, 1995 by S. Shahabuddin)

Shahabuddin's Letter to Minister of Welfare Sitaram Kesri on Identification of Minority Concentration Districts, 8 December, 1995

Please refer to your reply to LSUQ No. 1719 regarding the identification of minority concentration districts. The figures given by you confirm that in the present list of districts, only 27.65% of the minorities population is being covered. In fact, in the case of some minority communities, the percentage may be even smaller. However, I am glad that you are reviewing the list. I would suggest that you must enlarge the list to include at least 75% of each religious minority. This can easily be done by considering all districts in which the population of a particular minority is at least 1% of the total population of that minority in the country as a whole. These districts can be arranged in order of population of that community and the cut-off should apply where the cumulative total reaches 75% of the total population of the community. This exercise can be done for each minority community, separately. Some districts may overlap. Overlap can be cancelled in the final common list.

On 15-Point Programme for Minorities

The 15-Point Programme for the welfare of minorities is being implemented through Central Ministries/Departments as well as States/UTs. The matters relating to recruitment in Central Ministries/Depts. including Central Police Organisations, matters relating to pre-examination coaching schemes for the economic development of minorities is the direct concern of Union Government.

The points relating to Law and Order, Education, relief to riot victims, encroachment of Wakf properties, recruitment in State Civil/Police Services and implementation of Centrally sponsored schemes relating to these points are implemented directly by the State Government but are closely monitored by the Union Government from time to time.

The 15-Point Programme for the welfare of minorities is being implemented since May, 1983. It is a continuous process.

(Source: LSUQ No. 1851 dated 7 December, 1995 by S.M.L.J. Basha)

On Socio-Economic Development of Minorities

The Scheme for formulation of Multi-sector Plan for development of minorities is under the active consideration of Government.

The Scheme envisages to identify such economic activities in identified districts in which minorities are conspicuously engaged. For this purpose each district wherever convenient a block or even a town may be taken up in a unit. Special area programme shall be prepared for such units incorporating provision for credit, raw material, appropriate technology and market support.

The Scheme will be implemented through State Government/UT Admns.

Necessary finance is proposed to be provided to State Govts. for preparation of Project Report. A provision of Rs. 0.50 crore has been made for this purpose during 1995-96. In the first stage, the scheme would be taken up in 41 minority concentration districts, identified as per 1971 Census which need more urgent attention.

(Source: LSUQ No. 733/30.11.95 by L. Pandey, B.C. Khanduri and A.B. Vajpayee)

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Kanchan Gupta

On What Sangh Pariwar Expects Muslims To Do?

... So what (must) the Muslims do? To begin with, they must come to terms with the fact that Hindus constitute the overwhelming majority in the country and that they can never again regain the political power they lost with the decline of the Moghal throne. Muslims have every right to share power, just like all other sections of Indian society. But they do not have - shall never have - the exclusive right to power...

Second, Muslims will have to come to terms with the fact that fanaticism or religious obscurantism, not to mention theocracy, are incompatible to a modern state... Muslims as a community must demonstrate their faith in civil society by accepting a common civil code that will draw upon the best traditions of all personal laws and ensure gender equality.

Third, Muslims must reject the vote-bank politics of the Congress and the NF-LF combine and opt out of the client-patron relationship designed to suit the political purpose of the so-called secularists. They must not look towards social, political and economic patronage (for instance, job reservations as being suggested by the Congress and the JD) but find a place for themselves in the larger Indian family as equals. They can do this by opting for modern education and enterprise.

Fourth, Muslims must demonstrate that they are as much Indians as Hindus. This can be best done by repudiating the concept of a 'minority community' vis-a-vis a 'majority community'. They can, if they want, become equal citizens of a modern, truly secular India.

Fifth, Muslims must realise that by retaining the veto which was put in their hands by the British they have alienated vast sections of the Hindus. By saying 'no' to all that is suggested for their integration and insisting on maintaining their 'separate identity', they have only fuelled suspicion and apprehension. The 'separate identity' which they want to protect so zealously is widely perceived as a 'separatist identity'. One way of removing Hindu misgivings would be to identify with the nation's cultural heritage and forsake extra-national loyalty of every form.

Sixth, Muslims will have to acknowledge the fact that while India is not (and shall never become) a Hindu state, it was and shall remain a Hindu country. Muslims can no longer afford to ignore, as they have been told to do by their religio-political leadership as well as the champions of pseudo-secularism, the predominant religious ethos of India.

And lastly, Muslims must have faith in the 'tolerance' and capacity for 'toleration' of Hindus. They have nothing to lose but everything to gain by reposing this faith in the numerically stronger section of Indian society. ... The first step towards this paradigm shift in Muslim attitude would be to vote for the BJP. Can Muslims summon the courage to break with an imperfect past for a better future? ...

(Source: The Seminar, November, 1995)

Government Statements

On Devdasis in Jagannath Temple

The Government are aware that the Managing Committee of the Jagannath Temple at Puri has decided to appoint Devdasis and the decision has been widely opposed in the country.

The Union Government have called for a report from the State Government in this regard. As per the report of the State Government the Managing Committee of the Shri Jagannath Temple at Puri has not decided to appoint Devdasis in the Temple.

The Devdasis in Puri Temple are not appointed or recruited by the Temple Administration. It is a voluntary service, like any other ritual service in the temple, out of one's free will and dedication.

Government views with utmost concern the exploitation of women through temple dedication. Central Government has been requesting the State Governments where this traditional practice of dedication of women as Devdasis, Basavis, Jogins etc. is found, to enact laws/frame rules relating to devdasi Prohibition and rehabilitation.

(Source: LSUQ No. 323 dated 28 November, 1995 by S.P. Pathak)

On Declaration of Cow as National Animal

The Government have received suggestions to declare cow, bullocks and bulls as the national animals from time to time.

However, the tiger has been declared as the national animal in 1973. No change in this is under consideration.

(Source: LSUQ No. 1435 dated 5 December, 1995 by V. Pawar)

On Discovery of Dwarka City

Underwater exploration of Dwarka and Bet Dwarka was undertaken by Dr. S.R. Rao of National Institute of Oceanography, Goa, under a project approved by the Council for Scientific and Industrial Research for Underwater Exploration of Dwarka and the total expenditure incurred in this project upto March, 1995 is Rs. 77.31 lakhs. As a result of said work at Dwarka, structures such as fallen walls, bastions, big and small stone anchors, copper vessels, stone door-sockets, spheroid stone bases of masts of boats and remains of an ancient harbour with about 300 mtrs. long ridge have been revealed. Some antiquities like pottery, a seal, inscription were found from Bet-Dwarka. Besides, Department of Science and Technology had approved a project entitled "Marine Archaeological Studies in Indian Waters" at the National Institute of Oceanography, Goa. The amount released for a period October, 1984 to March, 1990 is Rs. 28.31 lakhs against a total cost of the project Rs. 31.99 lakhs.

(Source: LSUQ No. 287/28.11.1995 by N. Kumar & 2 others)

Malini Parthasarthy on Hindutva

The recent "miracle" of milk drinking idols which had thousands credulously thronging temples all over India might just be a foretaste of the kind of hold that those relying on the magic properties of rekindling of religious sentiment would like to have over public life in this country. The resurgence of superstition and credulity, four decades after these proclivities were scornfully and emphatically declared anachronisms incompatible with the vision of a secular and scientifically oriented India, might represent only one aspect of the bruising impact on the national psyche of the revival of religious chauvinism. It would not be an exaggeration to say that the ascendancy of religious chauvinism, which is what the Hindutva movement represents, is a direct threat to the value system that was so prized by the post-Independence generation of leaders. ...

It would appear an incongruous conjunction of circumstances that in today's context, where globalisation and the liberalisation of the economy are the avowed objectives of the political leadership, there is an upsurge of religious revivalism and fundamentalism.... This would imply that other factors are at work in the fragmentation of the post-Independence ethos. It is obvious that the element of religious chauvinism which has come to acquire a distinct identity as a result of an inassertive attitude on the part of the Indian state is one such factor. Is it a coincidence that just when the idea of a secular political culture is under challenge... the emphasis on a scientific outlook and the need for rationality are being tested through a cultivated attempt to revive religious fervour, using even "miracles"?

... It was precisely to avoid the emergence of a political culture dominated by a majority that the post Independence consensus had placed an emphasis on science and secularism. It was recognised that the dominance of the symbols, rituals and folklore of the majority community would alienate the minorities... Hence the conscious campaign by the post Independence leadership to ensure that public life was free of the imagery and symbolism associated with religion. Yet today... cultural symbolism of the most excluding kind is back with a vengeance.

This is not to be dismissive of genuine religious sentiment or pride in one's own faith. But there can be no question that allowing religious symbolism to creep into public life, particularly the images and symbols of the majority community, is to put the minorities on the defensive, is to alienate them from a sense of participating in the affairs of the Indian republic and to give them a sense of being islands in a great Hindu sea.

Adding to the sense of being marooned in a Hindu

Rashtra is the perception that since the early Eighties, the tacit approval of the Indian state has also been available to the militant section of the majority community. Thus the evoking of cultural and religious symbolism in the public arena by the majority community triggers off fundamentalist responses from the minorities who begin to appear more intractable in their unwillingness to subsume their religious identities. The gulf thereby widens to the point that the sense of a national identity is no longer able to overwhelm all other considerations.

... The Chandraswami episode did underline was that figures of religious authority have come to hold definite sway in the political arena, much more so in the last few years than ever before in the past, because of the legitimation of their influence by the patronage of the political leadership... The sadhus are now a factor to be reckoned with in the political process.

Unquestionably the first step in the legitimation of the participation of religious figures in the political process was taken by Indira Gandhi who saw the potential in the use of Hindu cultural symbolism in shoring up political support. The trend was reinforced by the manner in which the Rajiv Gandhi administration handled the Ayodhya issue. The mobilisation of Hindu sentiment on a large scale for the Ram Shila pujans and the organisation of the Shilanyas near the disputed site in late 1989 paved the way for a visible political role in the recent period.

The Narasimha Rao administration, following in the footsteps of the Chandra Shekhar regime, gave considerable respectability to the idea of religious leaders involving themselves in the political process when under the aegis of the Prime Minister's Office, representatives of Hindu and Muslim organisations held discussions on a solution to the Babari Masjid tangle. Not only did these talks confer authority on organisations, whose representative character in relation to their respective communities was questionable but they also provided the scope for a new and volatile ingredient to enter the political arena. This was the argument that "faith" was outside the domain of the political process and could not be adjudicated and much less legislated. This was a dangerous concession of ground which led to the destruction of the Babari Masjid.

The tragedy was that the demolition of the Babari Masjid did not have a sobering effect on the conciliatory strategy of the Rao administration. The efforts to form a temple trust, based on the participation of "apolitical sadhus" as they were described then, were intended to counter the VHP's political mobilisation. The Prime Minister's Office played an active role in roping in these

(Contd. on page 40)

Amulya Ganguli on the Hindutva Threat

... Gandhi's death resulted in the banning of the RSS and the marginalisation of the sangh parivar for nearly four decades. There is little doubt that it helped in the consolidation of secular democracy in India.

The banishment of the sangh parivar to the outer peripheries of Indian politics might have been for an even longer period but for the undermining of democracy and the debasement of secularism at the hands of cynical ruling politicians. With electoral malpractices and shameless venality at all levels of the bureaucracy and the political establishment becoming the norm, it was inevitable that organisations which had long remained on the sidelines will come to the fore to claim the right to be given a chance to prove their worth.

... But the danger arises when the newcomers mock not only at corruption and incompetence ... but at the very system. As long as it is a debate between the pros and cons of the parliamentary and presidential forms of government, or of the "first past the post" system of election versus that of proportional representation, ... the parameters remain grounded in tangible realities.

But trouble begins when God is brought into the equation. Then all rational calculations go haywire because one is dealing with an Yigal Amir or Nathuram Godse who was driven by sentiments whose intensity springs from what they deem spiritual sources rooted in myths, legends and supernatural concepts. One is back again in the medieval times of Islam's sweeping victories and the crusades of the Christians against Muslims. ...

At present ... it is the warped religiosity of the ultra-rightists which poses a threat to civilised society. The danger comes as much from the Christian revivalists in the US as the Islamic terrorists in West Asia and elsewhere, their equally rabid Jewish counterparts and the Hindu militants... May be in course of time the Japanese cultists will join this backward march, along with representatives from China after the demise of communism. ...

The efforts of (Hindu) reformers were twofold. One was to rid religion of practices of the dross that had accumulated over centuries and the other was to reveal the true essence of the faith. The two processes automatically eliminated the pettiness of bigotry and made the religion stand out in its true glory. There was politics in their endeavours, too, though not for winning seats in legislatures. Their reforms were the result of the impact of Christianity and Western civilisation on India and were meant basically to strengthen Hinduism by bringing out its inner core and showing the world its greatness.

In the process, religion was also brought into harmony with the modern scientific notions with their emphasis on verifiable experiments. As it sheds its fixed dogmas and superstitions born of the primeval fears of the early man, religion can happily come to terms with today's world, accepting that Galileo was right after all, and seeing God not in the illusion of idols sipping milk but in the wondrous intricacies of the subatomic world and the awesome mystery of black holes.

Revivalism does the opposite. It is a return journey to a primitive priest-ridden past, inimical to a questioning mind and therefore basically against education unless it conforms to set beliefs... In the US, the Turner diaries written by a white supremacist, which inspired the Oklahoma blast, refer to a race war in the not too distant future in which the "Aryans" will defeat the "Jewish-liberal-democratic" clique, ending in the Day of the Rope when Jews, Blacks and other Non-whites will meet their dismal fate. And by Aryans, the author, William Pierce, did not mean those whose homeland, according to sangh parivar... was in India.

The ultra-rightists favour... societies (with) homogeneous character. They seem to be paranoid about "aliens" presumably because they challenge the accepted norms... But ... the rightists are fighting a losing battle.

(Source: The Indian Express, 13 December, 1995)

(Contd. from page 39)

"apolitical" sants on the basis of a calculation that thereby one could beat the VHP at its own game. The result was not so much a weakening of the VHP's dominance of the Hindutva agenda but a strengthening of the legitimacy of the agenda itself. Another instance... was the summit meeting of sorts of the four Shankaracharyas in October 1993 who then communicated their "willingness" to undertake the task of building a temple through a trust. Thus the strategy of the Narasimha Rao administration has been directed at appropriating the platform of ... Hindutva, rather than questioning the locus standi of such a platform in the political life of a secular republic.

It is no wonder that the mobilisation of militant and exclusivist Hindu sentiment has acquired a momentum that is increasingly difficult to counter politically. The danger of allowing the agenda of Hindutva to gain respectability is not just that it would damage the secular-scientific ethos... Without that ethos... it would be impossible for India's civil society to endure as an integrated nation state.

(Source: The Hindu, 2 October, 1995)

Shahabuddin on Hindu-Muslim Unity

Letter to Indian Express, 9 December, 1995

In his article 'Muslims and Hindutva: The scope for amity (December 9) Mr. Jethmalani begins his search for Hindu-Muslim unity with denunciation of Islam as being incompatible with peaceful coexistence between its followers and non-Muslims, and by postulating the superiority of Hinduism as a religion and as a way of life!

Shri Jethmalani then picks on the verses of the Holy Quran that he deems to be objectionable and calls for 'reconciling the Quran with the paramount needs of the Republic'. This is nothing short of blasphemy because kingdoms and republics may flourish or decay, the Quran is the Word of God - universal and eternal.

If evolution means synthesis, as Mr. Jethmalani says, why should the Indian culture which has interacted with many alien influences, be equated with the Hindu culture? Why should national integration mean assimilation into the Hindu, sorry Hindutva, fold?

Mr. Jethmalani shows his ignorance when he speaks of "interpolations in the Quran which can be removed". There are no interpolations in the Quran. The Holy Prophet was not its author, as Mr. Jethmalani implies.

The Quran itself guarantees its authenticity and its protection against distortion or alteration. Not a syllable, not a comma or full stop has been changed in it throughout its existence. It has only one version, which is the first and the last edition. So, it cannot be re-edited to suit Mr. Jethmalani's whim. Otherwise, every generation, and every country and every population will have their own version of the Quran.

'Ijtihad' means reinterpretation but it does not mean deletion or alteration or addition or subtraction.

Hindu-Muslim unity and amity do not lie in assimilation but in mutual respect for each other as followers of two distinct religions, and in working out constitutional, legal and ethical rules for peaceful coexistence and common pursuits. It lies in emphasising equality and not superiority. It lies in tolerance and not in chauvinistic, obscurantist intolerance. Hindu-Muslim unity implies that Hindus should be Hindus and Muslims should be Muslims, yet they should unite for a common cause. Why should Mr. Jethmalani unlike Mahatma Gandhi, insists that Muslim become votaries of Hindutva or Mohammadi Hindus, as Murli Manohar Joshi demands, to be accepted as Indians?

The Quran envisages a common Creator but a world with multiple religions. Islam can co-exist in and with a multi-religious society. Unfortunately, though, Mr. Jethmalani identifies Islam as a political doctrine, a

military code, not as a spiritual discipline.

Islam permits use of force by man but only in self-defence and when all other means have failed. One recalls the views of Azad and Gandhi on non-violence. Azad saw it as a contextual tactics, but Gandhi viewed it as an absolute strategy.

Mr. Jethmalani does not understand, much less appreciate, "the Muslims' allergy to Vande Mataram". Does he understand why, despite all pressures, our founding Fathers of the Constitution did not declare it to be the National Anthem? Does he know that even the Congress, in pre-independence days, came to the conclusion that the Muslim objection to the song as a whole and to its context were valid? He should brush up his history and study theology a little more carefully.

I also reject Mr. Wahiduddin Khan's comparison of Muslim and Hindu communities in India with USA and Japan, as if the former favour one two 'sovereign states' in conflict with each other. The dynamics of an inter-community harmony within a state was totally different from those of an inter-state conflict, Mr. Jethmalani should know.

Every Muslim Indian longs for Hindu-Muslim amity and unity but none will oblige Mr. Jethmalani by 'editing' the Quran.

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Chakma Minority in Mizoram

What concerns the Mizoram Chakmas is not the declaration 'Mizoram is for Mizos' by the Mizo Zirlai Pawl (MZP) but the support extended to these communal forces by State Congress leaders and the State Government. As a result, the non-Mizo and non-Christian ethnic group - the Chakmas - have become the target of the MZP, says a Chakma Jatiya Parishad (CJP) memorandum submitted to Prime Minister P.V. Narasimha Rao on November 23, 1995)... The Congress Government of Mizoram has decided to start deportation of foreigners from December 5. A special task force... has been constituted by the State Government for this purpose.... The issue was taken up during an all-party meeting organised at the behest of Chief Minister Lalthanhawla in early 1994.

On September 26, 1994, the State Electoral Office had declared January 26, 1950, as the cut-off year for identifying the foreigners. This was later changed to 1956. The activists of the MZP and the Mizo National Front (MNF), both anti-Chakma organisations, have been deputed to identify the alleged foreigners. This is an unprecedented measure in post-Independence India...

The names of thousands of Mizoram Chakmas, including those who served as returning polling officers, have been deleted from the voter list. MNF and MZP activists even burnt the Aizwal District Election Office in December, 1994 to delete the names of Chakmas from the electoral rolls and portray the Chakmas of Aizwal as foreigners.

Earlier, on August 29, 1992, Mizos attacked the Chakmas at Marpara, Nava and Avapui villages under Aizwal district, in the presence of the Mizoram police and the Border Security Force personnel. No one was, however, prosecuted for killing a resident of Nava village and burning 257 houses of the Chakmas. Proper compensation was not paid to the affected people.

In recent months, the atrocities have increased manifold... The allegation that Chakmas are foreigners is baseless. After the annexation of Lushai hills by the British in 1891, the boundaries were revised in 1900 and a strip on the eastern side of the then Chittagong Hill Tracts district, including Demagiri, was transferred to the Lushai Hill district. During the Lushai expedition... in the mid-19th century, the British used the Chakma inhabited areas to bring the Lushais - the present Mizos - under their control. The historical animosity between the two tribes was intensified when the MNF targeted the Chakmas during the insurgency, for allegedly helping the Centre

In 1972, the Union Government awarded the Chakma

Autonomous District Council (ADC). However, 70 per cent of the Chakma-inhabited areas were kept outside the jurisdiction of the Council. As a result, the majority of the Chakmas have been denied the constitutional safeguards. The Chakmas-inhabited areas outside the ADC have remained under-developed since 1947. ...

"The Mizos call the Chakmas 'Takkams' - objects for slaughter. We are ill treated in the buses and the market places. Now the MZP activists harass our women and plunder our villages on the excuse of identifying foreigners," says CJP president B.B. Chakma. "There is tremendous pressure on the Chakma leaders, irrespective of their political affiliations, to boycott the next general elections and intensify the demand for a union territory to get rid of discrimination by the Mizos once and for all," he adds.

For six years now, the Chakmas of Mizoram have been demanding a union territory. Pursuant to a memorandum submitted to the then Prime Minister V.P. Singh on September 17, 1990, Mizoram Government... asked the CJP to submit boundary lines of the union territory, ... they wanted... In the Rajya Sabha on May 13, 1992, the then Minister of State for Home Affairs M.M. Jacob stated that the "Mizoram Government is of the view that this demand is not justified as the Chakmas of Mizoram already have an Autonomous District Council...

With the general elections round the corner, the Mizo politicians are trying to whip up anti-Chakma sentiments. The Congress has also joined the refrain. However, if the Chakmas, who are traditionally Congress supporters, boycott the elections, the MNF will most probably upset the Congress applecart. (Source: The Pioneer, 3 Dec., 1995)

(Contd. from page 29)

of the State. ... In recent months, observers of Indonesia have watched the growing influence of a group, banded under the banner of the Indonesian Association of Muslim Intellectuals, for which the local acronym is ICMI. The group was set up in 1990 and is headed by a Suharto protege, State Minister for Research and Technology B.J. Habibie. ...

In parallel, there has been a marked increase in religious sentiments in Indonesia. Two years ago, a State-sponsored lottery, billed to promote sports from its profits, was pulled after youth groups claimed that it was unislamic and encouraged gambling. Two weeks ago, a Chinese man, believed to be deranged, set off riots in a provincial town after rumours spread that he had desecrated the Quran. (Now) Suharto has ... acknowledged, for the first time, the role of Islam.

(Source: The Indian Express, 10 December, 1995)

Seema Mustafa on RSS Conspiracy behind Milk 'Miracle'

... An almost fanatical frenzy gripped the city... The only difference being that these were not sustained by faith and hence could not be described as a miracle, and were openly menacing in their effect.

There is a rumour machinery that exists, one cannot say it has been created because of reports by those who witnessed partition and recall the role played by rumours in generating riots and bloodshed. This rumour machinery, grapevine is too mild a word to describe it, is used to perfection by fanatic forces like the RSS... the large majority of communal riots in this country are preceded by days of wild rumours that are believed by the populace, and which increase tension to such a pitch that finally, any little move can trigger off a riot...

... One has seen this over and over again, careful, precise use of rumours to generate hatred, insecurity followed by heinous violence. Violence which is justified as reaction, defence, protection.

In the most recent case, the effort is not to generate hatred but to consolidate a constituency through faith. No political party will be able to support the miraculous event that has taken place, not even the Congress openly. The only exception to this will be the RSS/BJP and VHP which have already endorsed the miracle... The RSS is an organisation which works in the dark, in that its right hand does not know what the left hand is doing. The RSS hard-core are faceless entities who work for the cause and not to acclaim. It is a disciplined body which works to its own momentum and is following a set game-plan to capture power. Despite talk of corruption, criminalisation of politics as other issues it is clear that Faith and

Religion alone can be the plank that will make its political wing, the BJP, grow. And all that RSS strategy is based around this one point programme. The BJP and VHP... will have to make their hand open as public memory diminishes and the sceptics gain an upper hand. The BJP which has never hesitated from sounding retrogressive and primitive will now have to come out to defend the Faith, using Ganesh and Shiva as the rallying idols.

... Primitive behaviour assumes far more dangerous dimensions when political parties enter the arena and begin using religion for political ends.

It is precisely because of this that the Ganesh-milk episode assumes dimensions that should not be dismissed as a 'joke' by the cynics. It is anything but that. It is a careful exploitation of faith by those who have used the rumour machinery before to gauge the reach of their power, to size up the possible constituency, and to use this episode for fine-tuning their future strategy. The gullibility of the rich and the educated, the hysteria, the absurd over-reaction where all reason and rationality was discarded in the face of this supposed 'miracle' makes the future scenario frightening. The RSS and its ilk have correctly gauged that other political parties will find it difficult to challenge the miracle in the face of widespread belief, leaving them relatively free to inextricably intertwine their politics with the large constituency thus created. This is all the more reason why their game-plan must be exposed, and reason made to reassert itself as otherwise the consequences can be disastrous for secular India.

(Source: The Mainstream, 7 October, 1995)

**MUSLIM INDIA
MOURNS
THE DEMISE of its benefactor
BADRUDDIN FAIZUL HASAN TYABJI,
Administrator, Diplomat, Educationist, Writer
and offers
SINCERE CONDOLENCES
to
Family, Friends, ex-Colleagues, Admirers
May the Departed Soul Rest in Eternal Peace, Ameen!**

New Delhi
28 December, 1995

SYED SHAHABUDDIN
Editor

Shyamala Shiweshwarkar on the Deoband Fatwas on Women and Politics

Deoband, a small... town of about 90,000 in, made history ... when it elected Zeenat Naaz, 32, who contested the municipal elections despite a fatwa issued by the Dar-ul-Uloom, one of Asia's oldest schools of Islamic studies.

Sandwiched between Saharanpur and Muzaffarnagar, Deoband's only distinction is the presence of the Dar-ul-Uloom that it has chosen to defy...

Born into a middle class family in Zila Saharanpur, Zeenat whose father owns a workshop, is one of seven sisters and four brothers. She went to the local Muslim Girls School and the Munalal Degree College for Girls where she did a B.A. in political science... She tells frankly, "but I played a lot of games and took a very active part in college affairs. I was the NCC Commandant and president of the disciplinary committee. I even stood for election for the post of president and came second... It must be in my blood." One particular memory is that of meeting Mrs. Indira Gandhi who visited the college and spoke to the girls of joining the Congress and working for the betterment of women. Zeenat was no doubt inspired and though she did nothing then the inspiration remains.

(She was) married to Mohammed Arshad, an amiable young man... She moved to Deoband where Arshad has a workshop that fabricates window frames and shutters and settled down to being a housewife and mother...

... In 1989, she went to Lucknow and met several Congress functionaries. They enthused her and made her a member of the party's Labour Cell and a while later the president of the local Mahila Samiti. After that there was ... no looking back.

The following year Arshad decided to stand for the municipal elections and when he filed his papers he also filed hers. They campaigned madly. Zeenat was still in burqa... They drew ... crowds but lost. Zeenat, in fact, was disqualified for being underage. Undeterred she ... founded and funded a mahila samiti and relentlessly worked for the betterment of women and children. The samiti organised health camps, and adult literacy classes and took up the cases of dowry and dowry victims and those enmeshed in divorce cases. When necessary she would even go to Saharanpur to meet bureaucrats and police officers to resolve cases.

It was about this time that she decided to drop the veil because "It was difficult to run around and meet people in a burqa". Her husband, a pillar of strength, agreed with her, so at the following Republic Day celebration in the town she appeared for the first time without it. ...

Actually there was no question of Zeenat not winning this election and the fatwa of November 5 which banned

women from participating in politics on the grounds that it was anti-Islamic, was issued at the behest of Furqan Qureshi a member of the Congress-T and Qamar Kazmi, a Muslim Majlis leader because their wives Nagma Qureshi and Rehana Kazmi who were also in the fray and ... not doing well (and) withdrew.

During the campaign that followed Zeenat took care to stay off the fatwa issue but two of her offices were burnt as also some of her banners, perhaps with a view to provoking violence and a possible postponement of the elections. There was tension in the town and Zeenat was advised by the local bureaucracy to get security for herself. Meanwhile, people started to question the fatwa and ask why none was issued against Benazir Bhutto, Khaleeda Zia, or closer home Najma Heptullah and Mohsina Kidwai. All the local parties barring the Congress also questioned it. So five days later after an all night session the Mufti issued a second fatwa which allowed women to contest elections provided they followed the Shariat, in other words, wear the burqa.

... Zeenat soldiered ahead without a burqa. And the town Hindus and Muslims alike veered around her. Money poured in from all around. "I spent nothing", she tells you and the rest of course is history. Zeenat defeated her nearest candidate Bhagvanti Devi of the BJP by over 5,000 votes...

The battle of course is over. The families have reconciled, the children have grown up. But much remains to be done. Zeenat's first priorities are to clean up the town and open a school for poor children.

And as for the future, "Well, it all depends on the people. Perhaps they will send me to Lucknow... perhaps inshallah to Delhi.

(Source: The Hindustan Times, 3 December, 1995)

Videography Declared "Haram"

Many Muslim Jama'ats in Mallapuram district, Kerala, have decided that videography in the marriages of Muslims shall be condemned... and declared "Haram".

It has been declared because of the fact that videographers, in order to picturise the inner scenes of the bridal room... come into contact with the secluded ladies and ... bring them to screen...

... Some videographers (also) employ the young and beautiful girls to work in blue films.

(Source: The Straight Forward News, Hyderabad, 20 November, 1995)

Report on Gender Ratio in Punjab and Haryana

Punjab and Haryana, the richest States in terms of per capita income, seem to have the strongest bias against girls and women.

Official figures show the two States have the lowest female-to-male ratio with 87.4 women to 100 men in Haryana and 88 women for every 100 men in Punjab. The example of Punjab and Haryana show that the prejudice against girls is not always confined to the poor who consider a girl child a burden. For India as a whole, according to a UNICEF report quoting data available from the sample registration system for 1992, in eight out of 17 States infant mortality rates among girls were higher compared to boys. A significant number of girls are not alive often because they have not been allowed to live. This is done either through selective abortion after prenatal sex determination or inadequate attention to the girl child after the delivery.

Among various districts in the country having lowest child sex ratio between zero to six age group, Salem district in Tamilnadu tops with 849 girls to 1,000 boys.

Bhind district in M.P. comes next with 850 girls with 1,000 boys. According to census figures, Kaithal and Jind districts of Haryana have a child sex ratio of 854 and 858 girls respectively to every 1,000 boys. The State's Kurukshetra and Hisar have a slightly better ratio of 867 girls to every 1,000 boys.

In Punjab the figures are: Amritsar 861, Faridkot 863 and Bhatinda 865 girls to every 1,000 boys. ...

(Source: The Patriot, 25 November, 1995)

Man Slits Throat to Please Goddess

A 25-year-old unemployed man ... slit his throat amid the throng of devotees at the Kalkaji temple in south Delhi (on 2 December, 1995).

Nearly 200 people watched in horror as Shanker Sahni... fell bleeding profusely, near the door leading to the temple's sanctum sanctorum, at about noon. ...

The police found a suicide note in Hindi ... in Sahni's trouser pocket... The note said:

"Things go wrong wherever I put my hand... I cannot find fruitful work. I am an ardent devotee of Kali maa... she wants to test me. I am sacrificing myself to please her"....

Human Sacrifice in M.P.

Four people have been arrested in connection with a human sacrifice on Diwali night in Chikhali village under Amabedkha Police Station in Jagdalpur district. According to Police... the village patel, Chamra Ram, invited one Guharam to his house and killed him with the help of his family members. After performing a pooja, they buried the body.

Government Statement On Prostitution

As per the UNICEF Report 'Progress of Nations - 1995' the estimate of the number of Children under 18 years involved in prostitution in India is 3 to 4 lakhs. However, this is only an estimation and there are no reliable statistics available about the number of child prostitutes in India or in different States.

The Government of India had set up a Central Advisory Committee to frame recommendation/plan of action for both legal and non-legal approaches for the rescue and rehabilitation of child prostitutes. The recommendation of the Committee have been sent to the concerned Central Ministries/Departments and to the State Governments for taking appropriate action....

The Immoral Traffic (Prevention) Act, 1956 supplemented by the Indian Penal Code prohibits trafficking in human beings including children. The Act prescribe higher penalties and punishments... in cases relating to the prostitution of a child or a minor. ...

The Juvenile Justice Act, 1986 provides for the care and protection, treatment and rehabilitation of neglected and delinquent juveniles including girls.

The enforcement of the Acts is the responsibility of the State Governments.

The Central Government have issued instructions from time to time to all States/Union Territories for strict implementation of the Act. ...

(Source: LSUQ No. 171 dated 1 August, 1995 by R. Kumar)

Al-Azhar Okays Sex-change Operation

Seven years after throwing out a medical student who changed from a man to a woman, Al-Azhar, the highest Islamic authority in Egypt, has permitted transsexuality under some conditions.

"A man can undergo an operation to become a woman and a woman can do the reverse if a doctor deems intervention necessary to bring out signs of femininity or masculinity which are present but hidden", says fatwa, or religious edict of Al-Azhar on November 12, 1995.

"Since 1988, around 20 sex-change cases have been registered in Egypt. Most of them involve men who become women", the head of the civil status bureau Ibrahim Beseilla, told AFP.

Sex-change operations are authorized by Egypt's Doctors' Union....

(Source: AFP)

Sejal Shah

On Housing Problem for Muslims in Bombay

...The trend in the 'city of opportunity' has certainly changed after the riots and the bomb blasts. Till then it did not matter whom one prayed to, only the bank balance counted. Communal riots did take place, but money and the compulsion to conduct business healed the wounds. And Bombay roared again. But the wounds of the 1992 riots and bomb blasts do not seem to have healed. Builders and real estate agents too agree that Muslims are no longer finding it easy to buy a flat. Even with more than a crore to spare. "If Muslims with budgets running into crores of rupees cannot find a house, what about middle class people like us with a budget of less than Rs. 10 lakh," wonders Arif, who works for a multinational company.

The discrimination is more pronounced in places like Vile Parle, Sant Cruz and some areas of Bandra. Muslims are not exactly welcome even in some buildings which exist in the heart of Muslim-dominated places like Jogeshwari (West). 'Biased' buildings exist in upmarket South Bombay where a flat could cost more than Rs. 1 crore. Says an estate agent: "I have dealt with rigid clients who refuse to sell to a Muslim even if he is ready to pay more than the price demanded. They don't mind getting Rs. 5 lakh less."

Often, building societies apply pressure on broad-minded people who are tempted by the juicy offers from wealthy Muslims. But as a broker puts it, not many would consider offers as it could spoil their name and that of the building.... A Muslim builder explained the reason - a feeling had gained ground that Muslims don't make good neighbours and that they did not keep the premises clean. He has just completed a posh complex in Bombay and has no plans of considering the applications from members of his own community. ...

Most builders claim that business compulsions have forced them to become discriminating. They did not make bones about the fact that they conducted a thorough screening, which included interviews, to check the antecedents of each and every potential buyer. With the stakes so high and the real estate prices touching the sky, the builders are afraid that a single 'wrong' occupant could spoil the drive to the bank....

Buying a house in an unwelcome building could also be a very risky move. Khan and his young wife have their bags ready to move out of their flat in Lokhandwala complex after alleged threats from the Shiv Sainiks. "The broker called me and said that the Shiv Sainiks had ordered the secretary to serve eviction notice on all the Muslim occupants residing at the house. ... His Muslim friends who had flats in the same colony were also being ordered to vacate. They have all decided to sell their flats and shift to a safer place....

He suspects that the society wants them evicted to sell the flats vacated by them at a much higher price... But some real estate agents think that such threats and the 'discrimination angle' have been played up. "There are only very few buildings which have these rules and religion does not come in the way. This may be happening in some buildings but is not a general trend. Muslims too are wary of renting out spaces to members

Sale of Daughter by Muslim Widow
Report in the Week, 18 June, 1995

The day Laloo Prasad Yadav was sworn in C.M. of Bihar for a second term, Zulekha Khatoon,... sold her eldest daughter and grandson for Rs. 700. People of Bakhari village in Muzaffarpur district, are aghast at the 'deal' but the 45-year-old widow, with tears welling up in her eyes, justifies her act. "We had not eaten for a week. I did not want my family to die of starvation. My husband had died last year for want of proper medical attention and a few days later my second daughter succumbed to an illness," she says.

"It was... told about Manjeet Mishra who was looking for a bride. I was told that he was prepared to give me Rs. 300. I agreed because it was a big amount," she says. However, the bridegroom did not care much for his fiancée's six-month-old baby and this problem too was sorted out when Abdul Karim, a meat seller, came forward with a proposal to buy the child for Rs. 400.

... Manjeet Mishra has about five acres of land and belongs to the Bhumihar caste. He decided to make Zulekha's daughter Shahidan Khatoon his wife because, at 45, he could not get a girl from his caste....

Shahidan says that the man to whom her mother sold her is an insaan... But.. the villagers are angry with him. Says Mishra: "They have been harassing me and my wife after I took her to my house. Some fanatic Muslim youths threatened Zulekha with dire consequences if she did not take back her daughter. The Hindus, who are a minority in the village, are happy that Manjeet Mishra got his new wife converted to Hinduism and has rechristened her Usha Devi. "Mishra bhaiya has added one more person to our community and he should be congratulated for that," says a villager."

Zulekha is furious at those of her community who criticise her... "Where were these people when my family was starving? Where had these leaders gone when I badly needed money for the treatment of my second daughter?" she asks... "Shahidan had been married to a Muslim of Ratwara village, but she deserted him because he used to torture her," she explains... The money from the sale lasted her for about a month and a half... She wonders if poverty will force her to sell her youngest daughter as well.

of the other community," says one.

According to a builder... non-Muslims would not even think of buying a house in a Muslim-dominated building. However, he claims that 'discrimination' had existed long before the riots. Bombay has had buildings reserved for Catholics, Parsis, Gujaratis and Muslims. And no one had made any fuss about these buildings. The popularity and number of such touch-me-not buildings have certainly increased thanks to the riots. "After the riots, everybody wants to say in buildings where they are in a majority," says the agent. But it is a new majority that more and more builders are taking a fancy to: vegetarians. "Vegetarian buildings seem to be the trend. They are sold only to vegetarians, the community does not matter," gushes a promoter. But the problem is, there are few vegetarians among the Muslims.

(Source: The Week, 3) July, 1995)

Chronology of the Month

(16 November - 15 December, 1995)

NATIONAL POLITICS

Government: *President S.D. Sharma presents Kabir Puraskar to 3 citizens for displaying exemplary courage in protecting communal harmony and calls people to check communalism and protect secularism (19 Nov). *President dedicates rebuilt Somnath Mandir to nation (1 Dec). *President releases special stamp on communal harmony 1995 (19 Nov). *Union Cabinet approves Government of Maharashtra's proposal to rename Bombay as Mumbai (21 Nov). Prime Minister Narasimha Rao presents 'chadar' to Dargah of Khwaja Sahib through Jamil Ilyasi, President of A.I. Imams Organisation (28 Nov). In his message P.M. calls upon people to pray for protection of country against communal forces and for consolidation of national unity (28 Nov). P. M. meets cross section of Ulema of Deoband School from five States to remove misunderstanding about his Government and Party (29 Nov). *Prime Minister inaugurates A.I. Urdu Journalists Congress organised by the A.I. Minorities Front. Discussing with Urdu Journalists P.M. attributes Muslim alienation to events organised by forces which are trying to weaken country (8 Dec). *Home Minister Chavan addresses State Conference of A.I. Imams Organisation at Darbhanga and promises not to permit anyone to raise any structure at disputed site without Court orders, sees Pakistan's hand in agitation to offer namaz at disputed site on 6 December 1995 (7 Dec). *Gulam Nabi Azad addresses State Conferences of Congress Minority Cell in Bombay and Hyderabad and appeals to Muslims to come closer to Congress (25-26 Nov). *C.K. Jaffer Sharief, earlier divested of Railway portfolio, resigns from Cabinet (22 Nov) and wants Minorities problems to be looked into. *Salman Khurshid admits Congress inability to win over Muslims (23 Nov). Minister of Rural Development Jagannath Mishra announces welfare package for Momin community (26 Nov).

Congress (T): *Congress (T) leader Arjun Singh rules out reappointment with P.M. and rejects demands for apology (26 Nov). Congress (T) renames itself as Indra Congress (3 Dec).

National Front: *Samajwadi Party leader Mulayam Singh Yadav rules out joining National Front but seeks seat adjustment (19 Nov). JD and Samajwadi Party agree in principle to seat adjustment (27 Nov). Laloo Prasad rules out Samajwadi Party's merger with JD (29 Nov). N.F. leadership sees common ideological basis for Third Force in policy paper circulated by Initiative for National Renewal and Empowerment of People (24 Nov). Telugu Desam led by A.P. CM Chandrababu Naidu desires to join National Front if JD overcomes N.T. Rama Rao's resistance (27 Nov). Bihar C.M. Laloo Prasad calls upon secular and democratic forces to unite to emerge as national alternative (27 Nov). JD leaders desire seat adjustment with Bahujan Samaj Party also (30 Nov). JD leader V.P. Singh rules out inclusion of Bahujan Samaj Party in NF (4 Dec). Ram Vilas Paswan organises Dalit Sena rally in Lucknow attended by Sikh leader Tohra and Karnataka leader Bangarappa, denounces Kanshi Ram as RSS's stooge (6 Dec).

Samata Party: *Vice-President Shahabuddin expels George Fernandes from Samata Party and takes over as President (19 Nov). In retaliation Fernandes expels Shahabuddin and Chandrajit Yadav from Samata Party. National Executive (S) meets in Delhi on 9 December and confirms expulsion of Fernandes and elects

Shahabuddin as President. Also endorses approach to NF and its constituent Parties for admission to NF (9 Dec).

Bahujan Samaj Party: *BSP leader Mayawati rules out electoral alliance in UP and wants BSP to contest elections on its own (10 Dec).

CPI(ML): *CPI(ML) holds National Convention, calls for unity of the Left. Shahabuddin also addresses Convention (25 Nov).

Sangh Parivar: *Bajrang Dal announces agitation for total ban on cow slaughter, opposes reservation for Christian Dalits, demands repeal of law for protection of places of worship and strong measures to stop terrorism, infiltration and cultural invasion (14 Dec), all to be taken up at National Convention in Allahabad in January. Bihar BJP decides to launch agitation against smuggling of cattle to Bangladesh for slaughter, promises separate State of Vananchal to replace Jharkhand Autonomous Area (22 Nov). BJP sweeps Municipal polls in Uttar Pradesh and confirms dominance in urban areas (27 Nov). *BJP leadership elated by Supreme Court judgement in election cases against C.M. Joshi and Shiv Sena leader Bal Thackeray equating Hindutva with nationalism and rejecting appeal to Hindutva as electoral mal-practice (11 Dec). Judgement widely criticised by jurists and secular parties as licence for religious propaganda during elections. CPI(M) and other Parties call for review of judgement. *Shiv Sena decides to go national on Hindutva platform (8 Nov). Thackeray retaliates to Dawood Ibrahim's reported threat by threatening clearance of entire 'jungle' (23 Nov).

AASU: *AASU demands yet another intensive revision of electoral roll in Assam while AGP negotiates with CPI, CPM and UMF for electoral alliance (27 Nov). Negotiations between Bodo leadership and Central Government on redemarcation of Bodoland fails (28 Nov). Fresh violence reported from Bodoland.

Muslim Leadership: *Kerala PDP leader Madani attempts negotiations with IUML and Congress, rules out understanding with National Muslim League (22 Nov). *MIM leader Owaisi calls upon Muslims to shun Congress and BJP (3 Nov).

KASHMIR SITUATION

Son-in-law of General Secretary, National Conference Kitchloo abducted by militants but released (16 Nov). Bomb blast in officers' mess in Srinagar airport (18 Nov). Clashes between JKLF and Ikhwanul Muslimeen around Hazratbal reported (19-20 Nov). Bomb explosion in Connaught Place in New Delhi attributed to Kashmir militants (21 Nov). Abdul Razak Mir, ex-MLA, killed by militants (22 Nov). Students demonstrators lathi charged in Srinagar (22 Nov). Hurriyat refuses to intercede in negotiations between Al Faran and Government for release of hostages (2 Dec). Foreign hostages remain in hands of Al Faran behind negotiations for release continue. BBC correspondent Zafar Jamil escapes attempt on life, seriously injured (8 Dec). Total bandh in Srinagar organised by Hizbullah (12 Dec). *BJP's censure motion on Kashmir refused by Lok Sabha Speaker (28 Nov). Parliament approves extension of President's Rule in J&K for 6 months (15 Dec). *Hurriyat President Mirwaiz Umar Farooq returns to India and wants Hurriyat to play more active to activate international concern (25 Nov). *NC leader Farooq Abdullah considers autonomy essential for solution (21 Nov). Farooq denies backtracking on commitment to PM on participation in

CHRONOLOGY

election (26 Nov); challenges Home Minister Chavan to produce evidence of U.S. support to extremists (7 Dec); reiterates plea for autonomy (9 Dec); demands strengthening of Article 370 and restoration of 1952 status (13 Dec). *H.M. Chavan reiterates Government's determination to hold elections and to have dialogue with concerned individuals and groups (28 Nov). All Party meeting in Srinagar upholds Election Commission's decision to call off elections and calls for national consensus on political solution (13 Dec).

*CPI(M) leader Surjit supports autonomy as pre-requisite for elections (18 Nov). BJP President Advani rejects restoration of 1952 position and PM's package (28 Nov). RSS G.S. Seshadri criticises PM's package (3 Dec). Janata Dal criticises Government's failure to initiate political process and favours talks with Kashmiri leaders for evolving political package (4 Dec). Ex-PM Chandra Shekhar considers elections impossible until terrorism brought under control (11 Dec). *PM accuses USA of desiring to continue militancy (29 Nov). Foreign Minister Pranab Mukherjee admits differences with USA on Pakistan role (29 Nov). H.M. Chavan accuses USA of harbouring evil designs and wanting foothold in J&K (4 Dec). USA denies accusations (6 Dec). US official Raphael wants parties to move forward from past prescriptions to solutions based on current ground reality. Supports tripartite talks (7 Dec). *Both India and Pakistan rule out war over Kashmir issue (27 Nov). *Russia criticises Pakistan for aid to militants (21 Nov). *Syria backs India's stand (25 Nov). *British group unsuccessfully tries pro-Pakistan resolution in European Parliament (2 Dec). *UK calls for end to foreign support to militants (8 Dec).

BABARI MASJID

*Supreme Court holds hearing on contempt cases and fixes 8 February for hearing on contempt petition against P.M. and Home Secretary. BJP leaders seek quashing contempt proceedings (6 Dec). *BJP leader Joshi reiterates claim on Mathura Idgah and Varanasi Masjid and demands their 'liberation' by negotiation or legislation (19 Nov). *Demolition anniversary observed all over the country through mass meetings, seminars, symposia, bandhs organised by BMMCC, AIBMAC and AIMPLB-BMC as well as other local committees. Joint mass meeting at Hyderabad addressed by Sait, Shahabuddin and Owaisi. *Muslims debarred from entering Ayodhya, disputed area and placed under Section 144 to bar attempt by VHP to commence construction on disputed site (6 Dec). Central and State Governments take strong security measures to maintain status quo in Ayodhya and to seal it against Ayodhya march announced by PDP of Kerala and Babari Masjid Reconstruction Committee of Delhi. Anniversary passes off peacefully. *Maharashtra CM Joshi opposes discussion on demolition in Maharashtra Legislature (7 Dec). VHP leadership observes 'Victory Day' all over the country (6 Dec). BJP disclaims responsibility for demolition but does not consider demolition matter of national disgrace or shameful (22 Nov). *M.P. CM Digvijay Singh admits mistake by P.M. on Babari Masjid (3 Dec). *Bombay Regional Cong(I) Minority Cell demands reconstruction of Babari Masjid (25 Nov).

OTHER MATTERS OF CONCERN

Reservation: *Lok Sabha discusses Shahabuddin's Bill on Universal Reservation with separate quotas based on population and level of backwardness (3 Dec). *IUML and Qaumi Tanzeem, WB, demand reservation for Muslims in West Bengal (28 Nov). *Ghulam Nabi Azad supports reservation as only way to uplift Muslims (26 Nov). JD leader Paswan supports reservation for Muslims and Christian Dalits. *A.I. Minorities Front President

S.M. Asif opposes reservation for Muslims. *A.I. Momin Conference demands reservation for Backward Muslims (3 Dec). *Sitaram Kesri denies move for separate quotas on basis of religion (7 Dec). *UP Congress Minority Cell demands reservation of 12% quota for minorities (12, Dec). *Christians launch agitation for inclusion of Dalit Christians in Scheduled Castes List, Mother Teresa extends moral support. Sitaram Kesri extends support. P.M. asks Home Minister to discuss demand with all parties (3 Dec). BJP opposes demand (5 Dec). *P.M. promises ST status to Koch and Rajbangshis of Assam (24 Nov). *Supreme Court asks Karnataka Government to follow 50% rule (10 Nov).

Personal Law: *H.M. Chavan opposes introduction of uniform civil code unless minorities favour it (20 Nov). *Shariat Protection Week observed in various places all over the country sponsored by Personal Law Board in end November. **Wakf:** *Wakf Bill, 1995, receives President's assent (25 Nov). Central Wakf Council forms Committee under Aslam Sher Khan to evolve scheme for payment of emoluments to Imams (12 Dec). *Govt. of Delhi delays delimitation of Wazirabad qabristan which has been partially included in site plan for a new ghat on Jamuna. **Communal Violence:** *Tension in Allahabad, nearly 40 injured in stoning and police firing (1 Dec). *Communal violence in Sadar Bazar, Delhi, brought under control by police firing (3 Dec). *Tension in Madurai on invasion by Hindu Munnani of Dargah of Sultan Sikander Aulia (4 Dec). *Clash in Murshidabad between BJP & RSP takes communal colour; 1 killed in police firing; 24 injured (8 Dec). **Education:** *UP Rabita Committee launches A.I. Literacy Caravan led by S. Hamid with cooperation of various supporting organisations (8 Dec). *AMU is closed sine die following disturbances on Campus (16 Nov); VC plans 'Operation Clean Up' before reopening and purge student mafia from hostels and campus; University rusticates 6 student leaders (26 Nov) and 5 more (28 Nov). **Urdu:** *Parliamentary Committee approves Government Bill for establishment of Maulana Azad Urdu University (11 Dec). *Urdu held as lingua franca of Sub-continent and bridge between India and Pakistan by speakers on release of book by Pakistani author (16 Nov). *BJP demands resignation of H.M. Chavan for describing Urdu as link language (26 Nov). **Muslim Organisations:** *AIMMM reconstitutes Markazi Majlis which meets at Lucknow and elects Salim Qasmi as President and Shafi Moonis as General Secretary (18 Nov). *Minorities Council of India pleads for Hindu-Muslim Compact for settling conflict and reducing misunderstanding. *Amir-e-Jamaat-e-Islami Hind Sirajul Hasan cautions Muslims against division of votes and promises to give proper orientation to politics without direct participation (29 Nov). *A.I. Intelligentsia Forum demands due representation of Muslims in power structure at all levels (29 Nov). **Human Rights:** *Government acknowledges 6 cases of alleged violation of human rights by Rashtriya Rifles in J&K (8 Dec). **Cow Slaughter:** *BJP leader Uma Bharati appeals for total ban on cow slaughter (7 Dec). Ex-Maharashtra CM Sharad Pawar threatens to launch campaign against total ban (10 Dec). **Recognition:** *Wahiduddin Khan honoured as 'Social Scientist' by Delhi Government on completion of 2 years of BJP in power (2 Dec). **Muslim World:** *Treaty signed to end war in Bosnia (14 Dec). *MQM movement seeks UN intervention to stop genocide in Pakistan (11 Dec). **Obituary:** *Maulana Sadruddin Ansari, Working President of Markazi Jamiat-ul-Ulema-e-Hind passes away in Bhopal (2 Nov). *Shamim A. Siddiqui, ex-MP(RS) passes away in New Delhi (3 Nov). *Ghulam Mohd. Mir Rasjan, ex-Minister J&K, 72, dies in Jammu (12 Dec).