



# ॥ भ्रष्टाचार अपनी सीमा पर ॥

## डी० रे० का० की दस एकड़ भूमि पर विदेशी स्वामित्व का अधिकार प्रशासन मौन क्यों ?

डी० रे० का० में भ्रष्टाचार चोरी घूसखोरी, यह बातें अब न चौकाने वाली है न ही इनमें प्रशासन कामगारों पर फर्क बढ़ता है। यह शब्द तो अपनी अहमियत भी खो चुके है, भ्रष्टाचार में ही हमने जीना सीख लिया, कुछ माह पहले डी०रे०का० में भ्रष्टाचार की खेती नामक शीषक से एक पर्चा मजदूर संघ ने निकाला और अब, हम आपको ले चलते हैं राष्ट्रद्रोही, अन्तराष्ट्रीय षडयंत्र के एक करिश्मे से परिचित कराने यह आवश्यक इस लिए भी है कि हमें 21वीं सदी में शीघ्र प्रवेश करना है सरकार प्रयत्नशील है। देश को 21वीं सदी में ले जाने के लिये वहीँ समान्तर चलने वाली राष्ट्र विरोधी शक्तियाँ प्रयत्नशील हैं देश को 17वीं सदी में ईस्ट इण्डिया कम्पनी राज्य के जमाने में पहुँचाने के लिये हालाँकि राष्ट्र विरोधी ताकतें उसी समय से देश में पीछे लग गई थी जब देश में प्रथम पंचवर्षीय योजना के तहत विकास प्रगति के प्रथम चरण में हमने पैर रखा था।

### डालर शाही विदेशी ब्रह्मचारियों ने जब डी०रे०का० में भंडे गाड़े

1963 क्वाड्रियन, अमेरिक्न, रोमन कैथोलिक सन्यासियों ने अपने डालरी कमन्डलों के साथ डी०रे०का० में घुसपैठ गुरु की डालर शोला शाहों ने कितना डालर तोकर शाहों पर छिड़का कि सफलता उनके कदम चूमने लगी, डी०रे०का० बालिका इण्टर कालेज की प्रस्तावित भूमि मय तमाम सुविधाओं के साथ रोमन कैथोलिक प्रिन्सिपल को एक अनुबन्ध के तहत लीज पर दे दी गयी अनुबन्ध मात्र दिखावा ही था, 1982-83 में डी० एन० डब्ल्यू० में मजदूर संघ ने जोरदार आन्दोलन न चलाया होता तो यह स्कूल पूर्णतया तोकर शाहों, पूंजी शाहों के लिये ही होता हालाँकि अब भी डी०रे०का० प्रशासन, जिला प्रशासन, स्कूल प्रशासन का हाँपयार ही बना हुआ है। अच्छे-अच्छे दिग्गज, अपनी दिग्गजी, प्रशासनिक मर्यादा, भारतीय संस्कृति सभ्यता को ताखपर रख इनके पीछे घूमते रहते हैं।

### अन्तराष्ट्रीय षडयंत्र शुरु, कारनामा ताखपर, तत्कालीन प्रशासन सामोश ?

सेन्ट जान्स स्कूल बनने से पहले यहाँ बना सेन्ट जान्स चर्च, डी०एल० डब्ल्यू० के अन्य धर्मालम्बी मन्दिर, मस्जिद, गुरुद्वारा इत्यादि के बनाने की बात भी नहीं सोच सकते उन्हें तो नियमों का पालन करना था नियम साफ था किसी भी धर्मालम्बियों को अपने पूजा गृहों के निर्माण की इजाजत डी०रे०का० परिसर क्षेत्र में बनाने की न होगी अतः गुरुद्वारा का निर्माण डी०रे०का० के परिसर के बाहर हुआ लेकिन अन्तराष्ट्रीय तत्वों को डी०रे०का० में बाइजजत सब कुछ करने की छूट, यहाँ से प्रारम्भ हुई डी० रे० का० में उपनिवेशवाद की यात्रा एक अन्तर्यात्रा।

### क्या ये सोचते हैं, संविधान की धाराओं की आड़ में देश जाय भाड़ में ?

भारतीय संविधान की धारा 25 से 30 धर्मनिषेधता की कसौटी समानता, सम्मान आदर सुरक्षा सब कुछ इतना पवित्र जितना पवित्र है भारता माँ का आर्चल इतनी विशालता निहित है इन धाराओं में जितना विशाल है हिमालय इसी विशालता पवित्रता का कायदा उठाया गया यों तो पंचवर्षीय योजना के प्रारम्भ में ही जहाँ-जहाँ हमारे भारी उद्योग कलकारखाने लगे हवाई अड्डे सैनिक छावनी, जलकल संस्थान प्रमुख राजमार्गों का निर्माण हुआ वहाँ इन रोमन कैथोलिक ब्रह्मचारियों ने अपने संस्थान स्थापित किये।

### संस्थानों का निर्माण घातक नहीं, घातक है कैनेन एण्ड ला एवं प्रशासन की लापरवाही

भारत की आम जनता भारतीय संविधान भारतीय दण्ड संहिता से ही परिचित हैं। कैनेन एण्ड ला नामक बला से परिचित नहीं यही वह बैटिवन का कानून है जिसके तहत देश में समान्तर सरकार चल रही है, नई शिक्षा निति लो या और कोई विकास वादी नीति देश के प्रत्येक विकास के पीछे एक बहसूरत घिनोनी साजिश इन्हीं गुणों के माध्यम से चल रही है देश का नागरिक सेवा देख रहा है सेवा के पीछे क्या है इसकी झलक हमने आपको दिखाई 25 फरवरी 1975 कोर्ट स्टैम्प पर डीरेका की 9.9 एकड़ भूमि उस पर निर्माण हुए भवनों की सेन्ट जान्स स्कूल ने वाराणसी डायसिस को सोपे पूर्ण स्वामित्व का अधिकार दे दिया इतना ही नहीं सेन्ट जान्स प्रशासन मात्र किरायेदार बन गई एवं छ हजार महीना 72 हजार सालाना डायसिस को देने का अनुबन्ध कर लिया है।

This rent note is executed by the management of St. John's School D.L.W. (hereafter called "the Lessee") on the 28th day February 1976 in favour of Diocese of Varanasi (hereafter called "the lessor") on the term and conditions agreed to between the said lessor and lessee as follows :-

1. that the said lessor, Diocese of Varanasi has built the school buildings of St. John's on the lease lands and as such the whole complex of buildings is the absolute property of Diocese of Varanasi, namely the lessor. The said lessor has agreed to let and the said lessee has agreed to occupy the same school buildings and the complex of buildings situate in Mohalla D.L.W City Varanasi bounded as under :
 

North: D.L.W.Colony	South : Road
East : D.L.W.Colony	West : Road, for the period
of 5 years as tenant.	
2. That the lessee has been occupying the said buildings and the complex of buildings for the last 12 (Twelve years) years. Since the school was in its initial stage, the lessor allowed the lessee to occupy the buildings free of rent up to Feb.24.1975. The lessee is liable to pay the agreed rent since Feb.25 of 1975 only.
3. That the lessee shall pay punctually the whole monthly agreed rent Rupees six thousand on the 1st day of each English month in advance to the lessor at the premises of the lessor.

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4. That the lessee shall keep the said buildings in proper state of repairs with own funds and any addition or alteration may be affected only with the written consent of the lessor. Under the circumstances of any addition or alteration the ownership right will automatically rest in the lessor without any claim of compensation for the same by the lessee.
5. That the term of Five years may be enhanced initially subject to enhancement of agreed monthly rent agreed upon from time to time.
6. That the lessee shall not sublet or deliver possession of buildings to any other person except with the previous written consent of the lessor.
7. In case the lessor should desire to vacate the premises prior to the expiry of the period of five years mentioned above, the lessee shall give notice therefore to the lessor at least one month prior to vacating the premises and delivering the possession of the same to the lessor.

In witness whereof the lessor has let his hand hereunder in token of affirmation and acceptance of the terms and conditions mentioned above.

1. Witness : *[Signature]*

Lessor :

2. Witness : *[Signature]*

Lessee :

entrusted to an apostolic Administrator, who governs it in the name of the Supreme Pontiff.

Can. 372 §1 As a rule, that portion of the people of God which constitutes a diocese or other particular Church is to have a defined territory, so that it comprises all the faithful who live in that territory.

§2 If however, in the judgement of the supreme authority in the Church, after consultation with the Episcopal Conferences concerned, it is thought to be helpful, there may be established in a given territory particular Churches distinguished by the rite of the faithful or by some other similar quality.

Can. 373 It is within the competence of the supreme authority alone to establish particular Churches; once they are lawfully established, the law itself gives them juridical personality.

Can. 374 §1 Each diocese or other particular Church is to be divided into distinct parts or parishes.

§2 To foster pastoral care by means of common action, several neighbouring parishes can be joined together in special groups, such as vicariates forane.

## Chapter II BISHOPS

### Article 1: Bishops in General

Can. 375 §1 By divine institution, Bishops succeed the Apostles through the Holy Spirit who is given to them. They are constituted Pastors in the Church, to be the teachers of doctrine, the priests of sacred worship and the ministers of governance.

§2 By their episcopal consecration, Bishops receive, together with the office of sanctifying, the offices also of teaching and of ruling, which however, by their nature, can be exercised only in hierarchical communion with the head of the College and its members.

Can. 376 Bishops to whom the care of a given diocese is entrusted are called diocesan Bishops; the others are called titular Bishops.

Can. 377 §1 The Supreme Pontiff freely appoints Bishops or confirms those lawfully elected.

§2 At least every three years, the Bishops of an ecclesiastical province or, if circumstances suggest it, of an Episcopal Conference, are to draw up, by common accord and in secret, a list of priests, even of members of institutes of consecrated life, who are suitable for the episcopate; they are to send this list to the Apostolic See. This is without prejudice to the right of every Bishop individually to make known to the Apostolic See the

names of priests whom he thinks are worthy and suitable for the episcopal office.

§3 Unless it has been lawfully prescribed otherwise, for the appointment of a diocesan Bishop or a coadjutor Bishop, a ternus, as it is called, is to be proposed to the Apostolic See. In the preparation of this list, it is the responsibility of the papal Legate to seek individually the suggestions of the Metropolitan and of the Suffragans of the province to which the diocese in question belongs or with which it is joined in some grouping, as well as the suggestions of the president of the Episcopal Conference. The papal Legate is, moreover, to hear the views of some members of the college of consultors and of the cathedral chapter. If he judges it expedient, he is also to seek individually, and in secret, the opinions of other clerics, both secular and religious, and of lay persons of outstanding wisdom. He is then to send these suggestions, together with his own opinion, to the Apostolic See.

§4 Unless it has been lawfully provided otherwise, the diocesan Bishop who judges that his diocese requires an auxiliary Bishop, is to propose to the Apostolic See a list of the names of at least three priests suitable for this office.

§5 For the future, no rights or privileges of election, appointment, presentation or designation of Bishops are conceded to civil authorities.

Can. 378 §1 To be a suitable candidate for the episcopate, a person must:

- 1° be outstanding in strong faith, good morals, piety, zeal for souls, wisdom, prudence and human virtues, and possess those other gifts which equip him to fulfil the office in question;
- 2° be held in good esteem;
- 3° be at least 35 years old;
- 4° be a priest ordained for at least five years;
- 5° hold a doctorate or at least a licentiate in sacred Scripture, theology or canon law, from an institute of higher studies approved by the Apostolic See, or at least be well versed in these disciplines.

§2 The definitive judgement on the suitability of the person to be promoted rests with the Apostolic See.

Can. 379 Unless prevented by a lawful reason, one who is promoted to the episcopate must receive episcopal consecration within three months of receiving the apostolic letters, and in fact before he takes possession of his office.

Can. 380 Before taking canonical possession of his office, he who has been promoted is to make the profession of faith and take the oath of fidelity to the Apostolic See, in accordance with the formula approved by the same Apostolic See.

### Article 2: Diocesan Bishops

Can. 381 §1 In the diocese entrusted to his care, the diocesan Bishop has all the ordinary, proper and immediate power required for the exer-

1 | Can. 1254 §1 The catholic Church has the inherent right, independently of any secular power, to acquire, retain, administer and alienate temporal goods, in pursuit of its proper objectives.

§2 These proper objectives are principally, the regulation of divine worship, the provision of fitting support for the clergy and other ministers, and the carrying out of works of the sacred apostolate and of charity, especially for the needy.

2 | Can. 1255 The universal Church, as well as the Apostolic See, particular Churches and all other public and private juridical persons are capable of acquiring, retaining, administering and alienating temporal goods, in accordance with the law.

3 | Can. 1256 Under the supreme authority of the Roman Pontiff, ownership of goods belongs to that juridical person which has lawfully acquired them.

4 | Can. 1257 §1 All temporal goods belonging to the universal Church, to the Apostolic See or to other public juridical persons in the Church, are ecclesiastical goods and are regulated by the canons which follow, as well as by their own statutes.

5 | §2 Unless it is otherwise expressly provided, temporal goods belonging to a private juridical person are regulated by its own statutes, not by these canons.

6 | Can. 1258 In the canons which follow, the term Church signifies not only the universal Church or the Apostolic See, but also any public juridical person in the Church, unless the contrary is clear from the context or from the nature of the matter.

## TITLE I: THE ACQUISITION OF GOODS

7 | Can. 1259 The Church may acquire temporal goods in any way in which, by either natural or positive law, it is lawful for others to do this.

8 | Can. 1260 The Church has the inherent right to require from the faithful whatever is necessary for its proper objectives.

9 | Can. 1261 §1 The faithful have the right to donate temporal goods for the benefit of the Church.

§2 The diocesan Bishop is bound to remind the faithful of the obligation mentioned in can. 222 §1, and in an appropriate manner to urge it.

10 | Can. 1262 The faithful are to give their support to the Church in response to appeals and in accordance with the norms laid down by the Episcopal Conference.

11 | Can. 1263 The diocesan Bishop, after consulting the finance committee and the council of priests, has the right to levy on public juridical persons subject to his authority a tax for the needs of the diocese. This tax must be moderate and proportionate to their income. He may impose an extraordinary and moderate tax on other physical and juridical persons only in a grave necessity and under the same conditions, but without prejudice to particular laws and customs which may give him greater rights.

12 | Can. 1264 Unless the law prescribes otherwise, it is for the provincial Bishops' meeting to:

1° determine the taxes, to be approved by the Apostolic See, for acts of executive authority which grant a favour, or for the execution of rescripts from the Apostolic See;

2° determine the offerings on the occasion of the administration of the sacraments and sacramentals.

Can. 1265 §1 Without prejudice to the right of mendicant religious, all private juridical or physical persons are forbidden to make a collection for any pious or ecclesiastical institute or purpose without the written permission of their proper Ordinary and of the local Ordinary.

§2 The Episcopal Conference can draw up rules regarding collections, which must be observed by all, including those who from their foundation are called and are 'mendicants'.

Can. 1266 §1 In all churches and oratories regularly open to Christ's faithful, including those belonging to religious institutes, the local Ordinary may order that a special collection be taken up for specified parochial, diocesan, national or universal initiatives. The collection must afterwards be carefully forwarded to the diocesan curia.

Can. 1267 §1 Unless the contrary is clear, offerings made to Superiors or administrators of any ecclesiastical juridical person, even a private one, are presumed to have been made to the juridical person itself.

§2 If there is question of a public juridical person, the offerings mentioned in §1 cannot be refused except for a just reason and, in matters of greater importance, with the permission of the Ordinary. Without prejudice to the provisions of can. 1295, the permission of the Ordinary is also required for the acceptance of offerings to which are attached some qualifying obligation or condition.

§3 Offerings given by the faithful for a specified purpose may be used only for that purpose.

Can. 1268 The Church recognises prescription, in accordance with cann. 197-199, as a means both of acquiring temporal goods and of being freed from their obligations.

Can. 1269 Sacred objects in private ownership may be acquired by private persons by prescription, but they may not be used for secular purposes unless they have lost their dedication or blessing. If, however,

they belong to a public ecclesiastical juridical person, they may be acquired only by another public ecclesiastical juridical person.

Can. 1270 Immovable goods, precious movable goods, rights and legal claims, whether personal or real, which belong to the Apostolic See, are prescribed after a period of one hundred years. For those goods which belong to another public ecclesiastical juridical person, the period for prescription is thirty years.

Can. 1271 By reason of their bond of unity and charity, and according to the resources of their dioceses, Bishops are to join together to produce those means which the Apostolic See may from time to time need to exercise properly its service of the universal Church.

Can. 1272 In those regions where benefices properly so called still exist, it is for the Episcopal Conference to regulate such benefices by appropriate norms, agreed with and approved by the Apostolic See. The purpose of these norms is that the income and as far as possible the capital itself of the benefice should by degrees be transferred to the fund mentioned in can. 1274 §1.

## TITLE II: THE ADMINISTRATION OF GOODS

Can. 1273 The Roman Pontiff, by virtue of his primacy of governance, is the supreme administrator and steward of all ecclesiastical goods.

Can. 1274 §1 In every diocese there is to be a special fund which collects offerings and temporal goods for the purpose of providing, in accordance with can. 281, for the support of the clergy who serve the diocese, unless they are otherwise catered for.

§2 Where there is as yet no properly organised system of social provision for the clergy, the Episcopal Conference is to see that a fund is established which will furnish adequate social security for them.

§3 To the extent that it is required, a common reserve is to be established in every diocese by which the Bishop is enabled to fulfil his obligations towards other persons who serve the Church and to meet various needs of the diocese; this can also be the means by which wealthier dioceses may help poorer ones.

§4 Depending on differing local circumstances, the purposes described in §§2 and 3 might better be achieved by amalgamating various diocesan funds, or by cooperation between various dioceses, or even by setting up a suitable association for them, or indeed for the whole territory of the Episcopal Conference itself.

§5 If possible, these funds are to be established in such a manner that they will have standing also in the civil law.

Can. 1275 A reserve set up by a number of different dioceses is to be administered according to norms opportunistically agreed upon by the Bishops concerned.

Can. 1276 §1 Ordinaries must carefully supervise the administration of all the goods which belong to public juridical persons subject to them, without prejudice to lawful titles which may give the Ordinary greater rights.

§2 Taking into account rights, lawful customs and the circumstances, Ordinaries are to regulate the whole matter of the administration of ecclesiastical goods by issuing special instructions, within the limits of universal and particular law.

Can. 1277 In carrying out acts of administration which, in the light of the financial situation of the diocese, are of major importance, the diocesan Bishop must consult the finance committee and the college of consultors. For acts of extraordinary administration, except in cases expressly provided for in the universal law or stated in the documents of foundation, the diocesan Bishop needs the consent of the committee and of the college of consultors. It is for the Episcopal Conference to determine what are to be regarded as acts of extraordinary administration.

Can. 1278 Besides the duties mentioned in can. 494 §§3 and 4, the diocesan Bishop may also entrust to the financial administrator the duties mentioned in can. 1276 §1 and can. 1279 §2.

Can. 1279 §1 The administration of ecclesiastical goods pertains to the one with direct power of governance over the person to whom the goods belong, unless particular law or statutes or legitimate custom state otherwise, and without prejudice to the right of the Ordinary to intervene where there is negligence on the part of the administrator.

§2 Where no administrators are appointed for a public juridical person by law or by the documents of foundation or by its own statutes, the Ordinary to which it is subject is to appoint suitable persons as administrators for a three-year term. The same persons can be re-appointed by the Ordinary.

Can. 1280 Every juridical person is to have its own finance committee, or at least two counsellors, who are to assist in the performance of the administrator's duties, in accordance with the statutes.

Can. 1281 §1 Without prejudice to the provisions of the statutes, administrators act invalidly when they go beyond the limits and manner of ordinary administration, unless they have first received in writing from the Ordinary the faculty to do so.

§2 The statutes are to determine what acts go beyond the limits and manner of ordinary administration. If the statutes are silent on this point, it is for the diocesan Bishop, after consulting the finance committee, to determine these acts for the persons subject to him.