

Title: Regarding non-consideration of the Scheduled Castes, Scheduled Tribes and Backward Classes (Reservation in Services) Bill, 2000.

MR. DEPUTY-SPEAKER: Now, we shall take up Item No.13.

SHRI SUSHIL KUMAR SHINDE (SOLAPUR): Sir, I am on a point of order. My Bill is at Serial No.15 - the Scheduled Castes, Scheduled Tribes and Backward Classes (Reservation in Services) Bill, 2000. It was to come up for the consideration of the House today. But at about one o'clock I received a letter from the Secretariat saying:

"With reference to your letter dated 09.04.2000 on the above subject, that is, the Scheduled Castes, Scheduled Tribes and Backward Classes (Reservation in Services) Bill, 2000, the undersigned is directed to enclose a copy of letter No.41018/14/2000/Estt./REC, dated 23.11.2000 from Shrimati Vasundhara Raje, the Minister of State, Department of Personnel & Training, Department of Pensions and Pensioners Welfare in the Ministry of Personnel, Public Grievances and Pensions, stating that the President has withheld his recommendations under clause 3 of the article 117 of the Constitution for consideration of the Bill in Lok Sabha."

Sir, this Bill is at consideration stage. At this eleventh hour, I received a letter from the Secretariat, and from the Minister. Now, I am bringing it to the notice of the House, and I brought it to the notice of the Speaker. The fact is that a similar Bill is being discussed today in the Rajya Sabha. It is in today's item at Serial No.20 on the same subject of the Scheduled Castes, Scheduled Tribes and Backward Classes reservation.

The entire Bill is similar to the Bill that is being discussed in the Rajya Sabha. The President of India acts on the advice of the Council of Ministers and according to the Constitution, he has to act according to the guidance given to him by the Council of Ministers. Through my Bill, I am asking for reservation in services for the Scheduled Castes, the Scheduled Tribes and the Backward Classes in universities, banks and cooperative societies. But when the same type of Bill is being discussed in the Rajya Sabha, I do not know the reason why I am being discriminated against in this manner.

Sir, on the first day of the Parliament Session, I met the Prime Minister of India and wished him good health. At that time, he told me that he had read my Bill. In fact, I wanted to appreciate his gesture because he is interested in the development of the Scheduled Castes, the Scheduled Tribes and the Backward Classes. But, I am very much disappointed now, because my Bill is not going to come up for consideration. Why is this kind of discrimination shown towards my Bill?

In fact, I have written a letter to the Secretary-General, Lok Sabha, with regard to the Bill namely, Scheduled Castes, Scheduled Tribes and Backward Classes (Reservation in Services) Bill, 2000, standing against my name in the List of Business for Friday, 24th November, 2000, that is, today, whereby I gave a notice of my intention to move the following motion: "That the Scheduled Castes, Scheduled Tribes and Backward Classes (Reservation in Services) Bill, 2000, be circulated for eliciting public opinion thereon". Now, I would request that the Bill should be circulated for eliciting public opinion. At the same time, I would request the Government of India, through you, to reconsider the advice that they had given to the President of India so that I can move my Bill here, because millions of educated young men and women belonging to the Scheduled Castes, the Scheduled Tribes and the Backward Classes would be disappointed if my Bill does not come up for consideration. This Bill is very unique in nature.

मुझे पता नहीं है कि इस गवर्नमेंट को गरीबों को न्याय देने में इतनी क्या बुराई लग रही है। यह सरकार तो बार-बार कहती रही कि हम दलितों के लिए हैं तो आप यही न्याय दलितों को देंगे, यही एडवाइस राष्ट्रपति जी को देंगे, इसी दिशा में काम करेंगे? हम बार-बार कहते थे कि यह सरकार गरीबों के लिए नहीं है, बैकवर्ड क्लासेज के लिए नहीं है, यह सरकार दलितों के लिए नहीं है, इसके लिए दूसरा उदाहरण और क्या चाहिए। Is this the advice that you give to the President of India?

SHRI RAMESH CHENNITHALA (MAVELIKARA): Mr. Deputy-Speaker, Sir, when a similar Bill is being discussed in the Rajya Sabha, why can his Bill not be discussed in this House?

MR. DEPUTY-SPEAKER: He has already established his case. Please take your seat.

डॉ. रघुवंश प्रसाद सिंह (वैशाली) : शिंदे साहब ने जो सवाल उठाया, उसमें एक दफा मंजूर कर लिया, एक दफा नामंजूर कर लिया। सरकार लोक सभा में आने से क्यों कतरा रही है? यह अनुसूचित जाति, अनुसूचित जनजाति का सवाल है, इस पर बहस भी नहीं हुई। (व्यवधान)

उपाध्यक्ष महोदय : आपको बोलने की जरूरत नहीं है,

डॉ. रघुवंश प्रसाद सिंह : यह शैड्यूल्ड कास्ट्स से सम्बन्धित है, इसलिए गैर शैड्यूल्ड कास्ट्स का समर्थन होना जरूरी है। (व्यवधान)

MR. DEPUTY-SPEAKER: Shri Sushil Kumar Shinde is quite capable of establishing his case and he has already done that. Let me deal with it now.

SHRI SUSHIL KUMAR SHINDE : Sir, I am really grateful to you for giving me a patient hearing. Now, economic

reforms are going on in our country. But there is a lot of backlog in respect of reservation for the Scheduled Castes, the Scheduled Tribes and the Backward Classes and the backlog is not being filled up.

MR. DEPUTY-SPEAKER: Shri Sushil Kumar Shinde, your Bill is listed under Item No.15.

SHRI SUSHIL KUMAR SHINDE : This item will wither away.

MR. DEPUTY-SPEAKER: I have already heard you. Now, how is it to be treated? I will ask the Minister of Parliamentary Affairs also to say whatever he wants to say. Let me deal with it when it comes.

SHRI SUSHIL KUMAR SHINDE : If the Government is not succumbing to my request to send it second time to the Government of India, then, my other proposal is to elicit the public opinion about the Bill. That is for you to decide.

MR. DEPUTY-SPEAKER: My difficulty is that as per the Order Paper, your matter comes only after the disposal of item Nos. 13 and 14.

SHRI SUSHIL KUMAR SHINDE : That is true. I absolutely agree with your decision. But the point is this. Since the Minister and the Parliament Secretariat have written to me that the President has not accorded sanction or recommended it, this will not appear. Today, the Bill will be not considered. The second item will become '14'. This number will vanish in the next 15 days. Therefore, today is the day when I can point it out. Otherwise, the entire thing will vanish.

डॉ. रघुवंश प्रसाद सिंह : उपाध्यक्ष महोदय, हमारा भी एक इसी तरह का एक विषय था, बल्कि इससे भी सीरियस है। हमारा विषय भी सुन लिया जाये। (व्यवधान)

उपाध्यक्ष महोदय : इसके खत्म होने के बाद आपको सुनेंगे।

पेट्रोलियम और प्राकृतिक गैस मंत्रालय में राज्य मंत्री तथा संसदीय कार्य मंत्रालय में राज्य मंत्री (श्री संतोष कुमार गंगवार) : यह विषय हमारी जानकारी में आया है। मैं समझता हूँ कि इस संदर्भ में माननीय सदस्य की भावनाओं से सदन भी अवगत हो गया है। हम इस संदर्भ में जानकारी करके सदन में बता देंगे। वैसे नियमों के अन्तर्गत ये पुनः राष्ट्रपति महोदय को अपील कर सकते हैं और उस पर निर्णय हो सकता है।

SHRI SUSHIL KUMAR SHINDE : Let them go for eliciting public opinion.

SHRI RAMESH CHENNITHALA (MAVELIKARA): After 15 days, this Bill will not be listed here whereby his chance will go.

MR. DEPUTY-SPEAKER: We will be taking it up. Now, it will be withheld. It cannot lapse because it is going to be reconsidered.

SHRI SUSHIL KUMAR SHINDE : Yes. If the Government cannot reconsider it, then, it should be moved for public opinion.

MR. DEPUTY-SPEAKER: As per Rules, it will be taken up again.

SHRI SUSHIL KUMAR SHINDE : No, Sir. As per Rules, once the letter is issued, it will not be taken up for consideration. Therefore, I am submitting to you that the Government should reconsider it and send it to the President of India. If it is not possible, then, it should be sent for eliciting the public opinion. These are two simple things.

SHRI SANTOSH KUMAR GANGWAR: As per Rules, you have to apply for its reconsideration.

SHRI SUSHIL KUMAR SHINDE : I have already applied.

SHRI SANTOSH KUMAR GANGWAR: Please apply for it again.

SHRI SUSHIL KUMAR SHINDE : No. There is a whole process. You see, it will not come.

SHRI SANTOSH KUMAR GANGWAR: Actually, your Bill will not lapse....(Interruptions)

SHRI SUSHIL KUMAR SHINDE : No, no. You have to say whether you will consider it or not because you are maltreating the Scheduled Castes.

SHRI SANTOSH KUMAR GANGWAR: Not Scheduled Castes. ...(Interruptions) बैकलॉग एक साल का नहीं है, बैकलॉग तो 50 साल का है।

MR. DEPUTY-SPEAKER: Within the Rules, it is a very good subject for the entire country. We can have

deliberations. Therefore, the Government should take it up in that perspective. We are framing the Rules. We can even amend the Rules. But it is a good subject for everybody to take it up.

डा. रघुवंश प्रसाद सिंह : उपाध्यक्ष महोदय, मेरा भी विधेयक था।

उपाध्यक्ष महोदय : आपका इसमें लिस्टेड नहीं है।

डा. रघुवंश प्रसाद सिंह : मेरा सीरियस मामला है, सुन लीजिए। मेरा लिस्ट में सबसे ऊपर आया था। इनसे भी ज्यादा सीरियस है। गैर सरकारी कार्य में लिस्ट में सबसे ऊपर आ गया। जब पिछला सत्र रन कर रहा था, सुबोध मोहिते के बाद मेरे बिल का नम्बर है, जिस पर बहस होनी थी। सूची में आ गया। उसके बाद हमें चिट्ठी मिली कि राष्ट्रपति जी ने उसको सहमति नहीं दी। सूची में आने के बाद, जब लाटरी में आ गया, उनका नहीं आया।

श्री सुशील कुमार शिंदे : आया है।

उपाध्यक्ष महोदय : अगर नहीं आते तो नहीं होता।

डा. रघुवंश प्रसाद सिंह : लाटरी में सबसे ऊपर आया, बहस होनी थी। तब चिट्ठी मिली कि राष्ट्रपति जी ने उसे सममति नहीं दी। मैं सरकार पर आरोप लगाता हूँ कि भ्रष्टाचार के खिलाफ वह विधेयक था, लोकपाल विधेयक को रोक कर रखे हुए है।

उपाध्यक्ष महोदय : आप भी रिकंसिडरेशन के लिए बोलें, मैं उनको कहूंगा।

डा. रघुवंश प्रसाद सिंह : सूची में आ गया था।

श्री प्रकाश परांजपे (ठाणे) : भ्रष्टाचार का मामला था इसीलिए नहीं आ पाया।

उपाध्यक्ष महोदय : मिस्टर परांजपे, मैं इनसे डील कर रहा हूँ और आप प्रवोक कर रहे हैं।

डा. रघुवंश प्रसाद सिंह : लाटरी में सबसे ऊपर आया।

उपाध्यक्ष महोदय : आप रिकंसिडर करने के लिए, राष्ट्रपति जी के पास भेजने के लिए बोलें।

डा. रघुवंश प्रसाद सिंह : लाटरी में सबसे ऊपर आया था। इन लोगों ने रोक दिया है कि बहस न हो। *Expunged as ordered by the Chair*

उपाध्यक्ष महोदय : राष्ट्रपति का जहाँ उल्लेख हुआ है, वह सारा एक्सपंज कर दिया जाए।

SHRI SUSHIL KUMAR SHINDE : Sir, this is a serious issue. The second Bill is being done like this. What is the Government doing? They should not behave like this. It is a right of the Members of Parliament. *... (Interruptions)*

SHRI RAMESH CHENNITHALA (MAVELIKARA): Mr. Deputy-Speaker, Sir, I have a submission to make. If those formalities are not completed, why are these Bills taken for lottery? Before completing the procedure, why these Bills put in lottery? Why is issue comes up here unnecessarily? *... (Interruptions)*

MR. DEPUTY-SPEAKER: Ballot comes first and then comes the procedure.

... (Interruptions)

MR. DEPUTY-SPEAKER: It is a procedural aspect. They cannot give a go-by to it.

... (Interruptions)

डा. रघुवंश प्रसाद सिंह : नियम बताता हूँ। कोल एंड शकधर में मैंने देखा है। उसमें है कि इस विधेयक पर राष्ट्रपति जी की सहमति लेनी है तो यह सरकार का काम है। सरकार अगर अक्षम है तो सदस्य भी ले सकते हैं। इस तरह की व्यवस्था क्यों नहीं की गई। इसलिए हमारा प्रोटेस्ट दर्ज किया जाए। हमने अध्यक्ष महोदय को भी लिखा है। हम भ्रष्टाचार पर बहस चाहते हैं। लोकपाल विधेयक को क्यों रोके हुए हैं ? प्रिवेंशन आफ करप्शन एक्ट था। इसमें सबके नाम थे, जैसे डायरेक्टरी में होते हैं, कि किसके पास कितनी सम्पत्ति है।

उपाध्यक्ष महोदय : आपने बिल आने के पहले डिस्कस कर लिया। मैंने आपको मौका दिया मंशन करने के लिए और आपने भाग शुरू कर दिया। अब मैं रासा सिंह जी को बुलाता हूँ।