

nt>

15.30 hrs.

PRIVATE MEMBER'S RESOLUTIONS

(i) Re : Reservation for SC/STs and Backward Communities in Private Sector -- Contd.

Title: Further discussion on the resolution regarding reservation for SCs/STs and Backward communities in private sector moved by Shri S. Ajaya Kumar on 9.7.2004. (Discussion concluded – Resolution withdrawn).

MR. CHAIRMAN : Let us take up item No. 16. Shri A. Krishnaswamy, who was on his legs last time, can continue his speech, which was inconclusive. He is not present. Now, I give the floor to Shri Madhusudan Mistry.

SHRI MADHUSUDAN MISTRY (SABARKANTHA): Sir, thank you very much for giving this opportunity to speak on the Private Members' Resolution on job reservation for SC/STs and Backward Communities in private sector and in the Government.

At the outset, let me just say that as a person, I am in favour of it. I feel, for a number of reasons, that the people should be provided that opportunity in order to lift themselves economically. I have also articles with me written by experts and other writers of this country overwhelmingly opposing the very idea that this UPA has propagated, agreed and, in fact, has included in CMP, that is, to have the job reservation in the private sector. I want to say something to all those who want to oppose it. इस देश में जब से कास्ट सिस्टम आया है, तभी से मीन्स ऑफ प्रोडक्शन जिसमें से हम कुछ वैल्यू पैदा कर सकते हैं, वह समाज के कितने तबकों के हाथ में है? It is not with everyone. There are sections of the society which lack these means of production. The lands are not in their names, they do not have capital and they are asset-less people. Even if you consider the skill ...(*Interruptions*)

श्री रामजीलाल सुमन (फ़िरोज़ाबाद) : सभापति जी, गैर सरकारी कार्य का समय हो गया है, साढ़े तीन बज गए हैं। मिस्त्री जी सोमवार को अपना भाग जारी रख सकते हैं।

श्री मधुसूदन मिस्त्री : मैं उसी पर बोल रहा हूँ।

श्री रामजीलाल सुमन : शुरू हो गया है? माफ करें।

श्री मधुसूदन मिस्त्री : आप कुछ दूसरे ही खयाल में हैं। मैं उसी पर बोल रहा हूँ। बजट पर नहीं बोल रहा हूँ। बजट पर सोमवार को बोलेंगे।

मैं थोड़ा उसके रूट कॉज़ पर जाना चाहता हूँ। अब ज़रा इधर से सुन लीजिए। स्किल्ड को भी जिसको हम एसैट गिन सकते हैं, वह जो पूरा तबका है एससी और एसटी का जो पूरे समाज के दायरे के अंदर जिसके हाथ में प्रोडक्शन के साधन हैं, उनकी क्या स्थिति हुई है। They have always remained dependent on certain sections of the society, which have the means of production in their hands. They in their houses work as domestic servants and as a result, it has stopped the upward mobility. They have remained, more or less, at the bottom of the society. The job reservation, in fact, even in the Government, gives them economic freedom, besides recognising them as human beings and providing equal opportunities. It provides them an opportunity to lift themselves up from the bottom of the caste hierarchy and we have witnessed, हमने देखा है कि, जब एक बिल्कुल नीचे के तबके के आदमी के पास इनकम आनी शुरू हो जाती है तो उसकी जो फ्रीडम है *vis-à-vis the other sections of the society*, उसकी फ्रीडम थोड़ी बढ़ जाती है, वह इंडीपेंडेंट होने लगता है।

He is no longer dependent on those sections of the society within his village or city who provide him work because work is already available to him and he is financially independent now. यह जो सारी परिस्थिति है, इसके अंदर जो जॉब रिजर्वेशन है, उसे हमें एसैट प्रोवाइड करने की दृष्टि से देखना चाहिए। We should look at it not only as a means of providing an asset or resource to them to earn money and feed themselves but also as an opportunity to make them economically independent.

I have seen in many parts of the country that once a person gets a permanent job, he is assured of a certain amount of income every month. There is surety of income for him. Because he has an assured income, he can plan his family and he can send his children to school. Those children can get good education. With that good education they can get into better jobs and their income increases. With that increased income, they can send their children to good schools and provide them better education. In the process, reservation in jobs provides upward mobility to the lower sections of the society, SCs and STs specifically, in order that they compete with the other sections of the society both financially as well as intellectually.

Denying this facility to SCs, STs and other backward sections of the society is denying them the opportunity of upward mobility, which will be quite detrimental to our society where caste system is so strong even now. Even though we have laws which forbid observance of caste system, the system is still prevalent in the rural India. Even though you have good education, even though you are financially sound, you are discriminated against in most parts of the country based on your caste. It has something to do with the mindset. I do not know what could be the

root cause of this but there is a kind of hidden segregation which people feel, a hidden discrimination, in the behaviour of people when people go out in the job market. They always find this sense of segregation and discrimination. People would not be explicit and saying it but certainly you can make it out in their behaviour.

The point that I am making here is that reservation in jobs provides upward mobility to SCs and STs so that they can establish themselves on par with the other sections of the society. I am also deeply concerned over the reports that people are coming out in the open in favour of denying this in the private sector.

SCs, STs and other poor people constitute a large chunk of the society. They pay huge sums of money to the State exchequer every year in the form of various taxes. I will come to that later. I would like to draw the attention of the House to the fact sales tax and excise are the two major components of the income of various States. If you try to find out who ends up paying more of sales tax and excise, you will come to know that it is the poor in general and SCs and STs in particular who pay more because of the sheer size of their population. Because of their numbers, their buying capacity is much more than that of any other section of the society. As a result, they end up paying more money to the State exchequer.

If you look at the distribution of this, then it is the service class which get the largest share. Same is the case with other development projects and so on. I would like to deliberately repeat this. Entire planning goes by assets. It goes to those who have an asset. Land is an asset. Entire planning, subsidy is concentrated on assets. Since SCs & STs have very little asset, they do not get their share from the distribution. They have no skill with the result the targeted development, their uplift by way of self-employment and other things remain minimum or the schemes targeting them are less implemented. They get very little share out of that and as a result they end up themselves employed only in unskilled jobs, either as agriculture labour or domestic hand and so on. It does not allow a kind of upward mobility. A domestic hand, scavenger or cleaner will end up in the same profession and a child of the cleaner will also end up as a cleaner. Denying this opportunity to them in the future would be very detrimental.

You would realise that most of the jobs in the public sector has declined because of the disinvestment process in the past five or six years. Selling of public sector units has ultimately declined the number of jobs and jobs which were meant and reserved for SCs and STs. On the one side because of reform process the opportunities for getting a job for SCs and STs are getting declining. On the other side, with the State investment, State subsidy and State encouragement, the private sector is coming up in a much more bigger way. ...(*Interruptions*)

MR. CHAIRMAN : Time allotted to this Resolution is more or less over. But there are many speakers on the list. If the House agrees, we can extend the time by half an hour or one hour. Sense of the House will have to be taken.

SEVERAL HON. MEMBERS: One hour.

MR. CHAIRMAN : The time is extended by one hour.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI BJOY HANDIQUE): It is a very important subject. Let it continue. You should allot more than one hour.

MR. CHAIRMAN : It is not going to continue forever. It is only extended by one hour because there is another Resolution which will have to be taken up. We will have the discussion for one hour more. Last Friday also, we had a discussion on this subject. This is the second day we are discussing this very same subject. We will have to conclude within one hour.

SHRI MADHUSUDAN MISTRY : Private sector is trying to thrive with the subsidy and with the help of the Government. They take subsidies from the Government. They take tax benefits from the Government. They take certain things from the State. Now private sector is thriving. Public sector is more or less going down as a result of job reservation and job opportunities are being declining especially for the SCs and STs. We all know that there is always a hidden bias and discrimination. Even if I am a very efficient person and if I go for an interview and get through, there are persons who are sitting there show bias in selecting a candidate. If there had been no job reservation in the Government, I have my own doubt as to how many from the SCs and STs would have been in the Government itself because it is only the reservation which protects them.

MR. CHAIRMAN : Please conclude, there are about 12 speakers. We have only one hour. Be kind enough to conclude your speech.

SHRI MADHUSUDAN MISTRY : I am just completing my speech. The entire kind of phenomena prevailing in the private sector is becoming bigger.

With the kind of phenomenon that is prevailing in this country where the private sector units would be coming more and more, I feel very strongly that there should be job reservations in the private sector as well, because these

private sector companies take all the benefits from the Government. I am of the opinion that those industries which are taking any kind of benefit from the Government must have a job reservation in their industries. There should not be any kind of bar where a caste is doubted that 'if you have a reservation for SCs and STs in a private sector, the performance will be far below on that job, the private sector will suffer and that there will be inefficiency as they would not be competent enough and fulfilling the criteria.' I very strongly feel that all those apprehensions should be wiped out and SC and ST persons should be given the opportunity. A person will learn a lot when he is provided an opportunity. So, they should be provided opportunity in order to create an equitable society especially in a country like ours which is based on equality and social justice.

Sir, I, therefore, very strongly feel that there should be job reservations in the private sectors as well. In this regard, the Government must legislate. Those industries which are seeking the help of the Government in one way or the other, which are getting tax concessions and all that, should all comply with the job reservations for SC and ST people. I think, we owe to the poor people belonging to the SC and ST category of this country that they should be provided opportunities to have an asset, which is a job in itself.

Sir, they do not have land. The land reforms are, in fact, not being implemented in many parts of the country. Many State Governments are not keen in implementing the land reforms. As a result of this, a large sections of the people belonging to the Scheduled Castes and Scheduled Tribes remain as agricultural workers and in the lowest section of the society. They fall into the category of below poverty line in the entire country. But as per the Constitution of this country, they have the right to demand their right to jobs.

I very strongly support this resolution and I feel that it is necessary to have the job reservation in the private sector. With these few words, I conclude.

MR. CHAIRMAN : Now, Shri A. Krishnaswamy. I called your name earlier, but you were not present. Please finish your speech within two to three minutes.

SHRI A. KRISHNASWAMY (SRIPERUMBUDUR): I will be very brief, Sir.

I welcome this resolution moved by Shri Ajay Kumar. It is a welcome measure.

There is a huge unemployment in the country because of population growth and also because of the disinvestment policy. A large section of the people belonging to the Scheduled Castes and Scheduled Tribes was having a huge apprehension about their employment due to the disinvestment policy. Everyone lost the hope of getting the job in future.

Not only that, people belonging to SC and ST category are very much worried about their certificates. In the State of Tamil Nadu, people are getting the Scheduled Castes certificate for Rs. 500. If a person pays this money, he gets the duplicate certificate. So, people from the upper caste, people who are rich, by utilising these certificates, go and get the opportunity to get petrol pumps, gas outlets etc. So, in real terms, the people who are entitled to have such benefits are being deprived of their rights.

In the Government and State administration, for the last more than 40 to 50 years, people are enjoying the reservation. In some ways, they have established themselves. They have grown up economically.

Madam Meira Kumar is present here. In Tamil Nadu, thousands of the Scheduled Caste and Scheduled Tribe people are employed at the Heavy Vehicles Factory. We did a lot for their economic and social upliftment. Moreover, we installed a statue of Babu Jagjiwan Ram at Avadi. We have the courage and privilege in the country. Without even that privilege or right, how will we establish our future? That would be a very difficult thing for persons belonging to SC/ST categories. Even today most of the private companies, the multinational companies recruit persons below 21 years of age. A boy or girl from SC/ST communities cannot compete with other community people. In the Government of India, we have a privilege or a right to get jobs till 35 years of age. From our own experience we have seen that.

We have the Hyundai Car Company in Sriperambudur; I used to recommend SC/ST boys and girls to that Company. But the Company's management is not accepting because of their age. They say that they need persons who are below 21 years of age. In the Government of India, we recruit people till they attain the age of 35 years. So, there is a huge difference of about 10-14 years. How is it possible? That should be looked into.

The SC/ST and OBC people work in villages. There are very many programmes for them. Even our Finance Minister, Shri Chidambaram told that he would provide 100 days of job in a year. How is it possible? If you take even SGRY Programme, the persons who are taking the contracts are doing work with the machines and there is no necessity to employ manpower. How is it possible to employ SC/ST persons in villages?

We have to see the conditions in qualification for admission into engineering collages. It is very difficult. We have to

pay capitation fees; we have to make contributions like donations. How would a poor SC/ST boy get his education and how would he be in search of a job, within 21-22 years of his age? This matter should be looked into by the Government.

Moreover, people belonging to SC/ST are not getting loans. In the Budgets, we are allocating thousands of crores of rupees for loans, to be given to SC/STs. But we do not get loans very easily. For obtaining loans, we have to give collateral

security. You have to see how could these people give collateral security. What property do they have to give collateral security? So, this is the right time that our hon. Minister takes this Resolution as a very important Resolution, and enacts a law. Then only, the future of these people would be saved.

श्री रामजीलाल सुमन (फ़िरोज़ाबाद) : सभापति महोदय, आज यह सदन बहुत ही महत्वपूर्ण संकल्प पर चर्चा कर रहा है। मैं सबसे पहले श्री एस. अजय कुमार जी का हार्दिक आभार प्रकट करता हूँ कि वे बहुत ही सामयिक संकल्प इस सदन में लेकर आये। नई सरकार ने भी यह प्रतिबद्धता जाहिर की थी कि हम निजी क्षेत्र में आरक्षण के इस संबंध में विधेयक लायेंगे। मैं समझता हूँ कि उस लिहाज से भी सदन में चर्चा बहुत महत्वपूर्ण है कि सरकार के बिल लाने से पहले इस सदन की भावना क्या है ? हम लोग जो पूरे देश की नुमाइंदगी इस सदन में करते हैं, विभिन्न राजनीतिक पार्टियों का प्रतिनिधित्व करते हैं, वे निजी क्षेत्र में आरक्षण के बारे में क्या सोचते हैं ? मैं समझता हूँ कि यह संकल्प उस बिल को लाने में एक आधार बनेगा और इस सदन की भावना से सरकार लोगों के जज़बात को समझेगी। इस विभाग से संबद्ध मंत्री श्रीमती मीरा कुमार जी यहां बैठी हैं, वे इसे समझेंगी। निश्चित रूप से यह एक अच्छा काम है।

मैं बड़ी विनम्रता से कहना चाहता हूँ कि जहां तक आरक्षण का सवाल है, इस आरक्षण का बहुत मोटा और व्यावहारिक मतलब यह है कि हमारे देश में वर्ण-व्यवस्था है और एक लम्बे समय से दलितों का शोण वर्ण व्यवस्था के नाम पर हुआ है। पिछड़ों की उपेक्षा हुई है। बाबा साहब डा. अम्बेडकर ने अपने प्रयासों से आरक्षण की जो व्यवस्था कराई, इसका सीधा मतलब यह था कि जो वर्ग उपेक्षित है, जिन वर्गों के साथ न्याय नहीं हुआ, जिन वर्गों का शोण हुआ, उन वर्गों को बराबरी पर लाने के लिए, उनको तरक्की देने के लिए इस आरक्षण की व्यवस्था हुई। शुरु में आरक्षण की व्यवस्था दस वर्गों के लिए थी लेकिन दस वर्गों बाद पार्लियामेंट ने फिर कहा कि आगे आने वाले वर्गों के लिए भी आरक्षण होना चाहिए क्योंकि दलितों की स्थिति में अपेक्षित सुधार नहीं हुआ है। आरक्षण के पीछे बुनियादी अवधारणा थी और मुझे दुख के साथ कहना पड़ता है कि जिस मकसद से आरक्षण हमारे देश में लागू हुआ, उस मकसद में आज तक हम खरे नहीं उतरे। मुझे माफ करना, मैं इसके लिए किसी दल विशेष की आलोचना नहीं करना चाहता। यह हमारी मनोवृत्ति से जुड़ा हुआ सवाल है। मैं इसको दलों की सीमा में कैद नहीं करना चाहता। लेकिन मैं कहना चाहता हूँ कि समाज में एक ऐसा वर्ग है जो नहीं चाहता कि समाज का जो उपेक्षित वर्ग है, उसके साथ इंसाफ हो। अभी पिछली बार शुक्रवार को जिन लोगों ने तकरीर की, उसमें प्रो. रासा सिंह रावत जी का भाषण मैंने सुना और उन्होंने कहा कि आरक्षण के साथ-साथ हमें व्यावहारिक दृष्टिकोण अपनाना चाहिए और हमें योग्यता और दक्षता का भी ध्यान रखना चाहिए। यह बिल्कुल सही है कि हमें योग्यता और दक्षता का ध्यान रखना चाहिए लेकिन हमें समान सुविधाओं और समान अवसर का भी ध्यान रखना चाहिए। क्या मैं पूछ सकता हूँ कि निजी क्षेत्र में जो विद्यालय चल रहे हैं, मेडिकल कॉलेज चल रहे हैं, इंजीनियरिंग कॉलेज चल रहे हैं, 25 लाख रुपये से 50 लाख रुपये तक डोनेशन देकर एक लड़का प्रवेश पा जाता है और प्रतिभा होने के बावजूद भी क्या कोई दलित पिछड़ा डॉक्टर या इंजीनियर बन सकता है ? जब हम दक्षता की बात करते हैं तो मैं निवेदन करना चाहूंगा कि स्पृधा खुली होनी चाहिए क्योंकि कुश्ती बराबरी की होती है। समाज में जिन लोगों को अवसर नहीं मिला, वे लोग आखिर तरक्की कैसे कर सकते हैं ? अंग्रेजी में थोमस ग्रे की एक कविता है-- **Thomas Gray's "Elegy written in a country Church-yard"**. उस कविता का मूल सार यह है कि समाज में तमाम ऐसी प्रतिभाएं हैं जिनको उचित अवसर नहीं मिलता जिसकी वजह से वे आगे नहीं बढ़ पाए और यही निवेदन मैं करना चाहता हूँ कि जब हम लोग दक्षता और क्षमता की बात करते हैं तो हमें सुविधाओं की बात करनी चाहिए। हमें यह भी बात करनी चाहिए कि हमने उनको क्या सहूलियत दी है ? इस देश का दुर्भाग्य यह है कि 87 प्रतिशत बच्चे इंटरमीडिएट की कक्षा तक आते-आते बैठ जाते हैं। इसका मतलब यह नहीं है कि उनके माता-पिता, **श्री (व्यवधान) मीरा कुमार जी**, आप हमारी बात सुनिए। मैं कह रहा था कि 87 प्रतिशत बच्चे इंटरमीडिएट की कक्षा तक जाते-जाते बैठ जाते हैं।

16.00 hrs.

इसका मतलब यह नहीं है कि उनके मां-बाप उनको पढ़ाना नहीं चाहते। लेकिन उनकी माली हालत गवारा नहीं करती। यह सामान्य सत्य है कि इस देश में जो सामाजिक रूप से पिछड़े हुए लोग हैं, वही बहुमत में आर्थिक रूप से भी पिछड़े हुए हैं। तालीम की इच्छा रखने के बावजूद भी उनके मां-बाप उनको बेहतर तालीम नहीं दे सकते। अगर उनको बेहतर तालीम मिल भी जाए तो काम कहां से मिलेगा। इन सब चीजों पर गम्भीरता से सोचें, विचार करें। रासा सिंह जी को मैं कहना चाहता हूँ कि प्रशिक्षण नहीं मिलेगा, शिक्षा नहीं मिलेगी, निजी क्षेत्रों में वे जा नहीं सकते, तो कैसे उनका उत्थान होगा।

प्रो. रासा सिंह रावत (अजमेर) : सबको सामान्य अवसर प्राप्त होना चाहिए।

श्री रामजीलाल सुमन : वही मैं कह रहा हूँ। अगर यह हो जाए तो मैं दावे के साथ कह सकता हूँ कि हिन्दुस्तान के कमजोर वर्ग के लोग यह दिखा देंगे कि उनमें प्रतिभा की कोई कमी नहीं है, उनका कोई जवाब नहीं है और वे भी देश में नम्बर एक पर हैं। इतिहास इस बात का साक्षी रहा है। इस देश का संविधान बनाने वाले डा. अम्बेडकर ही थे और उन्होंने यह कर दिखाया था। मैं भी कुछ दिनों तक श्रम मंत्री रहा हूँ। बाबू जगजीवन राम के पास हिन्दुस्तान के कई महकमे रहे और वे श्रम मंत्री भी रहे। क्या उनसे भी काबिल कोई मंत्री रहा, यह सब जानते हैं। जब-जब दलितों को अपनी प्रतिभा दिखाने का अवसर मिला है, उन्होंने सिद्ध कर दिया है कि उनका कोई जवाब नहीं है। निजी क्षेत्र के लोगों में बड़ी हड़बड़ी है, उद्योग जगत बहुत परेशान है, बेचैन है और वे दक्षता तथा प्रतिभा की बात कर रहे हैं।

कमजोर वर्ग के लोगों के साथ बहुत अन्याय हुआ है। आज जो इस तरफ लोग बैठे हैं, वे पहले सत्ता पक्ष में थे। ये लोग धड़ल्ले से विनिवेश कर रहे थे। आप भी और हम भी उनसे एक सवाल पूछते थे कि आखिर यह विनिवेश किसके लिए है। इससे जो पैसा इकट्ठा होगा, क्या वह शिक्षा पर, स्वास्थ्य पर, कृषि पर खर्च किया जाएगा, गरीब लोगों की माली हालत ठीक करने के लिए खर्च किया जाएगा, आखिर इस पैसे का क्या होगा, लेकिन उसका कोई उत्तर नहीं मिलता था। विनिवेश के सवाल पर दो बुनियादी चीजें थीं। पहली तो यह कि सरकार यह वादा करे कि मुनाफे में चल रहे सरकारी उपक्रमों को नहीं बेचा जाएगा और दूसरी यह कि सरकार बताए कि सरकारी उपक्रमों को बेचने से जो पैसा इकट्ठा करेंगे, उसका प्रयोग किसके लिए होगा। क्या बजट का घाटा पूरा करने के लिए उसका प्रयोग करेंगे या कमजोर वर्गों के उत्थान के लिए उसका प्रयोग करेंगे। सरकार के पास कोई जवाब नहीं था। यही सबसे बड़ी चिंता का विषय था।

मैंने जैसा पहले कहा कि इस देश में सर्वाधिक नुकसान वर्ण व्यवस्था के चलते हुआ है। उससे क्या-क्या नहीं हुआ इस देश में, लोग नहीं समझ सकते। देहातों में नर्स नहीं होतीं। हमारे यहां किसी मां-बहन के बच्चा होता है तो वाल्मीकि औरत बच्चा पैदा करने में उसकी मदद करती है। उसको नहलाती है, पोंछती हैं। जब बच्चा चार-पांच दिन का हो जाता है और वह उसे छूने जाती है तो मां कहती है कि इसको हाथ नहीं लगाना, यह अपवित्र हो जाएगा और मुझे गंगाजल से नहलाना पड़ेगा। इसी तरह से गांवों में कुआं खोदने के लिए दलित लोगों को बुलाया जाता है। जब कुएं में पानी आ जाता है, तो उसे वहां से पानी नहीं भरने दिया जाता। कहा जाता है कि तुम कुएं से पानी लो तो यह कुआं अपवित्र हो जाएगा। इसी तरह से मंदिर जब बनाया जाता है तो उसी दलित को बुलाते हैं और जब मंदिर बन जाता है, तो उसी दलित को मंदिर के भीतर नहीं जाने दिया जाता। यह कहा जाता है कि तुम्हारे जाने से मंदिर अपवित्र हो जाएगा। इस देश में इससे बड़ा पाप कोई दूसरा नहीं हो

सकता।

दूर जाने की जरूरत नहीं है, जहां से मैं आता हूँ आगरा-फिरोजाबाद, वहां पर फतेहपुर सीकरी है। वहां खांडवा का मैदान है। उस मैदान में बाबर और राणा सांगा की लड़ाई हुई थी। वहीं गांव में लोग हल चला रहे थे। लोगों ने उनसे पूछा कि देश की इज्जत दांव पर लगी है, लड़ाई हो रही है और तुम लोग हल चला रहे हो। उन्होंने कहा हमारे देश में चार वर्गों में व्यवस्था बंटी हुई है। ब्राह्मण, क्षत्रिय, वैश्य और शूद्र। जो दलित हल चला रहा था, उसने जवाब दिया कि हमें तो जिंदगी भर हल चलाना है, क्योंकि लड़ाई का काम क्षत्रिय का है, हम वहां क्या करेंगे। अगर इस देश की सामाजिक एकता मजबूत रही होती तो दुनिया की कोई ताकत हमें नहीं हरा सकती थी। यह सब वर्ण व्यवस्था के चलते हुए हुआ। इन सब चीजों से आज हमें सबक सीखने की जरूरत है। इतिहास में जो कुछ घटा है, उससे निका निकालने की जरूरत है। यह बहुत ही दुखद स्थिति है।

अंत में, समय की मर्यादा का ख्याल करते हुए, एक बात और निवेदन करना चाहता हूँ, जैसे इस विषय पर बहुत कुछ बोला जा सकता है। इस देश में सबसे बड़ी समस्या बेरोजगारी की समस्या है। आज समाज में तनाव किसी भी शकल में हो, लेकिन बुनियाद में जो चीज है, वह बेरोजगारी ही है। इस समस्या के निदान के लिए मॉटेक सिंह अहलूवालिया कमेटी या द्वितीय श्रम आयोग का गठन किया गया। लाल किले से 1998 में भूतपूर्व प्रधान मंत्री, श्री अटल बिहारी वाजपेयीजी द्वारा घोषणा की गई कि हम एक करोड़ लोगों को रोजगार देंगे, लेकिन वास्तव में लोगों को रोजगार नहीं मिल रहा है। तमाम डिग्रियां हासिल करने के बाद, मां-बाप अपना पेट काट कर बच्चों को पढ़ाने के बाद जब उनके बच्चे को रोजगार नहीं मिलता है, तो एक क्षण ऐसा आता है, जब वह नौजवान गलत रास्ते को अख्तियार करने को बाध्य हो जाता है। अगर इस बेरोजगारी की समस्या की तरफ सरकार द्वारा ध्यान नहीं दिया गया, तो आने वाले समय इसके गम्भीर परिणाम होंगे। मैं आपके माध्यम से एक ही बात कहना चाहता हूँ कि इस संकल्प के सदन में आने की वजह से औद्योगिक जगत में खलबली है। सामाजिक न्याय एवं अधिकारिता मंत्री सदन में बैठे हुए हैं, जब कोई अच्छा काम होता है, तो लोग याद करते हैं और ऐसे कामों को करने में अगर आलोचना होती है, तो उसकी फिक्र करने की आवश्यकता नहीं है। असल बात यह है कि इन लोगों के साथ न्याय होना चाहिए। मैं सदन को यह भी बताना चाहता हूँ, जैसा कि समाचार पत्रों में आया है, विश्व बैंक ने कहा है कि निजी क्षेत्रों में आरक्षण का वे विरोध नहीं करेंगे। दूसरी तरफ निजी क्षेत्रों में जो लोग हैं, वे यह समझते हैं कि सम्पत्ति पर केवल इन्हीं लोगों को अधिकार है। ये लोग अरबपति या खरबपति मां के पेट से पैदा होते ही हुए हैं। दौलत इनके साथ आई थी। समाज में दौलत पर इन्हीं लोगों का अधिकार है, इस तरह की बात की जाती है।

महोदय, मैं एक ही बात कहना चाहता हूँ कि यह बहुत गम्भीर सवाल है। मैं समझता हूँ कि एक लम्बे अर्से से दलितों, कमजोर वर्ग के लोगों के साथ नाइन्साफी होती रही है। इसको दूर करने का अगर कोई हल है, तो वह केवल निजी क्षेत्रों में आरक्षण के सिवाय दूसरा कोई हल नहीं है। मैं यह भी निवेदन करना चाहता हूँ कि आरक्षण के साथ-साथ कमजोर वर्गों के जो परम्परागत उद्योग हैं, उन उद्योगों को भी सशक्त बनाने की जरूरत है। उदाहरण के लिए, आगरा में जूते बनाने का काम होता है, चमड़े का काम होता है, जूता तैयार किया जाता है। जो जूता बनाता है, वह सिर पर डलिया लेकर जब बेचने के लिए जाता है, तो मात्र उसको 300 रुपए दिए जाते हैं। लेकिन जो खरीदता है, वह उसको एक डिब्बे में डालकर अपना ट्रैड-नेम देता है, फिर वही जूता मुम्बई और कलकत्ता के बाजार में तीन हजार रुपए में बिकता है। मैं यह कहना चाहता हूँ कि उस गरीब आदमी के लिए आज बाजार की कोई व्यवस्था नहीं है। बैंक से संरक्षण नहीं है, ऋण नहीं मिलता है। मैं आप से यह निवेदन करना चाहता हूँ, आज हम निजी क्षेत्रों में आरक्षण की व्यवस्था करने की बात कह रहे हैं, वहीं दूसरी तरफ कमजोर वर्ग के लोगों, दलितों, अनुसूचित जाति और अनुसूचित जनजाति, पिछड़े वर्ग के लोगों की माली हालत में सुधार करने के जो उनके परम्परागत उद्योग हैं, उनको संरक्षण देने की आवश्यकता है, भूमि सुधार की आवश्यकता है और उन लोगों को आत्म-निर्भर बनाने की आवश्यकता है। यह काम निश्चित रूप से होना चाहिए।

समय की सीमा का ध्यान रखते हुए, मैं माननीय सदस्य, श्री एस.अजय कुमार को धन्यवाद ज्ञापित करता हूँ कि उन्होंने एक बहुत ही व्यापक और सामयिक संकल्प इस सदन में प्रस्तुत किया है, जिससे न केवल आने वाले समय में जब इससे संबंधित बिल सदन में लाया जाएगा, तो सरकार पहले ही सदन की भावना से परिचित होगी और सरकार को इस बिल को सदन में पास कराने का आधार मिल जाएगा। सदन में उपस्थित विभिन्न राजनीतिक दलों से मैं विनम्रता से आग्रह करना चाहता हूँ कि ऐसे गम्भीर मामले में जब हम दलितों को इंसाफ देने की बात करते हैं तो सदन को बंटना नहीं चाहिए। सब को सर्वसम्मति से इस संकल्प का समर्थन करना चाहिए।

SHRI PRABODH PANDA (MIDNAPORE): Sir, at the very outset, I must thank hon. Member, Shri S. Ajaya Kumar as he has brought a very important subject for discussion and has moved this very important Resolution in the present era.

Sir, so far as I remember, the discussion regarding recruitment of the Scheduled Castes, the Scheduled Tribes and the backward sections of our country started since 1950s and since 1990s, the demand for recruitment of SCs, STs and backward sections in the private sector has gathered momentum, particularly in the scenario of globalisation, privatisation and liberalisation. In this era of globalisation, the private sector is coming up and improving like anything. There are even a lot of public sector enterprises in the States which are being privatised. So, the question of the policy of recruitment comes about particularly in regard to the SCs, STs and other backward sections. This is a very pertinent question. The UPA Government has emphasised this point very much and our honourable President, in his kind Address, has also covered this point. So, I am hopeful that the situation will improve.

But the situation now is very serious for two reasons. Firstly, downsizing continues everywhere, whether it is in the public sector or the private sector. In this scenario, recruitment is already frozen. It has already been stopped. So, in general, recruitment policy is in danger and particularly, the Scheduled Castes, the Scheduled Tribes and the backward sections are in more trouble.

We have witnessed incidents which happened in the case of recruitment by the Railways, the RRBs and the examinations held in Assam and we know what had happened there. We have witnessed the situation in Bihar. We have witnessed the situation in Maharashtra. For 3000 posts, I think more than six lakh people have applied and riots took place. There were clashes between the Assamese and the Biharis. In Maharashtra, it was threatened that no people coming from outside States will be allowed to appear in the examinations there and that Maharashtra is only for Maharashtrians. So, this is the scenario. So far as reservation is concerned, in most of the cases, the candidates at the centres keep in mind the question of regions. This point is coming up in their minds. So far as private sector is concerned, when they are going to recruit, they are first thinking about the regions and castes.

Number 2 is the present economic crisis, the socio-economic set-up of our country. Our State is a Welfare State.

Without giving due share to the backward sections and without giving due share to the Scheduled Castes and Scheduled Tribes, how can this country come up as a real Welfare State? Justice and empowerment should not be confined just to the public sector units. What would be the policy in respect of private sector? From some corners, a question of Constitution has been raised about this. It is said that in this respect, there is a need for an amendment to the Constitution in order to force the private sector to carry out the direction on reservation quota for the Scheduled Castes and Scheduled Tribes and backward sections. Total number of jobs in the Government as well as in the public sector undertakings are declining. In most Departments, both in the Centre as well as in the State, recruitment is already frozen and vacancies are not being filled up.

It is no denying that socio-economic inequalities have existed in our country for centuries and lately they have been increasing. Job reservation is one of the ways to minimise the inequalities, if not to wipe out the inequalities. But this point has not been adequately stressed so far.

So, I endorse this Resolution. I think the UPA Government will take proper steps in this regard. It is a very good proposal to have a dialogue with all political parties and all sections of the society for arriving at a consensus in this regard. I would like to request the Union Government, the hon. Minister in particular, to think over whether any amendment to the Constitution is needed in this regard in order to see that private sector authorities do not take any legal plea to avoid giving reservation in the private sector.

SHRI LALIT MOHAN SUKLABAIIDYA (KARIMGANJ): Mr. Chairman, Sir, the matter is very important. It concerns millions of unemployed young men and women belonging to Scheduled Castes and Scheduled Tribes who are searching for jobs. These job seekers are squandering away their time and energy. We know there is a proverb which says that man is born not only with mouth but also with two hands. These people are not getting any job or work to do with their active hands in order to earn their livelihood. The result is that they are becoming depressed physically and mentally. They are losing self-confidence. Just now, my friend, the hon. Member who spoke before me, referred to our country as a Welfare State.

It is also there. Ours is a Socialistic Pattern of Society. In such a State, the benefit of national development must accrue more and more to the less-privileged class. Now, these people, who belong to the Scheduled Caste community, Scheduled Tribe community and the Other Backward Class communities, are less-privileged people. So, they must get more benefit from our national development. When these people are educated, trained for doing some odd jobs in the productive process, they have dreams in their eyes. But when they remain unemployed for a long time, they have to pass their days in nightmare because they have responsibility. They come from the less-privileged class, the poor class. So, they have got the responsibility to look after their parents and the society also. But as they do not get any scope, only to them, suffering from poverty and hunger remains.

The hon. Member has moved this Resolution. I thank him for taking up such an important matter in the House. The reservation in the private sector may improve the conditions of the Scheduled Caste and the Scheduled Tribe people. But one point is there. If we do not increase the scope of employment, I think, reservation may not be fruitful. I say this because the employment scenario in our country is very poor and is decreasing day by day. I have got the statistics. Employment in the public sector in our country in 1999 was 194 lakh. But in the year 2002, it had deteriorated. Now, it is 188 lakh in the public sector. In the private sector, similar is the case. In 1999, it was 86.98 lakh, but in the year 2002, it was 84 lakh. So, it is decreasing day by day. What have we to do now? We have to do something. We have to take some strong action so that the number of posts can be increased. In my State, the position is very serious because in Assam, there was a growth rate of employment to the extent of 1.9 per cent up to 1999. But, after that, the erstwhile Government of Assam of yesteryears as also the Union Government, issued a memorandum through which they banned all the appointments. Thousands of posts were abolished. So, if we want to do something for our distressed people, along with all other unemployed people, we will have to find out the avenues; we will have to find out the scopes for increasing the employment. In my State, the order through which all posts were abolished, that should be withdrawn and all the posts should be restored there. For increasing employment avenues, I think, we have still our agriculture which is the largest sector of our country. I feel the agriculture sector is still unorganised. If we organise our agriculture sector, which is nowadays not behind the industry, I think we can increase the number of posts.

There are many States where the single-cropping pattern is there. People still practise the single-cropping pattern. If we convert the single-cropping pattern to double-cropping pattern, then, employment is bound to increase. Further, the labour-intensive small industries are there. If we encourage them, then, they can also absorb a large number of people. There are many other scopes available. So, we will have to find out how employment can be increased so that more and more people could be absorbed. Along with them, the people of our category, that is, the reserved category, are to be absorbed properly.

Then, there is reservation for the Scheduled Castes and Scheduled Tribes in the Government sector, but I found

that in many cases this reservation policy is not implemented in some areas. For example, there may be 20 or 25 per cent Scheduled Caste living in a particular area, but reservation for them in vacant posts of schools is given only to the extent of 7 ½ per cent. In some cases, if you see their merit, they should get more posts, but actually they are getting less posts. There is a policy that those who deserve to be selected to jobs purely on merit should be selected, but people who select them give only 7 ½ per cent of posts to people belonging to the Scheduled Caste. If you compare the Scheduled Castes and Scheduled Tribes, at least the Scheduled Tribe are getting full opportunities, as there are some States where Scheduled Tribe people get almost all the appointments but for the Scheduled caste there is no such scope.

With this submission, I request the Government to implement reservation policy for the Scheduled Castes and Scheduled Tribes in the private sector also. If there are vacancies in the private sector, they should be filled up by introducing reservation policy in the private sector and whichever industry is helped by the Government and whichever institution is run by taking grant from the Government, all of them can be bound by the Government to implement this reservation policy.

With these words, I thank you once again for giving me this opportunity to take part in this debate and request the Government, through you, to take some policy initiatives in this regard so that the condition of these people can be improved.

SHRI B. MAHTAB (CUTTACK): Mr. Chairman, Sir, I would like to submit that there is an important Resolution listed against Shri P.K. Vasudevan Nair which should come up after this Resolution. We have just an hour and 35 minutes to go before the House rises for the day. My point is that this is also an important Resolution and that it should be discussed. So, my request to you is that the next Resolution, which is in line, should be taken up today and subsequently when the House sits in the month of August, we can take it up and discuss it in great detail.

Sir, a number of hon. Members are participating in the debate on this Resolution which has been moved by Shri Ajaya Kumar and it seems that it has become a one-sided game. I have a different opinion. Though I do not totally disagree with this Resolution, I partly differ with it. So, I would request that I should be given ample opportunity to express my views.

At the outset, I have certain reservations about this Resolution because of the phrases which are mentioned. Basically there are three aspects in this Resolution. It says that unemployment situation in the country has aggravated due to disinvestment. I do not agree with this. Nor do many of the Members. Then, it says that privatisation of public sector undertakings has also aggravated the unemployment situation. I do not agree with this also. There are different reasons behind the rise of unemployment.

Sir, it is a different debate altogether whether disinvestment is a necessity for this country or not. Then, whether privatisation of public sector undertakings has led to unemployment, that is also a debatable point. But the point which is being discussed today and to which I fully support is the reservation issue. The other aspect is, downsizing of Government services. It has become a necessity now. Should reservation policy be extended to the private sector or not, this is actually being debated today, but I do not fully subscribe to the reasons that are being put forth by hon. Member Shri Ajaya Kumar.

At the outset, I would like to remind this House that it was during the last NDA Government, that the then Prime Minister and our hon. Leader Shri Atal Bihari Vajpayee while addressing the SC/ST Members in Sansaidya Soudha categorically stated - this he had said in the month of December 2003 - 'Today, an important issue has come up. If there is reservation in Government jobs, why not in private jobs?' This is the point and I think, the House should deliberate threadbare on it. Throughout the country it has to be debated and discussed.

He further said, 'An atmosphere has to be created for this. This discrimination has to be removed'. I think, all participants agree to this view. The NDA Government was seized of the matter. I would also like to mention here that he had also said, of course in Hindi, that, 'Reservation is the first step, the initial step. Reservation is a kind of crutch. If you are hurt in the foot, if you cannot walk well, then fine, walk with its help. But to mistake a crutch for a foot is wrong'. I think that explains in detail what reservation is and what reservation should be.

This proposal is a sensitive issue and as we see today in this House and even outside the House, not a single political party is against or is averse to this move of having reservation in the private sector. But the business houses have reacted in a different way. Almost all the leaders of the business and industrial houses are opposed to the idea. They say that such a policy would affect the quality and creativity. I think, Shri Ramjilal Suman has very rightly explained the reasons why they are doing so. Others say that they are scared of foreign and domestic investment. I do not subscribe to this view. But I would like to draw the attention of the House to what has been stated by an eminent jurist, Shri Fali S. Nariman, who is also a Member of the other House. He has warned that the

Government's plan to reserve jobs for SCs, STs and also for OBCs in the private sector is good in theory, but extremely difficult to implement and monitor.

Here, I have tried to get some information from our Reference Branch as to actually what is the position today in the public sector enterprises. We have a Committee for the last so many years especially to look into the provisions of the Constitution whether they are being implemented in its form or not. A number of reports are also being placed in this House. I came across a comparative report since 1971. It states, 'Reservation is in most of the public sector enterprises. In A and B Groups - 15 per cent for Scheduled Castes'. For Group 'C', the reservation was 15 per cent for Scheduled Castes. For Group 'D', the reservation was 15 per cent for Scheduled Castes, 7.5 per cent for four different classes of Scheduled Tribes and 27 per cent for Other Backward Classes.

But, what was the position in 1971? In 1971 for Group 'A' it was 0.52 per cent for Scheduled Castes. In 1980, it was 2.90 per cent and in 2002 it was 11.20 per cent. On 1st January, 2003, it was 11.75 per cent, which has not reached 15 per cent, nor has it reached Group 'B'. In Group 'C', there has been a marginal increase, that is 19.4 per cent in 2002. In 2003, it is 19.38 per cent. This is the position in public sector enterprises.

For STs this is not so, whereas it was supposed to be 7.5 per cent. Only in Group 'C' there has been an increase. There is no increase in Groups 'A' and 'B'. It has not reached the required strength which is reserved for Scheduled Castes in that respect. I am yet to get the report about the Other Backward Classes. We do not have a report on that. There is a Commission for Scheduled Castes. There is a Commission for Scheduled Tribes. There is also a Commission for Other Backward Classes. The Parliament also has a Joint Parliamentary Committee which goes into the details. But the problem here is glaring. Who is going to monitor it if at all a law is implemented to have reservations in the private sector? I would like to know whether a Parliamentary Committee will go and find out as to how many jobs have been provided to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes in the private sector? This reminds me because Shri Nariman has again stated: "I do not say that reservations in private jobs cannot be made by law but it would be troublesome to do that. It would be challenged in courts. It would be safer to do it by a constitutional amendment." I will come to that later on. But, even the amendments would have to be ratified by half of the States. It is a constitutional amendment. Reservation applies to public employment according to Article 16 (4A) of the Constitution. But it does not apply to private bodies. Government, however, has made provisions for reservations of seats in private educational institutions. Here certain digression has already been made. We can take advantage of it. But, at the same time we should remember that, a Constitution Amendment is required. What is this Article 16 (4)? It deals with public employment which empowers the State to reserve appointments or posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented under the State. But the first Amendment of our Constitution deals with the reservation. It is the Constitution amendment in 1951 whereby Article 16 (4) was added after the judgement in State of Madras versus Champakam Durairajan case. Through this Article, the State could make any special provision for the advancement of socially and educationally backward classes of citizens or the Scheduled Castes or the Scheduled Tribes. These provisions form the basis of reservation policy for admission in educational institutions and recruitment in the public sector.

I would like to remind this House that one of the most contentious issues in public discourse today in India is the quota policy in favour of *dalits* and other downtrodden sections of our society. You would agree with me that all the educated sections of our society are divided on this issue of reservation on caste lines. Some are in favour while some are totally against. The opponents of reservation are likely to be caste Hindus who fear loss of opportunity while the supporters of reservation tend to be disadvantaged sections seeking more opportunities for advancement. The core issue here is providing opportunity. Some are in fear that they would lose opportunity; some are in support because they would get opportunity because they have been denied opportunity for the last many years. The core issue is of opportunity. It is the Government which is going to provide opportunity. That is why I referred to the public sector enterprises where jobs are reserved but not filled up. Whether we go in for reservation in education or reservation in employment, the basic question is of opportunity. Who is going to provide that opportunity? €
(Interruptions)

MR. CHAIRMAN : Without interrupting you, I would like to state that the social backwardness is the prime cause for denying opportunity.

SHRI B. MAHTAB : I fully agree with you. The backwardness of region, of areas, of rural and urban divide ... (Interruptions)

MR. CHAIRMAN: Hon. Member, I do not want to disturb you but I have to state that the time allotted for this item is over. There are some more Members interested in participating in this debate. If the House agrees, we shall extend the time by a further period of one hour.

THE MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF

PARLIAMENTARY AFFAIRS (SHRI BIJOY HANDIQUE): Sir, we have a long list of Members who want to speak and the subject is also very important.

MR. CHAIRMAN: If the House agrees, I have no objection. If the House agrees, we shall continue for one hour more.

SOME HON. MEMBERS: Yes.

MR. CHAIRMAN: Shri Mahtab, you can continue now.

SHRI P.K. VASUDEVAN NAIR : Sir, I may be given time to introduce my Resolution if the time is extended.

MR. CHAIRMAN: The time is extended. Your Resolution will come up after some time.

SHRI PRABODH PANDA : Sir, he can introduce his Resolution now.

SHRI KHARABELA SWAIN (BALASORE): Let him introduce his Resolution and then Shri Mahtab can continue. ...(*Interruptions*)

SHRI P.K. VASUDEVAN NAIR : Can I introduce it now? ...(*Interruptions*)

MR. CHAIRMAN: Shri Mahtab, you come to the point now.

SHRI B. MAHTAB : It is the Government which provides the opportunity. So, the onus lies on the Government to create opportunities.

The NDA, before the elections, in its manifesto, categorically stated that consultations would be started with the private sector on how best to ensure that injustice was not done to these communities. Similarly, the Congress-led United Progressive Alliance, in its Common Minimum Programme, has committed itself to 'a dialogue' with the private sector to ensure jobs for these communities. There is not much difference here. That is why initially I said that all political parties have agreed but persons who are outside the arena of political set up have different opinions. No political party today is in a position to say something against reservation either inside the House or outside. No political party is prepared or is competent enough to do that. The two combinations here, the NDA and the UPA, are of the same view, to have a dialogue.

This brings us to the final statement of the hon. Minister, Shrimati Meira Kumar. She has stated – she is also present here and is very kindly listening to my speech – that the Government has the authority to legislate and could do so at any time. But she has made it clear in her approach that she is for consensus first and legislation later, if necessary.

I would like to quote her from the *Business Standard*:

"Those who have to introduce reservations should accept it happily, treat it as something that comes from a conviction that injustice over centuries to a set of people must be righted.

I am not in favour of imposing anything on anyone. I believe in giving a chance to well-meaning people."

It is also reported and I quote:

"She had started talking to the chambers of commerce and would be meeting them over the next one week "

This has come out in the *Business Standard*. Madam, I am quoting you. We would like to be enlightened as to what has happened after that. This has appeared on 11th June, 2004 in the *Business Standard*. We would like to be enlightened what more has happened within about one month's time. Of course, convincing them is one aspect. You are competent enough to bring a Bill to make a law, but my opinion is that this is a short-cut method. It is the Government which has to provide opportunities and when you will be imposing and convincing the private sector, you will be taking a short-cut method. It is better to take the long run and create opportunities. A number of jobs are still lying vacant in the reserved category because people from oppressed classes, from backward classes are not given ample opportunities to study. If they are given opportunities and adequate atmosphere is created for their education, I think, as Shri Ramji Lal Suman has stated, they can flourish better. The persons who are from caste *Hindu*, as we call them, get educated and move out of the country. Education has become a panacea to flourish in the society and to ride the ladder. But, at the same time, it is necessary to provide opportunities to all. The creamy layer is a very debatable thing. I do not think the atmosphere is conducive in this country to demarcate...(*Interruptions*)

MR. CHAIRMAN : Creamy layer is not applicable to Scheduled Castes and Scheduled Tribes.

...(Interruptions)

SHRI B. MAHTAB : It is not applicable. That is what I am saying. The distinction is yet to be made on economic status. It is yet to be determined how the criterion is to be fixed. Whether economic strata is to be there or whether Scheduled Castes' first generation is to be there, the creamy layer is to be determined. But, I think, a debate should start now.

With these few words, I would like to support this Resolution in part. But I do not fully agree that unemployment has risen and the situation has aggravated because of the investment, privatisation and downsizing in the Government.

श्री शैलेन्द्र कुमार (चायल) : अध्यक्ष महोदय, आपने मुझे श्री एस. अजय कुमार द्वारा प्राइवेट सेक्टर में अनुसूचित जातियों/अनुसूचित जनजातियों और पिछड़े वर्गों के लिए आरक्षण की चर्चा पर बोलने का मौका दिया, इसके लिए मैं आपका बहुत ही आभारी हूँ। अभी पिछली सरकार ने एक नारा स्वदेशी-स्वदेशी का दिया था। उसमें मैं कहना चाहूंगा कि तमाम विदेशी कंपनियों को आमंत्रित किया गया और सरकार की यह मंशा भी रही कि जो तमाम हमारे लाभ वाले उपक्रम थे, उनका विनिवेश करके उनका निजीकरण करने की बात कही गई है। इस बारे में हमें गंभीरता से सोचना पड़ेगा, जैसा कि आदरणीय रामजी लाल सुमन जी ने कहा कि विनिवेश का जो पैसा आएगा, उससे हम क्या करेंगे? वह कहां पर खर्च होगा? क्या हम कोई दूसरा उपक्रम लाएंगे? ये तमाम सारे सवाल हमारे सामने हैं। मैं यह कहना चाहूंगा कि जो लाभ वाले संस्थान हैं, उन्हें कतई बेचा न जाए बल्कि जो घाटे में हैं, उन पर सरकार विचार करे। खासकर समाजवादी पार्टी का स्पट कांसेप्ट रहा है कि नागरिक उद्भयन, बीमा, संचार, और कम्युनिकेशन से संबंधित जितने उपक्रम हैं, इनका निजीकरण न किया जाए। यदि किया जाता है तो हमारी पार्टी इसका खुलकर विरोध करेगी।

दूसरी बात यह है कि जो एससीएसटी और पिछड़े वर्गों के आरक्षण संबंधित बातें यहां पर उठाई गईं, यहां चर्चा हो रही है। आज आप देखें चाहे सत्ता पक्ष या विपक्ष के जो भी सम्मानित सदस्य बैठे हैं, वे गंभीरता से विचार करें कि गांव देहात या ग्रामीण क्षेत्रों में रहने वाले जो नौजवान हैं, वे देहात छोड़कर शहरों की तरफ भाग रहे हैं खासकर कामगार मजदूर अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग से ही आते हैं। वे जिस क्षेत्र से आते हैं, निर्माण की बात होती है तो हमारे इसी तबके की निर्माण में पूरी भागीदारी होती है लेकिन बनने के बाद उसको बहुत दूर रखा जाता है। अभी जैसा सुमन जी ने कहा कि वर्ण-व्यवस्था की जहां तक बात है, यह बहुत पहले से चली आ रही है। उसका खामियाजा आज हमें समाज में भोगना पड़ रहा है। लेकिन गांव की तरफ आप गौर करें खासकर अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के जो लोग हैं, इनको गांव में कृषि योग्य जमीनें कहीं एक बीघा, डेढ़ बीघा या कुछ बीघा जमीन खेती के लिए दी जाती है। उनका परिवार भी बढ़ रहा है। सही मायने में वे अपने परिवार का भरण-पोषण भी नहीं कर पा रहे हैं। इसलिए ग्रामीण क्षेत्रों से वे पलायन करके शहर की ओर भाग रहे हैं। यह बहुत गंभीर समस्या है। इस पर सरकार को जरूर सोचना चाहिए और खासकर मैं यह मांग करना चाहूंगा कि जो तमाम दलित शोषित समाज है और पिछड़े वर्ग की जो तमाम जातियां हैं, जिनका अपना पुश्तैनी धंधा है, मैं चाहूंगा कि उनको बढ़ावा देने के लिए सरकार उनको आर्थिक रूप से बैंकों से मदद करे ताकि उनके पुश्तैनी धंधे को बनाये रखा जा सके जिससे वे उसमें लिप्त होकर परिवार का भरण-पोषण कर सकें और उन्हें सरकारी तौर से भी कुछ मदद होनी चाहिए।

मैं इलाहाबाद से चुनकर आता हूँ। इंडस्ट्रियल एरिया हमारे नैनी साइड में है। यमुना नदी से उस पार तमाम इंडस्ट्रियल एरियाज हैं। मैं देख रहा हूँ कि तमाम उपक्रम हैं चाहे वह भारत पंप कम्प्रेसर लिमिटेड हो या आईटीआई हो, जीसी कंपनी हो, उसमें ऐसे सैमी गवर्नमेंट या प्राइवेट फैक्टोरियां हैं जहां पर तमाम अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लोगों से काम और वह भी कांटेक्ट बेसिस पर लिया जाता है और जो सही रूप से उनको मजदूरी मिलनी चाहिए, वह उनको नहीं मिल पाती। ठेकेदार उनको पैसा कम देता है। सरकारी संस्थानों से या गैर सरकारी संस्थानों से उनको पूरा पैसा मिलता है लेकिन कांटेक्ट बेसिस पर वे अपना कमीशन काट लेता है। इस पर भी सरकार को सोचना पड़ेगा। खासकर सरकारी विभागों में इस समय भर्ती पर रोक लगी है। कभी कोर्ट का निर्णय आ जाता है, कभी कुछ और हो जाता है। चाहे केन्द्र की सरकार हो या राज्य सरकारें हों, जब चुनाव में हम लोग जाते हैं तो अपने क्षेत्रों में बड़े-बड़े वादे करके और नारे देकर जीत कर आते हैं। लेकिन उसके बाद हमें उन पर गंभीरता से सोचना होगा कि हम उन पर कितना अमल करते हैं। मेरा मानना है कि हम उन पर कोई अमल नहीं करते हैं। तमाम सरकारें जो आती हैं, कहती हैं कि हम अनुसूचित जाति, जनजाति और पिछड़े वर्ग के लोगों को आरक्षण देंगे या रोजगार देंगे, लेकिन वादा कोई सरकार पूरा नहीं करती। आज भी इन लोगों का शोषण हो रहा है। सदन में बैठे सभी माननीय सदस्यों को इस पर गंभीरता से सोचना पड़ेगा और इस पर सरकार को उचित कार्य वाही करनी पड़ेगी। बढ़ती हुई बेरोजगारी को कैसे रोका जाए, इसके लिए कैसे संसाधन उपलब्ध हों, इन चीजों पर हमें गंभीरता से सोचना होगा।

जहां तक आरक्षण कोटे को भरने की बात है, चाहे केन्द्र सरकार के विभाग हों या राज्य सरकारों के विभाग हों, सभी जगह अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के कोटे भरे नहीं गए हैं। हम लोग भी चाहते हैं कि तमाम जो सरकारें आती हैं, जब हम गांवों में या अपने क्षेत्रों में जाते हैं और कहते हैं कि भर्ती पर अपनी आवाज सदन में उठाएंगे, लेकिन उस पर कितना गौर कर पाते हैं, इस पर सभी सदस्यों को सोचना होगा। आप रोजगार दफ्तरों में जाकर सूची निकाल कर देखें। पहले अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लोग वहां पर पंजीकरण के लिए जाते थे। आज यह तबका पंजीकरण के लिए नहीं जा रहा है, क्योंकि उसे रोजगार नहीं मिल पा रहा है, भर्तियां नहीं निकल रही हैं। इस वजह से हमारे नवयुवक बहुत मायूस हैं। रोजगार नहीं मिलने की वजह से वे गलत दिशा में जा रहे हैं। वे क्राइम करते हैं और क्रिमिनल बन जाते हैं। इसलिए सभी सदस्यों को इस पर गंभीरता से सोचना पड़ेगा, क्योंकि यह समाज के लिए एक कलंक है। इसलिए सरकार भी गंभीरता से इस बात को ले। पूरे देश में आप देखें किसी भी क्षेत्र में आप जाएं, चाहे प्राइवेट सेक्टर हो या सरकारी उपक्रम हों, उनमें ज्यादातर कामगार अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के मिलेंगे। मुझे याद आता है जब बाबू जगजीवन राम जी केन्द्रीय मंत्री थे और अब माननीय मंत्री महोदय यहां बैठे हैं। उनसे हमारी बड़ी अपेक्षा है। खासकर जो आरक्षित सीट्स से जीतकर आए हुए माननीय सदस्य हैं, वे आपसे बड़ी उम्मीद करते हैं। जब हम छोटे थे तो गांव में एक नारा लगता था - हरिजन नेता, एक ही नाम, बाबू जगजीवन राम, बाबू जगजीवन राम। उनके मंसूबों को आगे बढ़ाया जाना चाहिए इसलिए मैं मंत्री महोदय से आग्रह करना चाहूंगा कि जब इस सम्बन्ध में बिल आए तो वह उसे सर्वसम्मति से पास कराने का प्रयास करें। हमारे सदस्यों को भरोसा दिलाएं कि अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को कैसे रोजगार मिलेगा, कैसे उनको अपना जीवन आगे चलाने के लिए, भरण-पोषण करने के लिए, परिवार को पालने के लिए क्या किया जाएगा। इस पर सरकार गंभीरता से सोचे और इसके लिए एक कार्यक्रम बनाए।

हमें याद आता है जब आरक्षण की बात आती है, तो हमें डा. अम्बेडकर जी की याद आती है। डा. अम्बेडकर और बाबू जगजीवन राम जी ने भारत सरकार के विभिन्न मंत्रालयों को सम्मालते हुए बहुत कुछ किया था। लेकिन उनकी काबलियत में कोई कमी नहीं थी। आज भी हमारे अनुसूचित जाति, अनुसूचित जनजाति और पिछड़े वर्ग के जो पढ़े-लिखे लोग हैं, वे सब कुछ कर सकते हैं। लेकिन विभिन्न विभागों में उनकी बड़ी उपेक्षा होती है। मैं जब 12वीं लोक सभा में चुनकर यहां आया था, तो मैंने देखा था कि अनुसूचित जाति के एक जज थे। जब उनका एक चैम्बर से दूसरे चैम्बर में ट्रांसफर हुआ तो उनकी कुर्सी को धोने का काम किया गया था। अगर इस तरह की विमता बनी रही समाज में, तो उसको कैसी संरचना दे सकते हैं, कैसे समाज की सेवा कर सकते हैं, यह देखना होगा। यह बड़ा गंभीर मामला है।

17.00 hrs.

आज हमें श्री राम मनोहर लोहिया जी की भी याद आती है। उन्होंने कहा था कि विशेष अवसरों का लाभ इन पिछड़ी जातियों, अनुसूचित जाति और जनजाति के लोगों

को भी समाज में मिलना चाहिए। मैं कहना चाहता हूँ कि की-पोस्ट पर जहां-जहां भी लोग काम करते हैं, उन की-पोस्ट पर केवल विशेष वर्ग के लोगों को ही नियुक्त नहीं करना चाहिए, बल्कि पिछड़ी जाति, अनुसूचित जाति और अनुसूचित जनजाति के काबिल लोगों को भी नियुक्त करना चाहिए। निजी क्षेत्र में आरक्षण पूर्ण रूप से हो, इसके लिए मंत्री जी को विशेष ध्यान देना चाहिए। पूरे देश की निगाहें, अनुसूचित जाति और अनुसूचित जनजाति के लोगों की निगाहें सरकार की तरफ लगी हुई हैं। आरक्षण की दिशा में आपकी तरफ से कदम उठाया जाए, ऐसे लोग वहां नियुक्त हों और वे अपना तथा अपने परिवार का जीवन यापन कर सकें।

अंत में, मैं आपको धन्यवाद देता हूँ कि आप मुझे इस विषय पर बोलने का अवसर दिया और मैं अपनी बात समाप्त करता हूँ।

DR. THOKCHOM MEINYA (INNER MANIPUR): Mr. Chairman, Sir, I stand in support of the Resolution moved by Shri S. Ajaya Kumar.

MR. CHAIRMAN: Please cooperate with the Chair because, according to the list that is before me, there are a number of speakers who wish to speak on this Resolution.

DR. THOKCHOM MEINYA : Sir, I am fully aware of the time-constraint problem. I take this opportunity to stand in support of the Resolution moved by Shri S. Ajaya Kumar. It is a fact that the unemployment situation in the country has aggravated due to disinvestment, privatisation of Public Sector Undertakings, down-sizing of the Government services and the non-recruitment in the Government Departments, etc.

The working conditions of the Scheduled Tribes, Scheduled Castes and other backward classes have become very acute in the country. Of course, we have been listening to what our learned colleagues had to say last Friday regarding this issue. They stated that the reservation was meant, rather restricted for a period of ten years from the inception of our Constitution. But even then our friends in the weaker sections, namely, Scheduled Castes, Scheduled Tribes, and educationally backward classes are not able to come up to the standards we desire, rather they deserve. We talk about equality before the law, equality in status and what not, but still they are reeling under some sort of discrimination with these conditions prevailing in the country.

At the same time there is only one avenue where the employment is being opened nowadays, namely, in the Private Sector Undertakings, where the Government is also investing money. So, some room has been created there because of this. If at all we want to improve the conditions of the Scheduled Castes, Scheduled Tribes and backward classes, their area of employment should be kept reserved. Once it is kept reserved, may be some of them will be able to join the mainstream.

It is not true to say that our friends from the Scheduled Castes, Scheduled Tribes and backward classes are devoid of merit. I am very much against this view. Many of our friends from the Scheduled Castes, Scheduled Tribes and backward classes are capable of doing things, which the people from the General category cannot do. So, we need not compare their merit. If we take them seriously, prepare them and train them well, then perhaps they will be able to come up to an equal status like all of us.

As the respected Chairman is reminding me that the time is very short, I would not take much time. This is, of course, my maiden speech in the Parliament, even though I did move a 'Zero Hour' notice today morning. Due to the problem in my State, I am in a hurry. I am leaving for Manipur tomorrow because my State is burning. From the last two or three days, this problem is there. An agitation is going on. The agitators have kidnapped some policemen. Such is the situation in my State. I am leaving tomorrow and I shall be back day after tomorrow to join the Session on Monday.

To be very frank, I was teaching for the last 30 years. I joined the electoral politics only in 2000, contested the election to Manipur Assembly and became a Minister. Then, I contested the 2004 parliamentary elections and came here. Within these two years, I had to contest two elections.

Thank God, at the same time, I am now in a position to support the Resolution regarding job reservation for our friends, that is, the SC/STs. I am very happy that Shri Ajaya Kumar, a friend of mine, has moved it at the right moment. We have mentioned about reservation for SC/STs and other backward classes in our CMP. We should forget about the percentages. We have to remember that these people, our friends, should be protected constitutionally.

With these few words, once again, I support this Resolution and hope that we will pass this Resolution unanimously.

SHRI P. RAJENDRAN (QUILON): Thank you, Mr. Chairman, Sir, for giving me this opportunity on this occasion for participating in this debate on the Resolution moved by my esteemed colleague, Shri Ajaya Kumar, which is about job reservation for SC/STs and other backward communities in the private sector. This is the bare need of the situation which has been created because of LPG, that is, Liberalisation, Privatisation and Globalisation policies followed by the previous Governments. My friend, Shri Mahtab, had argued against this version. He has argued that no such thing has happened here. With all humility, I am challenging his argument. Can anybody argue that the employment position is better in the last ten years? The last ten years were the decade of globalisation,

privatisation and liberalisation.

For what reasons has the employment situation worsened? It is due to these policies. Downsizing of the administration was the slogan of the Government, which was reflected in the Budget Speeches of the former Finance Ministers. What was meant by 'downsizing of the administration'? Does it mean, 'creation of more jobs' or 'decrease of job opportunities'? The employment scenario worsened to such an extent that lakhs and lakhs of people were thrown out of employment from Government Service and public sector undertakings. The situation has improved in the private sector with growth in production and profit-making. Now, the employment scenario in the private sector also is worsening day by day because of the application of scientific innovations and technological revolutions, which point out how to make profits by creating less and less employment opportunities. I am not going into the details because of paucity of time.

Several colleagues talked about the necessity, feasibility and the practicability of this legislation. I am not going into the details. I am only saying that a consensus needs to be created on this. The Government has to take the initiative to discuss this with the Members from all corners of the House. This House is powerful to enact such a legislation. The hon. Member talked about our former Prime Ministers favouring this legislation. What has happened? All our former Prime Ministers talked well of the downtrodden people. Everybody can speak like that.

All the gracious occasions are adorned by speeches. The downtrodden people are getting speeches on occasions but no employment, no food, no shelter, no clothes, and no education. It is only speeches after speeches that they are getting.

The hon. Member said that the former Prime Minister spoke about it last time also. He is a man of words. He is a man of oratory. He is a man of poems. But what have you given to the poor people of the nation? I am not going into the details.

I request you to please form a consensus on this point. I urge upon the Government to come with a legislation to provide job reservation for unemployed youth belonging to SCs, STs and other backward classes in the private sector.

I once again congratulate Mr. Ajay Kumar, my esteemed colleague, for introducing this Resolution. I support this Resolution and I request the august House to adopt this and enable it to become a part of our Constitution in order to support the backward classes of our country.

DR. K.S. MANOJ (ALLEPPEY): Mr. Chairman, Sir, I rise to support the Resolution moved by hon. Member Mr. Ajay Kumar demanding reservation in jobs for Scheduled Castes, Scheduled Tribes and other backward communities in the private sector.

Most of the human beings are born with immense potential; only very few are super-brains; and only a few are mentally retarded. It is the circumstances and the environment in which they are brought up that allow them to develop their potential, that is, their activity, their intelligence, their personality, and so on and so forth.

When it comes to socially and educationally backward classes like SCs, STs and OBCs, they are very often deprived of all these circumstances. So, they do not get the chance to develop their abilities. It is not due to their own fault. But became the historical factors prevailing in India for centuries. Out of those factors, caste system is of paramount importance, as many hon. Members have mentioned.

As you know, caste system with all its practices and rituals, discriminated against people and segregated them into various strata. It is because of that, the forward classes enjoyed all benefits using religion for the same. People belonging to backward classes were deprived of education, freedom of expression, freedom of movement, and freedom of worship. Even women were not allowed to wear clothes to cover their chest. One cannot imagine such a situation prevailed in our country but that was the situation prevailing in India.

Fortunately, due to various awakening and progressive movements led by our great leaders and reformers, the social stigmas were wiped off. This too occurred in the middle of the 20th century. Even when we come to the times of Independence, the same social system existed then in our country.

When India became Sovereign, Socialist, Secular and Democratic Republic and our Constitution came into existence, many provisions were made to uphold the rights of these depressed and downtrodden communities. There were many provisions to provide right to equality and opportunity. Only then the backward classes got the opportunity. About 50 years or so have lapsed for the backward communities to get that opportunity. But they were denied of justice for many centuries.

The members of SCs and STs and OBCs who are enjoying the benefits of reservations are those belonging to first or second generation after they got special protection under the Constitution. The Constitution has provided special

protection for education and employment. In our administrative sector, for each and every employment there is a fixed minimum qualification. Only the first or the second generation of the SCs and STs has reached that stage of qualification. Even after providing reservation for the Backward Classes, they have not attained the proportion of opportunities. Actually they ought to.

The former speaker has pointed out certain statistics prevailing. In our country there is no mechanism existing to take the statistics of the various employment opportunities. I think only in the Mandal Commission, some studies had been made and some statistics were brought out in the Report which showed that almost 87.5 per cent of the population belongs to backward classes but they are enjoying only 22.5 per cent or 25 per cent of the job opportunities. The population proportion belonging to the forward community is around 22.5 per cent but they are enjoying the job opportunities of around 87.5 per cent. That is why, the Mandal Commission recommended special reservation for the Backward Classes in Central Government sector.

At present, in the changing scenario, the Government is moving away from the job opportunities and private sector is taking that part of the Government. So, opportunities are getting diminished.

Another point is that the very purpose of reservation is not just providing the job opportunities. Most important part of the reservation is the participation of the people in governance or in power. That is why we are providing reservation in Legislature, in Judiciary and also in Executive. Hence, the very purpose of reservation is to provide ample opportunities to the various sections of people and that opportunity is being denied by downsizing of the Government sector. So, in the current scenario the chances are diminishing. It is a must to provide reservation to these SCs and STs and Backward Classes communities in the private sector too. So, I support the Resolution moved by Shri S. Ajaya Kumar, to provide reservation for the SCs and STs and Backward Classes in the private sector too.

Therefore, the Government should initiate a consensus among all political parties on this issue. I think, no political party would be against this reservation. With consensus, all political parties should come to a decision to provide adequate reservation in the private sector to the Scheduled Castes, Scheduled Tribes and other backward classes.

With these few words, I support the resolution moved by the hon. Shri S. Ajaya Kumar.

SHRI MANI CHARENAMEI (OUTER MANIPUR): Mr. Deputy-Speaker, Sir, I thank you very much for allotting me time to speak. The Scheduled Tribes, Scheduled Castes and other backward classes are the backbone of our nation. They are our history and culture. Reservation is not a privilege but a matter of right, justice and equality. Privatisation, disinvestment, globalisation and downsizing have definitely diminished the scope of employment for the Scheduled Tribes, Scheduled Castes and other backward classes.

The Scheduled Tribes, Scheduled Castes and other backward classes' society do produce outstanding and brilliant boys and girls who can compete with other privileged groups. However, their percentage is very low. If there is no reservation policy for the Scheduled Tribes, Scheduled Castes and other backward classes in the private sector for the sake of efficiency, the unemployment problems among the Scheduled Tribes, Scheduled Castes and other backward classes would be aggravated. Privatisation without a reservation policy for the backward classes is a kind of systematic discrimination policy.

Sir, in the North-East, some of the States are purely tribal States and so, the question of discrimination against the Scheduled Tribes and Scheduled Castes in reservation in employment does not arise there. However, the State of Manipur where I belong, where the tribal population is 33 per cent of the total population, has been subjected to rampant discrimination in matters of employment. The percentage in the State of Manipur is fixed at 27 since 1981, and it has not been updated till now. Not to speak of reservation in the private sector, even in a Government job recruited on contract basis from the central assistance, the authorities have denied reservation on the ground that it is not a permanent and the State Government job. Not only this, the State Government has been regularising casual, *ad hoc* and worked-charged employees on the basis of seniority, which is very much against the reservation policy. Subsequently, only those who are recruited without following any recruitment rules, are regularised.

Similarly, the loan and credit facilities are also not made available to the tribal people against their landed property on the grounds that the lands are not surveyed.

Lastly, I would pray that some sort of decision is arrived at by this august House to form a reservation policy to protect the interests of Scheduled Tribes, Scheduled Castes and other backward classes.

I fully support this resolution moved by Shri S. Ajaykumar. With these few words, I conclude.

SHRI S.K. KHARVENTHAN (PALANI): Mr. Deputy-Speaker, Sir, I thank you for giving me this opportunity to speak on the resolution moved by our hon. Member, Shri S. Ajaya Kumar with respect to the reservation for the Scheduled Castes, Scheduled Tribes and backward communities in the private sector.

Why is this Resolution necessary? It is for three reasons – one, the young boys of SC/STs and OBCs are not able to get entry into professional colleges; two, they are not able to get Government jobs; and third, they are not able to start private business.

If you go down to South, those students who are able to get 297 to 299 out of 300, are able to get admission into medical colleges, and those students of SC/STs and OBCs who get lesser marks are not able to get professional courses, since a medical college seat costs Rs.25 lakh. They are not able to get seats. Next comes the question of seeking Government jobs. They are not able to influence; they are not able to spend money; they do not have any recommendation and so, they are not able to get jobs.

There are unemployed medical graduates and there are so many Government hospitals which are running without doctors. In Natham and Kangeyam which are in my constituency, there are 50-bedded Government hospitals in those towns and there is no doctor for a number of years, since the Government wants to downsize, and decided not to appoint any one. There are many schools which are running without teachers. The Government is not ready to appoint anybody, and there are very many young graduates from SC/ST and OBC categories who are wandering for jobs. If they are appointed in Government hospitals and schools they can serve the society better, but they are not being appointed.

For the information of the House, I would like to say that there is a scheme in the Department of THADCO in Tamil Nadu, whereby they are providing loans for SC/ST youths, under PMRY. They are selecting the candidates according to the educational qualifications, and are sending the list to the nationalised or lead banks. What are these banks doing? They are calling the candidates to come today or tomorrow; they are dragging them and finally they refuse; they are not able to get loans, and they are also not able to start the profession. Thus, the youths from SC/ST and OBC categories have become jobless.

I want to say one more thing for the information of this House. Throughout this country, most of the Governments are not willing to give suitable Ministries to the SC/ST persons. Late Shri Kamaraj was the first Chief Minister in this country who appointed one SC/ST MLA, Shri Parameswaran as the Minister for HR&CE. In those days, SC/STs were not allowed entry into the temple; and those temples where SC/ST people were not allowed entry, they gave a warm reception to the SC/ST man. Late Shri Kamaraj appointed one Mr. Kakkan as the Home Minister, who was one of the signatories to the Constitution; he served in that position for a number of years.

In the present day, we are speaking many things, but we are not ready to accept SC/ST youths. I want to make only one reference here to Ramayana. When Rama, Sita and Lakshmana were going out from their Kingdom to forest, they were helped by Guha, to cross the river. He belonged to a fishermen community; but Rama called him that he was his another own brother. Nowadays, we are using Rama for only election purposes, but we are not following the footpath of Rama to help the poor and downtrodden people. So, the time has now come after 57 years, when we have to think about the youths of SC/ST and OBCs. This Government has to pass a suitable Act, giving job opportunities in private institutions.

In my constituency, there are a number of industries. Those industries are not giving even a single job to SC/ST candidates. There are textile industries, dairy industries and so many others. But they are not giving jobs to them. So, we have to pass suitable orders to help the youths from SC/STs and OBCs. Thank you for giving me this opportunity.

SHRIMATI P. SATHEEDEVI (BADAGARA): Thank you, Mr. Deputy-Speaker, for giving me this opportunity to speak a few words on the Resolution moved by Shri Ajaya Kumar. We are discussing the issue of reservation to SC/ST and OBCs, in the 57th year of our Independence.

Constitution provides for a right to reservation in employment in public sector to Scheduled Castes, Scheduled Tribes and other backward communities. We are in the 57th year of our Independence. We can very well see what is happening in the public sector all over the country.

At the time of framing of the Constitution, the intention of the framers of our Constitution was to uplift the downtrodden masses and to bring them in the mainstream of the society. Looking at the situation prevalent all over the country, we can say that a lot still remains to be done. The condition of Scheduled Castes and Scheduled Tribes is quite worse. The problem of untouchability is there. In some parts of our country people belonging to Scheduled Caste and Scheduled Tribe are not given glasses for drinking water. Various such other atrocities are being committed against this section of people. Only by following the reservation policy this downtrodden section could be uplifted as they would get an opportunity to come in the mainstream of the society.

The Constitution guarantees right to reservation in employment opportunities in the public sector. On the contrary, what is happening in the last few decades has to be looked into. After the introduction of globalisation and

privatisation, the public sector as a whole has weakened. One of my friends from the Opposition was suggesting that there was no decline in the employment opportunities. That is not correct. Statistics will reveal that after the introduction of various methods of globalisation and privatisation, there is a considerable decline in the employment opportunities as a whole. The word 'privatisation' itself means competition in this sector and we witness the survival of the fittest. The majority of the weaker sections is wiped out and the public sector as a whole has weakened in the last few years.

The economic policy adopted by the previous Government in the last few years has also resulted in throwing out a major section of people from the employment sector. At the time of entering into an agreement with the financial institutions, like the World Bank, ADB, the first condition being put by them is to reduce the employment opportunities. This has been going on in Kerala also. As a result of this, there is no possibility of increasing the employment opportunities in the public sector. This has worsened the employment opportunities for the weaker sections of society. The only remedy seems to be to provide for reservation for the weaker sections in the employment sector.

How is the private sector working? Even for registration, for registering a company, the sanction of the Government is necessary. Similarly, to get either the licence or the finance, you require a sanction from the Government.

This private sector is strengthening with the taxpayers money. So, there should be some direction for bringing social justice by the private sector. There must be special direction through a legislation to enable the weaker sections of the society to get employment in this sector. That must be done only with a legislation. Therefore, this Resolution has to be unanimously supported by this august House.

After the presentation of the Railway Budget and the General Budget by the UPA Government, there is an impression on the people as a whole that the Government is intending to bring the lower sections of the society to the mainstream. They hope that such a Bill would be introduced by this Government. There must be a legislation to provide jobs to the Scheduled Castes, Scheduled Tribes and other backward community in the private sector.

SHRI T.K. HAMZA (MANJERI): Hon. Deputy-Speaker, Sir, the Resolution moved by Shri Ajaya Kumar has been elaborately discussed by a number of hon. Members. I do not want to go into the details of the reservation principles or the history of reservation. Anyway the reservation is guaranteed by the Constitution and you have to obey it. Now our experience is that no appointments are being made by the Central Government or the State Government. The UPSC and the SPSCs are not doing any work. The vacancies are not reported. They are not advised to appoint people. This is the position in public sector also. They are closing down every day. A number of public sector institutions in India are being closed down one by one. Where is the opportunity to get employment? Moreover, many public sector units are converting into private sector due to the implementation of our new economic policy. Then what is the use of having a provision in the Constitution? What is the meaning of a guarantee in the Constitution? So, we have to obey the Constitution. We have to follow the Constitution. For that, this has to be extended to private sector also. Otherwise, there is no meaning at all. This has been accepted in principle by the Common Minimum Programme also. Therefore, my humble request is that the reservation should be extended to private sector also. Appropriate action should be taken in this regard. Necessary instructions should be given to the Government. Therefore, I support the Resolution moved by Shri Ajaya Kumar.

श्री पुन्नु लाल मोहले (बिलासपुर) : माननीय सभापति महोदय, मैं माननीय अजय कुमार जी द्वारा अनुसूचित जाति, जनजाति एवं पिछड़े वर्ग के लोगों को प्राइवेट सेक्टर में आरक्षण की सुविधा देने के बारे में जो प्रस्ताव रखा गया है, उसका समर्थन करता हूँ।

कुछ बिन्दुओं पर मैं प्रकाश डालूंगा। आज तक यह देखने में आया है और सभी सदस्यगण ने भाण के द्वारा जानकारी दी है कि जो सरकारी सेक्टर है, वहां पर सरकार के कानूनों के रहते हुए भी अनुसूचित जाति, जनजाति के रिक्त पदों पर भर्ती की पूर्ति नहीं की जाती। अगर पूर्ति भी की जाती है तो इस तरह से की जाती है कि कई लोगों को इण्टरव्यू के लिए बुलाया जाता है और उन्हें पात्र नहीं कह दिया जाता है।

अगर पात्र होते हैं तो भी पात्र होने के बावजूद उन्हें रिजैक्ट कर दिया जाता है। इससे बेरोजगारों की संख्या बढ़ती गयी। इस कारण आज भी समाज में असमानता की स्थिति है, भेदभाव की स्थिति है। अगर मैं इस संबंध में मैं एक उदाहरण देना चाहूँ और उसे मुहावरे के रूप में प्रस्तुत करना चाहूँ तो कोई अतिशयोक्ति नहीं होगा।

कीचड़ से फूल निकले, उसे हम ईश्वर पर चढ़ाते हैं,

क्या कीचड़ से गये बीते, लोग हमसे छुआ जाते हैं।

मैला से गोभी, आलू उपजे, उसे लोग बड़े चाव से खाते हैं,

पर जो उसे पैदा करने वाले हैं, उसे लोग छुआ जाते हैं।

हमें इन बातों पर अधिक ध्यान देने की आवश्यकता है। आज की परिस्थिति में जितने प्राइवेट सेक्टर हैं, उनमें अनुसूचित जाति/ अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को नहीं लिया जाता। इससे देश में शिक्षित बेरोजगारों की संख्या बढ़ रही है। उन लोगों की स्थिति दिन प्रतिदिन बदतर होती जा रही है। कोई शराब के नशे में धुत है, कोई मार-पीट के झगड़े में फंस रहा है तो कोई नक्सल समस्या की ओर जा रहा है। इस प्रकार वे नीचे की ओर ही धंसते जा रहे हैं क्योंकि उन्हें कोई संभालने वाला नहीं है, कोई उन्हें समानता की ओर ले जाने वाला नहीं है।

मैं आपसे इतना ही अनुरोध करना चाहूंगा कि जिस तरह आपने सरकारी सैक्टर या गैर सरकारी सैक्टर में अनुसूचित जाति-जनजाति, पिछड़े वर्ग के लोगों को 50 प्रतिशत आरक्षण देने का कानून बनाया है, उसी तरह प्राइवेट सैक्टर में भी अनुसूचित जाति, अनुसूचित जनजाति तथा पिछड़े वर्ग के बन्धुओं को भी आरक्षण देने की आवश्यकता है। प्राइवेट सैक्टर के लिए भी ऐसा नीतिगत कानून बनाया जाये और उसमें कठोर प्रावधान रखे जायें। अगर उसमें कठोर प्रावधान नहीं रखे गये तो जो व्यक्ति भर्ती करने वाला सरकारी या गैर सरकारी है **अरे!** (व्यवधान)

MR. DEPUTY-SPEAKER: Time allotted for discussion of this Resolution is over. If the House agrees, we may extend the time for discussion of the Resolution up to 6 p.m.

SEVERAL HON. MEMBERS: Yes.

श्री पुन्नु लाल मोहले : ऐसी परिस्थिति में उसमें कठोर प्रावधान बनाया जाये। जो इस कानून का पालन न करे, उससे फाइन लिया जाये, उसे सस्पेंड करने या टर्मिनेट करने का भी प्रावधान होना चाहिए। इस तरह का कानून बनाकर प्राइवेट सैक्टर में भी तथा सरकारी सैक्टर की भांति अनुसूचित जाति/ अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को भर्ती किया जाये। अगर यह अनिवार्य हो जायेगा तो जो भर्ती करने वाला व्यक्ति है, वह उसे अपनी जिम्मेदारी समझेगा। अगर भर्ती की पूर्ति केवल कागज तक होती रहेगी तो रिक्त पदों की पूर्ति कभी नहीं होगी।

अंत में मैं कहना चाहूंगा कि प्राइवेट सैक्टर में अनुसूचित जाति/ अनुसूचित जनजाति और पिछड़े वर्ग के लोगों को आरक्षण देने का जो प्रस्ताव आया है, मैं उसका समर्थन करता हूँ। मैं आपसे प्रार्थना करता हूँ कि आप इस तरह का कानून बनाकर उसे लागू करायें।

THE MINISTER OF SOCIAL JUSTICE & EMPOWERMENT (SHRIMATI MEIRA KUMAR): Mr. Deputy-Speaker, Sir, at the very outset I would like to congratulate hon. Member, Shri Ajay Kumar for having brought forward this Private Members Resolution and also for having initiated a discussion on this, and also all the other 29 hon. Members who have participated in this debate. We had the discussion on this Resolution last Friday and we have had discussion on this today also.

Sir, I have noted down all the suggestions that have been made. They are very valuable and useful suggestions. It has been, to put it very briefly, a very fruitful debate. It kept me engaged because every speaker spoke from his/her heart. The speeches of every Member were very committed and passionate.

Sir, I would like to draw your attention to the fact that this is the first time that a Government has made affirmative action including reservation for Scheduled Castes and Scheduled Tribes in the private sector. A very important part of its Common Minimum Programme.

This has happened for the first time. Sir, this programme was also made an important part of the Congress manifesto by our Chairperson, Shrimati Sonia Gandhi. So, when the UPA coalition started drawing up its Common Minimum Programme, I would emphasise the fact that all the Members of the coalition parties of UPA unanimously agreed to make this a part of the Common Minimum Programme. Dr. Manmohan Singh's Government is fully committed to it. Now, having said this, I just want to take everybody back to history.

SHRI P.K. VASUDEVAN NAIR : The Left Parties also supported it.

SHRIMATI MEIRA KUMAR: Yes. I said that everybody unanimously supported it. All the hon. Members of the Left Parties rising and giving such committed speeches was really something overwhelming.

I want to take you back to our history since time immemorial. The societies the world over are divided into haves and have nots, the rich and the poor. But our society has the dubious distinction of not only being divided into the rich and the poor but also being divided into various castes. This has led to a great deal of discrimination resulting in incapacitating and paralysing the lower rung of the caste system. This has been the story. There have been many attempts to correct it. This went on after we got our Independence. When the Constitution was being written, the framers of the Constitution and everybody got together and decided that we have to have some kind of a corrective measure. Some people called reservation as a certain facility given to SCs and STs. I would like to call it not a facility but a corrective measure, some kind of a compensation being given to certain classes of society, namely, the SCs and the STs. This was done in our Constitution. Dr. Ambedkar was so concerned about it. Mahatma Gandhi was so concerned about it. All the great leaders at that time were so deeply concerned about it. Then this was made a part of our Constitution.

There was a provision for political reservation and there was also a provision for reservation for SCs and STs in Government jobs at the Centre and the States. By a Government Order issued on 21st November, 1947, reservation was provided to Scheduled Castes and, by a Government Order issued on 13th September, 1950, reservation was provided to Scheduled Tribes.

However, over the years it was observed that although there is a provision for reservation, there were backlogs. My friend from Cuttack, Shri B. Mahtab said that backlogs are not being filled up. So, there was this problem of backlogs. Although backlogs were filled up in 'D' and 'C' categories, excluding the *safai karamcharis*, but in 'A' and 'B' categories, there were shortfalls so far as Scheduled Castes were concerned, and so far as Scheduled Tribes were concerned, there were shortfalls in 'A', 'B', and 'C' categories.

It is because of that, Shrimati Indira Gandhi made special efforts to ensure that these backlogs are filled up; Babu Jagjivan Ram made special efforts to ensure that these backlogs are filled up; and Shri Rajiv Gandhi made special efforts to ensure that these backlogs are filled up. In fact, when he was the Prime Minister, he also ensured that there are no de-reservation. There was a tendency to de-reserve the posts meant for Scheduled Castes and Scheduled Tribes. So, when he became the Prime Minister, he also ensured that there are no de-reservation. Special drives were conducted in 1989, 1990, 1991, 1993, 1995 and 1996. These special drives for filling up the backlogs were conducted. I have got the figures from DoPT. There are some backlogs. We keep writing. We have also written to the States to take measures to fill up the backlogs.

Now, what has happened? In these 60 years, or in these 57 years after Independence, we had thought that we will bring Scheduled Castes and Scheduled Tribes at par with the rest of the society. We had thought that we would be able to bring them into the mainstream, and give them a place of respect and dignity in our society. But unfortunately, the prejudices are so deep rooted, so old and they have existed for thousands of years, that sixty years have not proved enough time for removing these prejudices. They continue and so our corrective measures to overcome these prejudices have also to continue.

Now, what has happened is that according to our economic reforms, we had to privatise, we had to globalise, we had to disinvest, we had to downsize and we had to stop recruitment in the Government sector and in the public sector. Government and the public sectors were the only sectors which were providing reservation to Scheduled Castes and Scheduled Tribes. Now, when these sectors have started shrinking, we cannot just sit down with folded hands and say, "Sorry, we cannot give you jobs because there are no job opportunities now left in the Government sector and we have privatised the public sector". We cannot do that because we have a certain responsibility towards the downtrodden, towards the suppressed sections of the society.

We have a certain social obligation. That is why, we started looking towards the private sector for job opportunities. Now, the private sector has become a major mover of the economy. It is a major player in the Indian economy. It has immense opportunities to offer. It has jobs to offer. So, we thought that we would tap this sector for providing affirmative action, including reservation to the Scheduled Castes and the Scheduled Tribes.

Sir, so far as this section is concerned, some news has appeared in the Press. Just because some news has appeared in the Press, to think that the entire private sector is resisting it, the entire private sector is opposing it, will not be proper. We have initiated a dialogue, consultation, an informal consultation which is a part of the national dialogue.

I just want to read out what exactly is the paragraph written in the Common Minimum Programme. It says:

"The UPA Government is very sensitive to the issue of affirmative action, including reservations in the private sector. It will immediately initiate a national dialogue with all political parties, industry and other organisations to see how best the private sector can fulfil the aspirations of Scheduled Castes and Scheduled Tribes youth. "

So, we have to initiate a dialogue. We have already started the consultation process at various levels, at various stages with different people. Now, we have to consult the political parties, the industry and other organisations. The other organisations are the various NGOs, the various SC-ST organisations, as also the social scientists, the intellectuals and other committed people of this field. So, we are in the process of doing that.

A question was raised about ability....(*Interruptions*)

MR. DEPUTY-SPEAKER: Madam, how much time will you take?

SHRIMATI MEIRA KUMAR: I do not know. It is up to you.

SHRI C.K. CHANDRAPPAN (TRICHUR): If we decide to sit for another 45 minutes, probably the reply may be made and the Resolution can be disposed of. We can then take up the next resolution also....(*Interruptions*)

MR. DEPUTY-SPEAKER: The scheduled time is up to Six of the Clock.

SHRI KHARABELA SWAIN : If the hon. Minister can finish it in 5-10 minutes, it is all right. Otherwise, you can adjourn the House today. In the next Private Members' Business day, it can be taken up.

SHRIMATI MEIRA KUMAR: I will wind up in 5-10 minutes.

MR. DEPUTY-SPEAKER: I think the House agrees.

SEVERAL HON. MEMBERS: Yes.

MR. DEPUTY-SPEAKER: All right. Please continue.

SHRIMATI MEIRA KUMAR: I will wind up. There was a question about ability. I want to tell you a little story from the *Mahabharata*. Please permit me.

18.00 hrs.

This young character in Mahabharata is also an untouchable. His name is Eklavya. There was a great guru. He used to produce students of great merit. His students always had great merit. So, he promised Arjuna that he would be the greatest archer, marksman in the world. He said: "I will make you the greatest marksman in the world." Arjuna started his training under him. One day, both of them went to the forest. They used to go to the forest for hunting and they had their dog with them. The dog was barking. Suddenly it stopped barking. He came back and his mouth was shut by a number of arrows in such a way that he could not open his mouth and bark, but there was no injury caused to his mouth. The arrows were so focussed around his mouth. Dronacharya was very surprised and also very worried because he realised that there existed another marksman who was more meritorious, more competent than Arjuna. He started wondering as to what will happen to the word that he has given to Arjuna, the promise that he made to Arjuna?

So, he went to look for this man and he found Eklavya there, a young boy coming from a so-called low caste, an untouchable. He was practising there. He asked him: "Who is your guru?" The boy replied: "You are my guru." He asked: "How am I your guru? I have never taught you." He said: "You have taught me, I have made this statue of yours and in front of it I practise everyday and so you are my guru." Dronacharya said: "If I am your guru, you give me my *gurudakshina*." Eklavya asked: "What is the *gurudakshina*?" He said: "You cut your right thumb and give it to me." The boy said: "Yes." He cut his right thumb and gave it to him. So, Arjuna became the greatest archer in the world because Eklavya was denied the opportunity.

That story continues even today. This is the story of ability, this is the story of merit. That mindset of Dronacharya still exists in our society today. So, every time we talk and think of merit, we cannot remove it from this context. We always have to think of it in the context of so many people who have tremendous talent and tremendous merit but are being denied the opportunity. And, the nation is being deprived of what they can do for the progress of this country if they are given opportunities.

So, this is what I have to tell when people talk of merit and say that the Scheduled Castes, the Scheduled Tribes, the poor and the suppressed do not have merit. If we give them the opportunity, they will show the merit. In any case, we are also making efforts towards that. From our Ministry, we have the Coaching and Allied Scheme for them. We have centres in all the State Capitals and universities where we are giving coaching to them for appearing in Entrance Examinations in Medicine, in MBA, in Engineering, etc. I would like to inform that a number of students belonging to the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and minorities who have taken the coaching have done very well.

So, on the merit side, I just want to say this.

Another thing that I want to say is that I am very positive and very confident that the private sector will seize the opportunity. It is a historical opportunity for the private sector, for the big businessmen in the private sector, for the people who are in the industry, in the private sector to show, and most of them have shown in the past, their commitment to social obligation. It is not that they are devoid of it. I will not be critical of them. I will not be negative of them.

They have shown that they have commitment towards the social obligation. I think, this is a tremendous opportunity in front of them. They have to seize this opportunity and prove to this country, to the masses that, they have the commitment. At one time when our industry needed support, needed protection, needed quota, needed rebate, needed some kind of concession, the Government was giving it. The Government exchequer was paying for it. But now that they have developed, they will not forget what they have received and here is the opportunity for them to show that they also are sensitive to the needs, to the aspirations of the Scheduled Caste and Scheduled Tribe youths. They will try to make arrangements for affirmative action. Affirmative action is to empower, to promote human capital and to promote entrepreneurship and they also have to go beyond that and provide or make provisions also for reservation.

I am very confident of that and I want to do it in a very positive atmosphere, in a very cordial atmosphere and we are holding the dialogue. As to specific questions, some people have said that there should be a time frame as to how we would go about it, what would be the specific procedure that would be adopted, what would be the modalities of it. The specific answers to these questions will emerge from this dialogue and we want to do it very amicably and in the interest of our downtrodden brothers and sisters and the SC/ST youths. The Government of Dr. Manmohan Singh, under his Prime Ministership, is fully committed to it. We have wholeheartedly devoted ourselves to doing

this work.

I want to request the hon. Member, Shri Ajaya Kumar to kindly withdraw this Private Member's Resolution because we are committed to doing this.

SHRI C.K. CHANDRAPPAN : Sir, the hon. Minister did not make any promise. She said that she wished that private sector would respond positively. Probably Mahatama Gandhi was the one who called them the trustees of the society.

SHRIMATI MEIRA KUMAR: I have said everything. We are moving ahead in this direction.

MR. DEPUTY-SPEAKER: Shri Ajaya Kumar, if you want to withdraw the Resolution, you can do so, but you cannot make another speech at this moment.

SHRI S. AJAYA KUMAR (OTTAPALAM): Mr. Deputy-Speaker Sir, I would like to congratulate the UPA Government and the hon. Minister. I hope the Government will take seriously all the points raised by the hon. Members. I am not pressing the Resolution and I seek the permission of the House to withdraw the Resolution.

MR. DEPUTY-SPEAKER: Is it the pleasure of the House that the Resolution moved by Shri S. Ajaya Kumar be withdrawn?

The Resolution was, by leave, withdrawn.
