

LOK SABHA DEBATES

(English Version)

First Session
(Thirteenth Lok Sabha)



(Vol. I contains Nos. 1 to 8)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

LOK SABHA

Wednesday, October 27, 1999/Kartika 5, 1921 (Saka)

The Lok Sabha met at Eleven of the Clock

[Mr. SPEAKER in the Chair]

OBITUARY REFERENCES

[English]

MR. SPEAKER : Hon. Members, I have to inform the House of the sad demise of two of our former colleagues, Sarvashri K.N. Pradhan and Vamanrao Mahadik.

Shri K.N. Pradhan was a Member of the Eighth Lok Sabha representing Bhopal Parliamentary Constituency of Madhya Pradesh from 1984 to 1989.

Earlier, Shri Pradhan was a Member of the Madhya Pradesh Legislative Assembly from 1967 to 1972 and from 1980 to 1985. He had served his State as a Cabinet Minister from 1969 to 1972. He was Chairman, Assurances Committee and was also a Member of several other Committees of the Vidhan Sabha.

A man of letters, Shri Pradhan took keen interest in journalism. He was editor of "Naya Sathi", a Hindi and Urdu weekly during 1950-53. He was also on the editorial team of 'Nadeem', an Urdu daily; 'Hitwada', an English daily; 'Nav Prabhat', 'Nav Bharat' and 'Bhaskar', Hindi dailies.

Shri Pradhan took keen interest in the proceedings of the House. He had also served as a Member of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes and the Committee on Government Assurances during the Eighth Lok Sabha.

A prominent social and political worker and a well-known and active trade unionist, he worked relentlessly for the welfare and upliftment of the weaker sections of the society and the working classes. He has also associated with the cooperative movement.

Shri K.N. Pradhan passed away on the 17th July, 1999 at Bhopal at the age of 67.

Shri Vamanrao Mahadik was a Member of the Ninth Lok Sabha representing Mumbai South-Central Parliamentary constituency of Maharashtra from 1989 to 1991.

Earlier, he was a Member of the Legislative Assembly, Maharashtra, during 1969-70 and the Legislative Council, Maharashtra, from 1980 to 1986.

An active social and political worker, Shri Mahadik served the Mumbai City of Maharashtra as a Member, Municipal Council for sixteen years and was the Mayor, Mumbai during 1978.

Shri Mahadik was a Member of the Committee on Public Undertakings, the Committee on Estimates; and the Employment Guarantee Scheme Committee of the Maharashtra Legislative Assembly during 1981-85. An able Parliamentarian, Shri Mahadik was a Member of the Consultative Committee, Union Ministry of Industry during 1990.

A man of letters, Shri Mahadik wrote several articles in Marathi.

Shri Vamanrao Mahadik passed away on the 12th October, 1999 at Mumbai at the age of 74.

We deeply mourn the loss of these friends and I am sure the House will join me in conveying our condolences to the bereaved families.

The House may now stand in silence for a short while as a mark of respect to the memory of the departed souls.

11.04 hrs.

The Members then stood in silence for a short while.

.... (Interruptions)

[English]

SHRI MANISHANKAR AIYAR (MAYILADUTURAI) : Mr. Speaker, Sir, we had demanded a statement from the Prime Minister deleting the name of Shri Rajiv Gandhi.... (Interruptions)

MR. SPEAKER : Now, let us take up Papers to be laid on the table.

.... (Interruptions)

SHRI MANISHANKAR AIYAR : Sir, we had demanded a statement (Interruptions)

MR. SPEAKER : Today, we have the Deputy-Speaker's election. We are telecasting the proceedings.

.... (Interruptions)

SHRI MANISHANKAR AIYAR : He is not even a Member of Parliament. (Interruptions)

MR. SPEAKER : It will be continued after twelve o'clock. Please take your seat.

.... (Interruptions)

MR. SPEAKER : Please do not waste the time of the House.

.... (Interruptions)

MR. SPEAKER : Shri Manishankar Aiyar, I am appealing to you, please understand today we have the Deputy-Speaker's election.

.... (Interruptions)

MR. SPEAKER : Please take your seat.

.... (Interruptions)

MR. SPEAKER : What is this ? Everyday you are doing like this.

.... (Interruptions)

MR. SPEAKER : Shri Madhavrao Scindia, today we have Deputy-Speaker's election. It is not good to interrupt.

[Translation]

SHRI MADAN LAL KHURANA (DELHI-SADAR) : Mr. Speaker, Sir, the issue can be debated in detail, opposition members are demanding discussion on it, you please accept their demand (Interruptions)

[English]

MR. SPEAKER : Please do not waste the time of the House.

.... (Interruptions)

MR. SPEAKER : Shri Scindia, you had raised this issue yesterday. The hon. Minister has already replied. You are raising this issue again. Is this the procedure of the House ?

.... (Interruptions)

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, yesterday when during zero hour the matter regarding the chargesheet was raised, Government had clarified that if desired, it is ready to hold a detailed discussion in the House on the matter. I was not present in the House during zero hour when this matter was raised. Another Minister

was given responsibility to reply on my behalf. Now to raise the question that he is not a member of the House. (Interruptions)

[English]1

MR. SPEAKER : What is this ?

.... (Interruptions)

MR. SPEAKER : Shri Buta Singh, you are a senior Member.

.... (Interruptions)

MR. SPEAKER : Shri Manishankar Aiyar, how can you obstruct the Prime Minister when he is on his legs ?

.... (Interruptions)

MR. SPEAKER : Shri Manishankar Aiyar, you are obstructing the Prime Minister when he is replying.

.... (Interruptions)

MR. SPEAKER : Please take your seat.

.... (Interruptions)

MR. SPEAKER : It is not good to obstruct the Prime Minister when he is replying.

.... (Interruptions)

MR. SPEAKER : Shri Buta Singh, you are a senior Member. You should know the procedure.

.... (Interruptions)

MR. SPEAKER : Please take your seat.

.... (Interruptions)

MR. SPEAKER : Shri Priya Ranjan Dasmunsi, how can you obstruct the Prime Minister when he is on his legs ?

.... (Interruptions)

MR. SPEAKER : Please take your seat.

.... (Interruptions)

MR. SPEAKER : This will not go on record.

.... (Interruptions) *

MR. SPEAKER : Shri Scindia, this is not good on your part.

.... (Interruptions)

* Not Recorded.

MR. SPEAKER : Shri Manishankar Aiyar, please take your seat.

.... (Interruptions)

[Translation]

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : Whatever you have said, I humbly (Interruptions)

[English]

MR. SPEAKER : Shri Priya Ranjan Dasmunsi, I am requesting you to take your seat.

.... (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I do not understand that first I have been asked to make a statement and when I start making a statement. I am obstructed (Interruptions)

[English]

MR. SPEAKER : Shri Priya Ranjan Dasmunsi, I have not allowed you. Please take your seat.

.... (Interruptions)

MR. SPEAKER : This is not good.

.... (Interruptions)

MR. SPEAKER : What is this going on, Shri Aiyar ?

.... (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, there had been Prime Ministers who were not members of any House. (Interruptions)

SHRI MANISHANKAR AIYAR : Mr. Speaker, Sir, through you, I submit that (Interruptions)

MR. SPEAKER : No, No. Please sit down. It is not proper.

.... (Interruptions)

[English]

MR. SPEAKER : This is not a good practice.

.... (Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, as I have stated, we are ready to hold a discussion and a notice in

this regard was also given yesterday. Why was the same withdrawn ? (Interruptions)

[English]

MR. SPEAKER : Please take your seat.

.... (Interruptions)

MR. SPEAKER : Let the Prime Minister complete his speech.

SHRI MANISHANKAR AIYAR : Since he has raised a specific point (Interruptions)

MR. SPEAKER : Nothing will go on record.

.... (Interruptions) *

[Translation]

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, if the discussion is demanded after giving notice and if you admit, we are ready to have a detailed discussion (Interruptions)

[English]

SHRI MADHAV RAO SCINDIA (GUNA) : I would like to respond to that, Sir. I will have to respond to that (Interruptions)

MR. SPEAKER : I will allow you later on.

PAPERS LAID ON THE TABLE

11.12 hrs.

Notifications Under Indo-Tibetan Border Police Force Act, 1992

[English]

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): I beg to lay on the Table—

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 156 of the Indo-Tibetan Border Police Force Act, 1992 :-
 - (i) The Indo-Tibetan Border Police Force, Follower Cadre (Group 'C' Posts) Recruitment Rules, 1999 published in Notification No. G.S.R. 487(E) in Gazette of India dated the 29th June, 1999.
 - (ii) The Indo-Tibetan Border Police Force (Education, Development and Rehabilitation Cadre) Recruitment Rules, 1999 published in Notification No. G.S.R. 468(E) in Gazette of India dated the 29th June, 1999.

* Not Recorded.

- (iii) The Indo-Tibetan Border Police, Pioneer Cadre (Group 'B' and 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 469(E) in Gazette of India dated the 29th June, 1999.
- (iv) The Indo-Tibetan Border Police Force, Tailor Cadre Recruitment Rules, 1999 published in Notification No. G.S.R. 470(E) in Gazette of India dated the 29th June, 1999.
- (v) The Indo-Tibetan Border Police Force, Gardener Cadre (Group 'C' Posts) Recruitment Rules, 1999 published in Notification No. G.S.R. 471(E) in Gazette of India dated the 29th June, 1999.
- (vi) The Indo-Tibetan Border Police Force, Veterinary Cadre (Group 'C') Recruitment Rules, 1999, published in Notification No. G.S.R. 472(E) in Gazette of India dated the 29th June, 1999.
- (vii) The Indo-Tibetan Border Police Force, Publication and Printing Cadre Recruitment Rules, 1999, published in Notification No. G.S.R. 473(E) in Gazette of India dated the 29th June, 1999.
- (viii) The Indo-Tibetan Border Police Force, Animal Transport Cadre (Non Gazetted) Recruitment Rules, 1999, published in Notification No. G.S.R. 474(E) in Gazette of India dated the 29th June, 1999.
- (ix) The Indo-Tibetan Border Police Force, Cobbler Cadre (Group 'C' Posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 475(E) in Gazette of India dated the 29th June, 1999.
- (x) The Indo-Tibetan Border Police, Assistant Commandant (Education, Development and Rehabilitation) Recruitment Rules, 1999 published in Notification No. G.S.R. 550(E) in Gazette of India dated the 27th July, 1999.
- (xi) The Indo-Tibetan Border Police, Veterinary Cadre (Group 'A') Recruitment Rules, 1999, published in Notification No. G.S.R. 552(E) in Gazette of India dated the 27th July, 1999.
- (xii) The Indo-Tibetan Border Police Force, Telecommunication Cadre (Group 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 553(E) in Gazette of India dated the 27th July, 1999.
- (xiii) The Indo-Tibetan Border Police Force, Electronic Data Processing Cadre (Group 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 554(E) in Gazette of India dated the 27th July, 1999.
- (xiv) The Indo-Tibetan Border Police Force, Combatant Ministerial Cadre (Non Gazetted) Recruitment Rules, 1999, published in Notification No. G.S.R. 573(E) in Gazette of India dated the 2nd August, 1999.
- (xv) The Indo-Tibetan Border Police Force, Inspector (Hindi Translator) & Sub Inspector (Hindi Translator) Recruitment Rules, 1999, published in Notification No. G.S.R. 613(E) in Gazette of India dated the 31st August, 1999.
- (xvi) The Indo-Tibetan Border Police Force, Motor Transport and Motor Mechanic Cadre (Group 'B' and 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 614(E) in Gazette of India dated the 31st August, 1999.
- (xvii) The Indo-Tibetan Border Police Force, Telecommunication Cadre (Group 'A' and 'B' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 629(E) in Gazette of India dated the 9th Sept., 1999.
- (xviii) The Indo-Tibetan Border Police Force, Judge Attorney General (Additional Deputy Inspector General), Additional Judge Attorney General (Commandant), Deputy Judge Attorney General (Deputy Commandant) and Judge Attorney (Assistant Commandant) Recruitment and conditions of Service Rules, 1999, published in Notification No. G.S.R. 636(E) in Gazette of India dated the 15th September, 1999.
- (xix) The Indo-Tibetan Border Police Force, Armourer Cadre (Group 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 551(E) in Gazette of India dated the 27th July, 1999.
- (xx) The Indo-Tibetan Border Police Force, Armourer Cadre (Group 'A' and 'B' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 628(E) in Gazette of India dated the 9th Sept., 1999.
- [Placed in Library. See No. LT 12/99]
- (2) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 141 of the Border Security Force Act, 1968 :-
- (i) The Border Security Force Engineering set up (Group 'C' combatised, technical staff) Recruitment Rules, 1999, published in Notification No. G.S.R. 217 in Gazette of India dated the 17th July, 1999.
- (ii) The Directorate General Border Security Force, Air Wing Officers (Group 'A' and 'B' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 294 in Gazette of India dated the 18th September, 1999.
- (iii) The Ministry of Home Affairs, Border Security Force, Communication (Non-Gazetted) Cadre

Recruitment Rules, 1999, published in Notification No. G.S.R. 147 in Gazette of India dated the 22nd May, 1999.

April, 1999, under sub-section (2) of section 12 of the Assam Rifles Act, 1941.

[Placed in Library. See No. LT 16/99]

(iv) The Border Security Force (Printing Press, Group 'C' posts) Recruitment (Amendment) Rules, 1999, published in Notification No. G.S.R. 165 in Gazette of India dated the 5th June, 1999.

Report on section 52—The Transfer of Property Act, 1882 Amendment of the Industries (Development and Regulation) Act, 1951 etc.

(v) The Border Security Force Chief Law Officers and Law Officers Recruitment and Conditions of Service Rules, 1999, published in Notification No. G.S.R. 260(E) in Gazette of India dated the 13th April, 1999.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) : I beg to lay on the Table—

(1) One Hundred Fifty-Seventh Report on Section 52—The Transfer of Property Act, 1882 and its amendment— April, 1998.

[Placed in Library. See No. LT 17/99]

(vi) The Border Security Force Junior Engineer (Civil) Combatant (Group 'B' and 'C' posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 216 in Gazette of India dated the 17th July, 1999.

(2) One Hundred Fifty-Eighth Report on the Amendment of the Industries (Development and Regulation) Act, 1951 – June, 1998.

[Placed in Library. See No. LT 18/99]

(vii) The Border Security Force (Draftsman and Architectural Assistant) Recruitment Rules, 1999, published in Notification No. G.S.R. 195 in Gazette of India dated the 26th June, 1999.

(3) One Hundred and Fifty Ninth Report on Repeal and Amendment of Laws – Part I – 1998.

[Placed in Library. See No. LT 19/99]

(viii) The Border Security Force Inspector (Librarian) (Combatised Non-Gazetted, Group 'B') Recruitment Rules, 1999, published in Notification No. G.S.R. 226 in Gazette of India dated the 24th July, 1999.

(4) One Hundred and Sixtieth Report on Amendments to the All India Council for Technical Education Act, 1987 (Act 52 of 1987) – 1998.

[Placed in Library. See No. LT 20/99]

(ix) The Border Security Force Sub-Inspector (Proof Reader combatised posts) Recruitment Rules, 1999, published in Notification No. G.S.R. 263 in Gazette of India dated the 21st August, 1999.

(5) One Hundred Sixty First Report on Central Vigilance Commission on allied Bodies – 1998.

[Placed in Library. See No. LT 21/99]

[Placed in Library. See No. LT 13/99]

(3) A copy of the National Security Guard (Group 'A' posts) Recruitment (Amendment) Rules, 1999 (Hindi and English versions) published in Notification No. G.S.R. 130 in Gazette of India dated the 1st May, 1999, under sub-section (3) of section 139 of the National Security Guard Act, 1986.

(6) One Hundred Sixty Second Report on Review of Functioning of Central Administrative Tribunal – Customs, Excise and Gold (Control) Appellate Tribunal and Income-Tax Appellate Tribunal – 1998.

[Placed in Library. See No. LT 22/99]

[Placed in Library. See No. LT 14/99]

(4) A copy of the Vice-President's Pension, Housing and Other Facilities Rules, 1999 (Hindi and English versions) published in Notification No. G.S.R. 228(E) in Gazette of India, dated the 30th March, 1999, under sub-section (2) of section 5 of the Vice-President's Pension Act, 1997.

(7) One Hundred Sixty Third Report on the Code of Civil Procedure (Amendment) Bill, 1987– November, 1998.

[Placed in Library. See No. LT 23/99]

[Placed in Library. See No. LT 15/99]

(5) A copy of the Assam Rifles (Amendment) Rules, 1999 (Hindi and English versions) published in Notification No. G.S.R. 105 in Gazette of India dated the 10th

(8) One Hundred Sixty Fourth Report on the Indian Divorce Act (IV of 1869) — November, 1998.

[Placed in Library. See No. LT 24/99]

(9) One Hundred Sixty Fifth Report on Free and Compulsory Education for Children— November, 1998.

[Placed in Library. See No. LT 25/99]

- (10) One Hundred Sixty Sixth Report on the corrupt Public servants (Forfeiture of Property) Bill – February, 1999.

[Placed in Library. See No. LT 26/99]

- (11) One Hundred Sixty Seventh Report on the Patents (Amendments) Bill, 1998 – February, 1999.

[Placed in Library. See No. LT 27/99]

- (12) One Hundred Sixty Eighth Report on the Hire-Purchase Act, 1972– March, 1999.

[Placed in Library. See No. LT 28/99]

- (13) One Hundred Sixty Ninth Report on Amendment of Army, Navy and Air Force Acts– April, 1999.

[Placed in Library. See No. LT 29/99]

- (14) One Hundred Seventieth Report on Reform of the Electoral Law – May, 1999.

[Placed in Library. See No. LT 30/99]

Notifications Under Mines and Minerals (Regulation and Development) Act, 1952

THE MINISTER OF MINES AND MINERALS (SHRI NAVEEN PATNAIK) : I beg to lay on the Table–

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (1) of section 28 of the Mines and Minerals (Regulation and Development) Act, 1957:-

(i) The Mining Leases (Modification of Terms) Amendment Rules, 1999, published in Notification No. G.S.R. 397 (E) in Gazette of India dated the 1st June, 1999.

(ii) The Granite Conservation and Development Rules, 1999, published in Notification No. G.S.R. 398(E) in Gazette of India dated the 1st June, 1999.

[Placed in Library. See No. LT 31/99]

Annual Report, Annual Accounts and Review of the working of the Central Wakf Council, New Delhi for the year 1997-98

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI) : I beg to lay on the Table–

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Central Wakf Council, New Delhi, for the year 1997-98.

(ii) A copy of the Annual Accounts (Hindi and English versions) of the Central Wakf Council, New Delhi, for the year 1997-98, together with Audit Report thereon.

(iii) A copy of the Review (Hindi and English versions) by the Government of the working of the Central Wakf Council, New Delhi, for the year 1997-98.

- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library. See No. LT 32/99]

11.17 hrs.

PARLIAMENTARY COMMITTEES – SUMMARY OF WORK

[English]

SECRETARY GENERAL : I beg to lay on the Table a copy of the Parliamentary Committees (Other than Financial and Departmentally-related Standing Committees) – Summary of Work (Hindi and English versions) pertaining to the period from 30 March, 1998 to 26 April, 1999.

[Placed in Library. See No. LT 33/99]

11.18 hrs.

ELECTION OF DEPUTY-SPEAKER

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE): Mr. Speaker, Sir, I beg to move :

“that Shri P.M. Sayeed, a Member of this House be chosen as the Deputy Speaker of this House.”

SHRIMATI SONIA GANDHI (AMETHI) : Mr. Speaker, Sir, I second the motion moved by Shri Atal Bihari.

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): Mr. Speaker, Sir, I beg to move :

“that Shri P.M. Sayeed, a Member of the House, be chosen as the Deputy Speaker of this House.”

THE MINISTER OF DEFENCE (SHRI GEORGE FERNANDES) : Mr. Speaker, Sir, I second the motion moved by Shri L.K. Advani.

[English]

SHRI K. YERRANNAIDU (SRIKAKULAM) : I beg to move:

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI M.V.V.S. MURTHI (VISAKHAPATNAM) : I second the motion moved by Shri K. Yerrannaidu.

THE MINISTER OF RAILWAYS (KUMARI MAMATA BANERJEE) : I beg to move :

"That Shri P.M. Sayeed, a member of this house, be chosen as the Deputy Speaker of this House."

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI AJIT KUMAR PANJA) : I second the motion moved by Kumari Mamata Banerjee.

SHRI VAIKO (SIVAKASI) : I beg to move:

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

THE MINISTER OF STATE OF THE MINISTRY OF NON-CONVENTIONAL ENERGY SOURCES (SHRI M. KANNA-PPAN) : I second the motion moved by Shri Vaiko.

THE MINISTER OF ENVIRONMENT AND FORESTS (SHRI T.R. BAALU) : I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI C. KUPPUSAMI (MADRAS NORTH) : I second the motion moved by Shri T.R. Baalu.

[Translation]

SHRI HARIBHAU SHANKAR MAHALE (MALEGAON) : I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI ATMARAM BHAI PATEL (MEHSANA) : I second the motion.

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : I beg to move :

"That P.M. Sayeed, a member of this House be chosen as the Deputy Speaker of this House."

[English]

SHRI PAWAN KUMAR BANSAL (CHANDIGARH) : Sir, I second the motion moved by Shri Priya Ranjan Dasmunsi.

SHRI P.H. PANDIYAN (TIRUNELVELI) : Sir, I beg to move:

"That Shri P.M. Sayeed, a member of this house, be chosen as the Deputy Speaker of this House."

SHRI T.T.V. DHINAKARAN (PERIYAKULAM) : Sir, I second the motion moved by Shri P.H. Pandiyan.

SHRI SOMNATH CHATTERJEE (BOLPUR) : Sir, I beg to move :

"That Shri P.M. Sayeed, a member of this house be chosen as the Deputy Speaker of this House."

SHRI N.N. KRISHNADAS (PALGHAT) : Sir, I second the motion moved by Shri Somnath Chatterjee.

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI SURESH PRABHU) : Sir, I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

[Translation]

THE MINISTER OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES (SHRI MANOHAR JOSHI) : I second the motion.

[English]

SHRI INDRAJIT GUPTA (MIDNAPORE) : Sir, I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRIMATI GEETA MUKHERJEE (PANSKURA) : Sir, I second the motion moved by Shri Indrajit Gupta.

SHRI SHARAD PAWAR (BARAMATI) : Sir, I beg to move:

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI SHRINIWAS D. PATIL (KARAD) : Sir, I second the motion moved by Shri Sharad Pawar.

THE MINISTER OF MINES AND MINERALS (SHRI NAVEEN PATNAIK) : Sir, I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI ARJUN CHARAN SETHI (BHADRAK) : Sir, I second the motion moved by Shri Naveen Patnaik.

[Translation]

SHRI MULAYAM SINGH YADAV (SAMBHAL) : I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI BENI PRASAD VERMA (KAISARGANJ) : I second the motion.

CAPT. (RETD.) INDER SINGH (ROHTAK) : I beg to move:

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

[English]

MR. SPEAKER : Shri Surinder Singh.

[Translation]

KUMARI MAYAWATI (AKBARPUR) : I beg to move :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRI RAM SAJIVAN (BANDA) : I second the motion.

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) : I beg to move:

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

SHRIMATI KANTI SINGH (BIKRAMGANJ) : I second the motion.

[English]

MR. SPEAKER : Hon. Members, the motion which were tabled have been moved and seconded. The motion moved by Shri Atal Bihari Vajpayee and seconded by Shrimati Sonia Gandhi is before the House for consideration and I am putting this motion to the vote of the House.

The question is :

"That Shri P.M. Sayeed, a member of this House, be chosen as the Deputy Speaker of this House."

The motion was adopted.

MR. SPEAKER : The motion is carried. I declare that Shri P.M. Sayeed has been chosen as the Deputy Speaker of this House.

11.19 hrs.

Shri P.M. Sayeed was conducted to his seat by the Leader of the House, Shri Atal Bihari Vajpayee and the Leader of the Opposition, Shrimati Sonia Gandhi.

11.20 hrs.

FELICITATIONS TO DEPUTY SPEAKER

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE):

Mr. Speaker Sir, I on my own behalf, on behalf of the National Democratic Alliance and if my friend Shri Mani Shanker do not object on behalf of the whole House, would like to congratulate Shri P.M. Sayeed.

Last time also you were elected unanimously but unanimity this time is sweeter. You are one of the senior most members of this House. You were elected to this House for the first time in 1967 and since then your membership of this House continues without break. Other members win some elections and lost some but you are always among the winners.

Everyone accepts the fact that you have carried out your responsibilities as the Deputy Speaker very efficiently. You do not hesitate to be strict wherever needed, otherwise politeness is your weapon in transacting the business of the House. You had been a Minister also and has run the House with the cooperation of all.

We wish you all success and assure you of our full cooperation.

SHRIMATI SONIA GANDHI (AMETHI) : Mr. Speaker, Sir, I whole heartedly felicitate my colleague Shri P.M. Sayeed on his being elected as the Deputy Speaker of Lok Sabha again with consensus.

For more than last three decades he has given voice to the feelings of farflung beautiful islands of our country. His election to this post is a token of honour of his long experience, qualities of head and heart and his significant contribution in the proceedings of the House. We all respect him for his personality, pleasing nature and cultured manners.

Shri Sayeed has participated in debates of the House on several historical moments. He has been the member of Lok Sabha for the last 33 years and has raised many important issues. We are very fortunate that he is our Deputy Speaker.

A heavy responsibility has been put on his shoulder but I know that he will fulfil his responsibilities happily and with humility as ever.

[English]

SHRI SOMNATH CHATTERJEE (BOLPUR) : Mr. Speaker, Sir, I congratulate Shri P.M. Sayeed and also the people of Lakshadweep. I am sure that they are very proud today for having selected and elected continuously a very worthy representative of theirs who has adorned this House for decades.

Sir, the Prime Minister referred to his coming every time. He has become a permanent fixture of this House. We have known him as one of the friendliest Members and a good guide who has maintained excellent relationship with everybody in the House. By nature, he is amiable. He cannot get annoyed with us. That is why, we are not going to take advantage of his amiability and good nature. He has already made his mark and shown his undoubted capacity to be a very worthy Presid-

ing Officer of this House and we are very very happy that in recognition of his services which he has rendered to the House and to the cause of the parliamentary democracy that he has been unanimously selected once again. We wish him all the best. Speaking for my party and on my own behalf, we assure the fullest cooperation with the Chair, with Mr. Sayeed as Deputy Speaker, and I am sure, as before, he will continue to render his services to this House and through this House, to the people of this country. Sir, I hope that he will not interrupt the supply of tuna to us from time to time.

[*Translation*]

SHRI CHANDRASHEKHAR (BALLIA, U.P.) : Mr. Speaker, Sir, I congratulate Shri P.M. Sayeed on his election on this high office. He has been one of my very good friends ever since he has elected to his House. As one of my friends has stated, though he has learned a lot from the high tides of the sea but has learned a lot more from the ups and downs of life. That is why his heart goes out for the poor as he has affection and sympathy for them. He has demonstrated the same amply in the House. People of Lakshadweep are very much impressed because of his continuous efforts for providing them with the basic necessities of life. Right from 1967 when I was also in the Congress, Shri Sayeed has been making efforts to realise his dream of poverty free society. For some period, we had to part company but our friendship continues till date. I feel happy on his great achievement. I feel that this is not the reason for his repeated success in the election. This is so because of the values he has cherished in life and the way he has associated himself to the agonies of the people. He not only represents the people of Lakshadweep but a whole lot of down troddens, distressed and exploited people. I felicitate him.

SHRI MULAYAM SINGH YADAV (SAMBHAL) : Mr. Speaker, Sir, I am happy that Shri P.M. Sayeed has been elected as the Deputy Speaker of Lok Sabha. I welcome and felicitate Shri Sayeed for this. I am happy that he is a Member of this House continuously since 1967. He is seized of the problems of common man and has been raising their issues.

One of the proofs of his popularity is that he has been a Member of this House continuously since 1967. My best wishes are with him. I hope that you will take special care to safeguard the interests of the poor farmers, labourers and people of the minority communities for whom even today there is no arrangement of drinking water and who have to toil hard and their issues will be raised in this House. In the last session, you had conducted the proceedings of the House in a very fair and bold manner, even that is also appreciable.

I once again congratulate you on behalf of the Samajwadi Party.

[*English*]

SHRI M. V. V. S. MURTHI (VISAKHAPATNAM) : Mr. Speaker, Sir, I am very happy personally and also on behalf of my Telugu Desam Party, we heartily congratulate Shri P.M. Sayeed. He has been in this House continuously from 1967

onwards. He has mastered the art of winning the election as well as the hearts of the Members of this House also. Really, it is a great event. Also, he has seen all types of winds in this House. He has also mastered the art of keeping the House in dignity.

Shri P.M. Sayeed has occupied the administrative Office of the Minister also. I know him personally. We are really gratified and elevated on his election as Deputy-Speaker. I am sure, with the decorum and dignity, he will maintain this House at all times. We wish him all the success.

SHRI INDRAJIT GUPTA (MIDNAPORE) : Mr. Speaker, Sir, I think Shri Sayeed's election today was a foregone conclusion. There is nobody who can match him in his long record in the chair and his popularity is something which requires to be properly understood and diagnosed why he is so popular with everybody in the House, not to speak of his own constituency in Lakshadweep. His nature and his character is such that we all know him for so many years as a very close friend also apart from being the Deputy-Speaker. He is the most amiable, most friendly and most affectionate Deputy-Speaker apart from being the most efficient – I should say – person that we have had all these years. So, as far as my group is concerned, we, of course, will cooperate with him fully in every way.

I am conscious of the fact that I am perhaps congratulating a future Father of the House. He has not got much further to go before he reaches that level. So, anyway, I wish him all success. We are very very happy today at his unanimous election.

[*Translation*]

KUMARI MAYAWATI (AKABARPUR) : Mr. Speaker, Sir, I on behalf of my party and on my own behalf congratulate Shri Sayeed on his election as Deputy Speaker. I associate myself with all those party leaders who spoke prior to me and expressed their views about him. I would like to mention one thing.

I remember election to the post of Deputy Speaker during the term of previous government. As per the conventions, post of Deputy Speaker goes to the opposition party. But at that time circumstances were such that ruling party also wanted to elect his own candidate to the post of Deputy Speaker. At that time I felt that almost all Members of Opposition were appealing to bring him on this post but there were many leaders from the Treasury Benches who also wanted to elect him to this post. Kumari Mamata Banerjee also made strong appeal for this. While congratulating the member who possess such an impressive personality and who has been elected unanimously to the post of Deputy Speaker, I would like to appeal that he should take care of the interests of the community to which he belongs.

The Constitution of India was framed on the basis of secularism. According to it followers of all religions are equal. It is the responsibility of Central and State Governments to protect

their life and property and religion. But not the religious minorities like Muslim, Sikh, Christian, Parsi and Buddhist communities who have been neglected since long, are feeling insecure. You belong to Muslim minority community which is the largest minority community. I hope that you will not only take care of the interests of Muslim community but also look after the interests of different classes of minorities and whenever issues regarding their interests will be raised in Parliament then you will protect their interests by devoting your full time. With these words, I hope that the points towards which I have drawn your attention, particularly about safeguarding of the interests of religious minorities, will be taken care of.

[English]

SHRI P.H. PANDIYAN (TIRUNELVELI) : Mr. Speaker, Sir, I, on behalf of the AIADMK Party on my own behalf, offer our felicitations to the Deputy-Speaker, Shri P.M. Sayeed, on his unanimous election.

I know the difficult task of the Presiding Officer of any House. The Deputy-Speaker is calm, smiling, friendly and we made fast friendship in the last week. I hope that we would be able to guide us in our parliamentary work here. The Deputy-Speaker acts in the absence of the Speaker.

The Deputy-Speaker has been elected to the Lok Sabha on 10 consecutive elections from the same constituency. It is very difficult to get elected from the same constituency for so many times, because he had to face the same electorate every time. The people of Lakshadweep have showered their love and affection on him and they have been sending him to the Lok Sabha for 10 times consecutively.

So, I wish him all success on behalf of our Party and I congratulate him.

[Translation]

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) : Mr. Speaker, Sir, the Members of the Rashtriya Janata Dal including myself are very happy that Shri P.M. Sayeed, who is a very senior member of Lok Sabha, has been unanimously elected as Deputy Speaker and this is his 10th consecutive term as Member of this House. I offer my felicitations to the Deputy Speaker, on his unanimous election.

Mr. Speaker, Sir, I am very happy also because with his co-operation, your work-load will be reduced now. On his being unanimously elected as Deputy Speaker of Lok Sabha, the people of far-flung Lakshadweep Island will feel proud that their representative has been elected for this post. The event might have proved morale booster for them as the same person from their region is being elected again and again.

Mr. Speaker, Sir, during the last Lok Sabha, the manner in which he performed his duties impartially and ably and co-operated with you, it reminds us of the convention which we had started in 1977, that the Deputy Speaker should be elected unopposed from the opposition. As said by Hon'ble Prime

Minister, last time Deputy Speaker was elected unopposed and this time also he has been unanimously elected but there is big difference between these two occasions. Last time, the people of ruling party wanted to violate this convention by electing their member to this post. At that time their Alliance partners, including Kumari Mamata Banerjee, took strong stand and said that this convention should not be violated and Deputy Speaker should be from the opposition party only. Therefore, I agree with the view of Hon'ble Prime Minister that this time the action to strengthen that convention of election of Deputy Speaker has been more encouraging.

Mr. Speaker, Sir, on the day you were elected to the House it was a day of great pleasure for us and today on your election as Deputy Speaker, it is the moment of similar delight for us. This House is the mirror of country's social life. Lok Sabha gives clear and live picture of the country. Both of you are presiding officers of this House and are custodians of this House. I hope you will look after the aspirations and the problems of the people. You will also look after the interests of new Members and small parties so that clear picture of this country and people could be brought out and people have faith in democracy can parliamentary system.

Mr. Speaker, Sir, I once again congratulate Shri Sayeed on his unanimous election as Deputy Speaker. I hope he will maintain the dignity of this office.

With these words, I conclude.

[English]

SHRI AMAR ROY PRADHAN (COOCHEBEHAR) : Mr. Speaker, Sir, on behalf of my party Forward Bloc, I would like to congratulate hon. Shri P.M. Sayeed, for having been unanimously elected as Deputy Speaker of this august House. He is a good friend of us. Shri Sayeed is not only a gentleman but he is also a perfect gentleman and sincere to his duties. He has been elected ten times from the same constituency without break. It is a record. Justice is of great interest for man on earth. I hope the hon. Deputy-Speaker, when he is in the Chair, will do justice to the hon. Members of this august House.

He will do it accordingly and uphold the prestige of this House.

[Translation]

SHRI G.M. BANATWALLA (PONNANI) : Mr. Speaker, Sir, it is a matter of great pleasure for us that Shri P.M. Sayeed has been elected as the Deputy-Speaker, and has been elected with consensus. We welcome him. I, on behalf of my party, Muslim League and on my behalf from the core of my heart congratulate him. As has been said by our Prime Minister, Shri Atal Bihari Vajpayee that Shri P.M. Sayeed has vast experience. He is not only one of the Senior Member but had also been the Minister and Deputy-Speaker also. We are sure that with the grace of God he will perform his duty very well. The tradition of parliamentary democracy has been maintained and the person belonging to the opposition party has been

elected as the Deputy-Speaker. Along with this, it has added a feather to the cap of secular democracy. P.M. Sayeed belongs to Minority Community and minorities will be very happy with this decision. I have always asserted that India is because of us (Hum). A note should be taken of word 'Hum'. This word is made of two alphabets. 'ha' and 'ma'. 'Ha' is for Hindu and 'Ma' is for Muslim and when all other and 'Ha' and 'Ma' are together, it becomes 'Hum' and 'Hum' means Hindustan (India). We are conveying this message to the country. I congratulate you and hope that with the grace of God, the principle of secular democracy will always be respected. Congratulations to Shri P.M. Sayeed.

[English]

MR. SPEAKER : Hon. Members, I have pleasure in joining the Prime Minister, the Leader of the Opposition and other hon. Members in extending my felicitations to Sayeed Saheb on his election as the Deputy-Speaker once again. His unanimous election for a second term is yet another testimony to the collective commitment of this House to the well established democratic values and traditions.

Shri Sayeed is one of those few privileged Members who have virtually played most of the roles associated with being a Member of this House. The whole House, particularly, the new Members, stand to gain enormously from his long and varied experience in Parliament, in several of its Committees, in the Council of Ministers and most importantly, as the Deputy-Speaker in the previous Lok Sabha.

He is already a role model for our parliamentarians. To be returned to the House ten consecutive terms from the same constituency in itself is a remarkable feat. To be accepted by the whole House, unopposed as its Deputy-Speaker for the second consecutive term, definitely adds colour to that achievement.

With the humility and simplicity, symbolic of our beautiful island population whose most consistent and authentic spokesperson he has been for more than three decades, Sayeed Saheb has earned a wide circle of friends and admirers within this House. As a Presiding Officer, he has been able to combine the right degree of firmness with flexibility and a high degree of objectivity in dealing with the Members on either side of the Chair, this, as you know, is the most difficult test for a Presiding Officer to pass. This House has indeed been very prudent in its choice.

I wish Shri Sayeedji all the very best.

SHRI P.M. SAYEED (LAKSHADWEEP) : Hon. Speaker, hon. Prime Minister, Shri Atal Bihari Vajpayee, Leader of the Opposition, Shrimati Sonia Gandhi, leaders of political parties and other hon. Members of the House:

It is a great honour and privilege in being elected a Member of this House, which is the popular Chamber of the largest working democracy in the world. My hearty felicitations to all of you in having been able to secure this honour and privilege.

That I am your unanimous choice for the office of the Deputy-Speaker is a matter of honour for me. That I am your choice for the second time over is doubly so. I feel touched. I feel humble.

Today's political trend in the country is one of the inclusiveness. The politics of exclusion appears to me to be behind us. I see inclusiveness in the composition of this House; in the structure of the Government. I see in my election as Deputy Speaker of the House that the islanders of the country in general and the people of my constituency, Lakshadweep, in particular, are also beneficiaries of this inclusiveness. I take this opportunity to convey to the House the compliments of the people of Lakshadweep; to place on record my gratitude to them but for whose faith in me through ten general elections, I would not have accessed the office of the Deputy-Speaker in repetition.

In my long experience as a Member of this House which has given me interface with Members of the Houses of other countries, I have found that all over the world, parliamentarians are becoming increasingly professional in serving their constituents. Attaching value for the time of the House, facilitating orderly conduct of parliamentary proceedings, display of mutual respect for the views of one another, rising above partisan considerations on matters of basic national interests, knowledge-based performance in the Parliament are all various dimensions of this professionalism. I call upon all the hon. Members to be professional in the discharge of their duties and functions.

Even as I emphasize professionalism, I do concede that the hon. Members should be equipped with the necessary infrastructure for the purpose. Members of Parliament elsewhere in the world, even in comparatively smaller countries, have full-fledged offices with adequate supporting staff and modern equipment including computers with the latest configuration and interconnectivity. I am aware that the hon. Speaker is also for modernising the service capabilities of parliamentarians. The House, as a whole, needs to innovate in this regard.

While I see that a significant percentage of the Members of the House are newcomers. I am sure that many of them would be bringing with them new experiences and new ideals. We should collectively facilitate articulation of the lessons of these experiences and reflection of these ideals.

There is an annual allocation of more than Rs. 1,000 crore under the M.P.s Local Area Development Scheme. My experience is that there are lots of inadequacies in the implementation of the Scheme. Those should be rectified. The scheme should itself be made more flexible. I have no doubt that if the hon. Members would take serious interests in the Scheme, they could bring about significant improvement in the lot of the poor masses of the country. This is the least that could be done to them who, in fact, account for substantial voter turnout.

Our media, has been very vibrant in projecting Parliament business. Because of the electronic revolution, visual images, *inter-alia*, about the performance of the Parliament have come

to have outreach into remote parts of the country. A balanced media projection of the Parliament in action including the constructive work done by the members would go a long way in its preservation as a democratic institution and in strengthening peoples' faith in democratic values.

While the level of representation of women in the House remains static, for the first time in the history of our country, we are having a lady Leader of the Opposition. Madam, I hope that your presence in this vital office of the House will strengthen the forces of women's empowerment, particularly women's parity with men in the Parliament and other Legislative Bodies in the country.

Prime Minister, Sir, I wish you well in carrying our country into the next century.

Mr. Speaker, Sir, I had the privilege of working closely with you in the 12th Lok Sabha which you presided. It was a pleasurable experiences. I look forward for working in closer cooperation with you as your deputy in this House as well.

MR. SPEAKER : Not thirteen months this time.

SHRI P.M. SAYEED: Thank you very much. Jai Bharat.

MR. SPEAKER : So, the next item is Matters under Rule 377. I am inviting Shri P.M. Sayeed to take the Chair and start with the job as a Deputy Speaker from Matters under Rule 377.

11.59 hrs.

RE : POPE JOHN PAUL-II VISIT TO INDIA

(Mr. DEPUTY-SPEAKER in the Chair)

[English]

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : Mr. Deputy Speaker, Sir, we have given notices for discussions under Rule 193 and also Calling Attention on Pope John Paul's visit to India because his security is causing a lot of concern in the country. We want a full-fledged discussion either under Rule 193 or under the Calling Attention. A notice has been served. It concerns not only the Christians community but the entire image of the nation in the whole world. On the one hand the Minister of Home Affairs said in Gujarat that he would be a State guest and he would be protected and on the other hand, right under the nose of the North Block, at Vijay Chowk, the area which falls under Section 144, the VHP and the RSS elements burnt the effigy of Pope John Paul. This is a serious matter and the country cannot afford to ignore this incident because the hon. Prime Minister made a commitment and the Presidential Address also had made a commitment for the total democratic polity and secularism. I feel and I demand that an important issue like this cannot be ignored by this House.

There should be a discussion and the Government should come forward because earlier.... (Interruptions)

SHRI SOMNATH CHATTERJEE (BOLPUR) : There should be an assurance from the Minister of Home Affairs. (Interruptions)

12.00 hrs.

MR. DEPUTY SPEAKER : Please let him finish.

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy Speaker, Sir, earlier in 1992, when a similar question was raised whether *Babri Masjid* will be protected or not, a Chief Minister gave a commitment to the Supreme Court, with affidavit, that there shall be total protection. Yet it was not done. We demand from the Government that their commitment must be total and the Christian community as a whole in this country should feel protected. The Home Minister must react immediately... (Interruptions)

MR. DEPUTY SPEAKER : Will you please resume your seat, Shri Acharia ? I am on my legs. Shri Radhakrishnan, Please resume your seat. I am on my legs. Shri Priya Ranjan Dasmunsi has mentioned a subject on which the Government wants to react. If all of you stand up together, how can I call all of you at a time ? Now I am calling Shri Suresh Kurup.

.....(Interruptions)

MR. DEPUTY SPEAKER : I am giving you the chance before the hon. Home Minister reacts. Do you want to say anything, Shri Suresh Kurup ?

SHRI SURESH KURUP (KOTTAYAM) : Sir, I have given a notice. Pope John Paul II.....(Interruptions)

SHRI K. YERRANNAIDU (SRIKAKULAM) : Sir, either you should allow the Home Minister to react or(Interruptions)

MR. DEPUTY SPEAKER : Mr. Yerrannaaidu, I am calling those who have given notice.

SHRI SURESH KURUP : Sir, Pope John Paul II is the head of a sovereign State and also the spiritual head of millions of Christians all over the world. The Vishva Hindu Parishad has taken out a vicious campaign against this visit of the Holy Father. This is a logical extension of their vicious campaign against the Christian minorities in this country. The Government is keeping mum on this. They should come forward with a clear-cut statement as to what is their attitude regarding the visit. This is a great and historic occasion and should be treated like that(Interruptions)

MR. DEPUTY SPEAKER : Mr. Suresh, the Government wants to react. Please be brief.

SHRI SURESH KURUP : Let me complete my statement, Sir. Now they are taking out a *yatra* from Goa to Delhi and they are threatening that they will take out protest rallies against

the Papal visit. What is the attitude of the Government, we would like to know.

MR. DEPUTY SPEAKER : He will tell. Now, Shri Basudeb Acharia.

.....(Interruptions)

MR. DEPUTY SPEAKER : Will you please your seat, Mr. Ramdas ? I have called Shri Basudeb Acharia.

SHRI BASU DEB ACHARIA (BANKURA) : Sir, the campaign unleashed by Vishva Hindu Parishad and Rashtriya Swayamsevak Sangh in regard to the visit of Pope John Paul II.....(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Please keep quiet, you too will get the chance.

[English]

SHRI BASU DEB ACHARIA : Sir, the Vishva Hindu Parishad have already started a *yatra* from Goa to Delhi.....(Interruptions). This has created communal disharmony in the country and this will also create adverse relations with another country. The Government has not yet reacted.

MR. DEPUTY SPEAKER : Hon. Members, all mobile phones should be put off.

SHRI SOMNATH CHATTERJEE : Not only put off, they should not be brought here.

MR. DEPUTY SPEAKER : They are all bringing here.

SHRI BASU DEB ACHARIA : Sir, the Government has not yet reacted to the action which is being taken by Vishva Hindu Parishad and Rashtriya Swayamsevak Sangh. The Government has not distanced itself from the action of these two mass organisations of the Bhartiya Janata Party. I demand that this House should condemn and the Government should also come out with a statement.....(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : These are not two mass organisations, these are two fascist organisations.

SHRI BASU DEB ACHARIA : Yes, Fascist organisations. I stand corrected.

MR. DEPUTY SPEAKER : Please, Shri Acharia.

.....(Interruptions)

MR. DEPUTY SPEAKER : Shri Acharia, please complete. You are taking too much time.

[Translation]

SHRI VINAY KATIYAR (FAIZABAD) : Mr. Deputy Speaker, Sir, how can he say that it is a fascist organisation, I object to it.

MR. DEPUTY SPEAKER : If you have got any objection, raise it when you will get opportunity.

[English]

SHRI BASU DEB ACHARIA : Sir, the Government should make a statement in this House.....(Interruptions) Pope John Paul II is not only a religious leader but he is also the head of a State. What is the plan and programme of the Government maintaining communal harmony in the country ?.....(Interruptions) We have the experience. We have seen what happened at the time of demolition of the Babri Masjid. In spite of the undertaking given by the State Government of Uttar Pradesh, the Babri Masjid was demolished on 6th of December, 1992.(Interruptions)

[Translation]

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, I, too should be given an opportunity to speak.

MR. DEPUTY SPEAKER : You too will get an opportunity.

[English]

Please conclude. Shri K. Francis George to speak now.

.....(Interruptions)

MR. DEPUTY SPEAKER : Shri Acharia, this is not a full scale discussion. This is zero hour. You have to mention the subject. The Government wants to react. This is not a full scale debate.

SHRI BASU DEB ACHARIA : Sir, that was organised by the Chief Minister in 1992. By that started the communal disharmony in our country.(Interruptions)

MR. DEPUTY SPEAKER : You are not helping me. I am trying to help you.

.....(Interruptions)

SHRI BASU DEB ACHARIA : Sir, I demand that the Government should make a statement in regard to this.....(Interruptions)

SHRI TARIT BARAN TOPDAR (BARRACKPORE) : That case is still pending. The Minister of Home Affairs is an accused in that case. Do not forget that the case is still pending.(Interruptions)

[Translation]

SHRI RAMCHANDER BAINDA (FARIDABAD) : How can you raise that matter in this.

MR. DEPUTY SPEAKER : Please sit down, I will control.

[English]

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL) : Mr. Deputy Speaker, Sir,(Interruptions)

MR. DEPUTY SPEAKER : Shri Radhakrishnan, you are not Francis George. I called Shri George to speak. He is a new Member. Please listen to him.

SHRI K. FRANCIS GEORGE (IDUKKI) : Sir, we are extremely pained and sorry to say that the visit of the Holy Father, Pope John Paul II is being marred by this kind of vicious campaign by the *Sangh Pariwar*. We have now met the hon. Prime Minister regarding this. The hon. Prime Minister has said that the Government respects all religions. The Pope is coming here as a Head of State on our own invitation. Subsequently the hon. Minister of Home Affairs also made a statement to that effect. But what are we seeing now ? The *Sangh Pariwar* is going ahead with its campaign of hate and distrust. What has the Government done upto now ? The Government has not taken any decision or step so far(Interruptions)

MR. DEPUTY SPEAKER : The hon. Minister of Home Affairs wants to react.

SHRI K. FRANCIS GEORGE : Sir, please let me complete. We would like to know as to what the Government proposes to do regarding the *Yatra* which is being taken out by the *Sangh Pariwar* from Goa to Delhi(Interruptions) Sir, you are not allowing me.....(Interruptions)

MR. DEPUTY SPEAKER : He has given notice.

SHRI K. FRANCIS GEORGE : Sir, I have also given notice. All of us would like to know as to what the Government proposes to do. Will the Government take action against the *Sangh Pariwar* elements ? Is the Government ready to stop the *Yatra* which is being proposed by the *Sangh Pariwar* ? We want to have a clear answer from the Government. Thank you very much.(Interruptions)

MR. DEPUTY SPEAKER : Shri P.C. Thomas, please resume your seat. I have called Shri V.M. Sudheeran.

SHRI V.M. SUDHEERAN : Mr. Deputy Speaker, Sir, I have two points to make. One is that the visit of such a holy personage, Pope John Paul II, is a historic event and it is in the fitness of things that Parliament extend its welcome to the visiting Pope. I request the hon. Speaker to take appropriate steps and to see that the whole House welcomes the Holy Father.

The second point is that some communal elements are trying to create some undesirable situation in this country. That has to be condemned. Sir, through you I request the hon. Prime Minister and the hon. Minister of Home Affairs to take appropriate steps to stop the attempt of the V.H.P., the R.S.S. and others to spoil the atmosphere.(Interruptions)

[Translation]

SHRI BENI PRASAD VERMA (KAISARGANJ) : Mr. Deputy Speaker, Sir,(Interruptions) the Member of the ruling party are also anxious to speak on this, who are doing everything(Interruptions)

MR. DEPUTY SPEAKER : If you continue to raise objection in this way, neither you nor they will get chance.

.....(Interruptions)

MR. DEPUTY SPEAKER : You may please sit down and keep quiet.

.....(Interruptions)

MR. DEPUTY SPEAKER : This is a matter. That I am calling only those Members who have given the notice.

.....(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Rawat, you are a senior Member. You should know the procedure.

.....(Interruptions)

PROF. RASA SINGH RAWAT (AJMER) : Sir, kindly allow me.(Interruptions)

MR. DEPUTY SPEAKER : This is not the way to attract the attention of the Presiding Officer.

.....(Interruptions)

PROF. RASA SINGH RAWAT : Only one side is coming before you.(Interruptions)

[Translation]

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, you have also called those who have not given notice.(Interruptions)

MR. DEPUTY SPEAKER : If you behave in this way, I will not given you chance.

.....(Interruptions)

MR. DEPUTY SPEAKER : Please keep quiet.

.....(Interruptions)

SHRI BENI PRASAD VERMA : Mr. Deputy Speaker, Sir, I would like to request in very humble words. We are on the threshold of 21st century. It may not happen that the coming generations read our commitment to secularism in constitution only, but in reality, they find destruction only. We have seen it in the past. Ram-Janaki Rath Yatra was organised and the atmosphere of the entire country was vitiated. Hindu extremism was fanned and as a result Babri Mosque was demolished(Interruptions) They can not listen it. They do not have patience.(Interruptions)

SHRI PRAKASH PARANJPE (THANE) : He has blemished the Rath Yatra. We are not going to listen. This is India, not Pakistan. He should withdraw it.(Interruptions)

SHRI ANANT GANGARAM GEETE (RATNAGIRI) : They have disgraced Ram Rath Yatra.....(Interruptions)

[English]

MR. DEPUTY SPEAKER : Please resume your seat.

.....(Interruptions)

MR. DEPUTY SPEAKER : Shri Paranjpe, you are not to stand up and say anything and everything. If there is anything unparliamentary, I will ask him to withdraw. Do not do like this.

.....(Interruptions)

[Translation]

SHRI BENI PRASAD VERMA : This type of atmosphere was created in 1986. In Uttar Pradesh Vidhan Sabha, Shri Mulayam Singhji was the leader of the opposition, and I was the deputy leader. We had invoked(Interruptions)

SHRI VINAY KATIYAR : They had vitiated the atmosphere in similar manner.(Interruptions)

MR. DEPUTY SPEAKER : You are vitiating the atmosphere of this place.

.....(Interruptions)

SHRI BENI PRASAD VERMA : If they do not allow us speak, then how will their leaders speak.....(Interruptions)

SHRI VINAY KATIYAR : At that time they were partners. They had sinister alliance, as they ordered the firing they were involved in the demolition of structure and now they are blaming us.(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Katiyar, please resume your seat.

.....(Interruptions)

[Translation]

MR. DEPUTY SPEAKER : Shri Choubey, you are the senior Member. If unparliamentary expressions are spoken, I will ask them to withdraw. Why are you mentioning it ?

.....(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Katiyar, this is too much. Please resume your seat. I want your whip to prevail on you. What is this? How to conduct this House ?

[Translation]

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, they will speak whatever they want to say. They ordered the firing, they were involved in the demolition of structure, and we are being blamed for this, how will this go on.(Interruptions) Is this discussion being held on Babri Mosque and Ayodhya ? Will they speak whatever they want ?

MR. DEPUTY SPEAKER : If there is any unparliamentary expression it will be expunged. What for I am sitting here ?

[English]

Shri Ramdas, please resume your seat.

[Translation]

You too will get the chance. Mr. Katiyar, please resume your seat. How will this go on?

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, we are sitting, we may also be given an opportunity to speak.

SHRI BENI PRASAD VERMA : Mr. Deputy Speaker, Sir, we are surprised, the people who claim to belong to disciplined party, have no patience to listen.(Interruptions) It is against the dignity of the House. When I am speaking with your permission, they are interrupting. Sir, this type of atmosphere was created in 1986. Shri Mulayam Singh Yadav was the opposition leader and I was the deputy leader. Shri Mulayam Singh Yadav was compelled to ask the party workers of Lok Dal that they should not hesitate in shedding their blood to stop the Ram Janaki Rath, which was spreading the poison of communalism in the country.(Interruptions)

DR. VIJAY KUMAR MALHOTRA (SOUTH-DELHI) : Mr. Deputy Speaker, Sir, on what subject he is speaking. The question is of Pope's visit, he should speak on this, but he is speaking on Ram Rath Yatra.(Interruptions)

Is the subject of today's discussion the Ram Rath Yatra ?

[English]

Why should he divert the issue ?

[Translation]

SHRI LAL MUNI CHAUBEY (BUXAR) : He is speaking on the past.(Interruptions)

MR. DEPUTY SPEAKER : Shri Chaubey, you are a very senior Member. You may please sit down.

[English]

DR. VIJAY KUMAR MALHOTRA : How can he talk about this ?

[Translation]

SHRI ANANT GANGARAM GEETE : Mr. Deputy Speaker, Sir, are they taking the name of our Hindu diety with respect, are they taking the name of Lord Ram with respect.(Interruptions) How can they talk like this ? Whether his name is taken with the respect ?

[English]

MR. DEPUTY SPEAKER : It is a sensitive issue. I request the hon. Members that they should be very careful in choosing their words. These are emotional matters. Therefore, kindly see that you confine yourself to the subject without bringing any extraneous matter into it.

SHRI BENI PRASAD VERMA : I am very alert.

[Translation]

As I have said earlier, we are on the threshold of 21st century. Secularism should not be a mere word in our constitution, but should be implemented. So. Both ruling party and opposition parties should be aware of this. If some people think that minorities are called so, because they are less in number than Hindus, I would like to tell them that population of Muslims in India is going to be more than any other country of the world. Indonesia will also be left behind. We have learned from Dr. Lohia that the minorities, whether they are Parasi, Muslims, Buddhist or even Hindus, where Hindus are in minority, the Muslims should risk their lives to protect them.

In the same way where Hindus are in majority and Muslims in minority, there Hindus should lay their lives to protect their Muslim brethren.(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Verma, please conclude.

[Translation]

SHRI BENI PRASAD VERMA : Christians are also in minority in our country and they have been through several tragic incidents. Pope John Paul is visiting our country and it is really sad that some organisations like RSS and Vishwa Hindu Parishad which are related to the ruling party are creating atmosphere against him.

It seems that today the same atmosphere is being created in the country which was created during 1986 to 1992. I feel that it should not be permitted. We will lay our lives to protest against the 'Yatras' being undertaken for it. We will not let it go on as it will put a question mark on statutory provision of secularism. I, therefore, request you to direct the Government from this chair to impose ban on 'Yatras' being undertaken against the visit of Pope. I want the Government to take stringent action against it and give assurance to the House.

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, the organisations whose representatives are not in the House are being blamed. The issue of 1992 has been discussed here. I do not want to raise the issue of Ayodhya but several hon'ble Members have referred to it. I would like to say that at that time, Shri Mulayam Singh was Chief Minister, whose party came to power with the support of the congress party. Narsimha Raoji was the head of government at centre. Can congress deny its responsibility ? The structure of the Masjid continued to be demolished even six hours after resignation of hon'ble Chief Minister. Can congress deny its responsibility ?(Interruptions) Mr. Deputy Speaker, Sir, we are not against the visit of Pope. He is welcome if he comes here as head of the state. It has been convention of our country to pay respect to foreign dignitaries as guest. V.H.P. and RSS do not oppose that. But some points need clarification. Recently.....

MR. DEPUTY SPEAKER : What do you want from the Government.

SHRI VINAY KATIYAR : I am expressing my own view and not government's view on it. I am expressing my views as an M.P.

MR. DEPUTY SPEAKER : What should be done by the Ministry of Home Affairs. Please tell that.

SHRI VINAY KATIYAR : I would like to submit that. Pope should give some clarification. Last time, Pope came during the regime of Shri Rajiv Gandhi and a programme of initiation was arranged at his residence. 12 thousand persons have been killed in eastern region during last 15 years. Mr. Deputy Speaker, Sir, you had been Minister of state in the Ministry of Home Affairs and in these circumstances, Pope should give clarification to the people of country.

[English]

SHRI VAIKO (SIVAKASI) : Sir, we are totally opposed to the view that the Pope should clarify this.

SHRI MANISHANKAR AIYAR : We congratulate Shri Vaiko.(Interruptions) It is shocking.(Interruptions)

[Translation]

SHRI VINAY KATIYAR : Terrorists are being financed. Would he give clarification about it?

[English]

SHRI VAIKO : Sir, I would like to place on record my point of view on this issue.

[Translation]

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, we are not against Pope but against his policies. People of our country are tolerant and generous. We are not against any religion.

[English]

MR. DEPUTY SPEAKER : Shri Yerrannaidu.

(Interruptions)

[Translation]

SHRI VINAY KATIYAR : I am concluding my speech in one minute. Mr. Deputy Speaker, Sir, I would like to say that some Members deliberately try to provoke the people of the country.(Interruptions)

[English]

MR. DEPUTY SPEAKER : Nothing will go on record except Shri Yerrannaidu.

....(Interruptions) *

SHRI K. YERRANNAIDU (SRIKAKULAM) : Mr. Deputy Speaker, Sir, it is a sensitive and emotional issue. Hon. Chief Minister of Andhra Pradesh Shri Chandrababu Naidu wrote a letter to Shri Vajpayee to maintain communal harmony in this country. It is the duty of the House to maintain communal harmony. We are entering into a new millennium.

So, the Government should take all precautionary steps not to disturb the communal harmony in this country. Our Constitution respects and loves all the religions in this country.

I once again request that the Government should tell us as to what steps it is taking for the peaceful visit of John Pope Paul in this country and for maintaining communal harmony in the country.

SHRI MANI SHANKAR AIYAR : Should the Government repudiate what has been said by Shri Vinay Katiyar from the back benches ? Can Shri Advani set aside the fact of having a man like Katiyar ?(Interruptions)

MR. DEPUTY SPEAKER : Shri Ramesh Chennithala, please take your seat. We have to hear the hon. Home Minister now.

....(Interruptions)

SHRI RAMESH CHENNITHALA (MAVELIKARA) : Sir, I will take only one minute.....(Interruptions)

MR. DEPUTY SPEAKER : Now, let us hear the hon. Minister.

....(Interruptions)

SHRI RAMESH CHENNITHALA : Sir, I will take only one minute. I have also given a notice under Rule 193 (Interruptions) Mr. Deputy Speaker, Sir, this is a historic occasion, and it is very unfortunate to note(Interruptions)

SHRI VAIKO : Sir, they have made their points. We want to hear the hon. Home Minister now.(Interruptions)

MR. DEPUTY SPEAKER : I have already called the hon. Home Minister.

....(Interruptions)

SHRI RAMESH CHENNITHALA : Sir, I will take only one minute. Please allow me to make my point.

MR. DEPUTY SPEAKER : All right. But within one minute you have to conclude.

SHRI RAMESH CHENNITHALA : Yes, Sir.

Sir, the visit of Pope John Paul-II is a historic occasion. But it is very unfortunate to note what the hon. Member Shri Vinay Katiyar has stated. I think, if this is the attitude of the BJP and the Government, it is very unfortunate(Interruptions)

MR. DEPUTY SPEAKER : What do you want from the Government ?

SHRI RAMESH CHENNITHALA : Sir, the Government should come forward with a statement. Earlier also, John Paul-II had visited this country. He is the religious leader of the Christian community of the world. He is a saint head of a State. India had given a warm welcome to John Paul-II. But it is unfortunate to note that the BJP and the Sangh Parivar have created a vicious atmosphere in the country.

MR. DEPUTY SPEAKER : Shri Chennithala, what do you want the Government to do ?

SHRI RAMESH CHENNITHALA : Sir, I request the hon. Minister to give a statement so that we have a peaceful visit of John Paul in this country.....(Interruptions)

MR. DEPUTY SPEAKER : Shri Ramdas Athawale, please take your seat. Now, let the hon. Home Minister reply. Please understand, we have a number of items to go through. So many Bills are to be taken up. Kindly cooperate. Tomorrow also, you will get the opportunity.

* Not Recorded.

THE MINISTER OF HOME AFFAIRS (SHRI L.K.ADVANI): Sir, it has been very rightly pointed out by several Members of the House that His Holiness Paul John is not only the revered Head(Interruptions)

SHRI MANI SHANKAR AIYAR : If the Home Minister cannot take his name properly.....(Interruptions)

SHRI L.K. ADVANI : I stand corrected, Shri Manishanker Aiyar – His Holiness John Paul-II. He is not only the revered head of a great religious community but he is also Head of the State, Vatican which is duly recognised by the Government of India. And, it is on the invitation of the Government that he is coming to India next month. Therefore, any references particularly in the House that are not respectful, I will plead with you, those should be removed from the proceedings.(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : No.(Interruptions)

SHRI L.K. ADVANI : Please let me complete.(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : They have burnt the effigy of Pope John Paul-II(Interruptions)

MR. DEPUTY SPEAKER : Please hear him.

SHRI MANI SHANKAR AIYAR : They have burnt the effigy of Pope John Paul.(Interruptions)

MR. DEPUTY SPEAKER : He is on his legs. Let him finish first.

.....(Interruptions)

SHRI L.K. ADVANI : Sir, I do not propose(Interruptions)

MR. DEPUTY SPEAKER : Hon. Members, please resume your seats.

SHRI N.N. KRISHNADAS (PALGHAT) : The Home Minister should condemn the burning of his effigy.

MR. DEPUTY SPEAKER : Shri Krishnadas, do not interrupt now. Let him complete.

.....(Interruptions)

MR. DEPUTY SPEAKER : Nothing will go on record.

.....(Interruptions) *

SHRI L.K. ADVANI : In the course of today's discussion, several observations were made this side and that side which had nothing to do with the issue we are discussing and, therefore, I do not propose to comment on them at all.(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : I seek your protection. In front of the Home Minister's Office, the effigy of Pope Paul was burnt by the VHP activists. It came in *The Hindustan Times*. Will the Home Minister take cognizance of it, condemn it and arrest them? You say "I am not going to comment on that". You say you do not take cognizance of the observation.

SHRI L.K. ADVANI : I have not yet completed.(Interruptions)

MR. DEPUTY SPEAKER : Shri Basu Deb Acharia, during the 'Zero Hour', when a matter is referred, the Government reacts after discussion.

.....(Interruptions)

SHRI MANI SHANKAR AIYAR : If it is a comment on the observations made by Shri Vinay Katiyar, does he or does he not repudiate? If he does repudiate, why allow a man like Shri Vinay Katiyar to sit behind him on his own bench?

[Translation]

SHRI VINAY KATIYAR : Mr. Deputy Speaker, Sir, I have not said anything like what Mr. Mani Shankarji is saying.

SHRI KANTILAL BHURIYA (JHABUA) : Mr. Deputy Speaker, Sir, the state of mind of Katiyarji has been in such a position.....(Interruptions)

[English]

SHRI MANI SHANKAR AIYAR : We cannot forget that Shri L.K. Advani and Shri Vinay Katiyar conspired to destroy Babri Masjid. I do not know if there is a link between Shri L.K. Advani and Shri Vinay Katiyar. That is why, I want the Home Minister to repudiate what Shri Vinay Katiyar has said. I seek the expulsion of Shri Vinay Katiyar from this House if he has expressed the kind of sentiments.(Interruptions)

MR. DEPUTY SPEAKER : Nothing will go on record except the Home Minister's statement.

.....(Interruptions) *

MR. DEPUTY SPEAKER : Shri Mahameghabhan Aira Kharabela Swain, I am on my legs.

.....(Interruptions)

MR. DEPUTY SPEAKER : Hon. Members, I am on my legs.

.....(Interruptions)

MR. DEPUTY SPEAKER : You are a senior Member. You should at least know that during the 'Zero Hour' when there is

any matter referred here, the Government reacts. It is not a detailed discussion or reply. Hon. Members should not get up every now and then and ask for detailed explanation on the reply.

.....(Interruptions)

MR. DEPUTY SPEAKER : Please hear me first and then if you have any clarification, you can ask.

SHRI L.K. ADVANI : Pope John Paul II is the revered guest of this country and the Government of India condemns any burning of the effigy. It disapproves of any protest action against the arrival of Pope John Paul.(Interruptions)

Sir, I am very categorical, I have stated it earlier also.(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : The effigy was burnt in front of the Office of the Home Minister. Why did you not take cognizance of it ? Why did you fail to arrest them ?(Interruptions)

SHRI L.K. ADVANI : If there is any burning of any effigy, I do not know about it.(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : Mr. Deputy Speaker, Sir, the Home Minister says that he does not know about it. He says, he does not know that effigies have been burnt. I wonder how he does not know it !(Interruptions)

SHRI MANI SHANKAR AIYAR : They did not know that the Pakistanis were in Kargil and that the VHP was in his Office. What a completely incompetent Government !(Interruptions)

SHRI L. K. ADVANI : I am very categorical.(Interruptions) The Government's stand is categorical.(Interruptions)

MR. DEPUTY SPEAKER : Did you hear him ? He has very categorically stated the Government's stand.

.....(Interruptions)

MR. DEPUTY SPEAKER : He has made a categorical statement. Why are you interrupting ?

.....(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : We are not interrupting. I am only making a submission.

MR. DEPUTY SPEAKER : Why are you interrupting ? You are not in a position to listen to what the hon. Minister of Home Affairs has said.

.....(Interruptions)

SHRI PRIYA RANJAN DASMUNSI : He does not know that it has happened. If that is the position of the Home Minister, we are helpless. The effigy was burnt in the lawns of his Office. It has appeared in the *Hindustan Times*. He does not take cognizance of it. This is the Home Minister's reply..... (Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV : Mr. Deputy Speaker, Sir, I am on point of order.(Interruptions)

[English]

MR. DEPUTY SPEAKER : Now, there is a point of order from Shri Mulayam Singh Yadav.

[Translation]

SHRI ANANT GANGARAM GEETE : How point of order can be allowed in Zero Hour.....(Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Mulayam Singh Yadav, you are on a point of order under what rule ?

.....(Interruptions)

MR. DEPUTY SPEAKER : You have to quote the rule.

During Zero Hour, there is no point of order.

.....(Interruptions)

MR. DEPUTY SPEAKER : There is no point of order in Zero Hour.

.....(Interruptions)

SHRI MANI SHANKAR AIYAR : Mr. Deputy Speaker, Sir, I want to make only two points. First, I want the Home Minister to repudiate what has been said by Shri Vinay Katiyar. (Interruptions) The second point that I want to make is, is it not true that Shri Advani and Shri Katiyar had conspired to destroy the Babri Masjid ?(Interruptions)

SHRI PRAKASH PARANJPE (THANE) : Is he Mani Shankar Aiyar or Mani Shankar Augustine ?(Interruptions)

MR. DEPUTY SPEAKER : Now, let us take up matters under rule 377.

12.40 hrs.

MATTERS UNDER RULE 377

(i) Need for early regularisation of unauthorised colonies in National Capital Territory of Delhi.*[Translation]*

SHRI LAL BIHARI TIWARI (EAST DELHI) : Mr. Deputy Speaker, Sir, the previous government of Delhi had sent a proposal for approval to the union government for regularisation of 1071 unauthorised colonies. But the then union government did not give approval to it. In absence of approval to this proposal, 20 lakh people living in these colonies are facing a lot of problems. These colonies lack civic amenities.

Therefore, through you, I would like to make a submission to the union government that these colonies should be regularised at the earliest.

(ii) Need to improve telephone services in Morena-Sheopur district of Madhya Pradesh.

SHRI ASHOK ARGAL (MURENA) : Mr. Deputy Speaker, Sir, Ninety five percent PCOs are lying out of order in MARR rural area of Morena-Sheopur district of Madhya Pradesh. So far no steps have been taken by the Department of Telecommunication to get them repaired.

Therefore, I request the union government to get the defunct telephone repaired in the entire parliamentary constituency and appropriate measures should be taken to clear the waiting list for telephone connections.

(iii) Need to look into the problems of Sugarcane growers in Bahraich District of U.P.

SHRI PADAM SEN CHOUDHRY (BAHRAICH) : Mr. Deputy Speaker, Sir, the owner of Sibhauri Sugar and Chemicals mill located at Chilwariya in Bahraich district of Uttar Pradesh has closed down the sugarmill after last crushing season of sugarcane. As a result the arrear of sugarcane of farmers is lying unpaid. The farmers are in great trouble as they are unable to make arrangements for purchase of fertilizer and seeds for the rabi crop. The present crop of sugarcane of farmers falling under jurisdiction of this mill may dry if it is not transferred to Nanpara and Balrampur sugarmills.

I, therefore request you to make arrangements for payment of the due arrears to farmers and for crushing of the present crop of sugarcane.

(iv) Need to ensure payment of dues to sugarcane growers in Deoria District in U.P.

SHRI PRAKASH MANI TRIPATHI (DEORIA) : Mr. Deputy Speaker, Sir, the Gauri Bazar, Kathkuian, Padrauna and Sardarnagar sugarmills have not made payment to sugarcane growers of Deoria parliamentary constituency and Deoria dis-

trict of Uttar Pradesh for the sugarcane sold by them to the above mentioned sugarmills. The said outstanding amount is lying with them for the last 2 to 4 years. The sugarmills there are no functioning properly. All these mills are in private sector now. Gauri Bazar, Kathkuian and Padrauna sugarmills were under B.I.C. earlier but now these have been sold to private sector. At the time of handing over these sugarmills to private sector it was stated that it was being done to facilitate the payment of arrears to farmers but so far no payment has been made. Farmers are in pitiable condition because economic activities of this area solely depend on cultivation of sugarcane. The government decides as to sugarcane crop of which particular area would be allocated to which sugarmill. Farmers sell their crops with the hope of getting payment for it and hope that government will take appropriate action if payment is not made. It seems that government is shirking its responsibility in this matter.

I have drawn the attention of the state government towards this problem, but they have given a plea that these mills are under Textile Ministry or under private sector. Hon'ble Prime Minister has also been apprised of this problem and he has made an announcement on 25th September in Deoria that it was a serious problem which would be solved.

I would request that a task force should be constituted to solve this problem specially the problem of payment of sugarcane arrears to farmers of Deoria and Kushinagar in eastern region of Uttar Pradesh.

(v) Need to take suitable measures for proper maintenance of National Highways in the country, particularly in Bihar*[English]*

SHRIMATI SHYAMA SINGH (AURANGABAD) : I would like to draw the attention of the Government to the appalling condition of the highways, both national and the State of Bihar, which on the one hand bring untold miseries to our people and on the other negate the so-called liberalisation and development.

The recent rise in diesel price is a direct consequence of the neglect of the road section. It may be fashionable or even sound economics not to subsidize consumption any longer. However, it must not be forgotten that India is a country moving from a socialist economy to a free market economy and adequate care must be taken to lessen the burden on the common man. Diesel consumption in India for every ten kilometer of goods movements is the highest in the world. This only means that if road conditions had been good, a much lesser number of trucks consuming a much lesser amount of diesel would have been able to move the same amount of goods much safer and quicker.

The Government should pay more attention to proper maintenance of National Highways. The hold up of traffic at check post is something which encourage corruption. This method must be made to stop. All impediments in the imple-

mentation of highway development should be removed. Quality of good roads is an essential part and maintenance is very important. Close monitoring and highest standard of work needs to be done. Goods movement through heavy vehicles benefits the common man, essentials must reach them fast.

I would request the Minister of Surface Transport, since he belongs to the State of Bihar, to take note of the appalling conditions of the National Highway-I and take adequate measures to remedy the situation.

MR. DEPUTY SPEAKER : I have to go out for a short while. If the House agrees, Shri Yerrannaaidu may occupy the Chair.

12.46 hrs.

(SHRI K. YERRANNAIDU *in the Chair*)

(vi) **Need to include Kerala, particularly the district of Palghat, in Crop Insurance Scheme**

SHRI N.N. KRISHNADAS (PALGHAT) : The State of Kerala is a food deficit State. Now the State is striving hard to increase its paddy production at all levels by giving assistance to the farmers. The District of Palghat in Kerala is an important paddy producing centre. But in Kerala due to the increasing cost of production and natural calamities the paddy farmers are in acute crisis. So, the Central assistance for the paddy farmers is an essential requirement in Kerala. The Project of the "Crop Insurance Scheme" being implemented by the Union Government will be helpful for the farmers. But the State of Kerala is totally excluded from the project.

So, I would urge upon the Government to take immediate and necessary steps to include the State of Kerala especially the district of Palghat in the project of the "Crop Insurance Scheme" implemented by the Union Government.

(vii) **Need to connect Azamgarh (UP) with major cities in country by train and also provide computerised reservation service there**

[*Translation*]

DR. BALIRAM (LALGUNJ) : Through you, I would like to draw the attention of the Government towards the Azamgarh Railway Station of Uttar Pradesh. Earlier this station was connected with meter gauge line. In 1996, it was converted into broadgauge and later on computerised reservation facility was made available there. But till date no train has been introduced from this station for Calcutta, Mumbai, Delhi, Madras and Jammu stations. Besides computers have not been linked with all the stations and the facility of booking return tickets is also not available here.

Banarsi sarees are manufactured in Mubarkpur, adjacent to Azamgarh railway station and are being exported for foreign countries. People of nearby Mubarkpur, Chiraiyacoat, Kharihani, Mehnagar, Bindrabazar, Lalgunj, Mhammadpur,

Rani ki Sarai, Thekma Bazar, Barhad etc. earn their livelihood by selling sarees in the country as well as in other countries. It has increased the importance of Azamgarh Station. However, in the absence of any attention being paid by the Government to this area, people including weavers, traders and service class have to face a lot of difficulties.

Therefore, I request to Central Government to introduce trains from Azamgarh Station to Mumbai, Calcutta, Delhi, Madras, Jammu and other cities. Moreover, to and fro computerised reservation facility for all stations should be made available at this station.

(viii) **Need to start shuttle service between Arakkonam and Kathpadi Railway Stations and to lay railway line between Kathpadi and Villipuram in Tamil Nadu**

[*English*]

DR. S. JAGATHRAKSHAKAN (ARAKKONAM) : The railway line between Arakkonam and Kathpadi is one of the busiest lines and a lot of commuters travel daily between Arakkonam and Kathpadi. But there is no EMUs or Shuttle Service between these stations despite public demand for a long time.

Similarly, a railway line is most urgently needed between Kathpadi and Villipuram via Aroct and Cheyyar and, therefore, a survey is required to be made for a broad gauge railway line between Kathpadi and Villipuram via Aroct and Cheyyar.

I would, therefore, urge upon the hon. Railway Minister to introduce Shuttle Service between Arakkonam and Kathpadi and order a new railway line for Kathpadi and Villipuram.

(ix) **Need to sanction adequate funds for comprehensive drinking water scheme for Rasipuram parliamentary constituency in Tamil Nadu**

DR. V. SAROJA (RASIPURAM) : There is acute water scarcity in my constituency, Rasipuram in Tamil Nadu. Water scarcity is more prominent in Namakkal Town and nearby villages. There are many hills and hillocks in my constituency. The people in my constituency suffer a lot for want of potable water. They have to purchase water daily. Majority of population in my constituency live below poverty line and as such are not in a position to afford to purchase water. Namakkal is the district headquarters. There are many small and big industries. But there is no proper water scheme here. The existing water scheme is not at all sufficient to meet the demand. Hundreds of housing units have been constructed without making any provision for drinking water.

I, therefore, urge upon the Central Government to sanction and allot adequate funds for a comprehensive drinking water scheme covering Namakkal Town and nearby villages in my constituency immediately.

(x) Need to grant special package for all-round development of naxalite infested areas in Bihar

[Translation]

SHRI RAM PRASAD SINGH (ARRAH) : Mr. Chairman, Sir, Bhojpur, Jahanabad, Aurangabad, Gaya, Chatra, Palamu and Rohtas districts of Bihar are turning into terrorist infested areas which is a challenge for the Government and the humanity. Earlier, this area used to be a symbol of peace and prosperity but today it has become a symbol of violence and terrorism. The main reason behind it is the lack of development undertaken by the union government in this region. Some private industries like Rohtas Group of industries, Japla Cement factory and Banzari Cement factory were working there earlier but these have been closed now. The only industry – P.P.C.L. running with the government aid, is also on the verge of closure. The condition of agricultural labourers and farmers has also deteriorated. Educated youth are not getting employment. People there are distressed due to worsening of their economic condition. Many terrorist groups like M.C.C. and people's war group etc. have become active there because of illiteracy, unemployment and deteriorating condition of the agriculture.

Therefore, I request the union government to provide assistance under the special economic package for the all round development of the area. It will help to create jobs for the unemployment youth, promote agriculture and to revive the industrial units and also to help and save the misguided youth and people of the area.

(xi) Need to review order issued under the Jute Packaging Materials (Compulsory use in Packing Commodities) Act, 1987 to ensure compulsory use of Jute Bags in packing cement, foodgrains, sugar and urea.

[English]

SHRI SANAT KUMAR MANDAL (JOYNAGAR) : The Minister of Textiles, Government of India has recently issued an order bearing no. S.O. 1076(E) dated 15.12.1998, diluting the statutory reservation orders issued under the Jute Packaging Materials (Compulsory Use in Packing Commodities) Act, 1987 for the compulsory use of jute bags in packing cement, foodgrains, sugar and urea.

The Government of India's decision to dilute the statutory reservation orders would result in very large loss of market for Jute products. The estimated loss in case of fertilizer (urea) alone will be of the order of 72,000 metric tonnes per year. The eventually loss in case of sugar industry, will be of the order of over 2,00,000 metric tonnes of jute bags a year. The cement industry which had virtually abandoned the use of jute bags for packing cement have been excluded altogether from the ambit of the aforesaid Act. All this will virtually cripple the jute industry.

As the very existence of the jute industry is at stake, I urge upon the Government to reconsider its decision so that the *status quo ante* is maintained and appropriate steps are initiated for strict enforcement of the order.

(xii) Need for early doubling of railway line from Shornur to Mangalore and Shornur to Calicut

SHRI K. MURALEEDHARAN (CALICUT) : Though the work to double Railway line from Shornur to Mangalore is going on, the progress of work is not up to the mark. The construction of several Railway bridges like Kallai, Moorad (Vadakara), Mahe etc., has not yet been started. The work of the bridges at Korapuzha, Thalassery etc., has not been completed yet.

There are several over-bridges in Kozhikode, Kannur and Kasargode districts to be constructed for the smooth traffic through the N.H. 17. It is learnt that the land acquisition process for the construction of over-bridge at Chorode Railway Gate in Vadakaa in Kozhikode district has been completed. But, the construction of the bridges has not yet been started. The proposal for the construction of this over bridge is pending for the last several years. Completion of doubling of the Railway line from Shornur to Calicut within a short period is absolutely essential for fast moving of the trains and operating more train services in Malabar area for which efforts from Government side are necessary.

[English]

MR. CHAIRMAN : The House shall now take up Constitution (Eighty-fourth Amendment) Bill, 1999 (Amendment of article 334). Shri Ram Jethmalani.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF WATER RESOURCES (SHRI PRAMOD MAHAJAN) : I would like to make a request because this is a Constitution Amendment Bill for which we will need the presence of Members. It is not a controversial Bill; every section of the House will support it. But, if we can fix up a time for voting, then we can inform the Members, so that they can come for voting at the appropriate time and this can be passed today in Lok Sabha. We have to pass it in the Rajya Sabha also and then send it to half of the State Assemblies in the country before 25th of January. So, if we can fix up the time for voting, then we can inform the Members, so that they can be present.

MR. CHAIRMAN : Will three hours be sufficient ?

SHRI KODIKUNNIL SURESH (ADOOR) : We want five hours.

MR. CHAIRMAN : It has to be passed in the House and sent to Rajya Sabha. Three hours are sufficient.

SHRI KODIKUNNIL SURESH : We want more discussion, we want more time. At least we want five hours.

SARDAR BUTA SINGH (JALORE) : My humble submission is that we are all with the contents of this Bill. There is no problem. Since the matter is so serious as it concerns the lives of crores and crores of Indians and the hon. Speaker has made it very clear that full discussion will take place – I agree that the time should be fixed for voting – it should not be three hours, let it be at least four hours, so that everybody is able to participate(*Interruptions*)

SHRI PRAMOD MAHAJAN : I do not mind three hours, four hours, five hours or ten hours. My problem is that at 4 o'clock we have another discussion on the flood situation. That cannot be postponed. According to the agenda it has to come at 4 o'clock. Then it will continue till the rise of the House. Please try to understand, if it is not passed today, then I am left with only one day in the Rajya Sabha. We have to pass it in the Rajya Sabha also in this session because it has to go to half of the Assemblies in the country. We have to give enough time for the Assemblies to pass it. In the interest of this Bill to become a constitution amendment before 25th January, I am begging for less time for discussion. I am not against any kind of a discussion. If the House thinks that the flood situation is not to be discussed, it is in the hands of the House. The allotted time for this discussion in the Leaders' Meeting where every leader was present was three hours. Now it is 1 o'clock. We will get three hours and at 4 o'clock we can have the voting.

MR. CHAIRMAN : Okay.

SARDAR BUTA SINGH : If the ruling party does not want to field its speakers, we do not mind it.

SHRI PRAMOD MAHAJAN : What is the time for voting?

SHRI KODIKUNNIL SURESH : As far as reservation for Scheduled Castes and Scheduled Tribes is concerned, we want to express a lot of things.

MR. CHAIRMAN : All right. Four hours are allotted for discussion. Voting will take place at the time of fifth hour.

SARDAR BUTA SINGH : We do not mind the voting. They can have it any time they want.

SHRI PRAMOD MAHAJAN : Can the discussion on flood situation be postponed ?

SHRI BRAJA KISHORE TRIPATHI (PURI) : There are many States which are severely affected by cyclone. How can it be postponed ? Then there will be no scope for discussion in the House.

SHRI PRAMOD MAHAJAN : I am caught between the discussion on cyclone and the Constitution Amendment Bill. I do not know which way to go.

SHRI KODIKUNNIL SURESH (ADOOR) : We can sit in the night for voting.

SARDAR BUTA SINGH : You can fix the time for voting.

SHRI PRAMOD MAHAJAN : You cannot have voting unless the discussion is completed.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL) : Extension of reservation for Scheduled Castes and Scheduled Tribes has to be done through an amendment to the Constitution. I will submit before the House that we have many things to add before we pass this Bill. The Chair may kindly note that we were speaking even at that time that only ten years were required for the improvement of Scheduled Castes and Scheduled Tribes. But we have passed amendments five times. This is the sixth time that we are required to pass an amendment.

13.00 hrs.

Why such a delay ? We will have to discuss those matters and I hope that at least in the next millennium, there will not be any amendment to this Act.....(*Interruptions*)

MR. CHAIRMAN : It is not necessary for everyone to participate. Mr. Radhakrishnan, yesterday, we had discussed this point in the Leaders' Meeting and had decided it as three hours. Mr. Buta Singh requested for four hours time. But today, there is another important business regarding the natural calamities in West Bengal, Andhra Pradesh, Bihar and Orissa.

SHRI VARKALA RADHAKRISHNAN : My humble submission is, it is the fundamental right of a Member to ask for a discussion.

MR. CHAIRMAN : It is all right. The importance of the early passage of this Bill has been explained by the Minister for Parliamentary Affairs in the House. Kindly cooperate with the Chair. So, we have decided it as four hours and voting would be at 5 p.m.

.....(*Interruptions*)

SHRI BRAJA KISHORE TRIPATHI : Will the discussion under Rule 193 be take up at 5 p.m. ?

MR. CHAIRMAN : It will come up afterwards.

SHRI BRAJA KISHORE TIRPATHI : I have a suggestion to make. The discussion under rule 193 may start at 4 p.m. and after 6 p.m., we can again take up this Constitution Amendment Bill. There is no difficulty in it. We can continue till 4 p.m. now and then start the discussion under Rule 193. After 6 p.m., we may have enough time to discuss the Constitution Amendment Bill. It is only a suggestion(*Interruptions*)

MR. CHAIRMAN : But after discussion, it will come for voting and then we will take the important issue of natural calamities.

SHRI BRAJA KISHORE TRIPATHI : Then, will the discussion under Rule 193 be taken up at 5 p.m. ?

MR. CHAIRMAN: Yes.

.....(Interruptions)

13.02 hrs.

CONSTITUTION (EIGHTY-FOURTH AMENDMENT) BILL
(Amendment of article 334)

[English]

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) : Sir, I beg to move :

"That the Bill further to amend the Constitution of India, be taken into consideration."

While moving this Eighty-fourth Constitution (Amendment) Bill, I must confess....

SARDAR BUTA SINGH (JALORE) : Is it Eighty-fourth amendment ?

SHRI RAM JETHMALANI : It is Eighty-fourth Amendment Bill but when it becomes a law, it will become Seventy-ninth constitutional amendment. Therefore, we have also to simultaneously move an amendment.

There are two things which I have been considering which might eliminate a long discussion today. In fact, the matter is very important. The hon. Member said that the original expectation of those who made our Constitution was that we would be able to create a level-playing field for all sections of the society within the first fifteen years. But we had to come before the House every ten years or 15 years to make a confession of failure. I had been thinking that I should informally call all Members who represent the Scheduled Castes and Scheduled Tribes in both the Houses, not for a four hour discussion, but for a three-day convention when every single issue including those issues which require legislation and which do not require legislation would be discussed threadbare and we must draw out a plan.

I propose, with a little encouragement from hon. Members present, that this Convention should be held sometime before the commencement of the Winter Session.

Second, a Report is expected from the Commissions which deal with the working of our system of reservations and the measures for the improvement of the destiny of the Scheduled Castes and the Scheduled Tribes. When that Report is presented to the House, we can use that occasion for a further discussion on the floor of the House which discussion will be a more informed discussion because for two or three days outside the House we would have discussed these problems. However, Sir, these are matters which I leave to the hon. Mem-

bers. Formally or informally, everybody can get in touch with me. You can arrest me if you like. I am willing to sit down with all of you and discuss what should be done.

So far as the present measure is concerned, I must confess that I am moving this motion with mixed feelings of pain as well as to some extent pleasure. My pain arises out of the fact that there has been a total failure. Maybe the words "total failure" are a slight exaggeration. But there has been a substantial failure in fulfilling the expectations of Dr. Ambedkar and that brilliant galaxy of Constitution makers that sat with him.

The Constitution makers did envisage the indignities and the cruelties that had been perpetrated upon one section of society by another section. The Constitution did decide very consciously that special steps would have to be taken to create a level playing field, that we would have to neutralise the damage and the disability that has been caused by centuries of persecution. But the pain arises out of the fact that the Constitution makers expected a speedy change in the life standards and the method in which society deals with these somewhat downtrodden sections of society within fifteen years. But the pleasure arises out of the fact that at least our commitment to the goals which Dr. Ambedkar and that galaxy set before us has not been diluted and every section of this House is agreed that special measures have to be kept in tact and not only kept in tact but must be strengthened much more than they have hitherto been strengthened because we must now make a solemn resolve that we will achieve within the next ten years what we have failed to achieve during the last fifty years. This may sound a little utopian. This may sound a little too optimistic. But unless we put our shoulders to the wheel altogether, we utilise all our material, moral and spiritual resources in this great cause, I think my future successor Law Minister will have again to appear before this House and say that we have failed to achieve the objects and we should extend it for another ten or fifteen years. I wish to avoid this happening to any successor Law Minister of the future.

The Bill is essentially non-controversial. The fact remains that the necessity which created article 334 in the Constitution has not ceased to exist. We are all agreed upon it. Therefore, this period of fifty years, which is expiring within a period of few days, has got to be extended. Therefore, there is really no controversy. Whatever you are going to speak today will lend nothing by way of opposition to the basic proposition which I am asking the House to accept. It will have to deal with other subsidiary matters which include the main questions: Are the reservations the only solution of the problems with which we are grappling ? What are the other steps and measures which we have to adopt ? How has the mindset of the society in general to be changed so that there must be an internal feeling of brotherhood, equality and dignity for all ? All these are grave problems. But all those problems and your comments upon those problems will have nothing to do with the basic proposition in this Bill that let the reservations continue for ten years. Unless they continue for ten years, you will not have any opportunity even to think about the problems which you have in mind.

So far as I am concerned, I am here for this Bill. If the House wants to discuss it for four hours or five hours or till midnight, I am prepared to sit till midnight so long as we pass this Bill today itself so that I can take it to the Rajya Sabha tomorrow. So, it is for the House to decide now whether to have the voting at 4.00 p.m. or 5.00 p.m.

I suggest that let us unanimously pass this measure without any further discussion. But if the House wants to discuss it for three hours and some Members want to record their views, I will patiently sit here and listen to them with great respect. I know what Shri Rajesh Pilot is going to say. I can assure him in advance that what I anticipate he is going to say will be very respectfully and deeply considered by the Government. It will not only be considered by the Government, but myself and my colleagues in the Government, in conjunction with all the Members of the House who have the cause of the Scheduled Castes and Scheduled Tribes dear to their heart, will all meet, as I said, for a three day convention and we will hammer out the solutions. Whatever those solutions are, we will present them as unanimous resolutions to both the Houses of Parliament in the Winter Session of Parliament.

I thank you, Sir, and I have nothing further to say now.

SHRI RAJESH PILOT (DAUSA) : Mr. Chairman, Sir, when we had discussed this Bill last time, we had pointed out that these constituencies must be rotated. When we had gone round the country, the people of these constituencies complained that a particular constituency has been reserved for the last 50 years. We have to see whether the population of the Scheduled Castes or the Scheduled Tribes remains at the same level even now or the adjoining constituencies have more number of the Scheduled Castes or the Scheduled Tribes in the same district. So, rotation of these constituencies can take place. I think this point should be kept in mind by the Government.

SHRI RAM JETHMALANI : Sir, I have that in mind. The hon. Member can take it that we are conscious of that problem. That problem is, basically, a problem of delimitation which we will, certainly, consider very seriously, in great detail.

SHRI RAJESH PILOT : Thank you.

MR. CHAIRMAN : Since the Government has decided to convene a three day convention, I would suggest that instead of 5.00 p.m., we can have the voting at 4.00 p.m., so that the House can take up the discussion on natural calamities after this Bill is passed.

SHRI PRAVIN RASHTRAPAL (PATAN) : Mr. Chairman, Sir, the discussion in Parliament is more important than the convention outside Parliament.

MR. CHAIRMAN : It is only my suggestion. If the House agrees to this suggestion by consensus, we will have the voting at 4.00 p.m. Otherwise, we will have it at 5.00 p.m.

[Translation]

SARDAR BUTA SINGH (JALORE) : Mr. Chairman, Sir, the Constitution (eighty-fourth) Amendment Bill presented in the House is a mere formality, it is a routine matter. It would have been introduced in the last Lok Sabha, but that Lok Sabha could not survive, so the same has been introduced in this House. This bill itself shows that the commitments made to 30 crore scheduled castes and scheduled tribes through the constitution have not been fulfilled even after 50 years. We are pained to see their conditions as that has not changed even after 50 years. They are still being insulted and exploited as ever.

Mr. Chairman, Sir, the hon'ble Minister has stated that it is only one line amendment. It appears that there is not much to say in this regard, but contrary to that there is a limitless material for discussion in it. Now when at the tailend of this century, we have gathered here to pass this amendment, it is natural that we should reconsider the happenings of past half century. Its background does not start from the Constituent Assembly. As hon'ble Shri Ram Jethmalani has stated, that provision for amendments had been made in our Constituent Assembly.

However, he should be aware of the fact that the tradition of amendment was started in our country in 1926-27 when there was amendment for the reservation for all the communities. It included 22% reservation for 'Harijans' in Madras and Mumbai Presidency, 0.6% for Muslims, 0.7% for Christians, 12%, 38% and 13% for Hindus, Non-Brahmins, Hindus and Hindu Brahmins respectively. The policy of reservation has not started from today rather it dates back to the time of Britishers and finally, reverend. Dr. Baba Saheb Ambedkar adopted this policy for the amelioration of dalits and backward people. Earlier they were being exploited in the name of casteism prevailing in the society. Baba Saheb struggled against the British Government throughout his life to end all that. He fought against the communal forces present inside the country at that time. Shri Ram Vilas knows that in 1932 before independence a situation had arisen before father of the Nation Mahatma Gandhi when country was facing division in the name of communalism. At that time, under the leadership of Dr. Baba Saheb Ambedkar, dalits and exploited people emerged unitedly as a force. Gandhiji felt that the unity and integrity of the country was in jeopardy and to save the same he went on fast un-to-death at Pune. Leaders of all political parties of the country appealed to Baba Saheb Ambedkar and he compromised with Gandhiji and reached a political pact in the interest of unity and integrity of the country. Shri Jethmalani, it starts from there. Thereafter it was included in our Constitution to be enacted as a law. But it started in 1932 and the Pune pact which was signed in that year, has two aspects— It has been written in clause 6 of the Pune Pact—

[English]

"It provides that every endeavour shall be made to secure a fair representation of depressed classes in elections to local bodies and appointments to public services."

[Translation]

[Sardar Buta Singh]

Aspects like representation in the democratic bodies like Assemblies and Parliament, are not covered in the bill which has been introduced today in the House and as such it is not complete. Shri Jethmalani has suggested to call a conference. We are not against that conference but Shri Ram Vilas Paswan who is sitting on your right hand side had brought the solution of the issue 2-3 years ago in the form of an ordinance in the Parliament and in the cabinet. We request you that ordinance should be enacted as a Central Act immediately. There is no need to hold a conference. That ordinance covers all aspects. The Government, the judiciary and the bureaucracy have negated the provisions of that ordinance which deals with reservation policy. The 5 official memorandum of G.O.I. are against all the aspects of reservation policy. During the tenure of last Lok Sabha, on behalf of all the political parties including Bharatiya Janata Party, C.P.M., C.P.I., Congress, Samajvadi Party, Rashtriya Janata Dal and Janata Dal etc., 86 Members of Lok Sabha had given a memorandum to the hon'ble Prime Minister Shri Atal Bihari Vajpayee on 17th and 18th of March.

We all gave an unanimous memorandum which was signed by all and we were expecting that the hon'ble Prime Minister would bring forward in this session itself the ordinance promulgated by the Gujarat Government, for legislation which at present is gathering dust with the government. We were also expecting that the five official memoranda issued by the Government of India to give a blow to the reservation policy, will be withdrawn. Unfortunately this did not happen and after that when entire country was busy in Lok Sabha elections the Supreme Court of India passed two judgements which are very detrimental judgements. Any how I will not talk on this today. I humbly request the hon'ble Law Minister that there should be a comprehensive discussion on the judgements passed by all the High Courts and the Supreme Court regarding to reservation policy which are against the interest of adivasis and dalits. This is the route cause of this issue. Unfortunately this subject has been divided amongst three Ministries. The hon'ble President has allotted one Ministry by the name of allocation of business, one Ministry is under the Prime Minister. (Inter-ruptions)

KUNWAR AKHILESH SINGH (MAHARAJGANJ, U.P.) : Mr. Chairman Sir, it seems that the intention of the government is not clear on this important Bill. There is no quorum in the House.

[English]

MR. CHAIRMAN : The concerned Minister, other Cabinet and State Ministers are here.

[Translation]

SARDAR BUTA SINGH : Mr. Chairman, Sir, I was submitting that the judgements which have been passed have adversely affected the interests of dalits, adivasis and backward classes. There are several judgements of various high courts i.e. Mumbai High Court, Kerala High Court, Madras High

Court and the Supreme Court which strengthen the reservation policy. But with great regret I have to say that the judgements which can be beneficial for dalit and adivasi communities have not been touched rather they have been kept aside and subsequently if any matter was taken to any high court on the basis of the said judgements, the judgements themselves had been set aside.

I would like to cite an example. Recently, the Supreme Court gave a judgement, I am not casting any aspersion on any judge or court but I would like to make reference to the procedure being adopted in courts which is totally against dalits and adivasis. The latest judgement of the Supreme Court was a judgement of a bench of five judges headed by hon'ble Chief Justice of our country. Prior to this same matter was decided by a bench comprising seven judges and in that judgement it was said that the provision of reservation made in the constitution for the dalits and adivasis is their fundamental right. Part three of our constitution has several sections, articles or Fundamental rights. But I was pained to go through the judgement delivered by the present bench of the Supreme Court in which the said bench had given the status of enabling provision to that fundamental right. As a result, all the fundamental rights and all articles contained in part three of the constitution and a small section of an article which was beneficial of dalits and adivasis have not been accepted as the fundamental rights by the bench headed by the Chief Justice of the Supreme Court.

Hon'ble Law Minister is an eminent jurist of the country and is a leading lawyer. Through him I would like to appeal to this House that creation of the constitution and making amendments therein is the function of this House. In our democratic set up none other than this House has got the right in this regard. Who gave this right to the Supreme Court, this is what I would like to ask from you.

Secondly, if it is there in the constitution that

[English]

Part-III of the constitution is a Fundamental Right, then wherefrom did the Supreme Court get this authority to declare this particular clause as an enabling provision ?

[Translation]

You are aware of it, and you know more than me that what are its ill effects.

I would like to tell you what was its first ill effect. I am not talking about any particular State, the action taken by all the State Governments after this judgement of the Supreme Court, had adversely affected lakhs of employees belonging to dalit and adivasis community. I would like to cite an example of this from Punjab. I have received a FAX from Punjab. As per information given in the FAX received by me, the employees promoted consequent upon the previous judgement of the Supreme Court had been reverted by the State Government under the latest judgement of the Supreme Court. We know

that it is the responsibility of the State Government to implement the judgement given by the judiciary but there is a limit to it. It has also been stated in the said FAX that the employees promoted as per earlier judgement of the Supreme Court have now been reverted and the salary drawn by them for the period of promotion i.e. five to six years is now being recovered from them. This is the first instance of this kind I have ever seen. On the one hand we function according to our constitution and our hon'ble Minister assures that we are ready to do everything for the upliftment of this community and on the other hand injustice is being meted out to us in the name of judicial system. What solution do you have in this regard? You said that you would be convening a three day conference on this. Hon'ble Minister Sir, no doubt you may be honest in this regard, our views may be favourable for us but you are not the only Minister who is dealing with this subject. This subject is divided amongst three departments.

The first department is the Ministry of Social Justice and Empowerment to which this subject has been allocated by the hon'ble President. The less said the better about this department. In this few days, several Members have openly said it. I do not cast aspirations against any individual or Minister but way in which this Ministry functioned during last two years or thirteen months, several members belonging to the ruling party came to me and told me that as soon as the Minister assumed the charge of the Ministry she ordered to remove the statue of Baba Saheb Bhimrao Ambedkar from her office. I think this never had been the tradition of our country. We had just celebrated the birth centenary of Dr. Baba Saheb Bhimrao Ambedkar and the Government of India have sanctioned projects worth rupees two hundred crores on this occasion. Dr. Baba Saheb Bhimrao Ambedkar Foundation was also set up. Several decisions were taken in regard to the said foundation. At present there is paucity of time, so I will speak about it some other time. All the officers of the said foundation had been removed whereas it has been clearly mentioned in the charter of this foundation that as far as possible the person who will be appointed as secretary of this foundation.

[English]

He should be either from the Scheduled Caste or from the Scheduled Tribe.

[Translation]

This needs detailed discussion, I will deal with it some time later. But maximum damage has been done during the tenure of the present Minister. There are two issues involved in it. The first issue is that provision of Rs. 250 crores is made in the budget every year for the girls belonging to adivasis and scheduled caste community, but the money provided for this purpose in the budget for years 1998 and 1999 was not spent as a result of which funds lapsed. The second issue relates to the Safai Karamcharis who do disgraceful work of carrying night soil on their heads. A provision of Rs. 90 crores is made in the budget every year for their liberation so that their children could get education by utilising this fund and could start

some good work with this money. This is the purpose for which this amount is earmarked.

The amount of Rs. 90 crores provided in the budget for 1998 and 1999 was not spent. Instead, the said amount was diverted to take care of animals like cats, dogs, lizards, monkeys and bears etc.,.....*(Interruptions)* Madam, all this is there on the record, you will come to know about it. We are very sad to see this sorry state of affairs, we hoped that when an able leader like you was at the helm of affairs, the society will make some progress.

Second issue is related to reservation. Reservation policy is implemented by the Ministry of Personnel. As far as reservation is concerned, it is there in order issued by the hon'ble President regarding allocation of business of the Government of India that the reservation for scheduled castes and scheduled tribes will be looked after by the Ministry of Social Welfare. You are elected to this House once in five or you are elected for two terms. If you are elected for two terms you will be accessible to your electorate only after ten years. I would like to tell you that dalits and adivasis are looked down upon in the name of reservation. An officer belonging to dalit and adivasis community how-so-ever higher post he may be occupying, when he goes to the Secretariat, forward caste people raise finger at him and he is looked down upon. Now the Supreme Court too is not free from such division. You may be aware that the Supreme Court has recently given a judgement and according to the said judgement reservation has been abolished in admission to specialisation courses like Medical, Engineering and space, aircraft engineers etc. The Supreme Court has termed it as super speciality.

Mr. Chairman, Sir, you hail from south and a big racket is going on in south also and that racket pertains to admissions in medical colleges. You have stopped reservation in admissions to medical colleges but the Supreme Court has made a provision of 15 to 50 percent admission to the wards of the non-resident Indians, and no other qualification has been prescribed in this regard. You have done it to get few dollars or pound sterling.

It is ironical that you give admission to a child of foreign origin, who possesses no qualification or merit but do not give admission to a poor child of this country. Jethmalani, you please do something because you understand this situation.

Third point relates to Department of Personnel and Training. This Department has turned out to be only controlling authority. Prime Minister is the Minister incharge of this Department. It is expected that the Department of which Prime Minister himself is the Minister incharge, will be monitored intensively. A message should have gone that if things are not done in proper manner in the Department or a Ministry of which Prime Minister himself is the head, stringent action will be taken against the defaulters. But it is unfortunate that the Department of Personnel and Training which comes under the Prime Minister, has victimised these people. Not one or two, 5 officials memoranda were issued between January, 1997 to August 1997. On each official Memorandum, Commission for Scheduled Castes and Scheduled Tribes approached each

[Sardar Buta Singh]

and every Minister including the Prime Minister but everyone replied that they cannot do anything due to the judgement of the Supreme Court.

Later on, a large delegation consisting of Hon'ble Bala-gogiji, Shri Ram Vilas Paswan, Shri Sanghpriya Gautam and the leader of Republican Party, and others from different parties approached the Prime Minister at his residence. We told the Hon'ble Prime Minister that they should not blame only the Supreme Court for this and should take back those cases which were initiated by the Government. But instead of listening to us, the Prime Minister.....(Interruptions)

[English]

MR. CHAIRMAN : Shri Buta Singh, your time is up.

[Translation]

SARDAR BUTA SINGH (JALORE) : I will not take even a minute extra. You know how the House had to face difficulty on this issue during 12th Lok Sabha. I do not want that such a situation may arise again. We would contribute positively and hope that the promise made by Father of the Nation, Mahatma Gandhi to the Baba Saheb Ambedkar is not broken. The promise must be fulfilled. During the elections I toured the entire country and on that basis, I can say that no one can do as much work for the unity of the country as Dalits and Adivasis. Hence, they should not be ignored. Today, their lives are worse than animals. If the fundamental rights provided to them are taken away from the Constitution in the name of enabling provisions, it would create an upheaval in the country which this Government will not be able to suppress. Therefore, you should pay full attention towards these issues at national level. If you convene a Conference we will attend that but before that the draft of the Central Act lying pending with the Cabinet should be brought here and passed by this House because reservation policy has so far been conducted through Government ordinances. How much we can suffer as a result of bureaucrats order can be seen what we have suffered in the last 50 years. The said Act should be brought under 9th schedule, and to implement that, particularly to implement the reservation policy for SCs, and STs, an independent authority should be constituted. Only then, I will think that something has been done for them.

Secondly, it is written in Article 338(9) of Commission for SCs and STs that no authority including the Supreme Court can change the reservation policy until it is agreed to by the Commission. Therefore, the Commission should be given enough power to help in implementing the policy in the country. Official memoranda about which I have made a mention should be withdrawn immediately. If reservation policy is implemented in judiciary, I am sure that a very good atmosphere will be created and the judiciary which is playing with our feelings will not be able to do so.

Reservation has not been implemented so far in judiciary and army. I would like to inform the House that Shri Rajiv Gandhi by including Article 60(4)A before 1997 had provided

reservation for Dalits and Adivasis for all times to come. Prior to this, Shrimati Indira Gandhi had formulated component plan for SCs and Tribal Sub-plan for STs. But today there is no mention is made about these plans. After the congress regime, all these plan have been shelved. Today, there is not even a single Ministry or Department, which pays attention towards special component plan and Tribal Sub-plan for SCs and STs. The purpose of 20 point programme introduced by Shrimati Indira Gandhi as well as 15 point programme was to give due rights to not only to the Dalits, Adivasis and Government servants but also to other people who are engaged in other works like industry and agriculture. Through these programmes Shrimati Indira Gandhi rendered great service to the country and therefore, these programmes should be re-vised.

Mr. Chairman, Sir, reservation policy has not been implemented in the educational institutions of the country. There is no reservation in University, Grants Commission, A.I.C.T.S, I.C., M.R., C.S.I.R., D.R.D.O. etc. Even there is no reservation on the posts of Vice Chancellors in universities. Recently, one vice-chancellor has been appointed on the basis of reservation but he has not yet joined. We want that the reservation policy should be implemented in a proper manner in educational field. Now, the most important thing is about the local bodies. Rajya Sabha should also be included in it because there is no reservation in it. There is no reservation in Legislative councils of States also. There is reservation in Panchayats and Municipal Committees but there is no reservation in Rajya Sabha. Hence, reservation policy should be implemented in Rajya Sabha and Legislative Councils of States also.

AN HON'BLE MEMBER : Reservation policy should be implemented in Cabinet also.

SARDAR BUTA SINGH : Such Members are included in the Cabinet who have lost elections just to complete the formality. Anyway, I am happy that they have at least been included in the Cabinet. I humbly request Shri Jethmalaniji to help us. Our welfare is possible only if we could get a capable advocate like Shri Jethmalaniji otherwise the idea of level planning, which you have mentioned is a very dangerous thing. You should not even think of this planning for Adivasis and Dalits because when there does not exist any level, where does the question of planning arise ? When we do not have basic necessities from where will we attain level ? Therefore, there cannot be any level planning in their case. We are already the victims of poverty. Therefore, please do not bring in the issue of level planning.

Mr. Chairman, Sir, I am thankful that you have given me an opportunity to speak. I never tried to take political advantage but I will say that

[English]

Let it be the last thing.

[Translation]

We are more keen than you because we are called by

different names abroad which hurts our feelings. Therefore, we want that the identity and the respect which Baba Saheb Ambedkar has given to us should be maintained. We do not want level planning because that will not bring us respect.

[English]

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : Sir, I requested the hon. Speaker that though the time is fixed, many hon. Members expressed the view that they should not be restrained while speaking on the Bill regarding reservation for the Scheduled Castes and Scheduled Tribes and each one can express their view. I appeal to you that if the time is extended it will be good.

MR. CHAIRMAN : Shri Dasmunsi, you were not here. The hon. Minister has agreed to convene a separate three-day conference regarding all those issues.

SHRI PRIYA RANJAN DASMUNSI : Sir, all Parties have agreed on this matter.

MR. CHAIRMAN : That is why we have extended that time by one hour.

Shrimati Suguna Kumari to speak now.

..... (Interruptions)

MR. CHAIRMAN: She is a new Member. Please cooperate.

DR. (SHRIMATI) C. SUGUNA KUMARI (PEDDAPALLI) : Thank you Mr. Chairman for giving me this opportunity.

Today the discussion is going on the subject whether reservations in the Lok Sabha and the Assemblies for the Scheduled Castes and Scheduled Tribes should be extended by ten years or not. The senior Member, hon. Shri Buta Singh has given his valuable opinion. India is a vast country with diversified religions, languages and castes. Large sections of population suffer from many historical disabilities. The weaker sections in the society are women, *Shudras*, *Dalits*, *Muslims* and *Adivasis*. The term 'Scheduled Caste' was first use in the Government of India Act, 1935. It meant mainly untouchable groups who were formerly called depressed classes. In 1991, out of a total population of 816 million in India, 136.6 million or 16.74 per cent were the Scheduled Castes and 64.9 million or 8 per cent were the Scheduled Tribes.

Of all the States, Punjab has the highest population of the Scheduled Castes. It is 28.3 per cent. The lowest population of the Scheduled Castes is in Gujarat. It is 7.4 per cent. The Scheduled Caste population is negligible in the North-Eastern States and no caste is scheduled in Nagaland. More than 80 per cent of the Scheduled Caste live in rural areas. The literacy rate among them is low as compared to the national average and only one-third of the Scheduled Caste children of school-going age attend schools.

The population of the Scheduled Tribes is the highest in Madhya Pradesh. It is 23.3 per cent which is nearly one-fourth of the Scheduled Tribe population. The least population of the Scheduled Tribes is in Uttar Pradesh. It is 0.2 per cent. Ninety three per cent of the Scheduled Tribes population live in rural areas. Most of it is in exclusive tribal tracts, hilly and forest areas which are remote and not easily accessible. The literacy rate among them is extremely low. It is only 15 per cent and only one-fifth of the children of the age 5 to 14 years attend schools.

The scheduled Castes and the Schedules Tribes have been subjected to discrimination and have been denied opportunities for centuries as a result of which they became backward, economically, socially and politically. For the advancement of historically depressed and socially backward sections of society, in 1932, reservation was given to the Scheduled Castes and the Scheduled Tribes and it was provided in all educational institutions supported by the State. In employment at federal and State level, reservation was provided at the time of selection and confirmation.

The reservation of seats for the Scheduled Castes and the Scheduled Tribes in Parliament and Legislative Assemblies has been extended up to the year 2000 AD by an amendment to the Constitution in 1990. Of the total strength of 543, in Lok Sabha, 79 seats are served for the Scheduled Castes and 40 for the Scheduled Tribes.

Article 330 provides that seats shall be reserved in Lok Sabha for the Scheduled Castes and the Scheduled Tribes and article 332(1) provides reservation of seats for them in the State Assemblies. Initially, this reservation was to last for ten years only. Article 334, as originally enacted, provided that these provisions relating to the reservation of seats for the Scheduled Castes and Scheduled Tribes shall cease to have effect on the expiry of a period of ten years from the commencement of the Constitution. The period fixed by this article was extended after every ten years through constitutional amendments in 1960, 1969, 1980 and 1990.

Should this reservation be allowed to continue beyond January 25, 2000 ? The answer to this is 'yes' for the following reasons.

After 52 years of Independence, it is unfortunate that the Scheduled Castes and the Scheduled Tribes are still living in poor condition. They are given isolate places to live. In villages, they are not allowed to enter temples, they are not allowed to take water from all wells, they are given only specific jobs to continue and they are subjected to atrocities. Since disabilities flowing from the centuries old caste system still persist, it is necessary to continue the existing pattern of reservation for the Scheduled Castes and Scheduled Tribes.

Under the dynamic leadership of hi-tech Chief Minister, Shri Nara Chandrababu Naidu garu, Telugu Desam Government in Andhra Pradesh has taken special measures for the betterment of the Scheduled Castes and the Scheduled Tribes. The Government has provided *Mundadugu* Programme for the betterment of the Scheduled Castes and *Chaitanya* Pro-

[Dr. (Shrimati) C. Sugna Kumari]

gramme for the betterment of the Scheduled Tribes. The equivalent term in English for *mundadugu* is 'a step forward' and for *chaitanya* is 'awakening'. These programmes have increased opportunities for the welfare of the Scheduled Castes and the Scheduled Tribes.

I thank the hon. President, Shri K.R. Narayanan for having committed to safeguard the interests of the Scheduled Castes and the Scheduled Tribes in his Address to both the Houses of Parliament.

On behalf of the Telugu Desam Party and on my own behalf, as a Member representing a reserved constituency, I would request the Government to extend reservation in Lok Sabha and the Assemblies for ten more years.

In the end, I support the Bill and appeal to all the hon. Members to pass it unanimously.

SHRIMATI SANDHYA BAURI (VISHNUPUR) * : Hon'ble Mr Chairman, Sir, I feel proud to participate in the 84th Constitution Amendment Bill which is being discussed today in the House and which is going to extend the period of 10 years to be provided to the SCs and STs for reservation in educational institution and jobs. It is more than 50 years that the country has got its freedom and it is also 50 years that our Constitution came into being. But it is a matter of regret that even after half a century has passed, the policy of reservation has no impact on the people. You know Sir, how the poor people and Scheduled Castes and the Scheduled Tribes of our country live their day to day life. Most of the SCs and STs do not have proper dwelling. These socially deprived people live a precarious life. They do not have proper dwelling no roof on the top, no drinking water, no toilet, no proper facility for leading a normal humane life. They still fulfil their bare necessities of life. Although our Constitution has provision for reservation for these socially deprived people, they have not got the benefit of reservation either in education or job. Literacy is still a distant dream for these people and until and unless, they are educated, how can they be absorbed in job? As far as the question of job facility is concerned, these people have not been benefited at all. Actually proper implementation of reservation policy is the need of the hour. The intention of benefitting these socially deprived people is there, the provision of reservation is there in the Constitution. But until and unless the policy is followed honestly and implemented properly, the lot of the SCs and STs cannot be changed. They must be provided proper opportunity to educate themselves and thus get the benefit of job reservation and then only they can be a part of the mainstream. Until and unless the Government adopt appropriate measures to implement reservation policy, the society cannot develop, the country cannot prosper. We must remember that the SCs and STs of our country have also participated in our freedom struggle. They are our equal partners for the development and prosperity of the country. Our forefathers have provided reservation to these unfortunate lot so that they become one with the mainstream. But how long will it take for proper implementation of our reservation policy.

* Translation of the speech originally delivered in Bengali.

Every 10 years we are increasing the period of reservation. But it is a matter of regret even after so many years. The condition and deplorable situation of these socially deprived people could not be changed. We must think deeply where the loopholes lie? Those loopholes must be plugged properly and the benefits of reservation enshrined in our Constitution must be provided to these unfortunate people. Some of these SCs and STs do work in some concerns and provide help for the development of society, for the property of our country. But unfortunately we do get help from them for the development of our society. Due recognition for their service is not given to them. We do not provide enough opportunity to ameliorate their condition. It is a matter of shame and regret that even after 50 years of independence, we have to discuss this issue time and again in the House. This Bill was supposed to be introduced in the 12th Lok Sabha. Since the House was suddenly dissolved, the Bill could not be introduced. Now this Bill is being discussed in the present Lok Sabha. But mere discussion and extension of 10 years for reservation is not enough. This SCs and STs must have proper machinery for information. Sometimes these people are not even properly informed about their opportunity either in educational institution or job facility. Sometimes, the information is deliberately suppressed and that is how these people are deprived of their job opportunity or facility for admission in educational institutions. There is a general impression that the SCs and STs have been benefited enormously due to reservation policy. This is not true. The all India data shows that maximum number of SCs' and STs' children start their livelihood with their parents. They don't have any education. They do not enjoy childhood and start earning at a very tender age.

The children must be given primary education and schooling. They must get every help to continue their education. Our policy is to think on higher level. We feel what can be done after the graduation of these SCs and STs. But first and foremost attention must be focussed on the primary level. The condition of these SCs and STs is deplorable. We must initiate proper planning and take concrete steps to improve their condition and then only their children can pursue their education. It is a fact that proper education is the only tool to awaken these people and enable them to stand in their life. So we must adopt appropriate measure to educate these people right from the beginning. Many Scheduled Tribes depend on nature even now. They depend on the sky, the air, the water and the hills for their survival. We have forest conservation project. But these people though depend on nature and preserve forests have not been included in all these projects. They should also be included in all these projects. It is not only enough to increase the period of 10 years to provide reservation to the SCs and STs and other backward classes. Proper implementation of reservation policy is also urgently needed. The SCs and STs must have ample opportunity to get the benefit of reservation in education, in job and in promotional avenues. The SCs and STs can become a part of the mainstream only when they are properly educated. Then only they can compete with the general category confidently. So we must adopt appropriate measures to implement reservation policy so as to benefit the SCs and STs. I urge upon the Government to go deep into the lacunae prevailing in the system and

pursue the policy of reservation honestly and sincerely and then only the lot of the age-long deprivation of the socially backward community can be ameliorated and the purpose served.

Thank you for giving me an opportunity to participate in important discussion and before I conclude I must say that I whole heartedly support the important Bill. Thank you once again for giving me an opportunity to participate in the discussion.

[English]

SHRI KHARABELA SWAIN (BALASORE) : Thank you very much, Sir, for giving me this opportunity.

Sir, let me make it clear at the very beginning that I rise to support this bill. I am just going to make some suggestions on this Bill. I listened with rapt attention to Shri Buta Singh. The points made by him were quite exhaustive. Anybody who listened to his speech would believe that reservation is an end in itself. He wanted more and more reservation, in every aspect of life, in every type of job, in every Service of the Government.

Fifty years before, reservation was given to Scheduled Castes and Scheduled Tribes of this country because for thousands and thousands of years they were tortured by the Hindu society in the country. They were not given their due recognition in the society. That is why it was decided that in order to give them a level playing-field they should be given reservation. Therefore, we have been giving reservation to Scheduled Castes and Scheduled Tribes for the last fifty years. But, initially it was decided that it will be given only for ten years. Now, in every ten years we are coming back to the Parliament and seeking reservation for another term of ten years. Why? What is the reason? If we go on just asking for reservation for another term after every ten years, where is the end? Can we not fix a time-frame for reservation? Can we not say that by such and such year we will bring an end to the policy of reservation.... (Interruptions)

14.00 hrs.

SHRI PRAVIN RASHTRAPAL : ... Provided we fix time to remove untouchability from this country.... (Interruptions)

MR. CHAIRMAN : No cross-talk please.

SHRI V.P. SINGH BADNORE (BHILWARA) : At least, identify the creamy layer.... (Interruptions)

SHRI KHARABELA SWAIN : Sir, Shri K.R. Narayanan, is now the hon. President of this country. Has he been elevated to that post because he is a Scheduled Caste? It is by the dint of his virtue, he has risen to that position.

DR. MANDA JAGANNATH (NAGARKURNOOL) : What happened when he was elected to the post of Vice-President? Was he given the chance based on his merit?.... (Interruptions) Only when the parliamentarians of the Forum of SC, ST

Members exerted pressure, this issue was considered.... (Interruptions)

MR. CHAIRMAN : Dr. Jagannath, please take your seat.

SHRI KODIKUNNIL SURESH (ADOOR) : Sir, he is diverting the issue.... (Interruptions)

MR. CHAIRMAN : Please do not provoke the hon. Member.

SHRI KODIKUNNIL SURESH : He is speaking against the Bill.... (Interruptions)

SHRI KHARABELA SWAIN : Hon. Shri G.M.C. Balayogi has now become the hon. Speaker of this august House... (Interruptions)

SHRI KODIKUNNIL SURESH : Do not say all these things. We know the entire thing.

SHRI KHARABELA SWAIN : Sir, from the very beginning, I have made the point very clear that I am supporting this Bill. I am not opposing it. I think, probably, he has misunderstood my point. He probably thinks that I have stood here just to oppose it. I am not opposing it. I have a mind of my own. So, I can speak. I do not know, why he is opposing me. I am supporting it. But I have also some points to make. Please listen to me. We have also points. It is not that we do not have anything to say. If we cannot say it here, we will speak it outside.

SHRI PRAVIN RASHTRAPAL : You are supporting it but at the same time you are talking something which is hurting us.

SHRI KHARABELA SWAIN : I am not hurting anybody.

SHRI PRAVIN RASHTRAPAL : We want that you oppose it.

SHRI KHARABELA SWAIN : Do not direct me what I should say. I would say what I want to say. I am not going by your directions.

Sir, in India, there are two things. One is the caste system and the other is the class system. When fifty years before we had the Constitution of India, we became free. Fifty years before when we adopted the system of reservation, there was no distinction between a lower class and a lower caste in India.

DR. MANDA JAGANNATH (NAGARKURNOOL) : What about the untouchability?

MR. CHAIRMAN : Please address the Chair.

.... (Interruptions)

MR. CHAIRMAN : Please do not interrupt him.

SHRI KHARABELA SWAIN : Sir, a man of lower caste also belonged to a person of lower caste at that time. Generally, fifty years before, all the people belonging to the Scheduled Castes, and Scheduled Tribes also belonged to the poorer class of this society. It is a fact.

Now, the situation has changed after the Reservation Policy has come into existence. Why am I telling all these things? I am coming to this point now as to why this reservation system is being extended again and again every ten years. Let us take the example of a Collector who belongs to either the Scheduled Caste and Scheduled Tribe community. Supposing that Scheduled Caste or the Scheduled Tribe Collector is having a *Chaprasi* who belongs to a Brahmin community working under him and at the same time he is having a neighbour who is also from the IAS belonging to the higher class. With whom does he interact? He interacts more with the person who belongs to the higher class and who belongs to the same class, meaning thereby, Collector. Supposing, a person belonging to the Brahmin community might be having a clerk or a servant belonging to the Brahmin community working under him. Will he interact with him? He will not interact with him. He will interact more with another. Collector who belongs to the Scheduled Caste community.

Now it is the question of class. It is not the question of caste. So, if we change class structure of the society by providing better opportunity to the Scheduled Castes and the Scheduled Tribes, automatically this will go. Let us take the example of Collector. He has become the Collector by getting a reservation quota and now he has become the Collector of the district and he stays and then he becomes the Secretary. He remains in high society and in big city and all his children get better education and better livelihood and again when the reservation for the second generation comes, it will be the son of the Collector who gets that opportunity. It has never percolated down.

DR. MANDA JANGANNATH : What is wrong in it ?

MR. CHAIRMAN : Please don't argue. You substantiate your point.

SHRI KHARABELA SWAIN : It has not percolated down to the poorest of the poor of the Scheduled Castes and the Scheduled Tribes. Should it not go to them? So, my suggestion is let there be a creamy layer among the Scheduled Castes and the Scheduled Tribes.

SHRI KODIKUNNIL SURESH : No.

SHRI KHARABELA SWAIN : The same reservation should continue. But those people who have become Class I Officers, Ministers and M.Ps their children should not get.

SHRI KODIKUNNIL SURESH : At present, there is mention about reservation under Article 334.

MR. CHAIRMAN : I will allow you also to speak please.

SHRI KHARABELA SWAIN : I am not yielding. It has now become a question of vested interest (*Interruptions*)... Now, the question of reservation. It has become a part of vested interest in this country. Everybody now wants to get into the reserved category. All those people and castes who never belonged to the Scheduled Caste or Scheduled Tribe or Backward Class are you vying with each other to get into that List. You see the list of the number of castes, those who were included in the Scheduled Caste and the Scheduled Tribe categories 50 years ago and, now you see the List today. If it was 1,000 castes 15 years ago, it has now gone up to 5,000. I know in Orissa, there is a caste called Radhi. They are used to prepare the flattened rice which we call Chuda in Orissa. When they were offered 50 years back that they could be included in the Scheduled Caste category, they refused. They said "No. We cannot be equated with the Scheduled Castes". But now after 30 or 40 years, they filed a case in the Supreme Court demanding that they should be included in the Scheduled caste's list and now they have become Scheduled Castes. Take the example of my own caste. I belong to Khandait community. I do not know whether I am forward or backward because in Orissa, I belong to a backward community and the Central Government has not accepted us as a backward community. As far as the Centre is concerned, I belong to forward community. So, I am backward in my State. I am forward in the Centre. So, I do not know the status of my caste people because their numbers are very high, they are now demanding that they should be included in the list of backward castes. They belong to OBCs now. They also want reservation. So, the question of super specialisation is raised as to why the Supreme Court has denied any reservation. Suppose, I belong to a backward caste and a person has become a doctor from my community taking advantage of reservation. If I find that he is a bad doctor, should I go to him? If a Scheduled Caste person is an engineer and he is not proving to be good, will any Scheduled Caste or Scheduled Tribe go to him? (*Interruptions*) I mean to say that if from my community anybody is good, I will go to him.

DR. MANDA JANGANNATH : He has insulted the community. He should take back his words. He should withdraw his words....(*Interruptions*) He has insulted the Scheduled Caste, Scheduled Tribes and the backward class doctors and he has called them bad doctors. (*Interruptions*)

SHRI KODIKUNNIL SURESH : He is insulting the Scheduled Caste doctors and engineers.

DR. MANDA JANGANNATH : You are insulting these communities. There are many very good doctors and engineers from these communities.... (*Interruptions*)

MR. CHAIRMAN : Dr. Jagannath, please sit down.

.... (*Interruptions*)

DR. MANDA JANGANNATH : He has insulted the communities. He should apologise (*Interruptions*)

MR. CHAIRMAN : Shri Swain, please conclude now.

.... (*Interruptions*)

DR. MANDA JAGANNATH : It is very bad on his part.

SHRI KHARABELA SWAIN : Sir, my own private doctor belongs to a Scheduled Caste.... (Interruptions)

DR. MANDA JAGANNATH : How can you say that ? (Interruptions) He has got every right to have a doctor of his choice. Why should he go to that doctor? (Interruptions)

SHRI KHARABELA SWAIN : Sir, I have not insulted anybody.

MR. CHAIRMAN : Please come to the point.

.... (Interruptions)

MR. CHAIRMAN : Dr. Jagannath, please take your seat.

DR. MANDA JAGANNATH : He must withdraw his words. He has insulted the community. He has insulted the Scheduled Castes. He should withdraw those words.

SHRI KHARABELA SWAIN : My own family doctor belongs to a Scheduled Caste (Interruptions)

DR. MANDA JAGANNATH : How can you say that ? You have got every right to go to any doctor. Who asked you to go to a Scheduled Caste doctor ? (Interruptions)

SHRI KHARABELA SWAIN : They are trying to say that there is nothing like merit. I do not agree with that. Merit has got its own value.

DR. MANDA JAGANNATH : In India, there are universities where Professors interview the candidates. (Interruptions)

SHRI KHARABELA SWAIN : I am not yielding, but he is not allowing me to speak.

MR. CHAIRMAN : Dr. Jagannath, you will also get a chance.

.... (Interruptions)

MR. CHAIRMAN : Shri Swain, please wind up now.

SHRI KHARABELA SWAIN : Sir, I seek your protection. What sort of behaviour is this ?.... (Interruptions) He can speak later. I am not insulting anybody. Why should I insult anybody? I have 25% Scheduled Caste people in my constituency. (Interruptions)

DR. MANDA JAGANNATH : He has said that Scheduled Caste doctors are bad doctors. He must withdraw those words. He must apologise. (Interruptions)

SHRI KODIKUNNIL SURESH : In your speech, you insulted the Scheduled Caste communities.

SHRI KHARABELA SWAIN : Sir, I will also say that the agony of the person who belongs to the general category, when, after two or three years, he finds that his subordinates – because he belongs to some other category – surpass him should also be understood. It is not that agony belongs only to a class of people. It is not like that. Agony belongs to everybody. (Interruptions)

Merit has its own value. So, the 'creamy layer' aspect should also be taken into consideration and the benefit that is going to the Scheduled Castes and the Scheduled Tribes should percolate down to the poorest of the poor of the same community. A time-frame should be fixed so that we can see an end to this system of reservation as we have seen an end to reservation in the case of the hon. President Shri K.R. Narayanan and the hon. Speaker Shri Balayogi.

14.14 hrs.

STATEMENT BY MINISTER

[English]

RE: SIGNING OF THREE AGREEMENTS INCLUDING THE EXTRADITION TREATY BETWEEN INDIA AND THE UAE

THE MINISTER OF EXTERNAL AFFAIRS (SHRI JASWANT SINGH) : Mr. Chairman, Sir, the United Arab Emirates Minister for Justice, Islamic Affairs and Awqaf, His Excellency Mr. Mohammed Bin Nakhira Al Dhaheri, accompanied by an official delegation, visited India on October 25-26, 1999. During the visit, an Extradition treaty, an Agreement on Mutual Legal Assistance in Criminal Matters and an Agreement on Judicial and Judicial Cooperation in Civil and Commercial matters between India and the UAE were signed.

The Extradition Treaty would provide a legal framework for seeking the extradition of fugitive criminals including those involved in terrorism and economic offences from either country. Under the Treaty, extradition would be possible irrespective of whether the crime was committed before or after the entry into force of this Treaty.

The Agreement on Judicial and Judicial Cooperation in Civil and Commercial Matters aims to facilitate the widest measure of legal assistance in pursuing such cases. As a result of this Agreement, it will be possible to serve summons and other judicial documents issued by the courts of one country in the territory of the other. The judicial authority of one country could also, at the request of the other, take evidence. Further, the courts of one country would also be able to execute decrees and arbitration awards passed in the territory of the other.

The Agreement on Mutual Legal Assistance in Criminal Matters aims to strengthen the cooperation between the two countries in the completion of investigation and prosecution in respect of all crimes, including those related to terrorism. It

would provide the basis for seeking assistance for tracing, restraint, forfeiture or confiscation of the proceeds and instruments of crime. The Agreement will also facilitate the widest measure of mutual assistance in the service of summonses, execution of warrants and other judicial documents and commissions.

Thus the three Treaties embody the desire of the two countries to make more effective the bilateral cooperation by taking concrete steps with a view to combat terrorism and other crimes.

14.17 hrs.

CONSTITUTION (EIGHTY-FOURTH AMENDMENT) BILL
(Amendment of Article 334) —Contd.

[Translation]

KUMARI MAYAWATI (AKBARPUR) : Hon'ble Mr. Chairman, Sir, I rise to support the eighty fourth amendment bill presented by the Minister of Law to further amend the Constitution of India. Several Members have expressed their views regarding this bill before me. It is stated about reservation that there should be a time limit about it and it should be ended after that. The Members having such thoughts must understand the fact that as to why reservation came into existence. The need for reservation arose in our country because inequality and social discrimination was prevailing in the society for a long time and is still present in each and every sphere of life. Our great leaders like Mahatma Jyoti Rao Phuley, Chhatrapati Sahuji Maharaj, hon'ble Baba Saheb Dr. Ambedkarji, Periyarji and other 'gurus' have struggled a lot from time to time to remove this inequality. It is only because of their efforts that the people belonging to scheduled castes and scheduled tribes are getting something in the form of reservation. It is the gift of those great men. Hon'ble Dr. Baba Saheb Ambedkar seriously considered this aspect while framing the Constitution of our country and presented this fact before Constituent Committee. Through you, I would like to tell the House that the people belonging to Scheduled Castes and Scheduled Tribes Communities and other suppressed sections of the society will need reservation till socio-economic and educational inequalities remains there. Unequal social structure has created the need for reservation. Our Constitution has made provision of reservation for the upliftment of such sections of the society. However, it has to be seriously considered that whether such people are actually getting its benefit since then. In my view they are not getting it at all levels. After every ten years when the question of extending reservation comes up, the leaders of every party support the bill with a view to win the votes of scheduled castes and scheduled tribes. They support it with heavy heart only to maintain their vote bank. In reality they do not like reservation to continue. In reality they do not like reservation to continue. I have stated so because I feel that these socially deprived people can actually enjoy the benefits of reservation if the Members of political parties have clear intentions in this regard.

Mr. Chairman, Sir, after independence Congress Party formed Governments in centre and in States. Non Congress Governments and even coalition Governments also came into power. However, Government of any party either in centre or in State did not clear the quota reserved for Scheduled Castes and Scheduled Tribes. At the time, when our Constitution was framed, political parties did not have any intention to continue the reservation for a long period. They wanted to provide the reservation facility to Scheduled Castes and Scheduled Tribes because these people were lagging behind in every sphere of life and were socially discriminated. Whichever party comes into power should clear the quota at the earliest so that they become self reliant. This was the intention of farmers of our Constitution. Had the Government had clear intentions at that time to clear the quota within the time frame prescribed initially in the Constitution by launching a special drive in the initial period of ten years and if laws had been enacted to take strict actions against the officials not complying with the reservation rules, I think the quota of reservation would have been cleared in first 10 years itself. I am sorry to say that many people belonging to upper castes do not like the idea of providing reservation benefits to Scheduled Castes and Scheduled Tribes to be discussed here. We the people of Scheduled Castes and Scheduled Tribes do not require any charity provided there is a change in the mentality of people belonging to upper classes and also socio-economic inequality is removed from the society. I would like to submit that till social, economical and educational inequalities prevail in the country, crores of SCs and STs will continue to feel the need of reservation.

Mr. Chairman, Sir, I would like to submit one more point regarding reservation. I had also stated during the tenure of previous Lok Sabha that Central and State Governments always try to withhold the benefits of the reservation by interfering in this matter. I had stated that the matter of reservation should be included in 9th Schedule of the Constitution and status-quo should maintained in the reservation quota fixed for Scheduled Castes and Scheduled Tribes. Through hon'ble Mr. Chairman, I would like to tell the Minister of Law, who is an eminent expert of law that while introducing the bill, he has stated that a conference will be held for the welfare of Scheduled Castes and Scheduled Tribes and concrete steps will be taken in this regard with the suggestions made by the intellectuals and members of Parliament belonging to Scheduled Castes and Scheduled Tribe community. It is a good suggestion and I support it. I support the Constitution amendment bill introduced here but would like to request that a bill should also be brought to include it in the 9th Schedule of our Constitution. So that Government of any party either in State or in Centre may not interfere in the matters regarding reservation or try to withdraw this facility in any State. On 22nd, when election for the post of Speaker was going on, I have stated that due to the interference made by Supreme Court or lower courts, people of Schedule Castes and Scheduled Tribe Communities are not getting full benefit of reservation. That day, I had requested hon'ble Speaker to talk to hon'ble Prime Minister in this regard. I request the Minister of Law also to seriously discuss the issue with hon'ble Prime Minister because the interference made by Supreme Court or lower courts

time to time in the matters of reservation causes much pain to the people belonging to SC and ST communities and they have to resort to agitation. Therefore, I would like in Consultation with the Prime Minister such a bill should also be brought by which Supreme Court or other lower Courts may not interfere in such matters. I hope it will be seriously considered. Not taking much time, I would like to request you again that a special drive should be launched to fulfil the reservation quota in every department.

Mr. Chairman, Sir, through you, I would like to tell the hon'ble Minister that a time bound programme under the special drive of the upliftment of Scheduled Castes and Scheduled Tribe Communities is required to be formulated to ensure the clearance of quota within a fix time-frame and stringent action should be taken against those who do not clear the reservation quota. The backlog can not be cleared till strong steps are taken by the Government in this regard.

Mr. Chairman, Sir, I feel that after 10 years you may not be a minister and some other minister will occupy the post, but he would also be compelled to bring such an amendment bill. Therefore, a special drive with clear intentions should be launched to clear the quota for SC and ST Communities so that the Constitution amendment bill may not be required to bring again. I would like to emphasise that the reservation norms should be followed in Rajya Sabha and legislative Councils also. At present, seats are reserved in Lok Sabha and Legislative Assemblies only. It should be immediately followed in Rajya Sabha and Legislative Councils also. The hon'ble Minister should think over this fact that when there is reservation in Lok Sabha and Legislative Assemblies then why the same is not extended to Rajya Sabha and Legislative Councils. Therefore, I request that reservation norms should be followed there also and I hope that a separate bill will be introduced in this regard.

Mr. Chairman, Sir, with these words and not taking much time of the House I identify myself with the views expressed here by other members. And while supporting the bill, I hope that special attention will be paid towards it. Through you, Mr. Chairman, Sir, I would like to repeat two things especially and once again request the Minister of Law that there should not be any interference by the Centre or State Government or Supreme Court or lower Courts if Government truly wants the upliftment of Scheduled Castes and Scheduled Tribe people and have clear intention to provide full benefits of reservation to them. To ensure this, the issue of reservation should be brought under the 9th Schedule of the Constitution.

At the same time another bill should also be introduced in which it should be mentioned that neither Supreme Court nor lower Courts shall interfere to withdraw the provisions made in our Constitution regarding reservation, for Scheduled Castes and Scheduled Tribes in any department.

Mr. Chairman, Sir, as you have given the indication by ringing the bell that the time is over, I am concluding my speech with these words. Because, if I start speaking on 'Manuvad' members from the ruling side will start shouting, however, I

would like to say that it is 'Manuvadi System' which is responsible for the plight of Scheduled Castes and Scheduled Tribes and that's why the need for reservation quota has arisen. I hope that you would take special steps to clear the reservation quota. With these words, I conclude.

SHRI RAM SAGAR RAWAT (BARABANKI) : Mr. Chairman, Sir, on behalf of Samajwadi Party, I rise to support the Constitution (eighty fourth amendment) bill and amendment to article 334 – introduced by the Minister of Law.

The provision for social, economic and political reservation for a fix time frame was made in the Constitution for the socially deprived classes who have been left behind, with a view to provide them equal political and economic status at all levels by providing them special opportunities. Had the intentions been clear and the provisions made were implemented effectively, there would have been no need of amendment in Constitution and extending the time frame of reservation after every 10 years. However, the purpose for which backward classes were given such facility has not been fulfilled even today. They are still living in poor conditions. They still do not have shelter to live, no drinking water and educationally they are far behind. If I continue my debate in this manner, members from ruling side will accuse me of deviating from the subject. Under Indira Awas Yojna, a provision was made to provide dwelling units to the people belonging to Scheduled Castes and Scheduled Tribes for Rs. 20,000. In my Constituency, a Commission of Rs. 5-10 thousand is being taken by the Members of Bhartiya Janata Party on each house. Such is the level of corruption. Even banks are giving them financial help after openly taking 10-30% commission on loans. When the facility provided will have such an inherited shortcoming and the intention of the Government and officials will not be clear, how it is possible to facilitate the masses. We have to ponder over it.

So far as the Government Services are concerned, it is notified that due to unavailability of suitable candidates, the quota reserved for the Scheduled Castes and Scheduled Tribes should be filled by general candidates. What to speak of higher posts even the post of peon is not being fulfilled under quota in Government aided schools or in institution. I would like to submit that the provisions have been made for the promotion of such people. As our senior colleagues was also commenting upon it. Their financial help has lapsed many a time. Therefore I would like to say that when they are not getting the full benefit of the special opportunity, how time bound progress or parity can be expected. Therefore, I have to say in House that there will be turmoil on earth till human being remains hungry. You will have to extend this reservation again and again. This is not a golden opportunity for you. Mr. Minister do not take this as your fortune that you are making this arrangement through constitution. This is not your fortune but misfortune that this was not done in a time bound manner. You should not take this as your fortune. This is subject of worry for our House that stepwise schemes which were made for them their benefit do not reach them.

[Shri Ram Sagar Rawat]

It is also a matter of concern that corruption like a demon is eating up the facilities which are provided to our scheduled caste brothers. Not only this but I want to tell you that in tribal areas people still drink drain water. They have no other alternative but to drink river water. Today the arrangement of slum clusters is not correct. Therefore, today we have to say that in order to fulfil all these things it is very necessary to bring amendment in the Constitution.

Recently a provision was made for reservation of Scheduled Castes, Scheduled Tribes in Panchayats for pardhan, block head, district panchayat chairman. This arrangement is there already in our area. This arrangement has been made in U.P. and in many other States. It is a matter of great concern that in many parts of the country a conspiracy is going on to stop these special opportunities which are being given to these people. It is also a matter of concern for the house that we are not able to provide equality of opportunity to whole society. Today we are not able to give equal opportunity for progress. Therefore this a matter of worry for us.

While associating myself with all over respected leaders and all hon'ble Members, I on behalf of Samajwadi Party support this constitutional amendment bill brought by the Law Ministry.

SHRI NAWAL KISHORE RAI (SITAMARHI) : Mr. Chairman, Sir, I am thankful to you for giving me an opportunity to speak on 84th amendment Bill, 1999.

This is 84th constitution amendment bill 1999 which seeks to amend Article 334 extending from 50 years to 60 years. The hon'ble members from all the political parties have fixed the target by extending ten years for reservation of scheduled castes or scheduled tribes in Lok Sabha and State Legislatures. I myself and on behalf of my party Janta Dal (United) not only fully support this but Chairman Sir, I want to draw attention towards conditions prevailing in the country today.

Scheduled Castes and Scheduled Tribes people are deprived lot. They are given reservation by constitution and under government by constitution and under government policies in sectors such as services. Some hon'ble members tried to highlight the question of promotion which was under attacked from all sides. Discussion also took place here on the decisions of Madras and Bombay high courts and Supreme Court about this.

Mr. Chairman, Sir, through you I want to draw attention of the Minister that in recent two-three years opposition which has developed in reservation of promotion and other areas. For that detailed discussion should be held in House. Even after completion of 50 years of Independence we have not been able to achieve our aims which we had set. Provision which was made in the constitution for people of Indian Republic, who were deprived of equality of opportunity, could not be provided to them. In these 50 years whosoever remained in power was unable to achieve those targets and through different ways talked about diluting them. On this equitable decision would have taken place, but that did not happen. As Shri Ram Sagar was saying that they just write that there is no

suitable candidate available and therefore other candidate is taken. I want that resolution should be passed in this House for the people belonging to scheduled castes and scheduled tribes for making a provision for reservation in article 9 of the Constitution for them. And this should be kept in 9th schedule so that no 'If' or 'But' could apply on it. In this way arrangement which is made for scheduled castes and scheduled tribes people's reservation, can be made possible practically through schedule 9 and through constitution so that all deprived people can get the opportunity.

I want to say this also that by amending the Constitution arrangement should be made for reservation in Judiciary also which has not been done so far till this year of Golden Jubilee. I strongly support 84th amendment of the Constitution and through you once again request the Law Minister that there should be no 'If' and 'Buts' in the matter of reservation. Judicial judgements which have come, as told by some hon'ble Members that some State Governments have discriminated in the matter of implementation. In Bihar, they have stopped reservation in promotion. Shri Ram Jethmalari, you are one of the capable law expert and well known lawyer of the country. We congratulate you for bringing this amendment of Constitution. You have done commendable job in matter of Mandal Commission by advocating and winning poor people's fight. Therefore we request that wherever there are problems in reservation of promotion and its implementation, should be done away with and this should be kept in 9th schedule and after discussing 'Ifs' and 'Buts' their solution should be found. So that special opportunity principle of these people could be implemented in true sense.

In the end once again I support this constitutional amendment bill and with this I conclude.

[English]

SHRI KODIKUNNIL SURESH (ADOOR) : Mr. Chairman, Sir, I rise to support this Bill. We are discussing the extension of reservation to Scheduled Castes and Scheduled Tribes both for Lok Sabha and Vidhan Sabhas. There is a long-pending demand from these communities demanding reservation of seats in the Rajya Sabha and the State Legislative Councils. But no action has been taken so far. It is a long-pending demand.

I have listened to the speeches in the House. During the last 19 months, the atrocities on people belonging to Scheduled Castes, Scheduled Tribes and minorities are on the higher side. These communities are in great danger. I request the Government to take immediate steps to protect the people belonging to these communities.

There was a proposal for setting up special courts for dealing with atrocities on Scheduled Castes and Scheduled Tribes. I request the hon. Minister to consider setting up of special courts for this purpose..

The constitutional safeguards for special recruitment for filling up the vacancies in the State Governments as well as in

the Central Government are not being properly followed. Timely action has not been taken to fill up the vacancies reserved for people belonging to the Scheduled Castes and the Scheduled Tribes. I would request the Government to uphold the constitutional obligations and fill up the vacant posts meant for these people through a special recruitment drive at the level of the State Governments and the Central Government.

Recently, there was a court verdict concerning the promotion of employees belonging to the Scheduled Castes and the Scheduled Tribes in the departments of the Central Government. It has gone against the constitutional obligation to uplift the officials belonging to these castes. The Government may consider measures through a special amendment to remove the bottlenecks and hurdles coming in the way due to that judgement of the court.

The surplus land in the States is not being allotted to the deserving people belonging to Scheduled Castes and Scheduled Tribes. The Government may strictly implement the Land Reforms Act and allot such land to the poor people belonging to the Scheduled Castes and the Scheduled Tribes.

The funds allotted for Scheduled Castes and Scheduled Tribes are not being properly utilised. The Government may consider measures to see that such funds are not misutilised.

With these words, I support this Bill once again.

DR. V. SAROJA (RASIPURAM) : Mr. Chairman, Sir, I thank you very much for giving me this opportunity to place a few facts on the floor of this august House.

14.54 hrs.

(SHRI SOMNATH CHATTERJEE *in the Chair*)

At the outset, I rise here to support this Bill. I am very glad that in the Address by the President of India to the Parliament on 25th October, "we have committed to safeguard the interests of Scheduled Castes, Scheduled Tribes and Backward Classes. And we are determined to wipe out the last vestige of untouchability from our society. The reservation for Scheduled Castes and Scheduled Tribes will be extended for another 10 years and reservation percentage above 50 per cent followed by some States, will be sanctified through legislative measures."

Sir, I have a few points in mind, especially when I am taking part in this debate. Fifty years after Independence, this depressed, less privileged community has not even attained ten per cent of the constitutional rights. The Constitution empowers them with 22.5 per cent but I am sorry to state that we have not even achieved ten per cent.

Here the Amendment says that in Article 334 of the Constitution of India, that for the words 'fifty years' the words 'sixty years' shall be substituted. I would like to know from the hon. Minister what is the strategy that the Government has adopted for filling the backlog that we have already got. What are the

modalities that they are going to modify in the implementing procedure that within a given period of time they are going to achieve cent-percent reservation for the SCs and STs? Where is the bottleneck? Why is there a delay? Why are these depressed classes still? They are economically, socially and politically deprived and still more deprived. Has the Government analysed this aspect? I would urge upon the Government to place the facts before this House and I would request the hon. Minister to come out with a positive solution and the steps to be taken by this Government in his reply.

Sir, the question of extending the reservation for another ten years is in place. I urge upon the Government to extend the reservation policy for another fifty years. At least, let me see that in another fifty years, this depressed community is going to get the benefits which the framers of the Constitution of India empowered them with.

Sir, I have my own doubts. According to the Observer statistical Book 1998, the population of SCs and STs was 20,59,81,000. Is it their population as on date? When was it updated? When was the census of SCs and STs last conducted? I would like the hon. Minister to come out with these facts in his reply. If it is the census according to the 1991 Census then the reservation should be based on the census and also on population. If it is to be based on the population then the first step that the Government has to take is correcting and updating the census of SCs and STs. Sir, in my view, it is the failure on the part of the Government that they have not updated the census of SCs and STs and were not able to come to a definite conclusion and take effective measure for this depressed community.

Sir, in the Bill, it is stated that the reservation is only for ten years. In case the Bill gets passed because of the consensus here in this House, how is it that within ten years the Government is going to complete the reservation at all levels, I repeat, 'at all levels'?

15.00 hrs.

So, reservations should be given not only in the Legislatures but also in Government institutions and services. I appeal to this august House to think over this sensitive issue and have a sympathetic consideration and analysis on this crucial point. I request the leaders in the Opposition, cutting across party line, to come to a consensus on this sensitive issue.

Regarding reservation in educational institutions, the hon. Supreme Court has given an order now. It says it is based on merit. Can the hon. Supreme Court define 'merit'? If it is going to define the merit, then it is all right. Otherwise, if it is only a word that merit is going to be the gadget for reservation in higher education, especially, in medical, science and technology, and engineering, then, I want the hon. Minister to define this. On this matter, there should not be any encroachment from the judiciary. I urge upon this august House to have a consensus. There should not be any encroachment from any quarter on this sensitive issue.

[Dr. V. Saroja]

The Constitution provides for reservation to the Scheduled Castes and Scheduled Tribes at all levels but it is a pity that there is not even a single judge belonging to the Scheduled Caste and Scheduled Tribe community in the Supreme Court.

Sir, representation to *Dalits* in higher offices, Government services and judiciary is being denied continuously despite the fact that the Constitution does guarantee for such a reservation. It will be quite proper to quote article 14, 16 and 16 (4a) of the Constitution of India. Sir, with a painful heart, I stand before you. There are many atrocities being committed on *dalits*. I request the hon. Minister to prepare a Statewise White Paper on the atrocities being committed on *dalits* during the last 10 years, and place it on the Table of the House. An Action Taken Report may also be placed on the Table of the House. It should be corrected periodically, then and there. A separate Judicial Commission should be constituted to inquire into these aspects on sympathetic grounds.

I am very proud to say that when my leader, Dr. Puratchi Thalaivi was the Chief Minister of Tamil Nadu from 1991 to 1996, she drew up a 10-point programme for the economic empowerment of *Dalits*, for their education, and for the political empowerment of *dalits*. Now, I am proud to say that because of my leader's effort, in Tamil Nadu *dalits* are growing fast in all aspects. Will that be a model for all the States of the country ?

Before I conclude, I would like to mention only one point. As far as the reservation policy is concerned, especially in the Group I services of the Government – it is all right for the lower categories of Group IV, III and II – though special training is given for the *dalits*, there should be some modification in implementing this reservation policy, because all the States are not following it. Of course, in Tamil Nadu, we are doing it. But other States are not following it because of the bureaucrats. Either they are not following it or they are not able to deliver the goods at the ground level. I request the hon. Minister to come out with positive solutions to all these problems.

Many schemes are formulated for the deprived sections. But to what extent, are they being implemented at the ground level ? Is there any monitoring cell to access the percentage of benefits that reach the ground level ? No, so far, there is no monitoring cell. There is no Monitoring Cell, there is no periodic assessment, and there is no periodic investigation. So, I request the Government to appoint a Vigilance Cell in this regard not only for implementing it but also without any dilution, the concentration should reach hundred per cent to the ground level.

Sir, with these few lines, I hope that this Government will find a positive solution for the depressed community and will extend the reservation for another 50 years.

[Translation]

SHRI MOHAN RAWALE (MUMBAI SOUTH CENTRAL) : Sir, Bharatratna Dr. Babasaheb Ambedkar has written in constitution that people of backward classes should continue to

get the benefit of reservation for ten years. This is misfortune of an independent country that today even after 50 years we are bringing this legislation. It was the intention of Dr. Babasaheb that the people belonging to backward classes should learn, should get educated and get their right. He knew that if we go on extending reservation then that would be injustice against those who are unreserved. Today country's large population is not reserved. You are telling that injustice is being committed on the people of backward classes. But no less injustice is being committed against those who are not reserved. We are saying that injustice should not be committed on other people also. I want to put forward the opinion of Shiv Sena. Today discontentment is brewing before this nine youngmen gave their lives against reservation in Delhi by torching themselves. Movement took place in Gujarat also and people gave their lives there also. This type of movement took place in some other parts of the country also.... (Interruptions)

SHRI PRAVIN RASHTRAPAL (PATAN) : Life was taken or given.... (Interruptions)

SHRI MOHAN RAWALE : By torching themselves life was given in Delhi (Interruptions)

[English]

MR. CHAIRMAN : He has not yielded. Shri Rawale please address the Chair.

[Translation]

SHRI PRAVIN RASHTRAPAL : In Gujarat you took life, there our people were killed. Here those who burnt themselves and who still want to burn let them burn.... (Interruptions)

SHRI MOHAN RAWALE : Sir, see what he is speaking. He should withdraw his words. He is saying that those who are burning let them burn. Is their life not precious and it is only your life which is precious.

SHRI PRAVIN RASHTRAPAL : They have done voluntarily and we have not killed them. Scheduled Caste people have not killed anyone in Delhi. In Gujarat we were killed (Interruptions)

[English]

MR. CHAIRMAN : Shri Rawale, you please address the Chair.

.... (Interruptions)

MR. CHAIRMAN : I shall look into it.

.... (Interruptions)

SHRI PRAVIN RASHTRAPAL : Sir, you should appreciate it. (Interruptions)

MR. CHAIRMAN : You will have your time. Then, you can speak.

.... (Interruptions)

[Translation]

SHRI MOHAN RAWALE : Mr. Chairman, Sir, we want to say that today we are talking about struggle between castes (Interruptions) Dr. Babasaheb Ambedkar knew that this would happen and therefore he was of the view that reservation should be given for ten years. This is unfortunate that Shri Buta Singh who had been a Minister has said one thing which has hurt me. He was also in treasury benches. He has said that the Supreme Court has not right to give verdict on promotion. I would like to say that on one hand the whole House wants that judiciary should be given due respect. You may differ somewhere but this is House. I am listening (Interruptions) I have mentioned your name you can give clarifications. The House is Supreme and after amending that, you can take some decision. But you cannot pressurise judiciary. You are trying to weaken judiciary. You had been in treasury benches and therefore you should not speak like this.

SARDAR BUTA SINGH (JALORE) : He is quoting wrongly. Mr. Chairman, Sir, I had said that Supreme Court has considered part 3 of the Constitution as fundamental right.... (Interruptions)

[English]

How come that a section of Clause 16 has been declared as an enabling provision whereas the whole article itself is a fundamental right ? Who has given this is right or constitutional re-writing to any court ? I have the highest regard for Supreme Court and I have not criticised the decision as such.

[Translation]

SHRI MOHAN RAWALE : Supreme Court has made judicial arrangement, suppose tomorrow your people indulge in a scam.... (Interruptions)

[English]

SARDAR BUTA SINGH : We are the makers of the constitution. What is this ? (Interruptions)

MR. CHAIRMAN : Shri Rawale, you are going for away from, the subject. (Interruptions)

[Translation]

SHRI MOHAN RAWALE : I am not going away from the subject I am speaking only on what he has said.... (Interruptions)

Mr. Chairman, Sir, I heard what he said and I am speaking on that only. I have listened him carefully. My request is that you please see the proceedings. I am speaking on that only.

[English]

MR. CHAIRMAN : He has given a clarification. You go on.

[Translation]

SHRI MOHAN RAWALE : Mr. Chairman, Sir, if some employee feels that even if he works hard is not going to get any promotion. Then why will he work. On the other hand if some employee knew that he is going to get promotion on the basis of his caste or religion, then why he will he work. Therefore I want to say that by making provision for reservation you are destroying the nation.

[English]

MR. CHAIRMAN : He has not cast reflection on the Supreme Court. You can very well go on.

[Translation]

SHRI MOHAN RAWALE : Mr. Chairman, Sir, I am speaking on the subject only and what I am saying is related to promotion.

[English]

SHRI PRAVIN RASHTRAPAL : Sir, let him make it clear whether he is supporting the Bill or opposing the Bill.

MR. CHAIRMAN : The Chair cannot dictate to anybody. You have to understand from his speech. Shri Rawale, my only request is that you restrict yourself to this very important subject.

[Translation]

SHRI MOHAN RAWALE : Mr. Chairman, Sir, I am saying what I have heard.

[English]

MR. CHAIRMAN : You are entitled to that.

[Translation]

SHRI MOHAN RAWALE : Shri Buta Singh said that what is right Supreme Court has.... (Interruptions)

[English]

SARDAR BUTA SINGH : Sir, let me make it clear that I have the deepest regard for the highest court in the country. But he is an expert in misquoting the people.

[Translation]

SHRI MOHAN RAWALE : Mr. Chairman, Sir, our demand is that reservation should be given to poor people or who be-

[Shri Mohan Rawale]

long to weaker sections and whose financial condition is not good. I want to keep this demand in House.

Mr. Chairman, Sir, with these words I thank you for giving me the time to speak.

[English]

SHRI RAMANAIDU DAGGUBATI (BAPATLA) : Mr. Chairman, Sir, I welcome the Constitution (Eighty-fourth) Amendment Bill regarding extension of reservation policy for Scheduled Castes and Scheduled Tribes in the Lok Sabha and in the Legislative Assemblies of the States for a further period of ten years. This is a welcome gesture for the upliftment of the people belonging to weaker sections and for removing inequality and providing equal opportunity to downtrodden people.

I would like to appeal to the Government, through you, respected Sir, that the measures for the implementation of the reservation policy for Scheduled Castes and Scheduled Tribes should be taken in an improved way.

Whatever are the loopholes in the implementation mechanism, those should be thoroughly analysed and necessary steps taken for proper implementation. I personally feel that the Government should consider setting up a Review Committee for doing away with the loopholes in the implementation mechanism.

In Andhra Pradesh, Sir, our dynamic Chief Minister has been very liberal and has followed policies in such a way that even Scheduled Caste people contest from general seats and also win elections for MLAs. In addition, the Telugu Desam Party has also increased the percentage of Assembly seats allotted to Scheduled Castes and Scheduled Tribes from fourteen per cent and four per cent to fifteen per cent and six per cent respectively. Such principle should be followed in every State to encourage Scheduled Castes and Scheduled Tribes.

I appeal to provide for proper reservation for women also so that they also get their share.

In the end, I am thankful to the hon. Speaker for giving me an opportunity to speak and also appeal to my colleagues and all hon. Members to support the Bill.

[Translation]

DR. RAGHUVANSH PRASAD SINGH (VAISHALI) : Mr. Speaker, Sir, the attitude of the members of the ruling party should be noticed, we will support the 84th Constitutional amendment to extend the reservation for Scheduled Castes and Scheduled Tribes for another ten years. You will give arguments in support of it, you will give suggestions to rectify the shortcomings (Interruptions). They could not tolerate it. This is the condition. In a country, which is ruled by this type of government, how will the people belonging to Scheduled Castes and Scheduled Tribes make progress. If the people of the ruling party are having this type of mentality, how will that country progress.... (Interruptions) You have introduced this

bill, because you were not having any other option, otherwise what is in your heart is well known, 'kahin per nigahen, Kahin per nishana' the framers of the Constitution felt that the country in which crores of people are deprived, exploited, and neglected, that country cannot compete with other countries of the world and become powerful, it cannot get front seat with the leading countries of the world. Dr. Ram Manohar Lohia had repeatedly said that the country which was having crores of exploited, neglected, deprived and socially, politically, economically, educationally backward and repressed people cannot make progress. The framers of the Constitution had made the provision for reservation in this light. Many people have impression that it is given in charity, or any favour has been shown towards them. I disagree with their view. It is not so. It is not given to them in charity, but it is partnership in governance. This right has been given to the people belonging to scheduled castes and scheduled tribes by the Constitution. Therefore, one should not call it charity, and get haunted by inferiority complex. This is not a mercy or a favour, but the framers of the Constitution have given them this right from the time the Constitution was framed till date, it has been amended at regular intervals of ten or fifteen years, and now the hon'ble Minister has brought the 84th Constitutional amendment. Initially, it was estimated that the progress will be achieved in fifteen years, then it was extended by 10 years, has it ever been calculated, what improvement has taken place during the last 50 years ? If in 50 years no improvement has taken place, then in future will improvement take place by merely giving extension of ten more years ? Has it been analyzed ? But I am satisfied that the hon'ble Law Minister has given the assurance that they will hold three day conference and will discuss it in detail. From this it appears to me that they have concern for it. The atrocities committed on the people belonging to scheduled castes and Scheduled Tribes in last few years have been discussed in the House, but no strong results have emerged out of it. We have to find out what type of facility should be given to the crores of neglected, deprived and exploited people of the country so that they may get equal status and respect. We expect from the Government that after the three day conference it will submit the report which will analyze the position of last fifty years and will tell how it was estimated that if the extension for ten more years is given, they will get the equal status. They are saying ten years by guess work, but we want that it should be analyzed from time to time as to how far the aim has been achieved. At times, court's intervention also comes. We have accepted that the reservation should be applicable in all services. But there is no provision for reservation in services of judges. The demand has been raised again and again for the setting up of the Judicial Services Commission which should have provision for reservation. Why the Government has not brought the bill in this regards. It has been discussed many times in the House, and it appeared that the consensus is there, but not attention is being paid in this regard. It was discussed in the House that the promotions of the scheduled castes and scheduled tribes officials in Government services have been hindered due to Supreme Court's decision. The Government said we are helpless, as we respect the court's order. Therefore, the circular of some kind was issued, which hindered the promotions. They are affected by it. The Constitution should be amended, and a

legislation should be enacted, why it is being delayed? In this amendment, it is being said that extension should be given for ten more years, and the people belonging to scheduled castes and scheduled tribes will make progress. I do not trust it. Why do not you introduce the amendment to obviate Supreme Court's order. Due to the Supreme Court's decision not only the Centre Government, but State Governments were compelled to issue the circular which hindered their promotions, their services are in danger, it has affected their mental state also. Therefore, if the Government had good intentions, they would have brought the amendment against which no ruling would have been given in the Supreme Court or any other Court. Such a strong legislation should be enacted so that no court could give such a ruling which would go against the sentiments of the House and the legislators. Hon'ble Shri Buta Singh was raising the question that different courts give different types of judgements. Sometimes it goes in favour, and sometimes the judgement is against. As we are committed to respect the decision of the Judiciary, therefore, if there is need for constitutional amendment based on the observance of decisions taken by judiciary, or if there is a need of legislation, then legislation should be enacted so that at any time the court should not have the right to give the decision as it wishes. Keeping in view the justice, a legislation should be enacted so that the rights of dalits, exploited class and Adivasis could be protected and their progress could be ensured.

I am firm on my view that until crores of exploited, Adivasi, poor, backward and dalits get the equal status, India will not make progress, India will not be able to stand confidently in front of other countries. Therefore, we want that all the hon'ble Members of this House should come forward to give equal status to them, in the interest of country, society and for bringing social, economic and political change so that India should confront other countries confidently. This feeling should be reflected in the Constitution. I disagree with them because they are well-wishes of the Adivasis and scheduled castes only for the sake of it. They have become well-wishers because they have brought this amendment. Earlier it was for ten years, then they extend it for ten more years. Therefore, we do not trust their intentions of doing social welfare.

These people believe in status quo and are Orthodox. These people who belong to higher class believe in untouchability. As Mayawatiji has said. They believe in Manuvad. These people have sick mentality, they do not want change in the society, due to this, India was ruled by foreigners for so many years. They want to bring that situation again. Therefore, we strongly oppose it and we want to correct their opinion that their mentality should be changed to bring about social, economic and political change in the developing India. The change cannot be brought about by reciting hymns.

'Kakhanhara dukh mor, he bholanath, dukhni janam hai,
Na dukhi jiyaul, sukh sapnehi nahin bhed.'

The great Poet Vidhyapati has said so about crores of Adivasis, the poor, dalits, backward, exploited and suppressed people. If it would have happened by reciting hymns, then in every village we do read at Deepawali, 'Lakshmi Aave,

Daridra Bhage', but it has not happened for thousands of years. The country will make progress and in India, social, economic and political change will only come, if Constitution is amended, the laws are reformed and people's mentality is changed. With these words I conclude my speech and I thank you for giving me time to speak.

[English]

SHRIMATI GEETA MUKHERJEE (PANSKURA) : Hon. Chairman, Sir, I rise to support this Bill.

I had the opportunity of functioning in the Scheduled Castes and Scheduled Tribes Welfare Committee of Parliament for a long time, and I was surprised to see that, even after so many years of Independence, the fourth grade employees' backlog was very big. Am I to believe that there are not enough Scheduled Castes and Tribes' people to fill up the fourth grade posts? Surely not. So, there must be something else behind it. It could be because of some sort of resistance on behalf of certain quarters that it happened.

Second is about this 'promotion' business. There was a provision that those who would be promoted should be given in-house training. But at most of the places, I know that no in-house training was bring given to them. That was a must for them as well as for the country, but that was not done.

Thirdly, I would like to point out one thing, that is, the land reforms will have to be implemented in all the States, and reservation alone will not do because the biggest number of the Scheduled Castes and Tribes are there among the agricultural labourers. How many States have implemented the land reforms? When you come to our State or go to Kerala, the backlog is much less. Therefore, this is a very important thing that the land reforms are to be implemented, if we really want the Scheduled Castes and Scheduled Tribes to take their real position of dignity.

Just now, my colleague referred to "Lakshmi". Here, I would like to say that "Lakshmi" must be preceded by "Saraswati". Unless "Saraswati" is there, "Lakshmi" will not come. Therefore, the question of giving free education, particularly to the children of the Scheduled Castes and the Scheduled Tribes, is a must. Only then, Sir, "Lakshmi" can come. Therefore, we should look into it as to how it can be done.

About women, of course, there is a proposal that up to the college level, they will have free education. So far, so good, and it goes without saying that in every State, all of them do not belong to the Scheduled Castes or the Scheduled Tribes. Therefore, this should be thought about.

The other thing that I would like to say is about the atrocities. You will find that most of the atrocities have been committed by the landlords. That is why, I said, Sir, that if you really want to fight the atrocities against the Scheduled Castes and the Scheduled Tribes as well as the other weaker sections like women, then you have to fight for land reforms.

[Shrimati Geeta Mukherjee]

I would like to say that a very serious re-examination is required to see how the projects are being implemented. I had also seen that many of the social projects meant for the Scheduled Castes and the Scheduled Tribes remain unimplemented.

Therefore, that aspect also should be gone into and through a serious re-examination and good monitoring of the subject, we can really raise the standards of the Scheduled Castes and the Scheduled Tribes and restore the dignity which they have the right to have. It is not a question of charity. It is a question of raising the standard of their lives and restoring their pride.

[Translation]

SHRI PUNNU LAL MOHALE (BILASPUR) : Mr. Chairman, Sir, our government has brought forwards the constitution (Eighty Forth Amendments) Bill. The previous Governments have ignored. This matter for the last fifty years due to which this Constitution amendment Bill which will be effective till 2010, was brought.... (Interruptions) I am telling as to how was the matter ignored by the previous governments. Previous amendment which was passed by the Lok Sabha and Vidhan Sabhas sought to extend the reservation till the year 2000. I would like to tell that this Bill has been brought till 2010. The time has been extended by the ten years. Before this I would like to tell you that reservation has not been provided in judiciary, municipal corporations, banks, armed forces and surface transport irrespective of the category of the post. The reservation which was provided in jobs was continued upto ten or five years and then it was withdrawn. I have been elected from Madhya Pradesh, I want to tell you about that State.

There were 16 thousand vacant posts, mostly reserved for candidates belonging to Scheduled Tribe, which have been abolished. If the reservation is provided like this, what development can take place in the country and what welfare of the society can be achieved and what development of Scheduled Castes and Scheduled Tribes can take place? While the issue of reservation is being debated, I would like to tell that reservation has not been provided in proportion to the population. The population has kept on increasing in the meantime but only the previous population has been considered the basis for providing reservation. The population kept on increasing during the last ten years and census work was also undertaken but the statistics given by the census were not considered as the basis for providing reservation. In the past, most of the governments have been formed by the Congress. The Congress Governments kept on extending the period of reservation but did not pay any attention towards the rising population, leading to the overall decline in the percentage of the population to which the reservation was provided. I would like to say that in the year 1999, the worst period (Kalyuga) is coming to an end and the era of 'Satyuga' will soon take over. The Government of hon'ble Shri Atal Bihari Vajpayee.... (Interruptions) I would urge the hon'ble Minister of provide reservation on the basis of present population. A uniform law should be framed and reservation should also be provided by the other big organisations. Once the law is made to provide reservation but the law is not followed by big organisations and they

refuse reservation then provisions should be made to deal with these law breaking bodies.

We talk about rights but we do not have any sense of duty. I would also like to say that full powers should also be provided in the Cabinet also. If the representation is provided in the Cabinet in proportion to the number of the Scheduled Castes, only they will accept that the work is heading in the right direction. Under the present circumstances hon'ble President and our hon'ble Speaker have been elected from this category. When the reservation is provided on all such posts only then the welfare of our Country can take place. When we talk about economic, social and political situation, I would like to touch a different aspect in this regard. The government provides money for the Tribal Schemes and the schemes meant for the development of Harijans, but the State Governments do not spend it. When allotted funds are not spent, the same are returned. I would like to say that provisions must be made to deal with the States which do not spend or misuse the amount allotted for the welfare of reserved classes of the society. Provision should be made to trap these States into legal web and powers should also be given to suspend and punish the erring States, only then the development of the Country, society and Dalits can take place.

With these words, I support the Constitution (Eighty Fourth Amendment) Bill and thank the government which brought this legislation in the House within a very short period after assuming the charge.

[English]

SHRI P.R. KYNDIAH (SHILLONG) : Mr. Chairman, Sir, I rise to support the Constitution (Eighty-Fourth Amendment) Bill, 1999. At the outset, I would like to refer to the Objects and Reasons of this Bill. It is very clear that the main reason which has been put forward for tabling this Bill is, "the reasons which weighed with the Constituent Assembly in making provisions with regard to the aforesaid reservation of seats and nomination of members have not ceased to exist."

Mr. Chairman, I would have wished that the Government had brought a Bill which was based on the reality of the ground situation. Ten years is just an instalment of the period for which reservation is required. I do not know if the Government has examined as to how far we have been able to succeed in bringing the Scheduled Tribes and Scheduled Castes to the desired level. If they had conducted such an exercise, I am sure in my mind that the period indicated in the Bill would not have been ten years but it would have been either 20 years or 25 years or 30 years – it all depends on how we appraise the situation – which would have been more realistic.

Before I say anything, I would like to make a mention that we must thank the founding fathers of the Constitution for having assessed the situation at that point of time and the need to accord recognition to the Scheduled Tribes and Scheduled Castes. It reminds me what Prime Minister Nehru, on the eve of Independence, in his Tryst with Destiny speech in this very hall said. He said, "The service of India means the service of

the millions who suffer. It means the ending of poverty, ignorance, disease and inequality of opportunity. " Some time we tend to forget this very important point that had been made by the first Prime Minister of this country Jawahar Lal Nehru. We are debating this measure today because we would like to see that these opportunities are given to the Scheduled Tribes and Scheduled Castes throughout the country in a way that helps them rise up to the level that we all desire them to. We know about the difficulties of implementing these grand desires. We know about the limitations which the administration has to work under. At the same time there is no doubt why we should not get the correct figures as to how far we have achieved success in trying to bring the deprived communities to the level that we had desired.

This is a very important point and I feel that we should make note of it here.

The second point which I would like to make here is that there have been limitations in working out the programme of amelioration of sufferings of the Scheduled Tribes and the Scheduled Castes due to certain judicial judgements. I have a great respect for the judiciary but at the same time I realise that this House is a Sovereign and Supreme body. I agree with the suggestion of one of my colleagues that the time has come that we should have a full debate on the question of reservation in such a manner that it will help the deprived people of this country.

I want to make a mention of the conditions of the Scheduled Tribes particularly in the North-East since I come from that area. The Scheduled Tribes' share of population in the North-East is 26 per cent. We have 209 tribes. We experience the difficulties that the tribals are facing there in social and economic spheres. Pandit Jawaharlal Nehru, Shrimati Indira Gandhi, and then later Shri Rajiv Gandhi realised the problems of the North-East. It was not just a mere deprivation of the tribals there. It was more than that. It is with that aim in view, it was thought that if these tribes or these areas where they are predominantly inhabited are given a political status, that will help them in coming up to the desired level. It was with that aim in view that Nagaland was constituted in 1963. It was with that aim in view that Meghalaya, Tripura and Manipur were constituted in 1972. Similarly, Arunachal Pradesh and Mizoram were constituted in 1987. But political status does not mean economic emancipation.

We are today debating on the question of equality and importantly it must be economic equality. Until such time that we bring up the Scheduled Tribes and the Scheduled Castes to that economic status, we will be finding it difficult to say that 'no more reservation'. The reservation is the need of the hour. I think, it is the everyone's wish that we want it.

After the Scheduled Tribes and the Scheduled Castes gain the requisite status, then there may not be any need of reservation. That may be a wish. But till such time, I am sure, it is in everyone's mind that we would like to have the reservation continuing.

I would also like to state here that we have a different kind of problem in the North-East. This concerns demography. In 1977, Tripura which is one of the States of the North-East, had the population of about six lakh people. Ninety-three per cent of them were the tribals. But by 1991, in 24 years the population had reached the size of 23 lakhs.

15.45 hrs.

(MR. DEPUTY SPEAKER *in the Chair*)

But tribals were reduced to a minority, constituting 28 per cent of the population. This is another problem where the tribals became strangers in their own land. Therefore, land is very important. It is not just having health or any such facilities.

That is why, I concur with what our colleagues Shrimati Geeta Mukherjee was saying. It is very important. I feel that we have to apply our mind fully to another question of monitoring the progress, of bringing the Scheduled Castes and Scheduled Tribes to the level of equality. How far have we been able to do it ? We would like to know from the Government about the progress made. So far as employment opportunities are concerned, there is a national policy on this. But we know for a fact that many of these jobs, whether it is railways or civil aviation or any other public undertakings, are not got by the tribals or the Scheduled Castes. Somewhere along the line, the Administration could not stop other people from other castes and other tribes, but not from the Scheduled Castes and the Scheduled Tribes. They were able to gain access to having certificates attesting to the fact that they were Scheduled Castes or Scheduled Tribes as a result of which genuine Scheduled Castes and Scheduled Tribes are not getting the jobs. This is again another problem. I know it for a fact. So, unless implementing agencies are keen, are honest in their work, we will find that whatever we wish to do is not happening. The main purpose of my speech here is, I would like not just a mere statement of allowing reservation, I would like to see how reservation works at the ground level. This is what I would like to impress upon the hon. Minister particularly and upon the Government and, I am sure on this matter you all agree. It is not a party affair. This is a national issue. On this issue, we must stand as one. This is my appeal to all of you, to my colleagues because some hon. Members on either side are talking about BJP or the Congress. I do not think it is right to talk about parties. This is an issue which cuts across party lines. This is a national issue.

[Translation]

SHRI RAMDAS ATHAWALE (PANDHARPUR) : Hon'ble Deputy Speaker, Sir, government must be feeling very proud and happy on bringing forward the Bill meant for extending the reservation for Scheduled Castes and Scheduled Tribes. Any government which comes to power is bound to provide the rights to Scheduled Castes and Scheduled Tribes which has been provided to them by the Constitution. If the Bhartiya Janata Party has come to power, it is only natural for them to have brought the proposal for extending the reservation for these castes. Had they not brought this Bill, they would not

[Shri Ramdas Athawale]

have possessed any right to enter this House. Therefore the proposal which has been brought is all right. There is a provision for extending the reservation upto ten more years. Our demand is that the reservation benefits for Scheduled Castes and Scheduled Tribes should continue till casteism exists in the society. Fifty years ago, the population of SCs and STs comprised twenty two and half percent of the total population. Now it has gone upto 25 percent. Therefore we demand that there is an urgent need to increase the percentage of reservation upto 25 per cent. Now we shall see how the reservation policy had come into being. When Mahatma Gandhi was in Yeravada Jail and Baba Saheb Ambedkar raised the demand for a separate electorates for Scheduled Castes, then Mahatma Gandhi started the fast unto death to oppose this demand and keep the Hindu society united and also to save the Hindu Society from the possible misgivings which could have arisen due to the fulfilment of the demand of separate electorate made by Baba Saheb Ambedkar.

Sir, therefore he had started this fast. The policy of reservation was accepted under the Poona Pact reached between Mahatma Gandhi and Baba Saheb Ambedkar. Therefore we demand that the reservation policy should continue to exist for many more years to come. We would also like to say that we have always been abused over the reservation issue by saying that we are being treated very specially by the Government. The population of scheduled castes is 22.5 per cent of the total population of the Country and we have been enjoying only that much percent of reservation but attempts are always made to give us a bad name in the name of reservation. I would like to say that we are the citizens of this country. Therefore we have full right to get the jobs in this country. We have been subjected to injustice for many centuries. Many people have been demanding that we should not be given these benefits.

If they say that we should not be given reservation then we will demand that in this country there are 3 percent Brahmins, 12 percent Marathas, 12 percent Jats, all of them should get jobs proportionate to their population. The 87.50 percent jobs they have been getting are very much on the higher side they are also getting other benefits in addition to this. I would like to say that we are not getting more. We have been getting as much or less than the proportion of our population.

Sir, just now my colleague from Madhya Pradesh was speaking that socially and economically backward people should also get reservation. I would like to tell him that there are only five percent scheduled caste ministers in the Union Cabinet right now. They should give ministerial berths to 25 percent people from our castes. Therefore you do not have any right to speak in this regard. Firstly, the government should appoint 25 percent ministers belonging to SCs and STs. After that they should say something it has been said that we do not know how to run the government. I would like to say that we know this art. We had the power in the past but we lost it because we kept on quarrelling with each other. Therefore it is wrong to say that we don't have any experience of running the government. If you want to remain in power for

five years then you have to extend the reservation facility for 10 years. How many years you will stay in power, does not depend on us now. We cannot pull you down but your own people will do so.

Sir, I have been elected an M.P. for the third time. The constituency from where I used to be elected earlier is now represented by Shri Manohar Joshi and I have been elected from another constituency. I would like to tell that this time I have won by a margin of 2,59,505 votes and stand sixth in the list of overall winning margin of victory. This is indicating a charge. We have not only been getting the support of SC's/ST's but the people from upper castes too, are supporting us. We should be given reservation. When the Hon'ble Minister of Law Shri Ram Jethmalani was sitting here, it was said that we have been showing disrespect to the Supreme Court. We have a great respect for the Supreme Court but Supreme Court too should respect our sentiments. We should get the right of reservation provided to us under Article 316 of the Constitution. The judgement delivered by the Supreme Court regarding reservation should not be implemented by the Central and State Governments.

MR. DEPUTY SPEAKER : Shri Athawaleji, please conclude now.

SHRI RAMDAS ATHAWALE : Mr. Deputy Speaker, Sir, I am concluding. We have been subjected to injustice for thousands of years. You are the giver of justice..... (Interruptions)

MR. DEPUTY SPEAKER : This Bill is to be passed and then sent to the Rajya Sabha before five o'clock.

SHRI RAMDAS ATHAWALE : The Supreme Court has given the judgement that there should be no reservation in promotions, but no constraints have been imposed by the apex court to implement the same. There is, therefore, no need for the Central and State Governments to implement it. However, there is a need to enact a Reservation Act in Parliament to protect the reservation policy. There should not be a separate merit for scheduled caste and scheduled tribe candidates in the medical education. The Medical Council of India should ponder over it. If we get the reservation for the admission to the MBBS course, no facility to pass the examination is given to us. I would like to say that the doctors belonging to the scheduled castes and scheduled tribes are of very good calibre. The patient who visits a doctor belonging to the upper castes does not get well even after getting ten injections, but the same patient can get well from only one injection given by scheduled caste doctor. Therefore there is a need to produce more and more doctors belonging to scheduled castes..... (Interruptions) The separate merit for SC's, ST's should continue.

MR. DEPUTY SPEAKER : I would like to request all speakers that this Bill is to go to Rajya Sabha. At 4.30 hon. Minister is also to reply. Therefore you should present your point of view in brief.

SHRI RATTAN LAL KATARIA (AMBALA) : Mr. Deputy Speaker, Sir, I rise to support the Constitution (Eighty Fourth Amendment) Bill brought forward by hon'ble Minister of Law, Justice and Company Affairs.

I support and welcome the Bill brought forward by N.D.A. government headed by hon'ble Shri Atal Bihari Vajpayee to extend the reservation for ten more years. But at the same time, I would like to know the circumstances under which the Bill for extension of reservation had to be brought repeatedly during the last 50 years. It is a very sad story that the people have used the Dalit as a vote bank. This country has been ruled by the Congress Party for many years and this... * Congress Party used to coin slogans quite frequently..... (Interruptions)

SHRI KANTILAL BHURIA (JHABUA) : The credit goes to the Congress that you have learnt to raise your voice.

MR. DEPUTY SPEAKER : You are a new Member. So do not cast insinuation like this

..... (Interruptions)

[English]

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : Mr. Deputy Speaker, Sir, you may kindly expunge the word..... (Interruptions)

MR. DEPUTY SPEAKER : Yes, I will

..... (Interruptions)

MR. DEPUTY SPEAKER : He is a new Member. It is an insinuation. It could be expunged

..... (Interruptions)

[Translation]

SHRI RATTAN LAL KATARIA : I wanted to say..... (Interruptions) all right, I will say 'Maharaja'..... (Interruptions)

SHRI SUSHIL KUMAR SHINDE (SOLAPUR) : We will not spare even your Prime Minister..... (Interruptions)

16.00 hrs.

SHRI RAJESH PILOT (DAUSA) : The Congress has opposed the princely states in this very House. Congress has voted against the princely states here, only then the privy purse was abolished. Your party has aligned with them..... (Interruptions)

MR. DEPUTY SPEAKER : Listen, you address the Chair. You are a new Member.

* Expunged as ordered by the Chair.

SHRI RATTAN LAL KATARIA : Give me a chance to speak. I am a new member. A slogan was given by the Congress Party in 1971 to remove poverty. The votes were collected from the poor, simply by giving the slogan of removing poverty, but the poor were forgotten as soon as the power was attained. We will have to make a deep study of this constitution amendment Bill which has been brought now..... (Interruptions)

SHRI KANTILAL BHURIA : This is not an election meeting, this is Parliament..... (Interruptions)

[English]

MR. DEPUTY SPEAKER : Shri Rattan Lal Kataria is making his maiden speech. Whatever insinuations he has expressed. I will expunge them.

[Translation]

SHRI RATTAN LAL KATARIA : Thereafter, the United Front Government assumed the office which comprised people who used to talk about social justice (Interruptions)

MR. DEPUTY SPEAKER : If you keep on talking to each other, then it is not going to affect us anyway

..... (Interruptions)

SHRI RATTAN LAL KATARIA : During the regime of those who claimed themselves to be the flagbearers of social justice, five O.Ms were issued resulting in the loss of employment for three lakh scheduled caste persons. And they want to put this blame on hon'ble Shri Atal Bihari Vajpayee. I would like to say in this august House that hon'ble Atal Bihari Vajpayee had announced to remove this discrepancy by 17-18 the March in order to undo the injustice suffered by people belonging to scheduled castes. But those who take pride of being the flagbearers of social justice has done a great injustice to the scheduled castes by voting out the Vajpayee Government by a margin of one vote..... (Interruptions)

SHRI RAJO SINGH (BEGUSARAI) : All those persons are sitting on that side..... (Interruptions)

SHRI RATTAN LAL KATARIA : I would like to tell those who blame us for being the followers of Manu that today our party represents maximum Members of Parliament belonging to Scheduled Castes and Scheduled Tribes and more representation has been given to persons belonging to scheduled castes and scheduled tribes in the government headed by hon'ble Shri Atal Bihari Vajpayee. Some people try to attack us by casting aspersions against our ideology, raising slogans of being Manu's followers and by labelling BJP as anti scheduled castes. But I would like to tell in this august House that the ideology adopted by our party is based on the ideology of Pandit Deen Dayal Upadhyaya which states that we shall not take rest until the deprived lot of Dalits, the exploited and the sufferers is not given their due. Today we

[Shri Rattan Lal Kataria]

want to repeat the philosophy of our party in this House that under the leadership of hon'ble Atal Bihari Vajpayee, the rights of all 25 crores of people belonging to scheduled castes and scheduled tribes are safe. We would like to say in this august House that we will transform the lives of Dalits by entering into the 21st Century in very much the same way as our tricolour has been fluttering in free air for the last fifty years.

MR. DEPUTY SPEAKER : Now you conclude.

SHRI RATTAN LAL KATARIA : With these words I support this proposal and thank you for giving me the time to speak.

[English]

SHRI BAJU BAN RIYAN (TRIPURA EAST) : Hon. Deputy Speaker, Sir, I rise to support this Bill. We are discussing this Bill just to replace the words "fifty years" by the words "sixty years". Of course, this is the last year for providing reservation facilities to the Scheduled Castes and Scheduled Tribes. But I have a doubt whether we can fulfil the demands of the Scheduled Castes and Scheduled Tribes in the next ten years. Sir, the Government is represented by class. So, in some States where the Government is run by the Left Parties, the reservation quota for Scheduled Castes and Scheduled Tribes is fulfilled. But in other States where the Governments are run by other parties, there is shortfall.

Sir, I had the opportunity to serve as a Member of the Committee for the Welfare of Scheduled Castes and Scheduled Tribes of Lok Sabha. We had examined many Departments of Central Government and the public undertakings also. But we found that there was no Department where the reservation quota for Scheduled Castes and Scheduled Tribes had been fulfilled. So, it depends on the attitude of the implementing agencies.

Sir, I want to mention here a tragic fact. Some States are ruled by the tribals but they are depriving the other tribal communities of this facility. Especially in Mizoram, the Riang community which is in a minority there, is having some problem and they have run away from there. About 40,000 Riangs are camping in Tripura. I demand that the Central Government should intervene in this matter so that the peaceful situation is created in Mizoram and the Riang refugees could go back to their original States.

Sir, due to court orders, the promotion facilities for Scheduled Castes and Scheduled Tribes in the Government service has now almost been withdrawn. This matter was discussed in this House and the Government gave an assurance that this facility will be restored. I hope that the new Government will take steps to this effect as it is necessary to restore the promotion facilities to Scheduled Castes and Scheduled Tribes in all the Departments of State Government as also the Central Government.

Sir, in every State budget, there is a provision for Tribal Sub-plan. This head is there. But I have a doubt whether the

money which is earmarked for this purpose, is spent for it or is diverted for other purposes. If we can go to different States, we could see that this money is not used properly.

Sir, some weak tribal communities have been identified as Primitive Group Tribes and the Central Government has drawn some special programme to uplift their living standards up to the level of others. But I regret to say that this programme is not being implemented in all the States in the desired manner.

Specially in North-Eastern region, there are many educated Scheduled Castes and Scheduled Tribes people who are unemployed. But they are not being recruited in other States. In almost all the State and Central Services there is a shortfall in all categories of posts. The Central Government should make arrangements in such a way that the unemployed educated people of the North-Eastern region are employed in other parts of the country.

The reservation system that we are following at present is not as per the population of different States. Different Scheduled Caste and Scheduled Tribe communities are recognised in different States. If one community is recognised as a Scheduled Tribe or as a Scheduled Caste in one State, it is not recognised in other parts of the country. My demand is that as a Scheduled Caste or a Scheduled Tribe community, it should be recognised at the national level and throughout the country.

With these words I conclude.

SHRI ADHI SANKAR (CUDDALORE) : Mr. Deputy Speaker, Sir, I am very much grateful to you for allowing me to speak on this occasion. I once again thank you for the same.

I support this Bill on behalf of the DMK Party and our beloved leader Dr. Kalaignar Karunanidhi who is a champion of the welfare of Scheduled Castes and Scheduled Tribes. After completion of fifty years of Independence we have not achieved the target of reservation for Scheduled Castes and Scheduled Tribes. As far as Tamil Nadu is concerned, the Dravida Munnetra Kazhagam is the pioneer movement for protecting Scheduled Castes and Scheduled Tribes by providing reservation to them. Our beloved leader Dr. Kalaignar Karunanidhi strictly implemented the reservation for Scheduled Castes and Scheduled Tribes in appointing judges of the High Court and all other courts in Tamil Nadu and all high posts in Tamil Nadu. In 1972 Shri Varadarajan who belonged to a Scheduled Caste was appointed a High Court Judge. Later, he was elevated to the Supreme Court. It happened during the regime of Dr. Kalaignar Karunanidhi. Now also the Chairman of Tamil Nadu Public Service Commission and the Chief Secretary of the State belong to Scheduled Caste community.

In Tamil Nadu, reservation policy is strictly being implemented in the public sector undertakings by Dr. Kalaignar Karunanidhi Government. While I support this Bill, I request

the Government to give proper protection to the Scheduled Castes and Scheduled Tribes so that our Government would fully utilise the machinery to uplift the Scheduled Castes and Scheduled Tribes.

SHRI PRAVIN RASHTRAPAL : Respected Deputy-Speaker, Sir, I rise to support the Bill moved by the hon. Law Minister for extending the time limit under article 334 of the Indian Constitution. This time limit is prescribed for reservation of Scheduled Castes and Scheduled Tribes in the State Legislatures and reservation of seats for Scheduled Castes and Scheduled Tribes in the House of People under article 330.

I first support whatever has been said by my senior colleague, Shri Buta Singh, Sir Ramdas Athawale and others. But at the same time, I protest against some of the observations made from the other side while supporting the Bill. I would particularly invite the attention of my young friend from Orissa and I would take him back to 1942 when Dr. B.R. Ambedkar was a Member of the Labour Council and the Vice-roy wanted that Dr. Ambedkar should accompany him to visit the Jagannath Temple of Puri. Dr. Ambedkar did visit but for the information of my hon. friend and for the information of the House, I would say that great Dr. B.R. Ambedkar, as a Labour Council Member, was not allowed to enter the Jagannath Temple in 1942. This is the reason.... (Interruptions) Please do not interrupt (Interruptions) I am talking of 1942.... (Interruptions)

MR. DEPUTY SPEAKER : Shri Swain, this is his maiden speech.

.... (Interruptions)

SHRI PRAVIN RASHTRAPAL : I was not allowed to enter the temple in my village during those days.

SHRI KHARABELA SWAIN (BALASORE) : You will be allowed inside the Puri Temple. You come with me. I will take you inside the Temple (Interruptions)

MR. DEPUTY SPEAKER : Nothing will go on record.

.... (Interruptions) *

SHRI PRAVIN RASHTRAPAL : You go to the Indian villages and see the situation.

SHRI KHARABELA SWAIN : You tell about your village and not about the Jagannath Temple of Puri. Everybody is allowed to enter the Temple.... (Interruptions)

MR. DEPUTY SPEAKER : Shri Swain, I have to name you. Please do not interrupt.

SHRI PRAVIN RASHTRAPAL : Sir, I want your protection.... (Interruptions)

MR. DEPUTY SPEAKER : I may warn the Member. Shri Swain, you are a senior Member. I may have to warn you. You should not stand up frequently like this. I have been inviting your attention.

SHRI KHARABELA SWAIN : How can he say that ?

MR. DEPUTY SPEAKER : I have not given you permission. How can you utter anything and everything ? This is his maiden speech. If you have anything to refute, you may refute when you get your chance. He is only narrating his experience.

SHRI KHARABELA SWAIN : Let him talk about his village. Let him not speak about Puri Temple (Interruptions)

MR. DEPUTY SPEAKER : If there is any unparliamentary expression, I would ask him to withdraw. Please take your seat. I am on my legs.

.... (Interruptions)

SHRI RAJIV PRATAP RUDY (CHHAPRA) : Sir, I am on a point of order.

MR. DEPUTY SPEAKER : Under what rule are you raising it ? You have to refer to the rule.

SHRI RAJIV PRATAP RUDY : It is a matter of privilege.

MR. DEPUTY SPEAKER : You are also a senior Member. You have to refer to the rule always when you raise a point of order.

.... (Interruptions)

SHRI RAJIV PRATAP RUDY : Under article 19, it is a matter of privilege. What I want to say is that he is a new Member and he has raise a point which is worth considering at the moment. He has mentioned that as a privileged Member of Parliament, he is being prevented to enter the temple of his own village in this democratic country. If he has made such an assertion, then this should be inquired into because this is a matter of great concern.... (Interruptions) This should be inquired into because he has made an assertion in the House.

MR. DEPUTY SPEAKER : This is not a point of order.

.... (Interruptions)

MR. DEPUTY SPEAKER : Nothing will go on record.

.... (Interruptions)*

MR. DEPUTY SPEAKER : Shri Rudy, you are not a new Member. You are also a senior Member of this House. When you are raising a point of order, you should refer to the rel-

* Not recorded.

* Not recorded.

[Mr. Deputy Speaker]

event rule also. It is not at all concerning the subject and it is not a point of order. Shri Rashtrapal, you may continue and I would request other Members not to disturb.

SHRI PRAVIN RASHTRAPAL : Sir, I want to draw the kind attention of the House and particularly of the Law Minister. The President of India was also referred in the discussion. I would invite the attention of this House.... (Interruptions)

MR. DEPUTY SPEAKER : You can refute it when you get your chance and not like this. He is mentioning about his difficulties.

.... (Interruptions)

[Translation]

SHRI LAL MUNI CHAUBEY : Mr. Deputy Speaker, Sir, the matter which the hon'ble Member has raised that he is not allowed to enter the temple in his village, if this a true....

SHRI PRAVIN RASHTRAPAL : The population of my village is 50. You can come with me.

[English]

MR. DEPUTY SPEAKER : Please take your seat.

.... (Interruptions)

SHRI RAJESH PILOT : Sir, he has a right to express what he feels right. They have no business to interrupt him when he is saying it.... (Interruptions) They should enquire it. But he has a right to speak (Interruptions) Can he not say what he feels about it ? If he is wrong, they should prove it. They cannot stop him from speaking.... (Interruptions)

MR. DEPUTY SPEAKER : I am on my legs. Please take your seat.

.... (Interruptions)

MR. DEPUTY SPEAKER : Prof. Rasa Singh Rawat, you are a senior Member. You are getting up and saying whatever you like.

.... (Interruptions)

MR. DEPUTY SPEAKER : Hon. Members, please listen to me. Shri Ramdas Athawale, when I am standing on my legs, you will have to resume your seat.

.... (Interruptions)

MR. DEPUTY SPEAKER : Hon. Members, what I said is that the hon. Member has narrated his experience. It is not unparliamentary. Why are you getting agitated ? Therefore, do not interrupt him like this. It is his maiden speech. I do not expect it from some of you who are senior Members of this House.

.... (Interruptions)

[Translation]

SHRI SAHIB SINGH VERMA (OUTER DELHI) : Mr. Deputy Speaker, Sir, I want to say that people have faith in the Puri temple but entry is not allowed to Harijans in that temple, it is very clear.

[English]

SHRI RAJESH PILOT (DAUSA) : He did not say that. He said about the position in 1942. He quoted the example of 1942. He did not say that it happened now.... (Interruptions)

[Translation]

SHRI SAHIB SINGH VERMA : What is the use of talking about 1942 today. You talk about the present.

[English]

MR. DEPUTY SPEAKER : What is happening in the House ?

.... (Interruptions)

MR. DEPUTY SPEAKER : Shri Kharabela Swain, I warn you. I have to take you to task. Do not get up like this and then say anything and everything that you like.

[Translation]

SHRI RAMDAS ATHAWALE : Mr. Deputy Speaker, Sir, A Parliamentary Committee should be constituted which may look into this matter.

SHRI LAL MUNI CHAUBEY : Mr. Deputy Speaker, Sir, it is a matter of great shame for the Congress that Dalits are not allowed to enter the temples in Orissa while the Congress government is functioning there.

[English]

MR. DEPUTY SPEAKER : Nothing will go on record except the speech of Shri Pravin Chandra Rashtrapal.

.... (Interruptions) *

SHRI PRAVIN RASHTRAPAL : Mr. Deputy Speaker, Sir, I want to invite the specific attention of the Law Minister. One thing happened last year and it is one of the most serious issues.... (Interruptions)

MR. DEPUTY SPEAKER : You have to address the Chair and not the Law Minister.

SHRI PRAVIN RASHTRAPAL : Sir, through you, I want to invite the attention of the Law Minister to this. In the previous Government, he was not the Law Minister. Appointment

* Not recorded.

of Judges was to be made. A file was referred from the Supreme Court through the Law Ministry to the hon. President of the country. The hon. President made the remarks on the said file. He said that while considering the names of the Judges for the Supreme Court, due consideration should be given to the Judges belonging to the Scheduled Caste, the Scheduled Tribes, women and the weaker sections of the society. The President has given large scope. He referred to Scheduled Castes, the Scheduled Tribes and the weaker sections of the society as well as women too. This covers 90 per cent population of our country. The point is that a note written by the President on the file was leaked to one of the leading English Weeklies, the *India Today*. The Law Minister replied that he has not leaked the information. The President will never leak the information. I want the present Law Minister to inquire into the matter to find out who leaked that information.

The magazine went further and wrote about the conduct of the President of India for giving this suggestion.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) : Will the hon. Member yield for a minute ?

A person belonging to the Scheduled Caste was appointed as a judge and his judgeship was terminated under unfortunate circumstances. I have reviewed that decision and I have seen to it that that judge is being considered for re-appointment.

SHRI PRAVIN RASHTRAPAL : But I am not referring to the appointment of a particular judge. I am referring to the suggestion given by the President of India.

SHRI RAM JETHMALANI : Is it necessary to find out who leaked what ? It is totally irrelevant.

SHRI PRAVIN RASHTRAPAL : So, it means there is no reservation in the Judiciary. A person who is fit to become a judge in the High Court is not fit to become a judge in the Supreme Court. This is the irony in our judicial system and also in the reservation policy.

I would further like to say that the Ruling Party is in a hurry to bring a Bill to have a fixed term for the Lok Sabha, as is the case with the Rajya Sabha. If they like the term of the Rajya Sabha very much, why are they not going to the Rajya Sabha first and then come to the Lok Sabha ? In a democracy, why are they in so much of a hurry ? (Interruptions)

[Translation]

SHRI PRIYA RANJAN DASMUNSI (RAIGANJ) : Who toppled the Morarji government on the name of RSS.... (Interruptions)

SHRI RAGHUNATH JHA (GOPALGANJ) : You people toppled it, Congress had got a history of toppling governments.... (Interruptions)

[English]

SHRI PRAVIN RASHTRAPAL : In this House, there are 119 elected Members belonging to the Scheduled Caste and the Scheduled Tribe. This is possible only because of reservation given to the people belonging to these classes under our Constitution.

Sir, according to me, there are various kinds of reservations like reservation in education, particularly at higher levels, reservation in State Assemblies, reservation in services, reservation in Lok Sabha etc. In fact, personally I attach more importance to reservation benefits and privileges which are given to the people belonging to the Scheduled Caste and the Scheduled Tribe in the field of education. I give second preference to the reservation scheme in Government services and I give third preference to the reservation scheme in the State Assemblies and the Lok Sabha.

I would like to request the hon. Law Minister, through you, to inquire into the details as to why there is no case or no petition filed against the reservation system for the Scheduled Castes and the Scheduled Tribes in the State Assemblies and the Lok Sabha. Why is nobody going to court against this reservation policy and why do they go to court only against the reservation policy for the Scheduled Castes and the Scheduled Tribes in the field of education and in Government services ? It is because the reservation provided in this House will give benefit to 119 persons and no political party in this country can afford to lose the support of 119 Members in this House.

Sir, I am afraid that the moment this reservation is removed, there will hardly be 20 or 25 Members belonging to the Scheduled Castes and the Scheduled Tribes in this House. So, we want a permanent mechanism to protect the interests of the Scheduled Castes and the Scheduled Tribes who are the original inhabitants of this country. They are not nomads. Some people have left their motherland for greener pastures. We do not belong to that class. We never leave our motherland and go to other countries to earn money. We always serve our country. So, I want that there should be a permanent mechanism to protect the interests of the Scheduled Castes and the Scheduled Tribes in this country.

Sir, we should appreciate as to why reservation is given to the Scheduled Tribes. We should remember that it is not given to the people belonging to a particular religion, but it is given to the people who are residing, geographically, in the most difficult terrains like the hilly areas and forests. There may be a Hindu Scheduled Tribes, there may be a Christian Scheduled Tribe and there may be a Muslim Scheduled Tribe. So, the reservation is given to them according to the areas of their residence whereas the reservation to the Scheduled Castes is given only on the basis of their caste, because of their birth place and also because they were treated as untouchables in this country for thousands of years.

I agree that after Independence, the situation has improved. But even now, consider the situation in small vil-

[Shri Pravin Rashtrapal]

ages in the northern parts of the country, that is, particularly in States like Rajasthan, Bihar, U.P. and Gujarat. I know that the situation in the southern States is better. I have travelled all over the country. In Kerala, Karnataka, Andhra Pradesh and Maharashtra, the situation may be better because of urbanisation and many other things. But you must take into consideration the entire country. I will not take much time of the House.

Now, I am only showing the debate which took place during the time of the Twelfth Lok Sabha. I do not want to go into the details. It is running into 60 pages. I have purchased a copy today. I have also to pay money for that. A Member of Parliament cannot get a paper of the previous Lok Sabha without making payment! It is all right. I want to invite attention to this matter. I paid Rs. 60 for getting it photocopied. I request the Minister of Law, Justice and Company Affairs that at least a Member of Parliament coming from a reserved constituency should be exempted! It is in a lighter vein. Do not worry about it.

I am only referring to an assurance given by the hon. Prime Minister who is not present here. The House should also take a serious note that the Minister of Social Justice and Empowerment, who is much worried about cats and dogs, is also not present here. In fact, this is a subject when she should have remained in the House. If what has been said by my colleague, Shri Buta Singh, is true, this House should pass a resolution. The photograph of Dr. B.R. Ambedkar removed by Minister of Social Justice and Empowerment from his office room should be restored. Let this House decide that if the photograph of Dr. B.R. Ambedkar has been removed from the room of that Minister, it should be restored in that place. That should be the responsibility of the Minister of Law, Justice and Company Affairs who is present during this discussion.

Now, I quote what has been said by Shri Atal Bihari Vajpayee :

"Two of these Memoranda are currently under adjudication of the Supreme Court. We would welcome the formation of a Committee of Members of Parliament who would go into the subject and assist the Government in this regard. The Government is committed to maintain the system of reservation that has been followed so far and is prepared to bring forward a legislation even to amend the Constitution if required to do so."

I request the Minister of Law, Justice and Company Affairs to take a serious note of the assurance given by the hon. Prime Minister on 18th March, 1999 during the time of the Twelfth Lok Sabha. What has happened after this promise in the Supreme Court is known to everybody. I do not want to go into the details.

I support the Bill moved by the hon. Minister. But I request him that such a Bill should not be introduced at the deadline of its expiry. When we know that the expiry date is in January, the Bill should always be brought six months in advance of the expiry date.

With these words, I thank you and conclude.

SHRI ANANDA MOHAN BISWAS (NABADWIP) : Hon. Mr. Deputy Speaker, Sir, I am a new Member in this House. It is my maiden speech. I belong to a vulnerable section of the society. Therefore, I am very much interested in this matter. On behalf of myself and on behalf of the All-India Trinamool Congress, I welcome the Constitutional Amendment Bill placed before the House by the hon. Minister, Shri Ram Jethmalani.

This is a provision about reservation. It has got no perpetuity. It is a temporary measure as envisaged in our Constitution.

The Government has to review the real position and ground reality whether the weaker sections of the society, especially the Scheduled Castes and Scheduled Tribes have reached the goal so far as the reservation is concerned.

Article 46 of our Constitution is the key note and it is a constitutional commitment and the Government has to ensure that all round development of the Scheduled Castes and Scheduled Tribes and to protect them from all sorts of exploitation. The reservation is not only limited to the Government service or Government Department only, it has got an enormous scope. Its jurisdiction is very much wide and the reservation has to be maintained in the public sector undertakings, educational institutions statutory bodies and to some extent in the private institutions also where the concessions in terms of funds are extended to those institutions.

But unfortunately, the Government has not yet built-up any mechanism to review and assess the ground reality to see whether the prescribed percentage has been reached till date or not. But there is an in-built mechanism in the Constitution itself under Article 338 and the Constitution has been amended, i.e. the 65th Amendment, and a National Commission for Scheduled Castes and Scheduled Tribes has been set up to oversee whether the Constitutional rights of these sections have been protected or not and that the judicial power has been restored to the Constitutional body. Unfortunately, the Supreme Court's judgement has taken away that power.

I would like to draw the attention of the hon. Minister that the Commission can assess whether the prescribed percentage has been reached or not. To some extent, they can issue summons and examine all the relevant papers and record the statements of the concerned authorities.

SHRI SUDIP BANDHOPADHYAY (CALCUTTA NORTH-WEST) : Sir, the Cabinet Minister is not present in the House. Who is taking down the notes? Sir, Shri Biswas was a Member of the Scheduled Castes and Scheduled Tribes Commission also.

MR. DEPUTY SPEAKER : I think, the hon. Minister is there and he is taking down the notes.

SHRI ANANDA MOHAN BISWAS : But I am not saying that the Supreme Court judgement is a judicial activism because in our Constitution there is a provision for judiciary's independence. But I think, the judiciary is not above Parliament. In that Judgement, it has been principally laid down that the commission has got the right to summon any person, any authority defaulting or disallowing that provision for reservation. The Hon'ble Supreme Court held that this power is only for the purposes of annual report. So, this power is with the Commission but the same is ineffective.

Sir, I would like to draw your kind attention regarding the criteria for fixation of the reservation quota. It has been provided in our Constitution that on the pro-rata population basis the reservation quote should be fixed. But till date the quota for the Scheduled Castes is 15 per cent and the reservation quote for the Scheduled Tribes is only 7.5 per cent as per the 1981 census. I would request the Government to review the matter. As per the 1991 census the Scheduled Castes population has risen to 24 per cent, so the reservation quota for the Scheduled Castes ought to be increased from 15 per cent to 24 per cent *vis-a-vis* the reservation quota for the Scheduled Tribes ought to be increased from 7.5 per cent to 10 per cent. But at the end of year 2000 it will increase more in both cases.

Secondly, reservation should be given not only in the services but also in the educational institutions. Article 15(4) of our Constitution provides that the Scheduled Caste and Scheduled Tribe people must get admission in all the educational institutions. So, it is not a magnanimity; it is not a concession; it is not a charity of some quarters but I think it is the Constitutional right of the vulnerable sections of the society, especially, the Scheduled Castes and Scheduled Tribes.

Sir, I draw your attention to the atrocities being inflicted upon all the vulnerable sections of the society. After attaining 50 years of our Independence, we think that till now this section of society is under the oppression of some classes of vested interests.

Mr. Deputy - Speaker, Sir, long, long back in the year 1956, following article 17 of our Constitution, this august House had enacted an Act under the nomenclature of Civil Rights Act to eradicate untouchability. This falls under the purview of regular criminal proceeding, and under this, there is a provision for adjudication through a special judge. But I think till today not even a single exemplary punishment has been given to any vested interest following the course of this enactment.

Sir, there is another enactment of this House. That Act is called the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act. That Act was passed in 1989 in this august House. I am saying this out of my own experience. I have had the privilege to become one of the members of the National Commission for Scheduled Castes and Scheduled Tribes. I had the occasion to visit the different parts of our country. It is curious to note that the police personnel have got no knowledge regarding these Acts. When the people,

being the victim of the atrocity, approached the police, the police consideration a case under the provision of Indian Penal Code without taking into consideration the provision of these Acts. There is a provision in these Acts for compensation to the victim of atrocity who belongs to the Scheduled Caste community. There is also a provision that compensation should be given to all those victims from the State exchequer. I think the Government has to take note of this to make the police personnel aware of these two Acts so as to protect the Scheduled Caste and Scheduled Tribe people.

I would draw the attention of the nodal Ministry that there must be some executive mechanism to evaluate whether the prescribed percentage of reservation has reached or not. According to me, in the Group A services, only six per cent Scheduled Caste persons is there; in Group B, their percentage is only eight; and in the Group D services, it is above 15 percent, including the sweepers and those who are working under contractors. So, there is a backlog with groups A and B.

MR. DEPUTY SPEAKER : Please conclude now.

SHRI ANANDA MOHAN BISWAS : So, the prescribed percentage of reservation in Groups A and B has not yet been reached. So long as it is not reaching, the reservation will be a continuous process.

I would like to draw your attention that in 1996-97, five hard hitting circulars were issued by the Department of Personnel and Training curtailing the right of reservation given to the Scheduled Caste and Scheduled Tribe people. It is nothing but bureaucratic activism. The then Govt. did not apply mind into these circulars.

16.44 hrs.

(MR. SPEAKER *in the Chair*)

In Indira Sawhney's case, there is a verdict from the Hon'ble Supreme Court that under no circumstances, the reservation will not exceed 50 per cent. Whereas Indira Sawhney's case does not relate to the Scheduled Caste and Scheduled Tribe communities, it relates to the other Backward Class communities. In Indira Sawhney's case, the Hon'ble Supreme Court's verdict is that there shall be no reservation in promotion.

Thanks to the previous Government that they amended the Article 16(4) in respect of reservations for Scheduled Castes and Scheduled Tribes in service, and promotion, through the Seventy-seventh amendment of the Constitution inserting a new clause '16(4)(a)' and made the verdict inoperative. Due to this amendment the reservation were further continued. So, DoPT circular should be reviewed by the Government.

Sir, I would like to draw the attention of the nodal Ministry to the fact that there is a need for a Central enactment to ensure reservation strictly having a penal provision. The

[Shri Ananda Mohan Biswas]

executives defaulting in maintaining reservations at all levels are to be punished. Their accountability and responsibility should be fixed for wilful violation of the reservation policy. I think, almost all the State Governments have already enacted it with a penal provision to the extent that any officer who defaults in implementing the reservation policy is to be penalised with a heavy fine.

I introduced a Bill in this respect, when I was a Minister in the West Bengal Government. So, there is an enactment with a penal provision to the extent that any officer who violates the reservation policy should be fined by the courts. That will also adversely affect ACR too. That is why, the officers have to take care of the proper implementation of the reservation policy.

It is my humble suggestion that I think central Government will take note of this and also to introduce a similar bill regarding reservation policy. The Central Act would have lost its force deemed to be repealed and it would not have any *locus standi* with nonest of reservation policy.

Sir, with these few words, I support this amendment moved by the hon. Minister before this House.

MR. SPEAKER : Shri Prakash Ambedkar is the last speaker. Please conclude in two minutes as we have to send this Bill to the Rajya Sabha.

.....(Interruptions)

MR. SPEAKER : No, already 21 Members have participated in the discussion.

.....(Interruptions)

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY : Sir, I may also be given a chance to participate in the discussion.
.....(Interruptions)

MR. SPEAKER : No, please. This is a very important Bill.

.....(Interruptions)

SHRI PRAKASH YASHWANT AMBEDKAR (AKOLA) : Sir, I rise to support the amendment moved by the hon. Minister. Every ten years, a similar Bill is being moved to extend the reservations in Lok Sabha and Assemblies by ten years. At the beginning, it was necessary to decast the Parliament itself, and with that intention, that is, do decast the Parliament, the reservation policy was introduced in the Constitution. Fifty years have passed, the society has moved forward, and we have landed ourselves into a system where we see casteism on wane but castes becoming stronger day by day. This is the social analogy which we are facing today. If we continue with the present system that we have, then we will be landing ourselves in a static state where neither those from the reserved category nor those from the general category have any chance of coming together. There is no

attempt in this country, which is a heterogenous mass, to evolve itself under some common platform. Time and again, the situation is changing where, in the beginning, the Government machinery was used to settle the reservation policy, and now, what we see is that the courts are being used to settle the reservation policy.

Sir, it is time we wake up to the social realities in this country. I know that the reservation has to continue because the attitude of the masses has not changed. But we have to give an opportunity to the masses also to change their attitude. I would welcome the hon. Minister's offer for a detailed discussion on the issues of the Scheduled Castes and the Scheduled Tribes, but I think not only the Government but also those who are in the Opposition, will have to come forward to see how we are going to overcome this dichotomy in which the Scheduled Castes claim themselves as Scheduled Castes and the general class remains as general class. This is a division in the society which, I think, we have to win over.

As I see the situation today, which is going from bad to worse, it is not because of the casteism but because of the caste being stronger. At the beginning of the Constitution, we decast the parliamentary system. Today, it is necessary that the political parties are decast. Except myself and Shri Sushil Kumar Shinde, I do not find anyone either being contested as a general candidate or being set up by the political parties. This is the attitude. The attitude of the political parties has to change now. I see a situation where masses are changing but the political parties are reluctant to change. Therefore, there has to be some means by which we can force the political parties to change their character itself. But I do not think we are having means whereby we are going to change the masses. It is only the attitude as to how you look into the situation, how you look at the issues that is going to change the society. If we do not bring about a change in the attitude, I see confrontation developing in the country itself.

May I express my concern regarding the privatisation in the economic sector that is taking place, which is supported both the Congress and the BJP ? In the days to come, the entire public sector is going to become private sector. I see two different things in this : (i) in the private sector, there is no reservation at all and (ii) if the entire public sector becomes private sector one day, indirectly we will be taking away the reservation benefits. There is a social change taking place in the Parliament itself, though it is slow. The proportion of the downtrodden is increasing day by day. We are following the liberalisation policy. What is the effect of the liberalisation policy ? The effect of the liberalisation policy is that the economic power of the Parliament is being diminished day by day. We are facing a new situation in the times to come. If there is a total separation of economic power and political power and if there is a character change, a social change in this whole House itself, the House will be deprived of the economic power. They will be left only with the political power which has no meaning in the real sense at all. It is time that we sit and debate over this before the situation develops to such an extent that it becomes out of control.

Lastly, may I raise another issue ? As I said, caste is becoming more stronger day by day. Are we not to follow the social mobility at all ? Caste has a stigma, as it had in the Eighties when the use of the word 'Harijan' was banned by the Government itself because it reflected upon certain parts of communities.

If you want social mobility in this country, if you want different societies to come together, I think it is time that we decide that the use of the word 'caste' will also be banned in this country. If you start referring to them an different communities, we go into a wider plane where a community does not mean any detachment or it does not mean any privilege to anybody.

We have to move out, upwards and if we have to move upwards, if we have to give social mobility, I do not think, just merely extending reservation by ten years we are going to achieve anything.

It was in the year 1952 when the father of this Constitution, Dr. Ambedkar made a demand to the Government to kindly make a process where the reservation is done away because he knew that one day these reservation are going to become in itself a hindrance to development. I know that today there is a confrontation in the judiciary and other places. Let us move along a social mobility plan, a social mobility where we bring communities together, we bring this heterogeneous mass together and bring a feeling of oneness.

With these words I thank you and also support the Bill.

MR. SPEAKER : Now the hon. Minister to speak.

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY : Sir, are we not Members of this august House ?

[Translation]

MR. SPEAKER : You sit down. This Bill is to be sent to the Rajya Sabha also.

.....(Interruptions)

[English]

MR. SPEAKER : You are also a Member of this House. Please take your seat.

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY : Then why are we not allowed ?.....(Interruptions)

[Translation]

You are not giving us a change to speak on the issue of tribes.

[English]

MR. SPEAKER : Now the hon. Minister to speak.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI) : Mr. Speaker, Sir, I have heard with rapt attention the very informative, erudite and passionate speeches of 20 Members who have participated in the discussion on this Bill this afternoon. I would have taken a long time to deal with all those speeches and the points that have been raised. But we are all working today under constraints of time. I propose to be very brief; but not so brief as to show disrespect for the points that have been made in this House.

Sir, summarising and surveying all the 20 speeches, three things emerge with complete unanimity. The first is that the original compulsions which compelled the Consultation-makers to provide for reservations bot for the Scheduled Castes and the Scheduled Tribes and to some extent for the Anglo-Indian community continue. There has been some divergence of opinion. Some Members have said that nothing has been achieved ever since the reservations were instituted. Others have said, and my sister there has been arithmetically calculated and said that there has been ten per cent fulfillment of the dreams of the Constitution-makers.

But, Sir, whatever these differences, they have all agreed that even indignities and atrocities of the basest kind which disfigured the social scene in India many years ago still continue to disfigure many parts of the Indian landscape.

The second matter on which we are all united is that the benefits of reservation are confined to a select few and they have not percolated down to the vast majority of those who have suffered for centuries in this country.

17.00 hrs.

Therefore, there has to be a wider base for the spread of the benefits of reservations in the future. It seems that we are all united on this that the Bill must be passed. I am grateful to the House for this unanimity, but kindly do pardon me for taking a few more minutes of the time of this august House to make a comment, and a very brief one, on some of the points raised.

Sir, we all Members who take our seats in this House take an oath of loyalty to the Constitution of India. It is the Constitution of India which talks of human dignity and brotherhood. It is the Constitution of India which talks of the equality of all irrespective of caste, creed, colour or religion. It is a little unfair to characterise those who solemnly swear by the Constitution as *Manuwadis*. I liked the speech of my sister Kumari Mayawati. It was one of the most delightful speeches that I have heard from her, but if she said it in good humour, then, I will not even take the trouble of combating this assertion. But we are not *Manuwadis*, we are *Amdedkarwadis*.

[Translation]

KUMARI MAYAWATI (AKBARPUR) : I thank you if you bring a change in your attitude.

[English]

SHRI RAM JETHMALANI : I have repeatedly declared my personal testament in this House.... (Interruptions) I have repeatedly declared before this House that I consider Dr. Ambedkar not only as the architect of our Constitution, but in my personal life - both in social life and political life - I consider him my guide, friend, philosopher and of course a beacon light.

I do not wish to go into the wounds of the past. I do not wish to score political points. Some Members doubtless tried to make political points, but I do not wish to make any. I could seize upon the confession that was made that nothing had been achieved in favour of the backward classes, the Scheduled Castes and Scheduled Tribes. Some Members of the Congress Party said it. I could have said : 'Yes, this is true' and then, I could have turned the tables and said : "But we never have been in power from the last fifty year". I do not wish to do that and it is no use going into the past. Let us now concentrate on future.

Sometimes, a brief reference to the past may be necessary to evaluate the problems that perplex us and to find out the solutions of these extremely complex problems.

Sir, *Manusmriti* is considered by some at least as a scripture and yet, I think, it is a tribute to the generosity, the catholicity, the rationality, and the secularism of the Indian mind, particularly the Hindu mind, that they have allowed their scriptures to be repealed by the Constitution of India and they have allowed their scriptures to be repealed by the laws made by the Parliament of this country. Shall we all unite together and unanimously pass a law prescribing those parts of *Manusmriti* which are inconsistent with the Constitution and the law of this land ? (Interruptions) We will be willing, but please bear in mind that there are some adventitious disposable elements in the Hindu religion which we have been trying to get rid of for the last so many years. There are such disposable and adventitious elements in every faith. Are the followers of all faiths prepared to join in this crusade that it is the ultimate republic religion of India which will prevail over all other denominational religions ? Join together in this great venture and that will be your greatest contribution to the establishment of a secular and unified society.

Sir, a reference was made by the very venerable friend Geetaji. She talked of the predominance of "*Saraswati*" over "*Lakshmi*". I whole-heartedly support it. The real problem, if you ask me, is the problem of education. If you give intensive education of the highest kind to all sections of the society, and particularly those who have suffered from centuries of oppression, you will have solved the major problem, and that is the key to the solution of all other subordinate problems.

To the Members of this House, Mr. Speaker, I am known as a practitioner of law, and now I have been temporarily a Minister of Law. But basically I am a teacher of law. I teach even now in three universities. In the National Law School of India, which has now turned out to be the Harvard of India,

we have a system of reservation for the Scheduled Castes. We admit the Scheduled Caste students every year. We admit them even though they have less marks in the qualifying examination. I myself have gone and taught those young boys; I have taught them and given them intensive training for three months, and those young boys from the Scheduled Castes have suppressed every other student, and in every test that has been prescribed, they have outclassed the students of the so-called higher castes.

My friend from the Shiv Sena, my colleague here, very rightly talked about the anger which sometimes is produced by reservations. Yes, I agree that there are some people who have the vanity to think that they are persons possessed of merit, and they become angry when the system of reservation does them out of a job. But I think, those who are thus angry must realise two things: that merit itself is not a matter of excellence or a matter of birth in a particular family. Ultimately, what is 'merit' and who has defined 'merit' ? Dr. Saroja was asking me to define 'merit'. Doctor, I confess inability to define 'merit'; merit cannot be defined except by your social attitudes. After all, is a successful lawyer greater than a successful sweeper ? How do you answer this question by any inference or criteria ? No, it is a question of social attitude. We have been trained to think that a lawyer is a slightly better person than a sweeper. In some societies, possibly, it could be the other way; the social attitude might be different.

Reservations, my friends, are not a system of poverty alleviation; they are a system of compensation for historical wrongs, just as Hindu law, we have a rule that a father's debts must descend upon the son, and the son is under a pious obligation to discharge the debts of his father. The present generation, the people of so-called merit, who are angry about reservations, must learn that the present society will have to pay for the sins of our ancestors. But this anger should not be left to continue for long. We have already continued it beyond the original contemplated period of ten years. We have increased it to 20, 30 or 40 or 50 years, and now, today, we are increasing it to 60. I suggest that within the next ten years, if we put together our entire moral, spiritual, and material resources, I have no doubt that given proper implementation of the safeguards for the Scheduled Castes and the Scheduled Tribes, we should be able to achieve within ten years what we have not achieved during the last 50 years.

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY : It is impossible.

SHRI RAM JETHMALANI : But I require your cooperation. I said, Mr. Speaker, that in my private capacity, not as a Minister of Law and Justice, I intend to call a big convention where those of you who want to come will come and those who have been denied today to speak freely, we will hear them for days together. We will sort out the problems, and we will find the solutions.

But there must be an honest conviction and pledge that you must carry out those resolutions with perfect candour, perfect industry and perfect honesty.

Some of my friends referred to legislation. Yes, my good friend Shri Ram Vilas Paswan has given us a model. He gave this model when he was a member of the previous Cabinet – and not when he is a member of this Cabinet – of which he was a distinguished member himself. He did produce a model piece of legislation. I can only promise that I have not had a look at it but I would certainly look at it and we would seriously consider what is today being done by purely Resolutions of the Government and by official memoranda, whether or not it should be converted into statutory obligations. That is what Shri Ram Vilas Paswan has asked for and I promise that we would look into it.

My friend, the distinguished Professor talked of '*Mansikta Ka vikas karo*'. Character cannot be legislated. Character has to come out of your own education; it has to come as a result of some little flash of light in your conscience. Law will not do. You are right in saying that in this country we have used the Scheduled Castes as pawns and also as vote banks in some instances, utilized them but never did things for them which they really deserved and which ought to have been done long long ago.

I do not wish to make a political argument today. My friend, the representative of the Samajwadi Party very rightly talked about corruption as being the ill of this nation. It was heart-rending to hear from him that direct testimony of an eye witness, that even in the matter of implementation of the safeguards for the Scheduled Castes there is gross corruption and the grossest kind of corruption. I am one with all Members of this House who have a commitment to removal of corruption. But corruption can only be removed if, first of all, there is vigorous law enforcement where law must not hang limp when it is faced with people who occupy the upper decks of our political life. Pledge yourself today to rigorous enforcement of the law relating to corruption and at least pledge that no one in his personal life shall seek any advantage by the practice of corruption and corruption will go and with it will improve the condition of the Scheduled Castes and the people belonging to the weaker sections of our society.

I assure you that my Government, my Prime Minister here and the entire Cabinet has the good of the Scheduled Castes and the Scheduled Tribes and others very deep in their heart. Can there be any greater evidence that my Prime Minister has created a separate Ministry of Tribal Affairs with a full-fledged Minister at the top? We have three full Cabinet Ministers belonging to the Scheduled Castes and Scheduled Tribes and we also have eight other Ministers with some of them having independent charge of various Ministries. We are still looking for more talents. Believe me, I hope, some day, early enough, I will be displaced in my Ministry by some Member from the Scheduled Caste community. Maybe, it will have to be some student from the National Law School of India.

Four other topics were mentioned, namely, women, land reforms, the creamy layer and the use of the Eight Scheduled to immunise this legislation from any constitutional

attack in future. I assure you that all these topics will be very seriously considered.

SHRI KODIKUNNIL SURESH (ADOOR) : What about the reservation in Rajya Sabha ?

SHRI RAM JETHMALANI : Yes, the question of reservation in the Upper House at the State level and at the Central level are topics which we would meet together in an atmosphere free from time constraints and we will discuss them; we will hammer out solutions and again go back to the Parliament and, of course, persuade the Government to take the necessary steps.

Today I am grateful to you all for your patient hearing. May I now request that this Bill now be passed into law with unanimous acclaim.

MR. SPEAKER : Before I put the motion for consideration of the Bill to vote of the House, I may inform the House that this being a Constitutional (Amendment) Bill, voting has to be by division.

Let the Lobbies be cleared –

Now, the Lobbies have been cleared.

Hon. Members, as the Division Numbers have not so far been allotted, it is not possible to hold the division by the Automatic Vote Recording Machine. Division will now take place under Rule 367AA by distribution of slips.

Members will be supplied at their seats with 'Aye' / 'No' printed slips for recording their votes. 'Aye' slips are printed on one side in green, both in English and Hindi, and 'No' in red on its reverse. On the slips, Members may kindly record votes of their choice by signing and writing legibly their names, Identify Card numbers.

... (Interruptions)

SHRI BASU DEB ACHARIA : Sir, we have not received Identity Cards. Let us write the number of the constituency.

SHRI PRIYA RANJAN DASMUNSI : Sir, let us write the name and the number of the constituency.

MR. SPEAKER : Okay, let it be the constituency number. On the slips, Members may kindly record votes of their choice by signing and writing legibly their names, constituency numbers, States/Union Territories and date, at the place specified on the slip. Members who desire to record 'Abstention' may ask for the 'Abstention' (yellow colour) slip. Immediately after recording his vote, each member should pass on his slip to the Division Clerk who will come to his seat to collect the same for handing over to the officers at the Table. Members are requested to fill in only one slip for Division.

Members are also requested not to leave their seats till the slips are collected by the Division Clerk.

The question is :

"That the Bill further to amend the Constitution of India, be taken into consideration."

The Lok Sabha divided :

17.40 hrs.

[Division No.1]

A

AYES

A. Narendra, Shri
 Abdullakutty, Shri A.P.
 Acharia, Shri Basu Deb
 Acharya, Shri Prasanna
 Adhi Sankar, Shri
 Aditya Nath, Yogi
 Adsul, Shri Anandrao Vithoba
 Advani, Shri L.K.
 Ahmad, Shri Daud
 Ajaya Kumar, Shri S.
 Alvi, Shri Rashid
 Ambedkar, Shri Prakash Yashwant
 Ananth Kumar, Shri
 Angle, Shri Ramakant
 Argal, Shri Ashok
 Athawale, Shri Ramdas
 Azad, Shri Kirti Jha

B

Baalu, Shri T.R.
 Babban Rajbhar, Shri
 'Bachda', Shri Bachi Singh Rawat
 Badnore, Shri V.P. Singh
 Baina, Shri Ramchander
 Bais, Shri Ramesh
 Baitha, Shri Mahendra
 Baliram, Dr.
 Banantwalla, Shri G.M.
 Bandyopadhyay, Shri Sudip

Banerjee, Kumari Mamata
 Banerjee, Shrimati Jayashree
 Bansal, Shri Pawan Kumar
 Barman, Shri Ranen
 Basu, Shri Anil
 Bauri, Shrimati Sandhya
 Baxla, Shri Joachim
 Begum Noor Bano
 Behera, Shri Padmanava
 Bhadana, Shri Avtar Singh
 Bhagora, Shri Tarachand
 Bhatia, Shri R.L.
 Bhuria, Shri Kantilal
 Bishnoi, Shri Jaswant Singh
 Biswas, Shri Ananda Mohan
 Bose, Shrimati Krishna
 Brahmanaiah, Shri A.
 Brar, Shri J.S.
 Bundela, Shri Sujana Singh
 Bwiswmuthiary, Shri Sansuma Khunggur

C

C. Suguna Kumari, Dr. (Shrimati)
 Chakraborty, Shri Ajoy
 Chakraborty, Shri Swadesh
 Chakravarty, Shrimati Bijoya
 Chandel, Shri Suresh
 Chatterjee, Shri Somnath
 Chaturvedi, Shri Satyavrat
 Chaubey, Shri Lal Muni
 Chaudhary, Shri Haribhai
 Chaudhary, Shri Ram Raghunath
 Chaudhary, Shri Ram Tahal
 Chaudhary, Shrimati Nisha
 Chauhan, Shri Bal Krishna
 Chauhan, Shri Shriram
 Chautala, Shri Ajay Singh

Chennithala, Shri Ramesh	Gautam, Shrimati Sheela
Chikhalia, Shrimati Bhavnaben Devrajibhai	Gavit, Shri Ramdas Rupala
Chinnasamy, Shri M.	Geete, Shri Anant Gangaram
Choudhary, Shri Nikhil Kumar	Gehlot, Shri Thawar Chand
Choudhary, Shrimati Reena	George, Shri K. Francis
Choudhry, Shri Padam Sen	Ghatowar, Shri Paban Singh
Choudhury, Shri Samar	Goel, Shri Vijay
Chouhan, Shri Nihal Chand	Govindan, Shri T.
Chouhan, Shri Shivraj Singh	Gowda, Shri G. Putta Swamy
Chowdhary, Shri Adhir	Gudhe, Shri Anant
Chowdhury, Shri Bikash	Gupta, Prof. Chaman Lal
D	Gupta, Shri Indrajit
Daggubati, Shri Ramanaidu	H
Das, Shri Nepal Chandra	Handique, Shri Rijoy
Dasmunsi, Shri Priya Ranjan	Haque, Mohammad Anwarul
Dattatreya, Shri Bandaru	Hassan, Shri Moinul
Deo, Shri Bikram Keshari	Hussain, Shri Syed Shahnawaz
Dev, Shri Sontosh Mohan	J
Dhikale, Shri Uttamrao	Jaffer Sharief, Shri C.K.
Diwathe, Shri Namdeo Harbaji	Jag Mohan, Shri
Dome, Dr. Ram Chandra	Jaganath, Dr. Manda
Dudi, Shri Rameshwar	Jagathrakshakan, Dr. S.
Dullo, Shri Shamsher Singh	Jain, Shri Pusp
E	Jaiswal, Shri Shriprakash
Elangovan, Shri P.D.	Javiya, Shri G.J.
F	Jayaseelan, Dr. A.D.K.
Farook, Shri M.O.H.	Jha, Shri Raghunath
Fernandes, Shri George	Jigajinagi, Shri Ramesh C.
G	Jos, Shri A.C.
Gadde, Shri Ram Mohan	Joshi, Shri Manohar
Gadhavi, Shri P.S.	K
Gamang, Shrimati Hema	Kaliappan, Shri K.K.
Gamlin, Shri Jarbom	Kannappan, Shri M.
Gandhi, Shri Dilipkumar Mansukhlal	Kanungo, Shri Trilochan
Gandhi, Shrimati Sonia	Karunakaran, Shri K.
Gangwar, Shri Santosh Kumar	Kashyap, Shri Bali Ram

Kataria, Shri Babubhai K.

Kataria, Shri Rattan Lal

Kathiria, Dr. Vallabhbbhai

Katiyar, Shri Vinay

Kaur, Shrimati Preneet

Kaushal, Shri Raghuvir Singh

Khan, Shri Hassan

Khan, Shri Mansoor Ali

Khan, Shri Sunil

Khandelwal, Shri Vijay Kumar

Khandoker, Shri Akbor Ali

Khanduri, Maj. Gen. (Retd.) B.C.

Khanna, Shri Vinod

Khunte, Shri P.R.

Khurana, Shri Madan Lal

Kriplani, Shri Shrichand

Krishnadas, Shri N.N.

Krishnan, Dr. C.

Krishnaswamy, Shri A.

Kulaste, Shri Faggan Singh

Kumar, Shri Arun

Kumar, Shri V. Dhananjaya

Kumarasamy, Shri P.

Kamaramanglam, Shri P.R.

Kuppusami, Shri C.

Kurup, Shri Suresh

Kusmaria, Dr. Ramkrishna

Kyndiah, Shri P.R.

L

Lahiri, Shri Samik

M

M. Master Mathan, Shri

Mahajan, Shri Y.G.

Mahajan, Shrimati Sumitra

Mahale, Shri Haribhau Shankar

Maharia, Shri Subhash

Mahto, Shri Bir Singh

Mahtab, Shri Bhartruhari

Mahto, Shrimati Abha

Majhi, Shri Parsuram

Malaisamy, Shri K.

Malhotra, Dr. Vijay Kumar

Mallikarjunappa, Shri G.

Mandal, Shri Brahma Nand

Mandal, Shri Sanat Kumar

Mandlik, Shri Sadashivao Dadoba

Mane, Shri Shivaji

Mane, Shrimati Nivedita

Manjay Lal, Shri

Manjhi, Shri Ramjee

Mann, Shri Simranjit Singh

Mann, Shri Zora Singh

Marandi, Shri Babu Lal

Mayawati, Kumari

Meena, Shrimati Jas Kaur

Mehta, Shrimati Jayawanti

Mishra, Shri Shyam Bihari

Mohale, Shri Punnu Lal

Mohan, Shri P.

Mohite, Shri Subodh

Mollah, Shri Hannan

Mookherjee, Shri S.B.

Moorthy, Shri A.K.

Mukherjee, Shrimati Geeta

Munda, Shri Kariya

Muni Lall, Shri

Muniyappa, Shri K.H.

Muraleedharan, Shri K.

Murmu, Shri Rupchand

Murmu, Shri Salkhan

Murthi, Shri M.V.V.S.

Murthy, Shri M.V. Chandrashekhar

Murugesan, Shri S.		Patil (Yatnal), Shri Basangouda R.
	N	Patil, Shri Danve Raosaheb
Naik, Shri Ali Mohd.		Patil, Shri Jaysingrao Gaikwad
Naik, Shri Ram		Patil, Shri Prakash V.
Naik, Shri Shripad Yasso		Patil, Shri Shivraj V.
Narah, Shrimati Ranee		Patil, Shri Shrinivas
Nayak, Shri Ananta		Patil, Shri Uttamrao
Nishad, Capt. Jai Narain Prasad		Patnaik, Shri Naveen
Nitish Kumar, Shri		Patwa, Shri Sundar Lal
	O	Pawaiya, Shri Jaibhan Singh
Oram, Shri Jual		Pawar, Shri Sharad
	P	Pilot, Shri Rajesh
Pal, Shri Rupchand		Ponnuswamy, Shri E.
Palanimanickam, Shri S.S.		Potai, Shri Sohan
Pandeya, Dr. Laxminarayan		Prabhu, Shri Suresh
Pandiyani, Shri P.H.		Pradhan, Dr. Debendra
Panja, Dr. Ranjit Kumar		Pradhan, Shri Ashok
Panja, Shri Ajit Kumar		Pramanik, Prof. R.R.
Paranjpe, Shri Prakash		Prasad, Shri V. Sreenivasa
Parste, Shri Dalpat Singh		Prasada, Shri Jitendra
Passi, Shri Raj Narain		Premajam, Prof. A.K.
Paswan, Dr. Saniay		
Paswan, Shri Ram Vilas		R
Paswan, Shri Ramchandra		Radhakrishnan, Shri Pon
Paswan, Shri Sukdeo		Radhakrishnan, Shri Varkala
Patasani, Dr. Prasanna Kumar		Rai, Shri Nawal Kishore
Patel, Dr. Ashok		Raja, Shri A.
Patel, Shri Atmaram Bhai		Rajendran, Shri P.
Patel, Shri Chandresh		Ram Sajivan, Shri
Patel, Shri Deepak		Ram, Shri Braj Mohan
Patel, Shri Dinsha		Ramaiah, Shri B.B.
Patel, Shri Mansinh		Ramaiah, Shri Gunipati
Patel, Shri Prahlad Singh		Raman, Dr.
Patel, Shri Tarachand Shivaji		Ramchandran, Shri Gingee N.
Pathak, Shri Harin		Ramshakal, Shri
Patil, Shri Annasaheb M.K.		Rana, Shri Kashiram
		Rana, Shri Raju

Rao, Shri Ch. Vidyasagar
 Rao, Shri S.B.P.B.K. Satyanarayana
 Rashtrapal, Shri Pravin
 Rathwa, Shri Ramsinh
 Rau, Shrimati Prabha
 Ravi, Shri Sheesh Ram Singh
 Rawat, Prof. Rasa Singh
 Rawat, Shri Pradeep
 Rawat, Shri Ramsagar
 Reddy, Shri A.P. Jithender
 Reddy, Shri Chada Suresh
 Reddy, Shri Gutha Sukender
 Reddy, Shri N. Janardhana
 Reddy, Shri Y.S. Vivekananda
 Riyan, Shri Baju Ban
 Roy Pradhan, Shri Amar
 Rudy, Shri Rajiv Pratap

S

Sahu, Shri Anandi
 Sai, Shri Vishnudeo
 Saiduzzama, Shri
 Samantray, Shri Prabhat
 Sanadi, Prof. I.G.
 Sanghani, Shri Dileep
 Sangma, Shri Purno A.
 Sangtam, Shri K.A.
 Sangwan, Shri Kishan Singh
 Sankeshwar, Shri Vijay
 Sankhwar, Shri Pyare Lal
 Sar, Shri Nikhilananda
 Saradgi, Shri Iqbal Ahmed
 Saroj, Shrimati Sushila
 Saroja, Dr. V.
 Sathi, Shri Harpal Singh
 Sayeed, Shri P.M.
 Scindia, Shri Madhavrao

Selvaganpathi, Shri T.M.
 Sen, Shrimati Minati
 Sengupta, Dr. Nitish
 Seth, Shri Lakshman
 Sethi, Shri Arjun
 Shah, Shri Manabendra
 Shaheen, Shri Abdul Rashid
 Shandil, Col. (Retd.) Dr. Dhani Ram
 Shanmugam, Shri N.T.
 Shanta Kumar, Shri
 Sharma, Capt. Satish
 Sharma, Vaidya Vishnu Datt
 Shashi Kumar, Shri
 Shinde, Shri Sushil Kumar
 Singh Deo, Shri K.P.
 Sing Deo, Shrimati Sangeeta Kumari
 Singh, Ch. Tejveer
 Singh, Dr. Raghuvansh Prasad
 Singh, Dr. Ram Lakhan
 Singh, Sardar Buta
 Singh, Shri Balbir
 Singh, Shri Brij Bhushan Sharan
 Singh, Shri Chandra Bhushan
 Singh, Shri Chandra Pratap
 Singh, Shri Khel Sai
 Singh, Shri Prabhunath
 Singh, Shri Radha Mohan
 Singh, Shri Rajo
 Singh, Shri Ram Prasad
 Singh, Shri Ramanand
 Singh, Shri Ramjivan
 Singh, Shri Rampal
 Singh, Shri Sahib
 Singh, Shrimati Kanti
 Singh, Shrimati Shyama
 Sinha, Shri Manoj

Sinha, Shri Yashwant

Sivakumar, Shri V.S.

Solanki, Shri Bhupendrasinh

Somaiya, Shri Kirit

Sorake, Shri Vinay Kumar

Srikantappa, Shri D.C.

Srinivasulu, Shri Kalava

Sudarsana Natchiappan, Shri E.M.

Sudheeran, Shri V.M.

Suresh, Shri Kodikunnil

Swain, Shri Kharabela

Swami, Shri I.D.

T

Thakkar, Shrimati Jayaben B.

Thakur, Shri Chunni Lal Bhai

Thirunavukarasu, Shri

Thomas, Shri P.C.

Tiwari, Shri Lal Bihari

Tiwari, Shri Sunder Lal

Tomar, Dr. Ramesh Chand

Topdar, Shri Tarit Baran

Tripathi, Shri Prakash Mani

Tripathy, Shri Braja Kishore

V

Vaiko, Shri

Vajpayee, Shri Atal Bihari

Varma, Shri Ratilal Kalidas

Vasava, Shri Mansukhbhai D.

Venkataswamy, Dr. N.

Venkateswarlu, Shri B.

Venkateswarlu, Prof. Umareddy

Venugopal, Shri D.

Verma, Prof. Rita

Verma, Shri Rajesh

Vetriselvan, Shri V.

Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.

Virendra Kumar, Shri

Vukkala, Dr. Rajeswaramma

W

Wadiyar Shri S.D.N.R.

Wanga, Shri Chintaman

Y

Yadav, Dr. (Shrimati) Sudha

Yadav, Dr. Jaswant Singh

Yadav, Shri Devendra Prasad

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukumdeo Narayan

Yadav, Shri Sharad

Yerrannaidu, Shri K.

Z

Zahedi, Shri Mahboob

MR. SPEAKER : The result of the division is :

Ayes : 383

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was adopted.

MR. SPEAKER : Let the Lobbies/doors be opened.

Now, the House will take up clause by clause consideration of the Bill.

Clause 2

MR. SPEAKER : There is an amendment to clause 2 moved by Shri Dileep Sanghani.

Shri Dileep Sanghani, are you moving your amendment?

SHRI DILEEP SANGHANI (AMRELI) : I am not moving

MR. SPEAKER : He is not moving.

I shall now put clause 2 to the vote of the House.

Let the Lobbies be cleared—

Now the Lobbies are cleared.

The question is :

"That clause 2 stand part of the Bill."

The Lok Sabha divided:

17.55 hrs.

[Division No.2]

A

AYES

A. Narendra, Shri

Abdullakutty, Shri A.P.

Acharia, Shri Basu Deb

Acharya, Shri Prasanna

Adhi Sankar, Shri

Aditya Math, Yogi

Adsul, Shri Anandrao Vithoba

Advani, Shri L.K.

Ahmad, Shri Daud

Ajaya Kumar, Shri S.

Alvi, Shri Rashid

Ambedkar, Shri Prakash Yashwant

Ananth Kumar, Shri

Angle, Shri Ramakant

Argal, Shri Ashok

Azad, Shri Kirti Jha

B

Baalu, Shri T.R.

Babban Rajbhar, Shri

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri U.P. Singh

Bainda, Shri Ramchander

Bais, Shri Ramesh

Baitha, Shri Mahendra

Baliram, Dr.

Banantwalla, Shri G.M.

Bandyopadhyay, Shri Sudip

Banerjee, Kumari Mamata

Banerjee, Shrimati Jayashree

Barman, Shri Ranen

Basu, Shri Anil

Bauri, Shrimati Sandhya

Baxla, Shri Joachim

Begum Noor Bano

Behera, Shri Padmanava

Bhadana, Shri Avtan Singh

Bhagora, Shri Tarachand

Bhatia, Shri R.L.

Bhuria, Shri Kantilal

Bishnoi, Shri Jaswant Singh

Biswas, Shri Ananda Mohan

Bose, Shrimati Krishna

Brahmanaiah, Shri A.

Brar, Shri J.S.

Bundela, Shri Sujan Singh

Bwiswmuthiary, Shri Sansuma Khunggur

C

C. Suguna Kumari, Dr. (Shrimati)

Chakraborty, Shri Ajoy

Chakraborty, Shri Swadesh

Chakravarty, Shrimati Bijoya

Chandel, Shri Suresh

Chatterjee, Shri Somnath

Chaturvedi, Shri Satyavrat

Chaubey, Shri Lal Muni

Chaudhary, Shri Haribhai

Chaudhary, Shri Ram Raghunath

Chaudhary, Shri Ram Tahal

Chaudhary, Shrimati Nisha

Chauhan, Shri Bal Krishna

Chauhan, Shri Shriram

Chautala, Shri Ajay Singh

Chennithala, Shri Ramesh

Chikhalia, Shrimati Bhavnaben Devrajbhai

Chinnasamy, Shri M.

Choudhary, Shri Nikhil Kumar
 Choudhary, Shrimati Reena
 Choudhry, Shri Padam Sen
 Choudhury, Shri Samar
 Chouhan, Shri Nihal Chand
 Chouhan, Shri Shivraj Singh
 Chowdhary, Shri Adhir
 Chowdhury, Shri Bikash

D

Daggubati, Shri Ramanaidu
 Das, Shri Nepal Chandra
 Dasmunsi, Shri Priya Ranjan
 Dattatreya, Shri Bandaru
 Deo, Shri Bikram Keshari
 Dev, Shri Sontosh Mohan
 Dhikale, Shri Uttamrao
 Diwathe, Shri Namdeo Harbaji
 Dome, Dr. Ram Chandra
 Dudi, Shri Rameshwar
 Dullo, Shri Shamsher Singh

E

Elangovan, Shri P.D.

F

Farook, Shri M.O.H.
 Fernandes, Shri George

G

Gadde, Shri Ram Mohan
 Gadhavi, Shri P.S.
 Gamang, Shrimati Hema
 Gamlin, Shri Jarbom
 Gandhi, Shri Dilipkumar Mansukhlal
 Gandhi, Shrimati Sonia
 Gangwar, Shri Santosh Kumar
 Gautam, Shrimati Sheela
 Gavit, Shri Ramdas Rupala
 Geete, Shri Anant Gangaram

Gehlot, Shri Thawar Chand
 George, Shri K. Francis
 Ghatowar, Shri Paban Singh
 Goel, Shri Vijay
 Govindan, Shri T.
 Gowda, Shri G. Putta Swamy
 Gudhe, Shri Anant
 Gupta, Prof. Chaman Lal
 Gupta, Shri Indrajit

H

Handique, Shri Bijoy
 Haque, Mohammad Anwarul
 Hassan, Shri Moinul
 Hussain, Shri Syed Shahnawaz

J

Jaffer Sharief, Shri C.K.
 Jag Mohan, Shri
 Jaganath, Dr. Manda
 Jagathrakshakan, Dr. S.
 Jain, Shri Pusp
 Jaiswal, Shri Shriprakash
 Javiya, Shri G.J.
 Jayaseelan, Dr. A.D.K.
 Jha, Shri Raghunath
 Jigajinagi, Shri Ramesh C.
 Jos, Shri A.C.

Joshi, Shri Manohar

K

Kaliappan, Shri K.K.
 Kamble, Shri Shivaji Vithalrao
 Kannappan, Shri M.
 Kanungo, Shri Trilochan
 Karunakaran, Shri K.
 Kashyap, Shri Bali Ram
 Katara, Shri Babubhai K.
 Kataria, Shri Rattan Lal

Kathiria, Dr. Vallabhbbhai
 Katiyar, Shri Vinay
 Kaur, Shrimati Preneet
 Kaushal, Shri Raghuvir Singh
 Khan, Shri Hassan
 Khan, Shri Mansoor Ali
 Khan, Shri Sunil
 Khandelwal, Shri Vijay Kumar
 Khandoker, Shri Akbor Ali
 Khanduri, Maj. Gen. (Retd.) B.C.
 Khanna, Shri Vinod
 Khunte, Shri P.R.
 Khurana, Shri Madan Lal
 Kriplani, Shri Shrichand
 Krishnadas, Shri N.N.
 Krishnan, Dr. C.
 Krishnaswamy, Shri A.
 Kulaste, Shri Faggan Singh
 Kumar, Shri Arun
 Kumar, Shri V. Dhananjaya
 Kumarasamy, Shri P.
 Kumaramanglam, Shri P.R.
 Kuppusami, Shri C.
 Kurup, Shri Suresh
 Kusmaria, Dr. Ramkrishna
 Kyndiah, Shri P.R.
 L
 Lahiri, Shri Samik
 M
 M. Master Mathan, Shri
 Mahajan, Shri Y.G.
 Mahajan, Shrimati Sumitra
 Mahale, Shri Haribhau Shankar
 Maharia, Shri Subhash
 Mahato, Shri Bir Singh
 Mahtab, Shri Bhartruhari

Mahto, Shrimati Abha
 Majhi, Shri Parsuram
 Malaisamy, Shri K.
 Malhotra, Dr. Vijay Kumar
 Mallikarjunappa, Shri G.
 Mandal, Shri Brahma Nand
 Mandal, Shri Sanat Kumar
 Mandlik, Shri Sadashivrao Dadoba
 Mane, Shri Shivaji
 Mane, Shrimati Nivedita
 Manjay Lal, Shri
 Manjhi, Shri Ramjee
 Mann, Shri Simranjit Singh
 Mann, Shri Zora Singh
 Marandi, Shri Babu Lal
 Mayawati, Kumari
 Meena, Shrimati Jas Kaur
 Mehta, Shrimati Jayawanti
 Mishra, Shri Shyam Bihari
 Mohale, Shri Punnu Lal
 Mohan, Shri P.
 Mohite, Shri Subodh
 Mookherjee, Shri S.B.
 Moorthy, Shri A.K.
 Mukherjee, Shrimati Geeta
 Munda, Shri Kariya
 Muni Lall, Shri
 Muniyappa, Shri K.H.
 Muraleedharan, Shri K.
 Murmu, Shri Rupchand
 Murmu, Shri Salkhan
 Murthi, Shri M.V.V.S.
 Murthy, Shri M.V. Chandrashekhara
 Murugesan, Shri S.
 N
 Naik, Shri Ali Mohd.

Naik, Shri Ram

Naik, Shri Shripad Yasso

Narah, Shrimati Ranee

Nayak, Shri Ananta

Nishad, Capt. Jai Narain Prasad

Nitish Kumar, Shri

O

Oram, Shri Jual

P

Pal, Shri Rupchand

Palanimanickam, Shri S.S.

Pandeya, Dr. Laxminarayan

Pandiyan, Shri P.H.

Panja, Dr. Ranjit Kumar

Panja, Shri Ajit Kumar

Paranjpe, Shri Prakash

Parste, Shri Dalpat Singh

Passi, Shri Raj Narain

Paswan, Dr. Sanjay

Paswan, Shri Ram Vilas

Paswan, Shri Ramchandra

Paswan, Shri Sukdeo

Patasani, Dr. Prasanna Kumar

Patel, Dr. Ashok

Patel, Shri Atmaram Bhai

Patel, Shri Chandresh

Patel, Shri Deepak

Patel, Shri Dinsha

Patel, Shri Mansinh

Patel, Shri Prahlad Singh

Patel, Shri Tarachand Shivaji

Pathak, Shri Harin

Patil, Shri Annasaheb M.K.

Patil (Yatnal), Shri Basangouda R.

Patil, Shri Danve Raosaheb

Patil, Shri Jaysingrao Gaikwad

Patil, Shri Prakash V.

Patil, Shri Shivraj V.

Patil, Shri Shrinivas

Patil, Shri Uttamrao

Patnaik, Shri Naveen

Patwa, Shri Sundar Lal

Pawaiya, Shri Jaibhan Singh

Pawar, Shri Sharad

Pilot, Shri Rajesh

Ponnuswamy, Shri E.

Potai, Shri Sohan

Prabhu, Shri Suresh

Pradhan, Dr. Debendra

Pradhan, Shri Ashok

Pramanik, Prof. R.R.

Prasad, Shri V. Sreenivasa

Prasada, Shri Jitendra

Premajam, Prof. A.K.

R

Radhakrishnan, Shri Pon

Radhakrishnan, Shri Varkala

Rai, Shri Nawal Kishore

Raja, Shri A.

Rajendran, Shri P.

Ram Sajivan, Shri

Ram, Shri Braj Mohan

Ramaiah, Shri Gunipati

Raman, Dr.

Ramchandran, Shri Gingee N.

Ramshakal, Shri

Rana, Shri Kashiram

Rana, Shri Raju

Rao, Shri Ch. Vidyasagar

Rao, Shri S.B.P.B.K. Satyanarayana

Rashtrapal, Shri Pravin

Rathwa, Shri Ramsinh

Rau, Shrimati Prabha
 Ravi, Shri Sheesh Ram Singh
 Rawat, Prof. Rasa Singh
 Rawat, Shri Pradeep
 Rawat, Shri Ramsagar
 Ray, Shri Bishnu Pada
 Reddy, Shri A.P. Jithender
 Reddy, Shri Chada Suresh
 Reddy, Shri Gutha Sukender
 Reddy, Shri N. Janardhana
 Reddy, Shri Y.S. Vivekananda
 Riyan, Shri Baju Ban
 Roy Pradhan, Shri Amar
 Rudy, Shri Rajiv Pratap

S

Sahu, Shri Anandi
 Sai, Shri Vishnudeo
 Saiduzzama, Shri
 Samantray, Shri Prabhat
 Sanadi, Prof. I.G.
 Sanghani, Shri Dileep
 Sangma, Shri Purno A.
 Sangtam, Shri K.A.
 Sangwan, Shri Kishan Singh
 Sankeshwar, Shri Vijay
 Sankhwar, Shri Pyare Lal
 Sar, Shri Nikhilananda
 Saradgi, Shri Iqbal Ahmed
 Saroj, Shrimati Sushila
 Saroja, Dr. V.
 Sathi, Shri Harpal Singh
 Sayeed, Shri P.M.
 Scindia, Shri Madhavrao
 Selvaganpathi, Shri T.M.
 Sen, Shrimati Minati
 Sengupta, Dr. Nitish

Seth, Shri Lakshman
 Sethi, Shri Arjun
 Shah, Shri Manabendra
 Shaheen, Shri Abdul Rashid
 Shandil, Col. (Retd.) Dr. Dhani Ram
 Shanmugam, Shri N.T.
 Shanta Kumar, Shri
 Sharma, Capt. Satish
 Sharma, Vaidya Vishnu Datt
 Shashi Kumar, Shri
 Shinde, Shri Sushil Kumar
 Singh Deo, Shri K.P.
 Singh Deo, Shrimati Sangeeta Kumari
 Singh, Ch. Tejveer
 Singh, Dr. Raghuvansh Prasad
 Singh, Dr. Ram Lakhan
 Singh, Sardar Buta
 Singh, Shri Balbir
 Singh, Shri Brij Bhushan Sharan
 Singh, Shri Chandra Bhushan
 Singh, Shri Chandra Pratap
 Singh, Shri Khel Sai
 Singh, Shri Prabhunath
 Singh, Shri Radha Mohan
 Singh, Shri Rajo
 Singh, Shri Ram Prasad
 Singh, Shri Ramanand
 Singh, Shri Ramjivan
 Singh, Shri Rampal
 Singh, Shri Sahib
 Singh, Shrimati Kanti
 Singh, Shrimati Shyama
 Sinha, Shri Manoj
 Sinha, Shri Yashwant
 Sivakumar, Shri V.S.
 Solanki, Shri Bhupendra Singh

Somaiya, Shri Kirit	W
Sorake, Shri Vinay Kumar	Wadiyar Shri S.D.N.R.
Srikantappa, Shri D.C.	Wanga, Shri Chintaman
Srinivasulu, Shri Kalava	Y
Sudarsana Natchiappan, Shri E.M.	Yadav, Dr. (Shyimati) Sudha
Sudheeran, Shri V.M.	Yadav, Dr. Jaswant Singh
Suresh, Shri Kodikunnil	Yadav, Shri Devendra Prasad
Swain, Shri Kharabela	Yadav, Shri Dinesh Chandra
Swami, Shri I.D.	Yadav, Shri Hukumdeo Narayan
	Yadav, Shri Sharad
	Yerrannaidu, Shri K.
	Z
	Zahedi, Shri Mahboob
	NOES -1
	Ramaiah, Dr. B.B.
	The result of the division is:
	Ayes : 381
	Noes : 1
	The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.
	<i>The motion was adopted.</i>
	<i>Clause 2 was added to the Bill.</i>
	Clause 1
	<i>Amendment made :</i>
	Page 1, line 3...
	for "Eighty-fourth"
	substitute "Seventy-ninth" (i)
	(Shri Ram Jethmalani)
	MR. SPEAKER : The Lobbies are already cleared.
	18.00 hrs.
	I shall now put clause 1 as amended to the vote of the House.
	The question is :
	"That clause 1, as amended, stand part of the Bill."

T

Thakkar, Shrimati Jayaben B.

Thakur, Shri Chunni Lal Bhai

Thirunavukarasu, Shri

Thomas, Shri P.C.

Tiwari, Shri Lal Bihari

Tiwari, Shri Sunder Lal

Tomar, Dr. Ramesh Chand

Topdar, Shri Tarit Baran

Tripathi, Shri Prakash Mani

Tripathy, Shri Braja Kishore

V

Vaiko, Shri

Vajpayee, Shri Atal Bihari

Varma, Shri Ratilal Kalidas

Vasava, Shri Mansukhbhai D.

Venkataswamy, Dr. N.

Venkateswarlu, Shri B.

Venkateswarlu, Prof. Umareddy

Venugopal, Shri D.

Verma, Prof. Rita

Verma, Shri Rajesh

Vetriselvan, Shri V.

Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.

Virendra Kumar, Shri

Vukkala, Dr. Rajeswaramma

The Lok Sabha divided :

18.02 hrs.

[Division No.3]

AYES

A

A. Narendra, Shri
 Abdullakutty, Shri A.P.
 Acharia, Shri Basu Deb
 Acharya, Shri Prasanna
 Adhi Sankar, Shri
 Aditya Nath, Yogi
 Adsul, Shri Anandrao Vithoba
 Advani, Shri L.K.
 Ahmad, Shri Daud
 Ajaya Kumar, Shri S.
 Alvi, Shri Rashid
 Ambedkar, Shri Prakash Yashwant
 Ananth Kumar, Shri
 Angle, Shri Ramakant
 Argal, Shri Ashok
 Athawale, Shri Ramdas
 Azad, Shri Kirti Jha

B

Baalu, Shri T.R.
 Babban Rajbhar, Shri
 'Bachda', Shri Bachi Singh Rawat
 Badnore, Shri V.P. Singh
 Baimda, Shri Ramchander
 Bais, Shri Ramesh
 Baitha, Shri Mahendra
 Baliram, Dr.
 Banatwalla, Shri G.M.
 Bandyopadhyay, Shri Sudip
 Banerjee, Kumari Mamata
 Banerjee, Shrimati Jayashree
 Barman, Shri Ranen

Basu, Shri Anil

Bauri, Shrimati Sandhya

Baxla, Shri Joachim

Begum Noor Bano

Behera, Shri Padmanava

Bhadana, Shri Avtar Singh

Bhagora, Shri Tarachand

Bhatia, Shri R.L.

Bhuria, Shri Kantilal

Bishnoi, Shri Jaswant Singh

Biswas, Shri Ananda Mohan

Bose, Shrimati Krishna

Brahmanaiah, Shri A.

Brar, Shri J.S.

Bundela, Shri Sujan Singh

Bwiswmuthiary, Shri Sansuma Khunggur

C

C. Suguna Kumari, Dr. (Shrimati)

Chakraborty, Shri Ajoy

Chakraborty, Shri Swadesh

Chakravarty, Shrimati Bijoya

Chandel, Shri Suresh

Chatterjee, Shri Somnath

Chaturvedi, Shri Satyavrat

Chaubey, Shri Lal Muni

Chaudhary, Shri Haribhai

Chaudhary, Shri Ram Raghunath

Chaudhary, Shri Ram Tahal

Chaudhary, Shrimati Nisha

Chauhan, Shri Bal Krishna

Chauhan, Shri Shriram

Chennithala, Shri Ramesh

Chinnasamy, Shri M.

Choudhary, Shri Nikhil Kumar

Choudhary, Shrimati Reena

Choudhry, Shri Padam Sen

Choudhury, Shri Samar

Chouhan, Shri Nihal Chand

Chouhan, Shri Shivraj Singh

Chowdhary, Shri Adhir

Chowdhury, Shri Bikash

D

Daggubati, Shri Ramanaidu

Das, Shri Nepal Chandra

Dasmunsi, Shri Priya Ranjan

Dattatreya, Shri Bandaru

Deo, Shri Bikram Keshari

Dev, Shri Sontosh Mohan

Dhikale, Shri Uttamrao

Diwathe, Shri Namdeo Harbaji

Dome, Dr. Ram Chandra

Dudi, Shri Rameshwar

Dullo, Shri Shamsheer Singh

E

Elangovan, Shri P.D.

F

Farook, Shri M.O.H.

Fernandes, Shri George

G

Gadde, Shri Ram Mohan

Gadhavi, Shri P.S.

Gamang, Shrimati Hema

Gamlin, Shri Jarbom

Gandhi, Shri Dilipkumar Mansukhlal

Gandhi, Shrimati Sonia

Gangwar, Shri Santosh Kumar

Gautam, Shrimati Sheela

Gavit, Shri Ramdas Rupala

Geete, Shri Anant Gangaram

Gehlot, Shri Thawar Chand

George, Shri K. Francis

Ghatowar, Shri Paban Singh

Goel, Shri Vijay

Govindan, Shri T.

Gowda, Shri G. Putta Swamy

Gudhe, Shri Anant

Gupta, Prof. Chaman Lal

Gupta, Shri Indrajit

H

Handique, Shri Bijoy

Haque, Mohammad Anwarul

Hassan, Shri Moinul

Hussain, Shri Syed Shahnawaz

J

Jaffer Sharief, Shri C.K.

Jag Mohan, Shri

Jaganath, Dr. Manda

Jagathrakshakan Dr. S.

Jain, Shri Pusp

Jaiswal, Shri Shriprakash

Jatiya, Dr. Satyanarayan

Jayaseelan, Dr. A.D.K.

Jha, Shri Raghunath

Jigajinagi, Shri Ramesh C.

Jos, Shri A.C.

Joshi, Shri Manohar

K

Kallappan, Shri K.K.

Kannappan, Shri M.

Kauungo, Shri Trilochan

Karunakaran, Shri K.

Kashyap, Shri Bali Ram

Katara, Shri Babubhai K.

Kataria, Shri Rattan Lal

Kathiria, Dr. Vallabhbai

Katiyar, Shri Vinay

Kaur, Shrimati Preneet

Kaushal, Shri Raghuvir Singh

Khan, Shri Hassan	Mandal, Shri Brahma Nand
Khan Shri Mansoor Ali	Mandal, Shri Sanat Kumar
Khan, Shri Sunil	Mandlik, Shri Sadashivrao Dadoba
Khandelwal, Shri Vijay Kumar	Mane, Shri Shivaji
Khandoker, Shri Akbor Ali	Mane, Shrimati Nivedita
Khanduri, Maj. Gen. (Retd.) B.C.	Manjay Lal, Shri
Khanna, Shri Vinod	Manjhi, Shri Rāmjee
Khunte, Shri P.R.	Mann, Shri Simranjit Singh
Kriplani, Shri Shrichand	Mann, Shri Zora Singh
Krishnadas, Shri N.N.	Marandi, Shri Babu Lal
Krishnan, Dr. C.	Mayawati, Kumari
Krishnaswamy Shri A.	Meena, Shrimati Jas Kaur
Kulaste, Shri Jaggan Singh	Mehta, Shrimati Jayawanti
Kumar, Shri Arun	Mishra, Shri Shyam Bihari
Kumar, Shri V. Dhananjaya	Mohale, Shri Punnu Lal
Kumarasamy, Shri P.	Mohan, Shri P.
Kumaramanglam, Shri P.R.	Mohite, Shri Subodh
Kuppusami, Shri C.	Mollah, Shri Hannan
Kurup, Shri Suresh	Mookherjee, Shri S.B.
Kusmaria, Dr. Ramkrishna	Moorthy, Shri A.K.
Kyndiah, Shri P.R.	Mukherjee, Shrimati Geeta
	Munda, Shri Kariya
L	Muni Lall, Shri
Lahiri, Shri Samik	Muniyappa, Shri K.H.
	Muraleedharan, Shri K.
M	Murmu, Shri Rupchand
M. Master Mathan, Shri	Murmu, Shri Salkhan
Mahajan, Shri Y.G.	Murthy, Shri M.V. Chandrashekhara
Mahajan, Shrimati Sumitra	Murugesan, Shri S.
Mahale, Shri Haribhau Shankar	
Maharia, Shri Subhash	N
Mahto, Shri Bir Singh	Naik, Shri Ali Mohd.
Mahtab, Shri Bhartruhari	Naik, Shri Ram
Mahto, Shrimati Abha	Naik, Shri Shripad Yasso
Majhi, Shri Parsuram	Narah, Shrimati Raneer
Malaisamy, Shri K.	Nayak, Shri Ananta
Malhotra, Dr. Vijay Kumar	Nishad, Capt. Jai Narain Prasad
Mallikarjunappa, Shri G.	

Nitish Kumar, Shri

O

Oram, Shri Jual

P

Pal, Shri Rupchand

Palanimanickam, Shri S.S.

Pandeya, Dr. Laxminarayan

Pandiyan, Shri P.H.

Panja, Dr. Ranjit Kumar

Panja, Shri Ajit Kumar

Paranjpe, Shri Prakash

Parste, Shri Dalpat Singh

Passi, Shri Raj Narain

Paswan, Dr. Sanjay

Paswan, Shri Ram Vilas

Paswan, Shri Ramchandra

Paswan, Shri Sukdeo

Patasani, Dr. Prasanna Kumar

Patel, Dr. Ashok

Patel, Shri Atmaram Bhai

Patel, Shri Chandresh

Patel, Shri Deepak

Patel, Shri Dinsha

Patel, Shri Mansinh

Patel, Shri Prahlad Singh

Patel, Shri Tarachand Shivaji

Pathak, Shri Harin

Patil, Shri Annasaheb M.K.

Patil (Yatnal), Shri Basangouda R.

Patil, Shri Danve Raosaheb

Patil, Shri Jaysingrao Gaikwad

Patil, Shri Prakash V.

Patil, Shri Shivraj V.

Patil, Shri Shrinivas

Patnaik, Shri Naveen

Patwa, Shri Sundar Lal

Pawaiya, Shri Jaibhan Singh

Pawar, Shri Sharad

Pilot, Shri Rajesh

Ponnuswamy, Shri E.

Potai, Shri Sohan

Prabhu, Shri Suresh

Pradhan, Dr. Debendra

Pradhan, Shri Ashok

Pramanik, Prof. R.R.

Prasad, Shri V. Sreenivasa

Prasada, Shri Jitendra

Premajam, Prof. A.K.

R

Radhakrishnan, Shri Pon

Radhakrishnan, Shri Varkala

Rai, Shri Nawal Kishore

Raja, Shri A.

Rajendran, Shri P.

Ram Sajivan, Shri

Ram, Shri Braj Mohan

Ramaiah, Shri B.B.

Ramaiah, Shri Gunipati

Raman, Dr.

Ramchandran, Shri Gingee N.

Ramshakal, Shri

Rana, Shri Kashiram

Rana, Shri Raju

Rao, Shri Ch. Vidyasagar

Rao, Shri S.B.P.B.K. Satyanarayana

Rashtrapal, Shri Pravin

Rathwa, Shri Ramsinh

Rau, Shrimati Prabha

Ravi, Shri Sheesh Ram Singh

Rawat, Prof. Rasa Singh

Rawat, Shri Pradeep

Rawat, Shri Ramsagar

Ray, Shri Bishnu Pada
 Reddy, Shri A.P. Jithender
 Reddy, Shri Chada Suresh
 Reddy, Shri G. Ganga
 Reddy, Shri Gutha Sukender
 Reddy, Shri N. Janardhana
 Reddy, Shri Y.S. Vivekananda
 Riyan, Shri Baju Ban
 Roy Pradhan, Shri Amar
 Rudy, Shri Rajiv Pratap

S

Sahu, Shri Anandi
 Sai, Shri Vishnudeo
 Saiduzzama, Shri
 Samantray, Shri Prabhat
 Sanadi, Prof. I.G.
 Sangma, Shri Purno A.
 Sangtam, Shri K.A.
 Sangwan, Shri Kishan Singh
 Sankeshwar, Shri Vijay
 Sankhwar, Shri Pyare Lal
 Sar, Shri Nikhilananda
 Saradgi, Shri Iqbal Ahmed
 Saroj, Shrimati Sushila
 Saroja, Dr. V.
 Sathi, Shri Harpal Singh
 Sayeed, Shri P.M.
 Scindia, Shri Madhavrao
 Selvaganpathi, Shri T.M.
 Sen, Shrimati Minati
 Sengupta, Dr. Nitish
 Seth, Shri Lakshman
 Sethi, Shri Arjun
 Shah, Shri Manabendra
 Shaheen, Shri Abdul Rashid
 Shandil, Col. (Retd.) Dr. Dhani Ram

Shanmugam, Shri N.T.
 Shanta Kumar, Shri
 Sharma, Capt. Satish
 Sharma, Vaidya Vishnu Datt
 Shashi Kumar, Shri
 Shinde, Shri Sushil Kumar
 Shukla, Shri Shyamacharan
 Singh Deo, Shri K.P.
 Singh Deo, Shrimati Sangeeta Kumari
 Singh, Ch. Tejveer
 Singh, Dr. Raghuvansh Prasad
 Singh, Dr. Ram Lakhan
 Singh, Sardar Buta
 Singh, Shri Balbir
 Singh, Shri Brij Bhushan Sharan
 Singh, Shri Chandra Pratap
 Singh, Shri Khèl Sai
 Singh, Shri Prabhunath
 Singh, Shri Radha Mohan
 Singh, Shri Rajo
 Singh, Shri Ram Prasad
 Singh, Shri Ramanand
 Singh, Shri Ramjivan
 Singh, Shri Rampal
 Singh, Shri Sahib
 Singh, Shri Tilakdhari Prasad
 Singh, Shrimati Kanti
 Singh, Shrimati Shyama
 Sinha, Shri Manoj
 Sinha, Shri Yashwant
 Sivakumar, Shri V.S.
 Solanki, Shri Bhupendrasinh
 Somiya, Shri Kirit
 Sorake, Shri Vinay Kumar
 Srikantappa, Shri D.C.
 Srinivasulu, Shri Kalava

Sudarsana Natchiappan, Shri E.M.

W

Sudheeran, Shri V.M.

Wadiyar Shri S.D.N.R.

Suresh, Shri Kodikunnil

Wanga, Shri Chintaman

Swain, Shri Kharabela

Y

Swami, Shri I.D.

Yadav, Dr. (Shrimati) Sudha

T

Yadav, Dr. Jaswant Singh

Thakkar, Shrimati Jayaben B.

Yadav, Shri Devendra Prasad

Thakur, Shri Chunni Lal Bhai

Yadav, Shri Dinesh Chandra

Thirunavukarasu, Shri

Yadav, Shri Hukumdeo Narayan

Thomas, Shri P.C.

Yadav, Shri Sharad

Tiwari, Shri Lal Bihari

Yerrannaidu, Shri K.

Tiwari, Shri Sunder Lal

Z

Tomar, Dr. Ramesh Chand

Zahedi, Shri Mahboob

Topdar, Shri Tarit Baren

MR. SPEAKER : The result of the division is:

Tripathi, Shri Prakash Mani

Ayes : 381

Tripathy, Shri Braja Kishore

NOES : Nil

Tur, Shri Tarlochan Singh

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

U

Uma Bharati, Kumari

The motion was adopted.

V

Vaiko, Shri

Clause 1, as amended, was added to the Bill.

Vajpayee, Shri Atal Bihari

MR. SPEAKER : The question is :

Varma, Shri Ratilal Kalidas

"That the Enacting Formula and the Long Title stand part of the Bill."

Vasava, Shri Mansukhbhai D.

The motion was adopted.

Venkataswamy, Dr. N.

The Enacting Formula and the Title were added to the Bill.

Venkateswarlu, Shri B.

SARDAR BUTA SINGH (JALORE) : Mr. Speaker, Sir, I may be allowed to say a few words at this stage.

Venkateswartzu, Prof. Umareddy

MR. SPEAKER : No, you have to give an advance notice for that.

Venugopal, Shri D.

....(Interruptions)

Venugopal, Shri S.

SARDAR BUTA SINGH : Sir, I have to say only a few words(Interruptions)

Verma, Prof. Rita

MR. SPEAKER : No, you have to give an advance notice.

Verma, Shri Rajesh

....(Interruptions)

Vetriselvan, Shri V.

Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.

Virendra Kumar, Shri

Vukkala, Dr. Rajeswaramma

SARDAR BUTA SINGH : Sir, this is my request to the hon. Speaker....(Interruptions)

MR. SPEAKER : No, please.

....(Interruptions) *

SARDAR BUTA SINGH : Sir, my request is to the hon. Minister incharge of the Bill....(Interruptions)

MR. SPEAKER : Shri Buta Singhji, you have to give a notice for that.

....(Interruptions)

SARDAR BUTA SINGH : Sir, I may be allowed to speak only two lines....(Interruptions) Sir, the hon. Minister has missed one point....(Interruptions)

MR. SPEAKER : No, you cannot raise anything at this stage now.

....(Interruptions)

MR. SPEAKER : The Lobbies are already cleared. I shall now put the motion before the House.

....(Interruptions)

SARDAR BUTA SINGH : Sir, this is the procedure in this House that at the final reading of the Bill, a Member can make a statement....(Interruptions) Kindly see Rule 94....(Interruptions) Sir, I raise a point of order under Rule 94....(Interruptions)

MR. SPEAKER : Please take your seat.

....(Interruptions)

SARDAR BUTA SINGH : Sir, under rule 94, I have the opportunity to say one sentence....(Interruptions) Sir, you kindly listen to me....(Interruptions)

MR. SPEAKER : I know, the Rule is there, but you have to give an advance notice.

....(Interruptions)

SARDAR BUTA SINGH : Sir, I have given a notice to you(Interruptions)

MR. SPEAKER : Now, you cannot give a notice like that. You will have to give an advance notice for that.

....(Interruptions)

SARDAR BUTA SINGH : Sir, this will be depriving me of my right. At the final stage of the Bill, I have a right to speak. Shri Jethmalani knows that....(Interruptions) Let him say so.

MR. SPEAKER : If you have given an advance notice, you can speak.

SARDAR BUTA SINGH : Sir, I have given you the notice(Interruptions)

MR. SPEAKER : No, you have not given the notice.

SARDAR BUTA SINGH : Sir, I have written in hand and given it to you....(Interruptions)

MR. SPEAKER : Not now, Buta Singhji, you have to give an advance notice.

SARDAR BUTA SINGH : When amendments are moved. it is given in hand only. How could I give a notice in the morning for that ? How did I know that the hon. Minister would miss this point ?....(Interruptions) Sir, the hon. Minister has missed a vital point in the third reading and I want to bring that to your notice....(Interruptions)

MR. SPEAKER : Shri Buta Singhji, you should not create a new precedent. You should understand this.

....(Interruptions)

SARDAR BUTA SINGH : Sir, there is a very important constitutional point. If you permit me, I will say....(Interruptions)

MR. SPEAKER : In the morning also, you had taken 45 minutes on this debate.

SARDAR BUTA SINGH : That is right Sir, but that was the wish of the House. I was allowed by the House. Sir, I will just say one line and I have done it....(Interruptions)

MR. SPEAKER : No, please.

....(Interruptions) *

AN HON. MEMBER : Sir, is it going on record ?....(Interruptions)

SARDAR BUTA SINGH : Why not ?

MR. SPEAKER : No, I have not allowed him.

SARDAR BUTA SINGH : Sir, the Members are entitled to speak at the final stage. I will be sorry if you do not follow this precedent which has already been there in the Parliament itself.

SHRI K.H. MUNIYAPPA (KOLAR) : I will mention only one sentence. Now after the lapse of 30 years, keeping in view the ratio of the population, this has to be increased. The Government should take note of this.

MR. SPEAKER : Please take your seat.

SARDAR BUTA SINGH : Sir, I want some assurance in this House.(Interruptions) Why not ? It is an obligation. It is a Constitutional obligation....(Interruptions) The hon. Minister must assure the House. You should make an assurance on the floor of the House. It is the Constitutional assurance and there is no politics in it.(Interruptions) While supporting the Bill, I want only one assurance from this Government that they will maintain what has been provided in article 330.(Interruptions)

SHRI KHARABELA SWAIN (BALASORE) : Sir, as per the rule, he is disqualified to speak because he has already supported the Bill.(Interruptions)

SARDAR BUTA SINGH : Sir, he is in agreement with me.(Interruptions)

MR. SPEAKER : Now, the hon. Minister may move that the Bill, as amended, he passed.

SHRI RAM JETHMALANI : Sir, I beg to move :

"That the Bill, as amended, be passed."

MR. SPEAKER : The Lobbies are already cleared.

The question is:

"That the Bill, as amended, be passed."

The Lok Sabha divided :

18.30 hrs.

[Division No.4]

AYES

A

A. Narendra, Shri
Abdullakutty, Shri A.P.
Acharia, Shri Basu Deb
Acharya, Shri Prasanna
Adhi Sankar, Shri
Aditya Nath, Yogi
Adsul, Shri Anandrao Vithoba
Advani, Shri L.K.
Ahmad, Shri Daud
Ajaya Kumar, Shri S.
Alvi, Shri Rashid
Ambedkar, Shri Prakash Yashwant
Ananth Kumar, Shri
Angle, Shri Ramakant

Argal, Shri Ashok

Athawale, Shri Ramdas

Azad, Shri Kirti Jha

B

Baalu, Shri T.R.

Babban Rajbhar, Shri

'Bachda', Shri Bachi Singh Rawat

Badnore, Shri V.P. Singh

Bainda, Shri Ramchander

Bais, Shri Ramesh

Baitha, Shri Mahendra

Baliram, Dr.

Banantwalla, Shri G.M.

Bandyopadhyay, Shri Sudip

Banerjee, Kumari Mamata

Banerjee, Shrimati Jayashree

Barman, Shri Ranen

Basu, Shri Anil

Bauri, Shrimati Sandhya

Baxla, Shri Joachim

Begum, Noor Bano

Behera, Shri Padmanava

Bhadana, Shri Avtar Singh

Bhagora, Shri Tarachand

Bhatia, Shri R.L.

Bhuria, Shri Kantilal

Bishnoi, Shri Jaswant Singh

Biswas, Shri Ananda Mohan

Bose, Shrimati Krishna

Brahmanaiah, Shri A.

Brar, Shri J.S.

Bundela, Shri Sujan Singh

Bwiswmuthiary, Shri Sansuma Khunggur

C

C. Suguna Kumari, Dr. (Shrimati)

Chakraborty, Shri Ajoy

Chakraborty, Shri Swadesh	F
Chakravarty, Shrimati Bijoya	Farook, Shri M.O.H.
Chandel, Shri Suresh	Fernandes, Shri George
Chatterjee, Shri Somnath	G
Chaturvedi, Shri Satyavrat	Gadde, Shri Ram Mohan
Chaubey, Shri Lal Muni	Gadhavi, Shri P.S.
Chaudhary, Shri Haribhai	Gamang, Shrimati Hema
Chaudhary, Shri Ram Raghunath	Gandhi, Shri Dilipkumar Mansukhlal
Chaudhary, Shri Ram Tahal	Gandhi, Shrimati Sonia
Chaudhary, Shrimati Nisha	Gangwar, Shri Santosh Kumar
Chauhan, Shri Bal Krishan	Gautam, Shrimati Sheela
Chauhan, Shri Shriram	Gavit, Shri Ramdas Rupara
Chennithala, Shri Ramesh	Geete, Shri Anant Gangaram
Chinnasamy, Shri M.	Gehlot, Shri Thawar Chand
Choudhary, Shri Nikhil Kumar	George, Shri K. Francis
Choudhary, Shrimati Reena	Ghatowar, Shri Paban Singh
Choudhry, Shri Padam Sen	Govindan, Shri T.
Choudhury, Shri Samar	Gowda, Shri G. Putta Swamy
Chouhan, Shri Nihal Chand	Gudhe, Shri Anant
Chouhan, Shri Shivraj Singh	Gupta, Prof. Chaman Lal
Chowdhary, Shri Adhir	Gupta, Shri Indrajit
Chowdhury, Shri Bikash	H
D	Handique, Shri Bijoy
Daggubati, Shri Ramanaidu	Haque, Mohammad Anwarul
Das, Shri Nepal Chandra	Hassan, Shri Moinul
Dasmunsi, Shri Priya Ranjan	Hussain, Shri Syed Shahnawaz
Dattatreya, Shri Bandaru	J
Deo, Shri Bikram Keshari	Jaffer Sharief, Shri C.K.
Dev, Shri Sontosh Mohan	Jag Mohan, Shri
Dhikale, Shri Uttamrao	Jaganath, Dr. Manda
Diwathe, Shri Namdeo Harbaji	Jagathrakshakan Dr. S.
Dome, Dr. Ram Chandra	Jain, Shri Pusp
Dudi, Shri Rameshwar	Jaiswal, Shri Shriprakash
Dullo, Shri Shamsher Singh	Jatiya, Dr. Satyanarayan
E	Jayaseelan, Dr. A.D.K.
Elangovan, Shri P.D.	Jha, Shri Raghunath

Jigajinagi, Shri Ramesh C.

L

Jos, Shri A.C.

Lahiri, Shri Samik

Joshi, Shri Manohar

M

K

Kaliappan, Shri K.K.

M. Master Mathan, Shri

Kannappan, Shri M.

Mahajan, Shri Y.G.

Kanungo, Shri Trilochan

Mahajan, Shrimati Sumitra

Karunakaran, Shri K.

Mahale, Shri Haribhau Shankar

Kashyap, Shri Bali Ram

Maharia, Shri Subhash

Katara, Shri Babubhai K.

Mahato, Shri Bir Singh

Kataria, Shri Rattan Lal

Mahtab, Shri Bhartruhari

Kathiria, Dr. Vallabhbai

Mahto, Shrimati Abha

Katiyar, Shri Vinay

Majhi, Shri Parsuram

Kaur, Shrimati Preneet

Malaisamy, Shri K.

Kaushal, Shri Raghuvir Singh

Malhotra, Dr. Vijay Kumar

Khan, Shri Hassan

Mallikarjunappa, Shri G.

Khan Shri Mansoor Ali

Mandal, Shri Brahma Nand

Khan, Shri Sunil

Mandal, Shri Sanat Kumar

Khandelwal, Shri Vijay Kumar

Mandlik, Shri Sadashivrao Dadoba

Khandoker, Shri Akbor Ali

Mane, Shri Shivaji

Khanduri, Maj. Gen. (Retd.) B.C.

Mane, Shrimati Nivedita

Khanna, Shri Vinod

Manjay Lal, Shri

Khunte, Shri P.R.

Manjhi, Shri Ramjee

Kriplani, Shri Shrichand

Mann, Shri Simranjit Singh

Krishnadas, Shri N.N.

Mann, Shri Zora Singh

Krishnan, Dr. C.

Marandi, Shri Babu Lal

Krishnaswamy, Shri A.

Mayawati, Kumari

Kulaste, Shri Faggan Singh

Meena, Shrimati Jas Kaur

Kumar, Shri Arun

Mehta, Shrimati Jayawanti

Kumar, Shri V. Dhananjaya

Mishra, Shri Shyam Bihari

Kumarasamy, Shri P.

Mohale, Shri Punnu Lal

Kumaramanglam, Shri P.R.

Mohan, Shri P.

Kuppusami, Shri C.

Mohite, Shri Subodh

Kurup, Shri Suresh

Mollah, Shri Hannan

Kusmaria, Dr. Ramkrishna

Mookherjee, Shri S.B.

Kyndiah, Shri P.R.

Moorthy, Shri A.K.

Mukherjee, Shrimati Geeta

Munda, Shri Kariya	Patel, Shri Dinsha
Muni Lall, Shri	Patel, Shri Mansinh
Muniyappa, Shri K.H.	Patel, Shri Prahlad Singh
Muraleedharan, Shri K.	Patel, Shri Tarachand Shivaji
Murmu, Shri Rupchand	Pathak, Shri Harin
Murmu, Shri Salkhan	Patil, Shri Annasaheb M.K.
Murthy, Shri M.V. Chandrashekhara	Patil (Yatnal), Shri Basangouda R.
Murugesan, Shri S. \	Patil, Shri Danve Raosaheb
	Patil, Shri Jaysingrao Gaikwad
N	Patil, Shri Prakash V.
Naik, Shri Ali Mohd.	Patil, Shri Shivraj V.
Naik, Shri Ram	Patil, Shri Shrinivas
Naik, Shri Shripad Yasso	Patnaik, Shri Naveen
Narah, Shrimati Ranee	Patwa, Shri Sundar Lal
Nayak, Shri Ananta	Pawaiya, Shri Jaibhan Singh
Nishad, Capt. Jai Narain Prasad	Pawar, Shri Sharad
Nitish Kumar, Shri	Pilot, Shri Rajesh
	Ponnuswamy, Shri E.
O	Potai, Shri Sohan
Oram, Shri Jual	Prabhu, Shri Suresh
	Pradhan, Dr. Debendra
P	Pradhan, Shri Ashok
Pal, Shri Rupchand	Pramanik, Prof. R.R.
Palanimanickam, Shri S.S.	Prasad, Shri V. Sreenivasa
Pandeya, Dr. Laxminarayan	Prasada, Shri Jitendra
Pandiyam, Shri P.H.	Premajam, Prof. A.K.
Panja, Dr. Ranjit Kumar	
Panja, Shri Ajit Kumar	R
Parste, Shri Dalpat Singh	Radhakrishnan, Shri Pon
Passi, Shri Raj Narain	Radhakrishnan, Shri Varkala
Paswan, Dr. Sanjay	Rai, Shri Nawal Kishore
Paswan, Shri Ram Vilas	Raja, Shri A.
Paswan, Shri Ramchandra	Rajendran, Shri P.
Paswan, Shri Sukdeo	Ram Sajivan, Shri
Patasani, Dr. Prasanna Kumar	Ram, Shri Braj Mohan
Patel, Dr. Ashok	Ramaiah, Shri B.B.
Patel, Shri Atmaram Bhai	Ramaiah, Shri Gunipati
Patel, Shri Chandresh	
Patel, Shri Deepak	

Raman, Dr.	Saradgi, Shri Iqbal Ahmed
Ramchandran, Shri Gingee N.	Saroj, Shrimati Sushila
Ramshakal, Shri	Saroja, Dr. V.
Rana, Shri Kashiram	Sathi, Shri Harpal Singh
Rana, Shri Raju	Sayeed, Shri P.M.
Rao, Shri Ch. Vidyasagar	Scindia, Shri Madhavrao
Rao, Shri S.B.P.B.K. Satyanarayana	Selvaganpathi, Shri T.M.
Rashtrapal, Shri Pravin	Sen, Shrimati Minati
Rathwa, Shri Ramsinh	Sengupta, Dr. Nltish
Rau, Shrimati Prabha	Seth, Shri Lakshman
Ravi, Shri Sheesh Ram Singh	Sethi, Shri Arjun
Rawat, Prof. Rasa Singh	Shah, Shri Manabendra
Rawat, Shri Pradeep	Shaheen, Shri Abdul Rashid
Rawat, Shri Ramsagar	Shandil, Col. (Retd.) Dr. Dhani Ram
Ray, Shri Bishnu Pada	Shanmugam, Shri N.T.
Reddy, Shri A.P. Jithender	Shanta Kumar, Shri
Reddy, Shri Chada Suresh	Sharma, Capt. Satish
Reddy, Shri G. Ganga	Sharma, Vaidya Vishnu Datt
Reddy, Shri Gutha Sukender	Shashi Kumar, Shri
Reddy, Shri N. Janardhana	Shinde, Shri Sushil Kumar
Reddy, Shri Y.S. Vivekananda	Shukla, Shri Shyamacharan
Riyan, Shri Bajju Ban	Singh Deo, Shri K.P.
Roy Pradhan, Shri Amar	Singh Deo, Shrimati Sangeeta Kumari
Rudy, Shri Rajiv Pratap	Singh, Ch. Tejveer
S	Singh, Dr. Raghuvansh Prasad
Sahu, Shri Anandi	Singh, Dr. Ram Lakhan
Sai, Shri Vishnudeo	Singh, Sardar Buta
Saiduzzama, Shri	Singh, Shri Balbir
Samantray, Shri Prabhat	Singh, Shri Brij Bhushan Sharan
Sanadi, Prof. I.G.	Singh, Shri Chandra Pratap
Sangma, Shri Purno A.	Singh, Shri Khel Sai
Sangtam, Shri K.A.	Singh, Shri Prabhunath
Sangwan, Shri Kishan Singh	Singh, Shri Radha Mohan
Sankeshwar, Shri Vijay	Singh, Shri Rajo
Sankhwar, Shri Pyare Lal	Singh, Shri Ram Prasad
Sar, Shri Nikhilananda	Singh, Shri Ramnanand

Singh, Shri Ramjivan

Singh, Shri Rampal

Singh, Shri Sahib

Singh, Shri Tilakdhari Prasad

Singh, Shrimati Kanti

Singh, Shrimati Shyama

Sinha, Shri Manoj

Sinha, Shri Yashwant

Sivakumar, Shri V.S.

Solanki, Shri Bhupendrasinh

Somiya, Shri Kirit

Sorake, Shri Vinay Kumar

Srikantappa, Shri D.C.

Srinivasulu, Shri Kalava

Sudarasana Natchiappan, Shri E.M.

Sudheeran, Shri V.M.

Suresh, Shri Kodikunnil

Swain, Shri Kharabela

Swami, Shri I.D.

T

Thakkar, Shrimati Jayaben B.

Thakur, Shri Chunni Lal Bhai

Thirunavukarasu, Shri

Thomas, Shri P.C.

Tiwari, Shri Lal Bihari

Tiwari, Shri Sundar Lal

Tomar, Dr. Ramesh Chand

Topdar, Shri Tarit Baran

Tripathi, Shri Prakash Mani

Tripathy, Shri Braja Kishore

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U

Uma Bharati, Kumari

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Vaiko, Shri

Vajpayee, Shri Atal Bihari

Varma, Shri Ratilal Kalidas

Vasava, Shri Mansukhbhai D.

Venkataswamy, Dr. N.

Venkateshwarlu, Shri B.

Venkateswarlu, Prof. Umareddy

Venugopal, Shri D.

Venugopal, Dr. S.

Verma, Prof. Rita

Verma, Shri Rajesh

Vetrivelvan, Shri V.

Vijaya Kumari, Shrimati D.M.

Vijayan, Shri A.K.S.

Virendra Kumar, Shri

Vukkala, Dr. Rajeswaramma

W

Wadiyar, Shri S.D.N.R.

Wanga, Shri Chintaman

Y

Yadav, Dr. (Shrimati) Sudha

Yadav, Dr. Jaswant Singh

Yadav, Shri Devendra Prasad

Yadav, Shri Dinesh Chandra

Yadav, Shri Hukumdeo Narayan

Yadav, Shri Sharad

Yerrannaidu, Shri K.

Z

Zahedi, Shri Mahboob

MR. SPEAKER : The result of the division is :

Ayes : 378

Noes : Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The Bill, as amended, is passed by the requisite majority, in accordance with the provisions of article 368 of the Constitution.

The motion was adopted.

MR. SPEAKER : Discussion regarding natural calamities will be taken up tomorrow. Now the House stands adjourned to meet tomorrow at 11 a.m.

18.31 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 28th October, 1999/Kartika 6, 1921 (Saka).