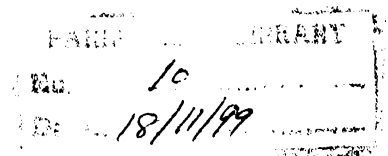


LOK SABHA DEBATES (English Version)

**Second Session
(Twelfth Lok Sabha)**



(Vol. V contains Nos. 31 to 38)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA DEBATES

LOK SABHA

Tuesday, August 4, 1998/Shravana 13,
1920 (Saka)

*The Lok Sabha met at
Eleven of the Clock*

[MR. SPEAKER in the Chair]

11.00 hrs.

OBITUARY REFERENCE

[English]

MR. SPEAKER : Hon. Members, I have to inform the House of the sad demise of one of our colleagues Shri Chandra Kishore Pathak.

Shri Pathak was a Member of Eighth Lok Sabha representing Saharsa Parliamentary Constituency of Bihar during 1984-1989.

A veteran freedom fighter, Shri Chandra Kishore Pathak actively participated in the 'Quit India' Movement and was imprisoned many a time for his patriotic ventures.

An active social and political worker, Shri Pathak worked relentlessly for the removal of untouchability and upliftment of the weaker sections of the society.

An able parliamentarian, Shri Pathak took keen interest in the proceedings of the Lok Sabha.

Shri Chandra Kishore Pathak passed away on 2 July, 1998 at Karnpur, Bihar at the age of 83.

We deeply mourn the loss of this friend and I am sure the House will join me in conveying our condolences to the bereaved family.

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

11.02 hrs.

*The Members then stood in silence
for a short while.*

(Interruptions)

[English]

MR. SPEAKER : Today, there is no 'Zero Hour'. Please understand. Tomorrow, I will allow all of you. Now, papers to be laid on the Table.

11.02½ hrs.

PAPERS LAID ON THE TABLE

*Annual Report and Review on the working of
the National Fertilizers Limited, New Delhi for
the year 1996-97.*

THE MINISTER OF PARLIAMENTARY AFFAIRS
AND MINISTER OF TOURISM (SHRI MADAN LAL
KHURANA) : Sir, on behalf of Shri Surjit Singh
Barnala, I beg to lay on the Table :-

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Review by the Government of the working of the National Fertilizers Limited, New Delhi, for the year 1996-97.

(ii) Annual Report of the National Fertilizers Limited, New Delhi for the year 1996-97 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

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

[Placed in Library See No. LT - 1452/98]

*Annual Report and Review of the working of the
National Textile Corporation Limited, New Delhi
for the year 1996-97.*

THE MINISTER OF TEXTILES (SHRI KASHIRAM
RANA) : I beg to lay on the Table :-

(1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956 :

(i) Review by the Government of the working of the National Textile Corporation Limited, New, Delhi for the year 1996-97.

(ii) Annual Report of the National Textile Corporation Limited, New Delhi, for the year 1996-97 alongwith Audited Accounts and comments of the Comptroller and Auditor General thereon.

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

[Placed in Library See No. LT-1453/98]

Annual Report and Review of the working of the National Bank for Agriculture and Rural Development, Mumbai for the year 1996-97.

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA) : I beg to lay on the Table :-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the National Bank for Agriculture and Rural Development, Mumbai, for the year 1996-97 alongwith Audited Accounts.
 - (ii) A copy of the Review (Hindi and English versions) by the Government of the working of the National Bank for Agriculture and Rural Development, Mumbai, for the year 1996-97.
 - (iii) A copy of the Statistical Statements (Hindi and English versions) of the Annual Report of National Bank for Agriculture and Rural Development, Mumbai, for the year 1996-97.
- (2) Statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above.

[Placed in Library See No. LT-1454/98]

Notifications under Standard, of Weights and Measures Act, 1976

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND CONSUMER AFFAIRS (SHRI SATYA PAL SINGH YADAV) : I beg to lay on the Table-

- (1) A copy each of the following Notifications (Hindi and English versions) under subsection (4) of section 83 of the Standards of Weights and Measures Act, 1976 :-
 - (i) The Standards of Weights and Measures (General) (Second Amendment) Rules, 1997 published in Notification No. G.S.R. 591(E) in Gazette of India dated the 13th October, 1997.
 - (ii) The Standards of Weights and Measures (Packaged Commodities) (Fourth Amendment) Rules, 1997 published in Notification No. G.S.R. 600(E) in Gazette of India dated the 20th October, 1997.

[Placed in Library See No. LT-1455/98.]

(Interruptions)

[English]

MR. SPEAKER : I understand your problem.

(Interruptions)

[Translation]

MR. SPEAKER : All members will get opportunity during zero hour, but not today.

(Interruptions)

MR. SPEAKER : Not today but tomorrow all you will get opportunity during zero hour.

(Interruptions)

[English]

MR. SPEAKER : Today, we have very important Business in the House. Yesterday, the hon. Home Minister made a statement to this effect. I will allow all of you tomorrow in the 'Zero Hour'.

(Interruptions)

MR. SPEAKER : I understand your problem. Please take your seat.

(Interruptions)

[Translation]

MR. SPEAKER : Mr. Mohan Singh, I will allow all of you tomorrow but not today.

(Interruptions)

MR. SPEAKER : Tomorrow I will allow all of you but not today.

[English]

SHRI BASU DEB ACHARIA (Bankura) : Sir, it is a very serious matter. A woman belonging to the SC community has been beaten up by the BJP workers...(Interruptions)

[Translation]

MR. SPEAKER : Mr. Basu Deb Acharia, tomorrow during zero hour, not today.

(Interruptions)

MR. SPEAKER : Mr. Buta Singh ji, not today but tomorrow you will be allowed.

(Interruptions)

MR. SPEAKER : Mr. Ramdas Athawale ji, not today but tomorrow you will get opportunity.

[Translation]

SHRI RAJESH PILOT (Dausa) : Mr. Speaker Sir, the question is not that of zero hour. It is correct that today, there is no Zero hour. We have been deliberating on the issue of Jammu and Kashmir in this House for the last ten days but there has been continuous recurrence of tragic incidents in that region. The Government has given their report on the situation only. Today, it has also appeared in the newspapers that the Government is constituting a co-ordination committee on Punjab, Himachal Pradesh and Kashmir. Such steps have been taken even in the past. But the Government is not coming out with any action plan. Therefore the number of tragic incidents has been increasing everyday. This situation will continue to aggravate in case the Government does not take a firm action in this matter. The Government was aware of the incidents which took place in Doda, therefore, the Govt. should have sealed the border of Himachal Pradesh at that time itself...(Interruptions). In this connection the govt. should have held a conference but nothing of that sort has been done by the Government. 30 persons had been killed in these incidents but the honourable Home Minister came out simply with a statement in this regard yesterday...(Interruptions). Today the honourable Prime Minister who is present here in the House, should make a firm policy in this regard and make a statement about the incidents taking place in Jammu and Kashmir and the surrounding states. In fact Himachal Pradesh, Haryana and Jammu and Kashmir are neighbouring states and they have their own network. Therefore, the point of co-ordination between them is not a new thing...(Interruptions). He should at least say something about it as to what is being done by the Government in this regard. Otherwise the news of recurrence of such incidents will be appearing once again in the newspapers even tomorrow stating therein that 30 people have been killed. What will happen then?...(Interruptions) Will we quote the situation here again and again? Kashmir matter is of a very sensitive nature, I, therefore, request the honourable Prime Minister to say something about that.

[English]

MR. SPEAKER : Shri Madan Lal Khurana, would you like to say anything ?

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : Mr. Speaker, Sir, The honourable Home Minister is making a statement in this regard in Rajya Sabha

then he will come here in this House and may make a statement here.

[English]

SHRI MADHUKAR SIRPOTDAR (Mumbai North-West) : We have given a notice on the same issue...(Interruptions)

[Translation]

SHRI BUTA SINGH : Sir, a dalit woman was killed in Delhi...(Interruptions) she was killed at the behest of B.J.P. leaders. In this connection, a report of the complete details of the incident has been published in the newspapers...(Interruptions)

[English]

MR. SPEAKER : Shri Sultanpuri, Please take your seat. The hon. Prime Minister is on his legs. Please take your seat.

(Interruptions)

MR. SPEAKER : Shri Basu Deb Acharia, please take your seat. The hon. Prime Minister is on his legs. Please take your seat.

(Interruptions)

MR. SPEAKER : Shri Ramdas Athawale, Please take your seat.

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, I can understand the anxiety of the Honourable Members. All the fresh incidents that have taken place are a matter of great concern. It seems that these incidents are being committed in a planned manner and appear to have been done with a political motive. We have been apprising this House of all those incidents. Even today, a fresh incident has taken place...(Interruptions)

SHRI BUTA SINGH : Sir, can these incidents be checked only by making this House aware of them...(Interruptions) What have you told about?...(Interruptions)

[English]

MR. SPEAKER : Shri Buta Singh, please understand, the Hon. Prime Minister is on his legs. Please take your seat...(Interruptions)

MR. SPEAKER : Please take your seat.

(Interruptions)

[Translation]

SHRI BUTA SINGH : What action has been taken by the Government in this regard?

[English]

MR. SPEAKER : Hon. Members, please take your seat. What is this? Shri Buta Singh, please take your seat.

SHRI ATAL BIHARI VAJPAYEE : Mr. Speaker, Sir, I would like to assure this House that stringent action will be taken to check the recurrence of such incidents in future. The honourable Home Minister will make a statement in this regard in the House.

11.09 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL : Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha :-

- (i) "In accordance with the provisions of sub-rule (6) of rule 186 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Beedi Workers Welfare Cess (Amendment) Bill, 1998 which was passed by the Lok Sabha at its sitting held on the 27th July, 1998 and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.
- (ii) In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on the 31st July, 1998 agreed without any amendment to the Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings (Amendment) Bill, 1998 which was passed by the Lok-Sabha at its sitting held on the 29th July, 1998*.

11.10 hrs.

FOREIGN EXCHANGE MANAGEMENT BILL*

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA) : I beg to move for leave to introduce a Bill to consolidate and amend the law relating to foreign exchange with the objective of facilitating external trade and payments and for promoting the orderly development and maintenance of foreign exchange market in India.

* Published in the Gazette of India, Extraordinary, Part II, Section-2, dated 4.8.98.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to consolidate and amend the law relating to foreign exchange with the objective of facilitating external trade and payments and for promoting the orderly development and maintenance of foreign exchange market in India."

The motion was adopted.

SHRI YASHWANT SINHA : I introduce the Bill : **

(Interruptions)

11.12 hrs.

At this stage, Dr. Shafiqur Rahman Barq and another hon. Member came and stood on the floor near the Table.

MR. SPEAKER : I will allow you later. Please go back to your seats.

11.12 hrs.

At this stage, Dr. Shafiqur Rahman Barq and another hon. Member went back to their seats.

11.12½ hrs.

PREVENTION OF MONEY-LAUNDERING BILL*

THE MINISTER OF FINANCE (SHRI YASHWANT SINHA) : I beg to move for leave to introduce a Bill to prevent money-laundering and to provide confiscation of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to prevent money-laundering and to provide confiscation of property derived from, or involved in, money-laundering and for matters connected therewith or incidental thereto."

The motion was adopted.

SHRI YASHWANT SINHA : I introduce the Bill**.

* Published in the Gazette of India, Extraordinary, Part II, Section-2, dated 4.8.98.

** Introduced with the recommendation of the President.

[English]

MR. SPEAKER : Now the Hon. Prime Minister will reply.

(Interruptions)

MR. SPEAKER : Not now, please.

[Translation]

SHRI BUTA SINGH (Jalore) : Mr. Speaker, Sir, a Dalit woman was beaten mercilessly after calling her in the temple. The picture has also been published in the Newspaper. Mr. Speaker, Sir, its reply must be given...(Interruptions).

[English]

MR. SPEAKER : Shri Buta Singh, Please take your seat. Hon. Prime Minister is on his legs. The Home Minister will make a statement later.

(Interruptions)

MR. SPEAKER : Today and tomorrow we have important items. Please understand it.

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : Today, there is a discussion under Rule 193, at that time you can raise this point...(Interruptions).

SHRI BUTA SINGH (Jalore) : There is no discussion. What you are saying is not true.

(Interruptions)

[English]

MR. SPEAKER : Shri Buta Singh, please take your seat. We have to take up important items today. We have to discuss and complete them.

Hon. Prime Minister, Shri Vajpayee.

[Translation]

SHRI BUTA SINGH (Jalore) : Mr. Speaker, Sir, the Home Minister should make a statement in this regard.

(Interruptions)

[English]

MR. SPEAKER : Today we are discussing the problems of SC/ST. Please take your seat.

11.15 hrs.

DISCUSSION UNDER RULE 193

Recent Developments Affecting India's Foreign Policy — Contd.

[Translation]

THE PRIME MINISTER (SHRI ATAL BIHARI VAJPAYEE) : Mr. Speaker, Sir, Mr. Sangma made a request for a short duration discussion under Rule 193. I am here to reply to that discussion. This subject is related to Foreign Policy and Foreign Policy is also connected with the defence policy of our country. It is true and I would like to reiterate that there has always been a general consensus in this country regarding Foreign Policy. In the area of Foreign Policy, there used to be very few instances of differences between the ruling party and the opposition. The Policy of non-alignment was supported by the whole country and all parties. The nuclear policy of the country has also been a matter of discussion and on that also there has always been a general consensus in the country. I do not accept this allegation that general consensus has been broken. Whatever steps are necessary for this national security, there will be taken. This question must not be dealt with on party lines. During the course of discussion, it has been stated that we have conducted nuclear tests with the motive of getting a seat in the Security Council. India has a natural right to get a permanent seat in the Security Council. The world has changed. New countries have joined the United Nations. Imperialism has been defeated. Wave of independence has come up. The present set up of the United Nations Organisation does not reflect the true picture of the world. I would like to know whether securing a permanent seat in the Security Council should depend upon the mercy of some particular individual. Should it not be decided in a democratic way? It is funny that we should conduct a nuclear test for that.

Mr. Sangma has also emphasised over it and I agree with him that the country should be well prepared from the defence point of view and it needs to be economically strong. There is no contradictions between economic prosperity and defence preparedness.

We can make best utilisation of our resources and we are doing also. The interests of the Nation must be safeguarded and prosperity should also come but we cannot ignore and security. We have the experience of fifty years. Many times we have faced invasions from outside and lost a large areas of our land. To regain that, - we have adopted the

[Shri Atal Bihari Vajpayee]

path of peaceful bilateral talks. To avoid this type of situation in future security measures must be strengthened. As I have already submitted, if we make use of our resources in a proper way our security needs can also be fulfilled and the nation can achieve. It is not correct to say that the prices of tomato and onion have increased only due to nuclear test at Pokhran. One such test was conducted even at the time of Smt. Indira Gandhi. That can be said only in a lighter vein but it is not a fact. We have waited for 24 long years in the hope that the nations who have piled up atomic weapons would destroy their weapons and a world free from atomic weapons would emerge but our efforts failed. After Pokhran test a pressure has build upon those countries who are in possession of atomic weapons and that they should take steps towards nuclear disarmament.

Whichever conference I have got the opportunity to attend in the last few days, this question was also there on their agenda. Many Honourable Members have repeatedly said that India has been isolated. It is not true, who can isolate a country with a population of 100 crore and how it can be done? How can India be ignored? Be it the summit of non-aligned countries, Manila Summit or the summit of SAARC Nations, our role and our dialogue with other nations has been meaningful. I would like to ask whether it is the sign of being isolated?

In the NAM Summit an attempt had been made to criticise us for nuclear test by naming us. It was not accepted by the summit. It is also not the tradition of non-aligned movement.

Recently a SAARC Summit was held at Colombo. It would be enough to say about SAARC summit that all those who wanted to isolate us were themselves were isolated. The SAARC was set up for economic development, to promote cooperation between the member countries and also to march ahead in the direction of free trade and further to go ahead with the creation of a common market. Some important steps were taken in the Colombo summit in this regard. But Pakistan was not interested in those steps. Pakistan was adamant on one point only. It was also said that until the mutual disputes were solved economic prosperity couldn't be achieved. Though, some disputes will always remain and that is a fact not only in respect of the relations between India and Pakistan but also in respect of all other countries. Steps should be taken to solve the disputes by talks and steps are taken in this direction. Economic and mutual cooperation does not hold good if conditions are not created for the solution of disputes. That is not the right attitude. We are for Peace and want to solve disputes through dialogues. But we, would like to make it clear that the economic

development should not be hampered due to these disputes. A large number of population lives in this country, in this part of the world. They have been facing so many problems economically, and SAARC is a great experiment in a right direction. Bilateral relations have also improved through it. During Colombo summit bilateral talks were also held but they were not the part of the summit. We had also opposed and asserted that these issues could not be included in the agenda informally, because that would have opened a Pandora's Box. Disputes are not only between Pakistan and India, these are between other countries also. SAARC Summit provides great opportunity to hold informal bilateral talks, to resolve disputes like these.

Yesterday, Mr. Indrajit Gupta raised the issue of the terrorists of Assam who have taken refuge in Bangladesh.

Mr. Speaker, Sir, I have discussed the matter with the Prime Minister of Bangladesh and we have demanded extradition of those criminals who are in their captivity and against whom the process of trials is going on in India. They should be handed over to us. The Bangladesh Government has said that they have kept them in Jail and whenever the legal proceedings are over, they will hand them over to us. I am giving just an instance. Similarly, there is a question of fishermen with Sri Lanka.

Mr. Speaker, Sir, these summits provide us an opportunity to solve this type of problems. Exchange of views must be made on these questions. India played a significant role in the SAARC summit and there is no question of India's being isolated. All those who were present in the last two summits organised in Manila have seen that our representatives talked to the leaders of the member nations and as a result, there has been an increased awareness regarding the Security of India. In the matter of understanding many honourable members have kept themselves confined to the event of 26th May. Since then the world has gone far ahead.

Sir, now we are discussing as to how to solve the problems arising out of atomic explosion and how to find a solution thereof having its far-reaching and worldwide impact. In every conference it has been said that nuclear disarmament is a global problem. It can not be viewed in parts. In Geneva conference, eight countries made a joint statement, in which these big countries have asked other countries not to go in for atomic weapons and not to indulge in arms race; they should look into their own conduct, and reduce the number of their own weapons. The atomic weapons should be destroyed and eliminated in a time bound programme. This voice is gaining momentum. These issues were also raised during bilateral talks.

Sir, the ex-Prime Minister of Japan, (a new prime minister has taken charge since) has thanked me by writing a letter in response to my letter and said that now we were having a better understanding of India's security concerns. Japan is the country which was attacked with the atom bombs and the people are still suffering from the nuclear holocaust. We have done atomic explosion not to attack but for our safety and self-defence. It has been used as a deterrent and that too as a minimum deterrent which is the basis of our policy, so that no one may pose a danger for our Independence and integrity. So, we have announced that we shall not do atomic tests in future. Not, it is not necessary. It should not be necessary even in future. Although C.T.B.T. does allow it and after signing N.P.T., if a country thinks that a danger or impending danger has arisen to its supreme national interest, then it can take an appropriate step.

SHRI MOHAN SINGH (Deoria) : They are making ground for signing the treaty.

SHRI ATAL BIHARI VAJPAYEE : It is our desire to give a legal form and legal obligation to this moratorium. We also told that we would not initiate the use of atomic weapons.

SHRI MULAYAM SINGH YADAV : What will happen if someone else attacks us?...*(Interruptions)*. Will you be in a position to use it?...*(Interruptions)*

SHRI ATAL BIHARI VAJPAYEE : Mulayam Singh Ji had been Defence Minister and he should not say such things which are not National...*(Interruptions)*.

SHRI MULAYAM SINGH YADAV : No, if someone else attacks us then what will we do? If we are in danger...*(Interruptions)*.

SHRI ATAL BIHARI VAJPAYEE : Why will someone else attack us?...*(Interruptions)*

SHRI MULAYAM SINGH YADAV : They will say something and will do something else ...*(Interruptions)*.

SHRI ATAL BIHARI VAJPAYEE : Why will someone else attack us?

SHRI MULAYAM SINGH YADAV : You should make friendship...*(Interruptions)*.

SHRI ATAL BIHARI VAJPAYEE : We should not have such type of fear that we would not be in a position to use it if any other country attacks on us. To be equipped with atomic weapon, is in itself a deterrent. There should not be any attack.

SHRI MULAYAM SINGH YADAV : You should rather say that we shall not be compelled to use it if we establish friendly relations...*(Interruptions)*.

SHRI ATAL BIHARI VAJPAYEE : We are even ready to make this kind of treaty...*(Interruptions)*. with several countries...*(Interruptions)*. This issue was raised in Colombo that we should give assurance to those countries which are not equipped with atomic weapons. I told that there was no question of atom bomb being used on those countries who do not possess atom bombs. When we say that we shall not be first to use an atom bomb, then there is no basis in using it against those countries who do not possess these bombs. It is also necessary that we should further the process of disarmament.

Pakistan is not only managing all its diplomacy by making Kashmir a nodal point but also giving emphasis on the issue of linking non-proliferation with Kashmir. The dispute of Kashmir is fifty years old. We are ready to solve it on bilateral basis. No country whether it is from G-5 or G-8, has admitted that the issue of non-proliferation should be linked with Kashmir issue. Kashmir issue is a different thing and non-proliferation is in itself an important issue. Pakistan wants to negotiate on the issue of Kashmir only and nothing else. Why? There are many other issues between the two countries. Why should not we talk about all issues? We are neighbours, we have to live together. Why should we discuss Kashmir only?

Yesterday, Mr. Soz was narrating about the circumstances in which the changes had taken place in Kashmir. Peace has been restored there. Elections were held. A large number of tourists are going there. The tour of Amarnath is going on peacefully. It is said that Kashmir is a flash point. Yes, if Pakistan wants to take some steps to draw the attention of the world by masterminding petty disturbances, then I shall say with conviction that they are not going to get success at all. But, at times I think why there is such emphasis on Kashmir. Pakistan is not satisfied with its boundaries. Pakistan wants to change the status quo. The rulers of Pakistan are unable to digest the fact that a state with a majority of Muslims should live with India. It is their problem if they have not accepted secularism. But for there is something more important than that. Some ideals, some symbols are also attached with it. So, we refused to talk only on Kashmir. This refusal is not of my government but the decision was taken by the last government. An agenda was prepared. We were prepared to talk on that agenda. But Pakistan dragged its feet. They are alleging that we are back tracking. There is no truth in it. We told that we were prepared to negotiate about Kashmir but other matters related to it should also be included in the negotiation. It is necessary to negotiate after taking a forward view. But Pakistan is not ready for that. In Colombo they handed over documents to us in a casual manner. On its perusal

[Shri Atal Bihari Vajpayee]

it becomes crystal clear that they are not interested in negotiation. By drawing the attention of the world community, they want to make it an international issue, but no other country agrees to its proposal. Arab countries, P-5 and G-8 and even China has said that the problem of Jammu & Kashmir should be solved by mutual negotiation. One of the measures of the confidence building measures put up by Pakistan is that the Government of India should talk to Hurriat Conference by recognising it as the representative organisation of Kashmir. No Indian can accept this proposal? Kashmir is a part of democratic India, Recently, elections were held there which were monitored by the election commission. By giving an example I would make it clear that Pakistan is not interested in negotiations. But we shall continue our efforts. It is necessary that our relation with Pakistan should improve. It is true that both the sides should have the desire to improve the relations, but India's point of view is quite clear.

I am confident that the talks held with China in Manila would help in removing their mental reservations. Our Chinese friends are expressing their anguish by quoting the statements of some of the Indian Leaders. It was clarified to them that they should not make decisions on the basis of the printed statements in newspapers. Our defence minister has clarified it that he had never said that China was our enemy number one. Its denial was also sent but...(Interruptions).

SHRI LALU PRASAD (Madhepura) : Only 6 days after the reaction of the Government of India he gave his statement in Patna that he had not made any comment like this.

SHRI ATAL BIHARI VAJPAYEE : After all he spoke. Lal Prasad is confirming my statement. His only grievance is that the statement came after six days.

SHRI LALU PRASAD : No, he contradicted it in Patna and that too after six days when the spokesman of External Affairs Ministry gave a statement that it was the statement of the Minister not of the Government of India. The Minister should have resigned the same day. You have also made a reference of those matters in your letter. You have written it in the letter, you may confirm it.

SHRI SHAKUNI CHOUDHARY (Khagaria) : China is the number one enemy of India, so it was said...(Interruptions) Mr. Speaker, Sir, I did not hear.

SHRI ATAL BIHARI VAJPAYEE : To the American President...(Interruptions).

SHRI LALU PRASAD : Mr. Prime Minister, when your Minister's mistake is detected they just pass it on to newspapers.

SHRI ATAL BIHARI VAJPAYEE : This is an old technique adopted by both of us. Mr. Speaker, In the letter under reference a mention is made about the apprehensions arising about China, but it also mentions about improvement of our relations with China and we want to further improve these relations.

SHRI RUPCHAND PAL (Hugli) : Then what was the need to write the letter?

SHRI ATAL BIHARI VAJPAYEE : But we can not deny that these are some disputes which need to be settled down between our country and ... (Interruptions).

[English]

MR. SPEAKER : What is this ? Let him complete. Please take your seat.

(Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur) : Mr. Prime Minister, please clarify the Government of India's stand on this. It is very important matter. The relation between the Government of India and China should be proper and Harmonious...(Interruptions).

MR. SPEAKER : Shri Somnath Chatterjee - Let him complete.

(Interruptions)

[Translation]

SHRI ATAL BIHARI VAJPAYEE : I agree to it that India's relation with China should be friendly and cooperative. Concrete steps are to be taken to make it cooperation-oriented and we are trying to dispel the misconceptions. But the question of border remains on which negotiations are going on.

SHRI SOMNATH CHATTERJEE : This issue must be taken up.

SHRI ATAL BIHARI VAJPAYEE : We also told Pakistan that if they stress upon anything as the main cause of dispute, it would not be solved soon. Please keep it aside for a brief period. If we increase trade, interaction between people of both sides contribute towards the economic well-being of both the countries only then there will be improvement in situation and relations will become cordial. Then it will be easy to solve the most difficult problem. The same policy has been adopted in the case of China. We shall continue our efforts about this problem. Our concerns are-related to piece of land and borders, these must be solved through negotiations.

SHRI LALU PRASAD : Your policy must be clear about Kailash Mansarovar. If it is not so, then you should drive your chariot in that direction, bring Lord Shankar back.

SHRI ATAL BIHARI VAJPAYEE : In that negotiation, the issue of C.T.B.T. was raised in a strong manner. I would like to switch over to English Language so that my statement is correctly quoted.

[English]

A number of hon. Members wished to know Government's position on the CTBT. After concluding the series of tests on May 13, India immediately announced a voluntary moratorium on further underground nuclear test explosions. In announcing this moratorium, India accepted the basic obligation of a test ban. In 1963 too, we had wanted a Comprehensive Test Ban Treaty. What the international community concluded instead was only a Partial Test Ban Treaty (PTBT). Eventually, India went along and became an original state party to the PTBT. That decision was taken in the broader national interest.

As hon. Members know full well, India, which first proposed a ban on testing in 1954, and as a country that remains committed to global nuclear disarmament, could hardly have acted otherwise. In announcing the moratorium, we reflected our own commitment to disarmament as also addressed the general wish of the international community. Naturally, India reserves the right to review that decision if in its judgement extraordinary events take place that jeopardise India's supreme national interests. The CTBT also gives the same right to every country. We also announced then our willingness to move towards a *de jure* formalisation of our voluntary undertaking. Ways and means of doing this are being explored through bilateral discussions with key interlocutors. These dialogues have been undertaken after satisfying ourselves that India no longer requires to undertake nuclear explosions. We can maintain the credibility of our nuclear deterrent in the future without testing. India remains committed to this dialogue with a view to arriving at a decision regarding adherence to the CTBT. In 1996, we stayed out of the CTBT principally with national security as our only guide. That remains entirely unaltered.

[Translation]

I would like to assure the House that while deciding about the international treaties we shall keep the issue of national security upper most and the House will be taken in confidence.

11.50 hrs.

DISCUSSION UNDER RULE 193

Deportation of certain People by Maharashtra Government — Contd.

[English]

MR. SPEAKER : The House will now take up the next item. Shri Somnath Chatterjee to speak.

SHRI SOMNATH CHATTERJEE (Bolpur) : Mr. Speaker, Sir, I congratulate Shri Hannan Mollah and Shrimati Geeta Mukherjee for raising this important issue for which many hon. Members had given notices. I consider it as one of the most important issues that we are discussing in the House. The issue is important not because we are treating it as a question of only the Bengali-speaking people...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK) : Sir, I am on a point of information. As per the List of Business, at Twelve of the Clock, we have to take the discussion regarding problems of Scheduled Castes and the Scheduled Tribes...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : It is not yet Twelve of the Clock.

SHRI RAM NAIK : Now, it is exactly Twelve of the Clock. I thought that I should not interrupt him in the beginning. My point is that at Twelve of the Clock, the discussion regarding problems of the Scheduled Castes and the Scheduled Tribes has to start.

MR. SPEAKER : After completing this item, we will take up that one.

SHRI RAM NAIK : It has been written here.

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : The Bill for salary and allowances of the members should be taken up as it has to be passed by Rajya Sabha after being passed by this House. It should be taken up earlier as today is the last day for Rajya Sabha...*(Interruptions)*.

SHRI RUPCHAND PAL (Hugli) : A decision was taken yesterday. It was stated in that decision that it would be taken up after completing this discussion. Let us complete one discussion...*(Interruptions)*

SHRI RAMDAS ATHWALE (Mumbai North-Central) : Let us first complete this discussion ...*(Interruptions)*

SHRI LALU PRASAD : We are regularly raising the issue of Member's facilities. This Government is making excuses. Please put up the bill in five minutes, we shall pass it and then you can discuss another issue...*(Interruptions)*.

12.00 hrs.

[English]

MR. SPEAKER : Please take your seat.

(Interruptions)

PROF. P.J. KURIEN (Mavelikara) : Mr. Speaker, Sir, since we have to take up discussion on the Jain Commission Report at 2.00 p.m., I would submit that after the speech of Shri Somnath Chatterjee, the hon. Minister may reply to this debate. Then we can go on to the next discussion on SCs and STs so that at 2.00 p.m. we can take up the discussion on the Jain Commission Report and the ATR, as decided yesterday. This is my submission...*(Interruptions)*

MR. SPEAKER : Shri Somnath Chatterjee to speak.

SHRI SOMNATH CHATTERJEE : I hope, now the position is clear. May I proceed for a little while without interruptions also from the Treasury Benches?...*(Interruptions)*

SHRI BUTA SINGH (Jalore) : If you have not started the debate, I have just to say something.

Sir, my request to you is that I have written a letter to you saying that the Inquiry Report of Shri Durai who was appointed by the Home Ministry relating to the misuse of power by the CBI be tabled on the floor of this House...*(Interruptions)*

MR. SPEAKER : That is a separate issue.

SHRI BUTA SINGH : Today I have given you an authenticated copy of the Report. You had promised that you would allow me. Let me table the Report, if the Government does not bring it...*(Interruptions)*

MR. SPEAKER : That is a separate issue.

Shri Somnath Chatterjee to speak.

(Interruptions)

SHRI BUTA SINGH : I want to read it ...*(Interruptions)*

MR. SPEAKER : No, no. Not now. That is a separate issue.

(Interruptions)

SHRI BUTA SINGH : I have given an authenticated copy to the Speaker...*(Interruptions)*.

MR. SPEAKER : Shri Somnath Chatterjee to speak.

SHRI SOMNATH CHATTERJEE (Bolpur) : Mr. Speaker, Sir, as I said, the issue is very important not because the question of Bengali speaking people is concerned but because the issue is much more fundamental. It raises the question of the how the Government and constitutional authorities should function...*(Interruptions)*

MR. SPEAKER : No cross talk please. Hon. Members, please take your seats.

(Interruptions)

SHRI SOMNATH CHATTERJEE : And whether, for the sake of so-called deportation of foreigners from this country, uncivilised methods can be adopted which cut at the very foundation of human rights. We did not want to have this discussion on political lines. You please recall when Shri Hannan Mollah was speaking. He tried to steer clear of any political controversy. It was raised as a question of human issue, a question of applying the laws of this country. But most regretfully, the hon. Member from Trinamool Congress, I do not know whether he belongs to the 'A' team or 'B' team or 'C' team of the BJP ...*(Interruptions)*

SHRI AJIT KUMAR PANJA (Calcutta North-East) : It is the 'Z' team.

SHRI SOMNATH CHATTERJEE : Very well. It is the 'Z' team. The hon. Member from the Trinamool Congress introduced all sorts of political issues and indulged in such language against political parties and my Party that I have to strongly repudiate all that has been said here...*(Interruptions)*

SHRI AJIT KUMAR PANJA : What did I say?...*(Interruptions)*

MR. SPEAKER : Take your seat.

(Interruptions)

SHRI AJIT KUMAR PANJA : He is repudiating without uttering what I did not say...*(Interruptions)*

SHRI SUDIP BANDYOPADHYAY : The record is there. Shri Jyoti Basu utters such comments on the floor of the Assembly which he ultimately withdraws...*(Interruptions)*

MR. SPEAKER : Please take your seat.

(Interruptions)

SHRI SOMNATH CHATTERJEE : I wish to repudiate this on the floor of the House. I am not going into all the allegations made against my Party

which are not only baseless allegations but also nauseating howlers.

Sir, I am not prepared to learn about morality or ethics or political probity from those people who change their parties or party's colour like changing their shirts...(Interruptions)

SHRI AJIT KUMAR PANJA : Like CPI is changing into CPI(M) and CPI(ML)...(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, we have said it earlier also and others have also said, and I reiterate what Shri Hannan Mollah has said that we are not against deportation of foreigners.

MR. SPEAKER : Hon. Members, please take your seats. No cross-talk please. What in this? If you want to discuss something, you may go out and discuss it.

SHRI SOMNATH CHATTERJEE : Can he cite one instance from anybody either in West Bengal in responsible position or here that we have ever said that the foreigners should not be deported. What we have said is, 'how to do it, how to identify foreigners?' Whether on the basis of religion and the language a person speaks in the country, we will decide that he is a foreigner?

Sir, there is a law of this land for detecting foreigners, for deporting foreigners. We are only trying to find out whether those legal provisions have been followed. Sir, can I be faulted or can anybody be faulted if we tried to find out that there were legal provisions which provided minimum decorum and civilised system and were they being followed or not? By hurling abuses at us, they cannot prove their case. That shows their weakness.

Sir, what I am trying to state, I am very sorry, it has been said, 'why are you feeling concerned?' because there is certain so-called ideology which is now pervading throughout the country and more particularly, in certain areas. We see the attitude of hatred and intolerance. What is happening? We see that somebody in the West who professes a particular religion is being attacked and wounded. Even a singer will not be allowed to perform because of his religion, because he comes from a particular country. Sir, we have seen, how even in Sports, the sportsmen from a particular country are not being allowed to take part in the sports activities.

Sir, on the Editorial page of *Asian Age* of 29th July, there is an article 'Extreme Measures'. With your kind permission, I will quote a few lines of it. It says:

"...Needless to say, the drive (the deportation move) was to begin from an area where a large percentage of the

inhabitants are Muslims. The country cannot stand by and watch the very basis of its existence attacked by those who claim to be motivated by another vision of India. Reports from Ahmedabad are particularly disturbing with virtual goon brigades being formed by Vishwa Hindu Parishad and like-minded outfits to ensure that inter-religious marriages do not take place. Ahmedabad is one city in this country where segregation, according to religion, has almost been formalised. People reside in colonies according to the religion they follow..."

Sir, it further says:

"It is not a question of a party or a Government. It is a question of ideology. Any ideology that seeks to divide the nation by arousing hatred must be opposed. Any ideology that draws its sustenance from the claim that one religion, be it Islam, Christianity or Hinduism is superior to another, has no place in secular India. Unfortunately, these ideologies of separatism and communalism have seeped into the vitals of Indian politics and the responsible Opposition must lift itself out of its slumber and begin to mobilise the people who alone can effectively counter the divisive forces."

This is what is disturbing us most. Today this policy, the attitude of intolerance and attitude of hatred are based on religious considerations.

When there are laws in this country for this purpose, those laws are being violated with impunity and people are being hounded out of this country.

Mr. Prime Minister, I am happy that you are here. I would like to know whether you permit any person - any individual human being, be it an Indian or a foreigner - being put into a compartment of a train in shackles. They are then being put in chains and transported over two thousand kilometres. Is this a civilized way of functioning?

The law in this country is well established and well settled. I have got a copy of an order. It is one of the specimen orders. I do not know whether the hon. Prime Minister, because of his very busy schedule, has ever had occasion to know this. Of course, he had to go abroad also. I am reading out from one order, a specimen order issued by the Deputy Commissioner of Police (Special Branch-I), CID, Mumbai dated the 26th or the 28th July, 1998. I have sent a copy of it to the hon. Minister of Home

[Shri Somnath Chatterjee]

Affairs. I find that he is not here today. This is important and I quote:

"In exercise of the powers conferred upon me by the President of India with the consent of the Government of Maharashtra under clause 1 of article 258 of the Constitution entrusting to me ('to me, means, 'to the Deputy Commissioner of Police'), the function of the Central Government in the making of orders of the nature specified in clause c of subsection 2 of section 3 of the said Act ... under Government of India, Ministry of Home Affairs, New Delhi letter No. 14011/24/75-FIII dated the 19th May, 1976 and the Government of Maharashtra notification dated the 1st June, 1976, I, ..., direct that the foreigner/Bangladesh national known as ..., resident of Bangladesh/Bangladeshi shall not remain in India after the date on which this order is served on him/her and shall leave India forthwith."

I have been trying to get a copy of this Government notification issued by the Ministry of Home Affairs. Since I could not get it in the Library, I tried to get it from the Ministry of Home Affairs but my Secretary was told, 'No, it is a secret circular'. The Ministry of Home Affairs will not give it to me. I am amazed. This circular is known to a Deputy Commissioner of Police. I am a Member of Parliament for twenty eight years now and I want to get a copy of this circular but this is supposed to be a secret circular. Mr. Prime Minister, I wrote to the hon. Minister of Home Affairs on the 30th July. I have been trying to get it. It is extremely surprising that a Deputy Commissioner of Police can refer to a secret circular but a Member of Parliament cannot have any access to the same. I believe that you will not accept the position and you will be pleased to direct that office to kindly furnish me as soon as possible, preferably by tomorrow, a copy of the said circular.

I have said in my letter : 'I am enclosing a copy of the order mentioned above, issued by the Deputy Commissioner of Police'. It has not been replied to, nor even acknowledged. Nor any document has been supplied. What is the secrecy about it? If a Deputy Commissioner of Police will have access to it, how can it be a secret document for a Member of Parliament? I do know what the secrecy about it is.

The law in this country is well established. In this order, the Deputy Commissioner of Police says, 'You have to leave India'. I am coming to the point whether he is entitled to say that. Under which law

of this country is it provided that then and there he would get hold of a person put him in chains in a railway compartment and take him over two thousand kilometres? Under what law is it provided? Shri Ajit Panja is giving a certificate that every order has been complied with, every law has been complied with...*(Interruptions)*

SHRI AJIT KUMAR PANJA : Sir, my name is being referred to....*(Interruptions)*

SHRI SOMNATH CHATTERJEE : He was shown on the TV and everybody heard him.

SHRI AJIT KUMAR PANJA : The circular is with Shri Indrajit Gupta. He is there by his side. He issued that circular. There'ore, ask your neighbour and do not ask me.

SHRI SOMNATH CHATTERJEE : I have to know it from the Government under what provision somebody is asked to leave India. Is it under section 3 (2) (c) of the Foreigners Act?

There is no provision. The Supreme Court has said it. Under which order or under what authority they can be immediately put in jails, taken to a railway station, put into a railway compartment, and taken all the way to the destination? If he violates that he is open to penal action under Section 14 of the Act. The Supreme Court has said it. The High Courts have said it repeatedly. This is the matter of life and death...*(Interruptions)*

Mr. Speaker, Sir, this is a very important point. I also seek your protection. Kindly see that Members of Parliament are not handicapped in taking up a cause which is very important just because circulars are not made available on the plea that they are 'secret'. Relevant documents are not made available. It cannot be a secret circular at all. It is a question of delegation of authority...*(Interruptions)* Unfortunately, the hon. Minister of Home Affairs has not shown the courtesy of replying to me ...*(Interruptions)* Mr. Speaker, Sir, the hon. Minister of Home Affairs made a statement on the floor of the House. I was, in a sense, very surprised and shocked. He is a senior political leader and is occupying the position of the Home Minister. What did he say when certain allegations were made? He said :-

"According to the information furnished by the Government of Maharashtra, elaborate procedure is followed and are given adequate opportunity"

Sir, the State Governments, whether it is the State Government of Maharashtra or for that matter the State Government of West Bengal, they exercise powers as delegated by the Central Government. The Government of West Bengal has deported about 80,000 people. I have read it in the newspapers. I

do not know the exact figures. Whatever the Government of West Bengal has done, it has done it as the delegate of the Government of India. It is because under the law the sole authority is the Central Government which has the power to delegate powers to the different State Governments. They have delegated powers to the different State Governments. The State Governments exercise the powers as the delegate. So, when this question arises, the Central Government cannot say, 'Well, we have given the powers to the State Governments'. What steps have been taken to look into the complaints? Some of these persons have already been able to prove before the High Court of Calcutta that they are not Bangladeshis, and that they are Indians.

SHRI AJIT KUMAR PANJA : This is incorrect. They have brought a temporary stay order. ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : Mr. Speaker, Sir, at least the fact is that they have been able to approach the court. They have been able to approach the High Court of Calcutta which, I hope, is a duly constituted High Court. They have got the stay order issued on a strong *prima facie* case. I would like to know what the Government tried to do since then. This matter has been raised on the floor of the House by Shri Hannan Mollah so many times. He has written to the hon. Home Minister and he has met him also. Was a single case inquired into?

We have said that whoever was really a Bangladeshi has no right to stay here otherwise and has to go; and we have not objected to that. We have repeatedly said that. Even out of those recent incidents which have taken place, those who have been able to come out of that Railway Prison, and whoever have been found to be Bangladeshis have been asked to go away and they have gone back. Does it mean that we are trying to keep them forcibly in India? This is what is happening. But the Home Minister does not seem to bother; and he has given a total and a clean chit to the Government. It is also being said that the onus is on the people, under the Act, against whom proceedings are taken and who are treated as foreigners; and it is for them to prove that they are not foreigners. Yes, in certain cases, onus is given, and in this case also. But that does not mean that he should not be given an opportunity to prove that he is a citizen of India. This is what the complaint is. Then, who has got the authority?

In a case, the Supreme Court decided otherwise, where the Deputy Commissioner of Police held a person to be a foreigner. That person was convicted by the Judicial Magistrate at Godhra. It was affirmed by the High Court of Gujarat. When that person approached the Supreme Court, the Supreme Court said that this was not the procedure to be adopted; he must be given an opportunity to prove since he

has got some materials. So, he should be allowed to prove it. The Supreme Court said that the burden of proof is on the person; even then the accused should be given a chance to prove his case by producing evidence; and the decision of the High Court was set aside with directions to give an opportunity to the accused to give fresh evidence. But nothing like that is happening here.

Which court proceedings were produced here? What notice was given to them? What opportunity was given to them? Nobody has said about that, even after his visit to Mumbai. We have not been favoured with any detailed information about a single case.

SHRI AJIT KUMAR PANJA : Sir, does he mean me?

MR. SPEAKER : This kind of intervention is not good.

SHRI AJIT KUMAR PANJA : If that is so, then I would say that they were produced before the Metropolitan Magistrate. This is on record. Why should he not utter the name? Why is he afraid?

MR. SPEAKER : No. This is not good.

SHRI AJIT KUMAR PANJA : In each case, it was produced before the Metropolitan Magistrate. We were shown records. If the records are not correct, then, I do not know.

MR. SPEAKER : Please take your seat.

SHRI AJIT KUMAR PANJA : I would also like to ask him, in how many cases, out of the 80,000 cases, the deportees were produced in courts in Bengal. They are pushing them out just because they are not Marxists. Marxism is the only consideration; otherwise, they are pushed back. Is this communism, Shri Chatterjee?... *(Interruptions)* He does not know anything and he is shouting... *(Interruptions)* Shri Topdar does not know A,B,C of law and he is shouting... *(Interruptions)*

SHRI SOMNATH CHATTERJEE : In this country, there is a law for preparation of electoral roll; and only the citizens of this country can be on that electoral roll. Elaborate provisions have been made in this country to issue voters' identity cards. They could only be issued on the basis of their names on the electoral rolls. Now, people are holding those voters' identity cards. Shri Rawale has just now said that they are bogus cards. But who decided it — the goons on the streets? Who decided it — the police there? Who decided that they were not genuine cards? I have got a plenty of documents here. I have got some specimens. I am thankful to Shri Sharad Pawar for he has got them verified. People with their valid voters' registration and also voters' identity cards have been thrown out on the plea that

[Shri Somnath Chatterjee]

they are not acceptable. This is nothing but a law of the jungle. That is what we are objecting to. We are saying to follow a proper method. Shri Buddhadeb Bhattacharya of the Government of West Bengal has written to him. For the country's sake, let us certainly take away the foreigners but you cannot say that everybody is a foreigner because he is speaking Bengali and he is a Muslim. It is not necessary that you should pick him up from wherever he is. It happened here. We went to Jahangirpuri two or three years back. A similar position was there. People are just picked up because they speak Bengali. They were picked up saying that they were foreigners belonging to Bangladesh and should get out. There is no law.

I would like to know the Government whether people can be picked up just like that and produced before the Magistrate or not. We would like to know on this point. If you are asked to prove whether you are a Bengali or a Bangladeshi, how can you prove it then and there? Shri Hannan Mollah rightly pointed it out. They are illiterate poor people who had gone all the way for earning their livelihood as citizens of India. Can I not go and stay in any place in India? Should I have to take the permission from some people for this? We cannot accept this.

I hope this country and this Parliament, the highest body in this country, will express its abhorrence at the delegation of authority to some persons to decide the fate of human beings in this country and to describe the citizens of this country as foreigners. And shall we keep quiet just because a combination of political forces is supporting this Government? No. We cannot accept that.

There are many authorities like Justice J.C. Shah and Justice V.S. Desai. Justice J.C. Shah became the Chief Justice of India. He repeatedly said that there must be strict proof of delegation proof. He held the view to the respondent in the case, State versus Ebrahim Nabigi, AIR 1959 Bombay 525. Justice J.C. Shah and Justice V.S. Desai were there. I would quote from the judgement.

"...The respondent could not be held otherwise guilty of the infringement of the provisions of Section 14 because there was no lawful direction issued against him requiring him under Section 3, Sub-Section (2) Clause (c) of the Foreigners' Act."

Merely asking to issue orders has to be a lawful one under Section 3 of the Foreigners' Act. I am reading from the judgement of the court. I hope he does not object to it.

"Under Section 3 of the Foreigners' Act, the power to make an order either against

an individual or against a class generally, is conferred upon the Central Government and under Section 12 of the Foreigners' Act, the power to make orders under Section 3 may be delegated to a subordinate authority. By virtue of a notification dated 17th October, 1955, the power may be deemed to be conferred upon the State Government. But there was no order issued by the Central Government."

Shri Ram Naik, I hope you would be probably replying. I do not know.

SHRI RAM NAIK : I would intervene after you speak...(Interruptions)

SHRI SOMNATH CHATTERJEE : But there was no order issued by the Central Government. I am reading from the judgement of the Mumbai High Court.

"But there was no order issued by the Central Government or competently by the State Government which has delegated the authority under Section 3, Sub-Section (2) Clause (c) of the Foreigners' Act upon the Superintendent of Police. The order passed by the District Superintendent of Police on 20th August, 1957 must, therefore, be regarded as unauthorised and failure to carry out the requisition contained in that order cannot be penalised under Section 14 of the Foreigners' Act."

Shri Ram Naik, I hope you at least know Section 14. I hope you are having it.

SHRI RAM NAIK : I have studied it.

SHRI SOMNATH CHATTERJEE : I am convinced about your sanity, Shri Ram Naik. I have no doubt about it.

MR. SPEAKER : Shri Somnath Chatterjee, please conclude. You have taken half-an-hour.

(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, forty minutes were taken by a seven-member party...(Interruptions)

A similar decision was taken by MP High Court in AIR 1959 MP 387...(Interruptions)

Sir, there is a decision of AIR 1958 Calcutta 565 also. Therefore, the question of delegation is very important. It is not a question of legal decision; but it is a question of authority; it is a question of Jurisdiction; it is a question of power which is involved in matters of human rights; and it is a question of the rights of the citizens of this country.

We cannot agree that any policeman or anybody in this country, without proper procedure or without giving proper opportunity to human beings, will brand them as foreigners, and treat them in that manner. Have we got any instances anywhere in the world where people have been sent back in this manner, even if they are foreigners?

SHRI AJIT KUMAR PANJA : Yes. In Soviet Union, there are a lot of instances...*(Interruptions)*.

SHRI SOMNATH CHATTERJEE : We are aware of the hon. Member's antipathy towards communism or towards Soviet Union. His antipathy is known to us. But according to him, he does not like Soviet Union and Communists. This country has the fortune of having the best of friends in Soviet Union. Do not forget it, Shri Panja.

SHRI AJIT KUMAR PANJA : If it fell down like a pack of cards, what can I do, Shri Chatterjee? ...*(Interruptions)*

SHRI SOMNATH CHATTERJEE : The decimation of his new party and new allies has already started...*(Interruptions)*

MR. SPEAKER : Do not disturb him. Please take your seat.

(Interruptions)

SHRI AJIT KUMAR PANJA : Sir, he wanted to be the Chief Minister of West Bengal. If he could not be, then what can I do?...*(Interruptions)*

MR. SPEAKER : This kind of interventions is not good.

(Interruptions)

SHRI SOMNATH CHATTERJEE : Such silly remarks are made on the floor of the House ...*(Interruptions)*... Sir, what he is saying is disgusting and nauseating.

Sir, I feel more convinced that there was no proper authority in the so-called delegated power that has been exercised. The Home Minister of India does not produce the documents which purports to give the authority. Till today, we do not know what is the document, and the Home Ministry has the guilt to deny supplying that copy on the plea of a secret circular. How is it that the Parliament does not know about it?...*(Interruptions)*

SHRI TAPAN SIKDAR (Dumdum) : Sir, this is not the way to speak. He is misleading the House. I can quote from documents, if necessary...*(Interruptions)*

MR. SPEAKER : Hon. Member, please take your seat. The hon. Minister is going to reply to it. Why are you interrupting?

(Interruptions)

SHRI SOMNATH CHATTERJEE : Sir, there are heart-rending reports which have come out in many newspapers, responsible national dailies, about how people in certain areas are being treated inhumanly. We have not shown any protest against that. Instances after instances have been mentioned here. Sir, you are not giving me time to speak. I do not wish to take the time of the House.

AN HON. MEMBER : It is better for you to lay it on the Table.

SHRI SOMNATH CHATTERJEE : If this means that such type of comments will deter me, then you are mistaken. You are totally mistaken.

Sir, I am reiterating it. Heart-rending incidents are taking place...*(Interruptions)*... This is the way Members are treated and we are given lectures on decorum by Shri Khurana...*(Interruptions)*... Should this House function on the basis of these remarks?...*(Interruptions)*

[Translation]

SHRI LALU PRASAD : Our only grievance is that whenever Shri Chatterjee, Shri Sharad Pawarji, Shri Chander Shekharji and Shri Mulayam Singhji stand up to say something, no member of the ruling party wants that we speak. They always disturb us. Shri Mulayam Singh and Shri Lalu Prasad Yadav ...*(Interruptions)* You see ...*(Interruptions)*. How it happened...*(Interruptions)*

[English]

MR. SPEAKER : No, no Shri Swain.

(Interruptions)

SHRI LALU PRASAD : *

MR. SPEAKER : This applies to both the sides, Shri Lalu Prasad.

(Interruptions)

MR. SPEAKER : It applies not only to the Treasury Benches but also to the opposition.

[Translation]

SHRI LALU PRASAD : Mr. Speaker, Sir, Shri Khuranaji had invited a journalist of Jansatta and briefed him that Shri Mulayam Singhji and I are not maintaining decorum in the House. All such news you plant. ...*(Interruptions)* Can the proceedings of the House be conducted like this? ...*(Interruptions)* We heeded to your request and set down. However, such insinuations continue then we won't be able to check ourselves too.

(Interruptions)

* Expunged as ordered by the Chair.

[English]

SHRI AJIT KUMAR PANJA : *Please take a note of it...*(Interruptions)*

SHRI TAPAN SIKDAR : Sir, is the repetition of this word a docorum? ...*(Interruptions)*

MR. SPEAKER : No, no; please take your seat.

SHRI AJIT KUMAR PANJA : *...*(Interruptions)*

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, 20 minutes have gone in this way. ...*(Interruptions)*

MR. SPEAKER : Now, do not disturb him.

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, many instances have been given. Very responsible people have said it. Shri Suresh, a retired Judge, has said :

"If an Indian is asked to prove his nationality, what will he do? He will show his identity card, his ration card or his passport. If the authorities refuse to accept this as a proof, he cannot do a thing. Most of the deportees had them. Yet they were driven out. If a Bangladeshi cannot be treated like an animal by the Police, they have to follow certain norms.

A retired Judge has said it.

Shri Hannan Mollah has also said. I am not going to repeat much of what has already been said. But with regard to the proceedings, this is what an hon. Judge of the Calcutta High Court has said :

"It was found that no proceedings have been drawn against the deportees under the Citizenship Act or any other statute by the Mumbai Police Commissioner."

On the basis of that, interim order have been given and matters have been closed. I do not know whether they have been finally disposed of or not. We are repeatedly saying that this type of taking law into their hands, they are trying to set up a new procedure for the purpose of dealing with human beings because of certain ideology which is being propagated, and also trying to create an atmosphere of hatred and intolerance in this country. This is the manifestation of that ideology. Therefore, we are objecting it and shall go on objecting to it. I strongly protest against the deliberate refusal of the Ministry of Home Affairs to produce the document on the basis of which the authority has been sought to be delegated.

I cannot but ask the hon. Speaker of this House — you, Sir, as a presiding authority. ...*(Interruptions)* When I am addressing you, he objects.

MR. SPEAKER : Shri Somnath Chatterjee, you have taken 40 minutes.

Sir, with my limited experience in this House, I would like to submit and I hope, at least this much would be conceded that - when the Members try to discharge their responsibilities as the representatives of the people - if an insensitive and anti-people Government cannot function and cannot provide the necessary relief, at least the hon. Speaker should come forward and see that the Members are allowed to function in a manner which they are required to do. This country cannot be treated as a hegemony of a brigade, the saffron brigade, or of anybody for that matter. We shall not accept it. We shall go on protesting against it.

Sir, I must congratulate the vallant people of Uluberia who rescued those people who were treated as animals and cattles. I know the Government of West Bengal have categorically stated that it was an unfortunate incident. But if there is an insensitive Government here and if some authorities exercise some draconian powers, then it is for the people to take action and help their brethren, the citizens of this country, from this type of a harassment.

Sir, therefore, I would like to strongly urge upon the Government of India and submit, why is the Government not taking some steps regarding the deportation of the foreign nationals? Why is the Government not following a method for their deportation? Let the Government call the people, call the representatives of the Government and, find a proper and legal method to do it. Why is the Government taking this type of an approach and attitude which is only dividing the people and the country? This is not the way to function. The Home Ministry of the Government of India has totally failed. Especially when the problem has arisen, the Home Minister stood up and white-washed everything that happened. Now, he seems to be busy with more important activities. I do not mind it.

MR. SPEAKER : The Home Minister is coming.

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, I said that I do not mind it. Now the country is facing a serious problem. He might be busy with that. What happened yesterday has saddened us all. We all are concerned about it. I am not objecting to his absence. He has no Deputy to support him, though Shri Ram Naik is a worthy representative of the Government.

Sir, I demand a civilized action from this Government and not this type of an inhumane conduct on the part of the authorities...*(Interruptions)*

MR. SPEAKER : Now, before the intervention by Shri Ram Naik, I would like to make an intervention.

(Interruptions)

* Expunged as ordered by the Chair.

MR. SPEAKER : Please understand that there is an observation from the Chair.

SHRI AMAR ROY PRADHAN (Coochbehar) : Sir, one MLA from our Party is affected...*(Interruptions)*

MR. SPEAKER : Please hear me first. Please take your seat.

(Interruptions)

MR. SPEAKER : Hon. Members, you are aware that there are very important items for discussion which have been listed in today's List of Business and those have to be disposed of. If the House agrees, then we may skip lunch hour and sit late up to 9 p.m.

(Interruptions)

[Translation]

SHRI MOHAN SINGH (Deoria) : He is replying without listening to us.

MR. SPEAKER : He is not replying, but intervening...*(Interruptions)*

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker Sir, I am on a point of order. When Mr. Somnath Chatterjee was on his legs, the hon. Minister of Parliamentary Affairs had raised a point that matter regarding Sc/St's was already listed in the agenda for 12.00 o'clock. It is clear in the agenda that it will start at 12.00 O'clock, even if the earlier items of business are completed or not. At that time two minutes were remaining. And now two minutes are over. Somnath Dada has completed his speech. It was stated that after him the hon. Minister will reply. We are not sure if the hon. Minister is replying or intervening, because there are other Members to speak too...*(Interruptions)*

MR. SPEAKER : This is not reply but intervention.

SHRI RAM VILAS PASWAN : I want to remind you that when Mr. Buta Singh had raised the matter, the chair had stated that about the incident which took place in Delhi regarding Scheduled Castes, discussion will be held at 12.00 O'clock, therefore I will not allow the matter to be raised. I only want to know the fate of SC/ST discussion.

(Interruptions)

[English]

MR. SPEAKER : If the House agrees, we could take up the discussion on SC/ST at 1 p.m.

SHRI RAM VILAS PASWAN : Sir, that means, Shri Ram Naik would complete by 1 p.m.

MR. SPEAKER : Now if the House agrees then we can take up the discussion under rule 193 on SC/ST at 2 p.m.

(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV : Why he is intervening, he can reply in the end. Therefore, one more Member would get a chance to speak.

[English]

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : Sir, these items have been listed since yesterday. Today, we already have exhausted of the time ...*(Interruptions)* Sir, we also are interested in the discussion on SC/ST.

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK) : Mr. Speaker Sir, as a Minister of State I want to tell you that no Member from the side of B.J.P. has spoken till now, therefore, I want to intervene. ...*(Interruptions)*

[English]

SHRI P.C. CHACKO (Idukki) : Shri Ram Naikji, you are the Minister for Parliamentary Affairs. We would not like to disturb you...*(Interruptions)* Sir, Yesterday we raised this issue about the Report of the Jain Commission and the Chair gave us an assurance that the discussion on the Report of the Jain Commission would be taken up at 2 p.m. ...*(Interruptions)* Sir, you may kindly protect our interest ...*(Interruptions)* Sir, the Chair gave us an assurance that the Report of the Jain Commission would be taken up at 2 p.m. today...*(Interruptions)* Sir, the discussion on the SC/ST is also very important ...*(Interruptions)* Sir, we are making this suggestion ...*(Interruptions)*

MR. SPEAKER : You are saying that both the subjects are important.

SHRI P.C. CHACKO : Sir, it should go according to the List of Business ...*(Interruptions)*

MR. SPEAKER : Shri Chacko, please understand that the discussion on the Report of the Jain Commission would be taken up after the completion of the discussion on the SC/ST under rule 193.

(Interruptions)

SHRI P.C. CHACKO : Sir, this House would meet only for two more days ...*(Interruptions)*

MR. SPEAKER : There will be no problem and we would complete it. After the discussion on the SC/ST, we would take up discussion on the Report of the Jain Commission.

SHRI P.C. CHACKO : Sir, please give your ruling...*(Interruptions)*

MR. SPEAKER : Now the discussion on SC/ST will be taken up and after that the discussion on the Report of the Jain Commission will be taken up.

(Interruptions)

SHRI P.C. CHACKO : Sir, at what time would it be taken up?

MR. SPEAKER : Immediately after the discussion on the SC/ST, the discussion on the Jain Commission would be taken up.

(Interruptions)

MR. SPEAKER : Please understand that two hours have been allotted for completion of the discussion on the SC/ST. After that we would take up the discussion on the Jain Commission.

(Interruptions)

SHRI P.C. CHACKO : Sir, the Chair can take any decision. We are not going to question it ...*(Interruptions)*

MR. SPEAKER : Please understand that all these issues are important. We would complete them one by one.

(Interruptions)

SHRI P. UPENDRA (Vijayawada) : Sir, I doubt if we could finish the discussion on the SC/ST within two hours...*(Interruptions)* Sir, it could not be finished within two hours...*(Interruptions)* The discussion on SC/ST under rule 193 would be taking a few hours to complete...*(Interruptions)* Sir, it cannot be finished within two hours...*(Interruptions)*

SHRI P.C. CHACKO (Idukki) : Do you think you can finish such an important discussion on Scheduled Castes and Scheduled Tribes in two hours? ...*(Interruptions)* We are not doing any justice to the business of the House...*(Interruptions)*

MR. SPEAKER : Please understand Shri Chacko. I think you are aware of the timings.

SHRI P.C. CHACKO (Idukki) : You cannot finish the business within two hours. We seek your protection. We are cooperating with the Chair

...*(Interruptions)* The discussion on Scheduled Castes and Scheduled Tribes cannot be concluded by 1400 hours...*(Interruptions)*

MR. SPEAKER : You may take your seat. As soon as we finish the discussion on Scheduled Castes and Scheduled Tribes, we will take up the discussion on the Jain Commission Report.

[Translation]

SHRI RAM NAIK : Mr. Speaker, Sir, I was saying that, I am intervening as a Minister of State and also speaking on behalf of the B.J.P. because no member of B.J.P. has spoken till now. I hail from Mumbai, Maharashtra.

SHRI KANTI LAL BHURIA (Jhabua) : Mr. Speaker, Sir, when the matter regarding SC/ST will be discussed.

MR. SPEAKER : What happened, why are you speaking loudly, please sit down.

SHRI RAM NAIK : The information of all the leaders of opposition, who have spoken before me is totally based on the newspapers. They are unaware of the facts and it is a thing of pity. When this issue was raised here, the leader of opposition Mr. Sharad Pawar and C.P.I. (M) leader Mr. Somnath Chatterjee had tried to politicised the issue and I feel sorry about that. The problem is directly connected with infiltrators. It is well known to all and Mr. Somnath Chatterjee also known that how the infiltrators are deported. And they are deported in the prescribed manner, at least in Maharashtra this procedure is being followed. I do not know that what procedure is being followed in West Bengal. And you also has said that you do not know about that. For this purpose there is foreigner's Act to which you have referred to. In this Act there is the provision of delegation of powers, which was also referred to by you. Under this Act rules have been made for the issuance of passports. Under the powers have been conferred upon the State Governments. In the whole of Maharashtra State the same procedure is being followed. In Mumbai, Maharashtra there are Metropolitan Magistrates. When a police officer comes to know that there is any foreigner then he has to report about this and also to collect information about that person. And an opportunity has to given to that person, before that person submit an affidavit before the Magistrate. If you do not know about this, I can give you all the information, as I have all the relevant papers with me. In Mumbai there is a Chief Additional Metropolitan Magistrate at 37 Court, Esplanade where each and every police officer has to lodge the complaints. But you have said that we don't know.

[English]

SHRI SOMNATH CHATTERJEE : I read out from an order of the Government on Deportation. This is, what we are asking for.

[Translation]

SHRI RAM NAIK : You are not aware of this, the same thing I am telling you because I am aware of this. Metropolitan Magistrate is empowered for this. A process is followed, discussion is held, the persons concerned are given a chance before taking a decision to deport them. This is a very old system. The thing which emerged is that only the BJP-Shiv Sena Government did this all, it seems to be an allegation. I would like to reproduce some figures, these are open figures. During the tenure of Mr. Sharad Pawar as Chief Minister of Maharashtra, 736 and 750 persons were deported to Bangladesh in 1990 and 1991 respectively. We came to power in 1995 and 560 persons were deported in 1995 and 771 in 1996.

In general, we are equally efficient or inefficient as the Congress was. There is nothing new, we have been functioning according to law only. In the case under reference three batches were to be deported after the order of the Magistrate having been passed as referred to above that police officer or the Deputy Commissioner is given authority. He has to execute the order of the Magistrate. He takes such deportees to the border. Three such batches were taken on 21st and 22nd July out of which two batches were deported but the third one taken on 31st July was stopped at a railway station. The police officer, alongwith all the 34 deportees was compelled to alight. The mob attacked on them. The West Bengal Police attacked them and caused all the deportees to run away. This is the civilised action of your police. This is the way the Government of West Bengal is functioning. A mob of nine thousand gathered and made them flee. Is this the rule of law in your state? It was a rule, under which the Magistrate authorised the Police to take the deportees to the border but the West Bengal Police stopped them in that manner...*(Interruptions)*

[English]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, I raised a specific point. I read out the order of deportation which refers to a notification of the Central Government. Why does he not produce it?

SHRI RAM NAIK : I said that those questions will be replied to by the Home Minister. He is held up in the Rajya Sabha now. He will answer all questions at the time of final reply.

[Translation]

SHRI RUP CHAND PAL : How you feel if your kins are handcuffed?...*(Interruptions)*

SHRI RAM NAIK : Somnath Dada, please listen to me. Jungle Raj prevails in West Bengal where the Police made the deportees flee. There is no such such thing in Maharashtra...*(Interruptions)*.

SHRI RUP CHAND PAL : How will you feel if your kin, your son or daughter is in handcuffed by the police...*(Interruptions)*.

[English]

MR. SPEAKER : Shri Swain, what is this? Why are you interrupting the Minister?

[Translation]

SHRI RAM NAIK : Mr. Speaker, these people have admitted that there is a jungle raj and they get them freed. They are admitting and therefore...*(Interruptions)*.

[English]

MR. SPEAKER : Hon. Members, please take your seats. Let the Minister complete. Shri Rup Chand Pal, you are a senior Member.

[Translation]

SHRI RAM NAIK : The 30 persons whom the West Bengal Police took away, were presented before the court in West Bengal.

13.00 hrs.

Thirteen of them furnished bail-bond and were freed by the Magistrate. Afterwards, West Bengal Police interrogated these thirteen persons. Remaining 25 persons could not give Rs. 600. During the interrogation 13 of them revealed to the West Bengal Police that they had come from Bangladesh. They were presented before the District Magistrate of Midnapur. After interrogation the West Bengal Police came to know that those 13 were admitting that they had come from Bangladesh. Then the bond of Rs. 600 was withdrawn. They have been arrested by the West Bengal Police. Therefore, I want to say that the Government of Maharashtra have taken the right course but the mobocracy of the Government of West Bengal will not do...*(Interruptions)*.

SHRI HANNAN MOLLAH (Uluberia) : What happened to the remaining persons? Deport all those Bangladeshis who have been arrested...*(Interruptions)*

[English]

MR. SPEAKER : No, Please. What is this? Let him complete. Please take your seat...(Interruptions)

[Translation]

SHRI RAM NAIK : Som Nath Ji has quoted the constitution, but I would like to say that the Maharashtra Police were doing as per the rule of Law but the Government of West Bengal should apologise for what they have done. They insulted the Police, not this much only...(Interruptions) the present acting Chief Minister of West Bengal has alleged that there is no rule of law in Maharashtra. However, who the acting Chief Minister of West Bengal, is to decide as to whether there is a rule of law in Maharashtra or not. That is the thing the court has to decide...(Interruptions).

SHRI RUP CHAND PAL : There is one rule for all...(Interruptions)

[English]

MR. SPEAKER : Shri Rup Chand Pal, is this the way to intervene?

[Translation]

SHRI RAM NAIK : Therefore, we oppose the statement of Shri Budhadeb Bhattacharya, the acting Chief Minister of West Bengal, and would like to tell him that it is not good what he has done. It is also informed that those people were freed...(Interruptions)

[English]

SHRI SOMNATH CHATTERJEE : With this, Shri Budhadeb Bhattacharya has shown proper statesmanship.

SHRI RAM NAIK : What more respect you want?

SHRI SATYA PAL JAIN (Chandigarh) : Please do not interrupt. I do not know why he is so restless today. Permit him to complete.

[Translation]

SHRI RAM NAIK : It has been stated that an MLA of Forward Bloc was behind this. It has been stated here, but I am not aware of this....(Interruptions).

SHRI AMAR ROY PRADHAN (Coochbehar) : It was the act of 20,000 people and not that of an MLA of Forward Bloc...(Interruptions)

SHRI RAM NAIK : This Forward Bloc MLA got the deportees freed from Police custody. The Government of West Bengal should prosecute him because he took the law in his hands. The Left Front has

declared that this is not a civilized behaviour. Now, you know as to who is actually behaving in a civilized manner.

This is unfortunate to twist it as a Hindu-Muslim issue and that Muslims are being deported. I can give figures if you wish, even I can give you the names. 34 non-muslims have been deported from Maharashtra. I am ready to give their names if you wish.

Finally, I shall conclude with one thing. Congress too has a role in this matter. The Congress President of West Bengal is not present in the House. I shall not quote his name.

The Congress President of West Bengal addressed a public meeting on 27th July in front of Calcutta Airport. I can understand that he might have made mention about the Bangladeshi...(Interruptions)

SHRI MANORANJAN BHAKTA (Andman and Nicobar Islands) : I believed that at least a person like Mr. Ran Naik would rise above political affiliations on such a issue...(Interruptions) But it is not fair for you to talk politically. It does not behove you. Please tell us categorically as to what you want to say...(Interruptions)

SHRI RAN NAIK : For that I am grateful to you. You could see politics only in my speech and not in the speeches of the opposition leaders who by naming the Shiv Sena narrated the history of the last 15 to 20 years...(Interruptions) All those who live in glass houses, should not throw stones at others...(Interruptions)

Mr. Speaker, Sir, I was quoting as to what the West Bengal Congress President had said in a Public meeting in front of the Calcutta Airport. He had announced that they will oust the Marathi speaking people from Calcutta if the Maharashtra Government continued to behave in that particular manner. Such a speech was delivered by your President...(Interruptions)

I have information in this regard as to why that sort of suspicion crept into the minds of certain persons about our Government. A Trinmool Congress leader said that some of you also went there. We welcome you to take stock of the situation. Contrary to the Govt. of West Bengal, We welcome those who want to take stock of the situation. We work openly...(Interruptions) During the last 6-7 years whosoever deported from West Bengal was deported as per the provisions of the existing law. You said so...(Interruptions). Earlier you said that 60,000 persons were deported. Is it a correct figure, do you agree to it...(Interruptions). You are also not aware as to what is going on in West Bengal. You are discussing such an important issue. I have to say

this much only that the matter of deportation of infiltrators should not be given political colours. This will harm our national interests. We should avoid such things. The Govt. of West Bengal and the Parties there should apologise for that...*(Interruptions)*

Sir, I conclude and thank you.

(English)

SHRIMATI GEETA MUKHERJEE (Panskura) : Shri Ram Naik, probably you were not there yesterday when I spoke. Our Government has already decided that if any list of persons come to them, who may be Bangladeshi, then such names and addresses will be sent to the Collectors of different districts to have an on the spot study of actual situation and report back to us...*(Interruptions)*.

MR. SPEAKER : Shri Jogendra Kawade.

PROF. P.J. KURIEN (Mavelikara) : May I humbly submit?...*(Interruptions)*

MR. SPEAKER : We have already discussed, Prof. Kurien, Let him complete.

PROF. P.J. KURIEN : May I humbly submit that yesterday it was decided to finish whatever business was there yesterday itself? But it was pulled over for today. I know that discussion regarding problems of SCs and STs is very important and that has to be taken up. It has been taken up. At least at 2 p.m., we should start the discussion on ATR. ...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR : Mr. Speaker, Sir, it has already been discussed in the House...*(Interruptions)* Same point has already been discussed in the House...*(Interruptions)* Prior to this discussion, it has been discussed and finalised also...*(Interruptions)*

SHRI MULLAPALLY RAMACHANDRAN (Cannanore) : We have not decided that...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR : It has already been decided...*(Interruptions)* We are going to discuss...*(Interruptions)*

SHRI MULLAPALLY RAMACHANDRAN : Who decided that?...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR : Our decision should have some value in this House ...*(Interruptions)*

PROF. P.J. KURIEN : Mr. Speaker, Sir, I am only saying that it is very unfortunate...*(Interruptions)* It was decided to extend the House for discussing the Jain Commission Report...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR : You were not present in the House at that time.

PROF. P.J. KURIEN (Mavelikara) : Do not say that...*(Interruptions)* Why do you stall the discussion?...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR (Mumbai North-West) : It has already been decided...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : They cannot do like this...*(Interruptions)*

SHRI MADHUKAR SIRPOTDAR (Mumbai North-West) : Sir, is the House going to function like this?...*(Interruptions)*

MR. SPEAKER : I am putting a straight question to the hon. Members. I want the sense of the House. Shall we take up discussion on problems of SC/STs or Jain Commission Report?

PROF. P.J. KURIEN (Mavelikara) : Sir, it is listed for today...*(Interruptions)*

MR. SPEAKER : Yes, it is listed for today, but we have to complete all the items in today's List of Business.

PROF. P.J. KURIEN (Mavelikara) : The discussion on deportation problem could be wound up now. It is going on like this...*(Interruptions)*

MR. SPEAKER : He is the last speaker. I have called his name.

(Interruptions)

PROF. P.J. KURIEN (Mavelikara) : Sir, let us take the Jain Commission Report at 3 p.m. Otherwise it cannot be taken up today...*(Interruptions)* Sir, if they want to stall it, let them stall it...*(Interruptions)* This House was extended only to discuss the Jain Commission Report. Yesterday, it was announced umpteen number of times that it would be discussed today...*(Interruptions)*

MR. SPEAKER : Shri Kawade is the last speaker on that subject, let him complete first.

(Interruptions)

(Translation)

SHRI KANTILAL BHURIA (Jhabua) : Mr. Speaker, Sir, there people have been extending the time intentionally, this is no proper way...*(Interruptions)* When are you going to take up Jain Commission Report, please tell...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : It was announced yesterday and now you are changing the decision, Sir. I want to know the Government's stand on this.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL KHURANA) : This is the decision of the House. Why is he naming me...*(Interruptions)*

[Translation]

SHRI KANTILAL BHURIA (Jhabua) : He is extending the time intentionally, this is a question of the whole country's future...*(Interruptions)*. How can it do?

SHRI RAJEEV SINGH (Aonla) : Mr. Speaker, Sir, he is wasting the time by disturbing in the middle intentionally.

[English]

PROF. P.J. KURIEN (Mavelikara) : Sir, I submit that at least at 3 p.m. we should start the discussion on Jain Commission Report. I would like to know the reaction of the Treasury Benches.

SHRI MADAN LAL KHURANA : We have no objection whether it is taken up at 2 p.m. or 3 p.m...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : Sir, does the Government agree for 3 p.m.?

SHRI MADAN LAL KHURANA : Yes...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : Sir, it is very unfortunate. Rajiv Gandhi was not only the leader of the House, he was the leader of the nation. If this House is not concerned, I am very sorry that this is taken like any other subject. It is just being pushed like this. This is very unfortunate. Rajiv Gandhi's assassination is not like any other subject...*(Interruptions)* The people have been feeling the agony even today. They do not want to discuss it. They just want to push it...*(Interruptions)* I am sorry. This is very bad. The House was extended only for discussing the Jain Commission Report...*(Interruptions)* Many of the Members are objecting to that...*(Interruptions)*

MR. SPEAKER : Prof. Kurien, please understand.

(Interruptions)

PROF. P.J. KURIEN (Mavelikara) : Sir, at least, at 3 p.m. the House should take up the Jain Commission Report.

MR. SPEAKER : Please understand. We will take up the discussion on SC/ST at 2 p.m. and at 4 p.m. we will take up the Jain Commission Report.

PROF. P.J. KURIEN (Mavelikara) : Sir, it should be taken up at 3 p.m...*(Interruptions)*

MR. SPEAKER : The ruling by the Chair is that if the House agrees, we will take up the discussion on SC/STs at 2 p.m. and at 4 p.m. we will take up the Jain Commission Report.

PROF. SAIFUDDIN SOZ (Baramulla) : Sir, I am on a point of order.

The discussion on the problems of Scheduled Castes and Scheduled Tribes has to be completed.

MR. SPEAKER : I am trying to complete it but you are not allowing me to complete it. What is this every time?

(Interruptions)

MR. SPEAKER : It is at four 'o clock.

PROF. P.J. KURIEN (Mavelikara) : It will not be further extended.

MR. SPEAKER : You know everything. Still you are asking.

(Interruptions)

MR. SPEAKER : The Chair is not saying this. We have to adjust the time also.

(Interruptions)

MR. SPEAKER : All right.

[Translation]

PROF. JOGENDRA KAWADE (Chimur) : Mr. Speaker, Sir, Bangla speaking people mistaken for Bangladeshis are being ousted from Mumbai. This is a very serious matter and is related to human rights. I, being compassionate to all the present Hon. Members, do appeal to the House to take this problem very seriously which is related to humanity. Right now, my friends from Treasury Benches tried to support the deportation of Bangla speaking people. This is violation of human right. They did not feel it necessary to make a mention of inhuman treatment meted out to them. I am very sorry to learn this. Today, 80,000 Bangla speaking people are living in different parts of the country. They live in Mumbai, Marathi speaking people of Maharashtra also live in all the states of the country. The country is not a private property of anyone, this belongs to all of us. If a person goes to any place in the country whether it is Mumbai, Calcutta or Nagpur earn his livelihood, he should be given due respect and right to earn his bread and butter. We are very sorry for the ill treatment meted out to the Bengali Muslims in Mumbai in the name of Bangla speaking people.

Mr. Speaker, Sir, when Bangladeshi came into existence lacs of people came to our country from Bangladesh. Ours is a land of great personalities like Lord Buddha and Lord Mahaveera. We have been the omnireceiver. We accepted our bretheren who came from tibet and Bangladesh. We took along the agrieved person whoever came to our country. This is not in the case of Mumbai only. There are resettlement camps of Hindus migrated from Bangladesh in Bothangoan, Gaur Nagar, Arun Nagar, Garh Chirauli, Dhule and Chandrapur, places in district Bhandara in my constituency. Politics in being poked into here too. They are living there for the last

20 years. Their names appear in voters' lists. They have exercised their franchise in 2-3 elections also. They are members of village Panchayats, they are sarpanches. Government has allotted them land. They are farming there. The followers of their M.L.As. and M.Ps. are allowed to live there and the others are given notices for deportation. This is a very serious thing. The B.J.P. ideologists are not being deported. The followers of Republican Party, Congress Party and those of other parties are declared Bangladeshi and are being given notices for deportation.

This is a question of life and death for Bangladeshi and Bangla speaking people ... (Interruptions) you have made it a joke, Mr. Speaker, Sir, I would like to inform the House through the Chair that attempts are being made to oust our Bangla speaking and Bangladeshi brethren in quite inhuman manner. Prime Minister of Bangladesh is saying that she would not allow them to enter and you are insisting on ousting them. I want to put forth the issue of human rights. If they are runover on the grounds of their being foreign citizens only, this will be contrary to the traditions of our country. Therefore, I request all the Hon. Members of the House to take this issue with a humanitarian view-point and wrong course adopted be mended whether it is the Govt. of Maharashtra or any other Government. I want to urge Shri Sirpotdar and Shri Rawale who are present here, please try to check the attempts of running over their human rights. Atraities are being done on them because of their being Muslims. One of our friends asked me from that side as what we were doing at that time. I want to say that whenever a question of Muslims, Dalits and backwards comes, it is replied in the form of bullet. Where had your guns and Police gone at the time when the Ayodhya incident occurred. Therefore, I want to tell you that Bangla speaking people and Muslims are being terrorised in the name of 'Hindu Atankwad' which is universal. The Government would have to be vigilant in this regard. This be checked, that's what I demand.

THE MINISTER FOR PARLIAMENTARY AFFAIRS AND MINISTER FOR TOURISM (SHRI MADAN LAL KHURANA) : Mr. Speaker, Sir, Hon. Minister for Home Affairs is held up in Rajya Sabha He will be coming here soon as he is making his reply with the permission of the Hon. Deputy Chairman, This is the last day of Rajya Sabha session. Therefore, I may please be permitted to introduce the Bill regarding salary of the members. I request you to wave the rule and permit to introduce the Bill.

SHRI MOHAN RAWALE (Mumbai South-Central): Mr. Speaker, Sir, we have to respond to the allegations which Mr. Kawade has levelled on our Government..

SHRI MADAN LAL KHURANA : He will reply after this.

Mr. Speaker, Sir, English copies of the Bill have come, Hindi copies will be available shortly. Please grant permission to submit the Bill by waving the rule.

[English]

MR. SPEAKER : Secretary-General and others are examining it. We will take it up after another five or ten minutes.

[Translation]

SHRI G.M. BANATWALLA (Ponnani) : Mr. Speaker, today this House is discussing a very sensitive and important issue.

[English]

MR. SPEAKER : I have called Shri Banatwalla. Shri Ramdas Athawale, this is too much. You are disturbing the House. You must know the procedure and rules also. Unnecessarily you are disturbing the House every time. This is too much.

[Translation]

SHRI G.M. BANATWALLA : Mr. Speaker, I too, had given a notice on this issue. I thank you for giving me permission to express my views before this House. I request this House to discuss this issue by rising above the party lines. One can not deny the fact that people are being victimised in the name of Bangladesh. The word victimisation does not express the extent of their suffering. One should say that they are tortured in every possible manner. One can not deny the fact that the method adopted by police has neither legal sanction nor moral sanction.

13.26 hrs.

[SHRI RAGHUVANSH PRASAD SINGH *in the Chair*]

Who has given the police the authority to beat somebody black and blue? I would like to draw your attention to a representative report so that the discussion is not prolonged. A newspaper from Mumbai named "Inkalab" has reported in its edition dated 1.8.1998 under this heading : They beat all of them in the train and snatched their money. The hair-raising story of the excesses and torture committed by the police team, narrated by Bengalis." This report contains statements of the victims of that beating. Please pay attention to their statements :

"We were 60 to 70 people including weak women. Young women and children. We were crammed into a bogie of the train going to Howrah. When the train started,

[Shri G.M. Banatwalla]

the police started beating us. They snatched all our money and got down at Kalyan. We were not provided any thing to eat during the journey of three days. At Howrah station, they got us seated for Maldah bound train and when the train started, both the men and women were beaten and hands of women were tied to windows. The women were taken into toiled and molested there."

This is a fact. This type of torture must be stopped. Even if someone is declared as Bangladeshi and the proceedings for deportation starts, then why such excesses and torture against them? Is it the rule of law?

Mr. Chairman, Sir, this a stigma on our democracy. Quote this newspaper - the most regretting part of the whole incident is that when they are left at the border of Bangladesh, the soldiers of Bangladesh Rifles warn them that they would be shot dead if they enter into the border of Bangladesh.

SHRI CHETAN CHAUHAN (Amroha) : Mr. Speaker, I am on a point of order. Is it permissible to read out a newspaper in the House in such a manner?

MR. CHAIRMAN : One can give reference of daily newspaper. Please sit down.

(Interruptions)

MR. CHAIRMAN : Now why have you stood up? He raised the point of order and I have given my ruling on it. Why have you stood up? Please sit down. Please order, order.

SHRI G.M. BANATWALLA : Mr. Chairman, Sir, I am from Mumbai and I know those people. What I want to emphasize is that they are making a lot of hue and cry by on this issue of Bangladeshis. I was elected to this House for the first time in 1977. At that time the Janta Party was in power. Mr. Morarji Desai was the Prime Minister. Even at that time I had told that it was not a proper method to bush the people into the forests near the border and these Bangladesh Rifles does not allow them to enter that country and other otherland we tell them that they can not live in this country. This has made a their life. There should be a method to tackle this problem. An agreement should be made by having talks with the Government of Bangladesh in this regard. Even if someone is proved as a Bangladeshi then in order to depot him we shall have to settle decide Government with that as to how he is to be deported. In our country, people from different countries have settled at different places but they are the only people who suffer in the event of any calamity and they are singled out as Bangladeshis or Pakistanis I had

asked in the last Lok Sabha about the methodology adopted by the administration after having talks with those countries. The answer came in the negative. That is the situation. No attention is paid to the sufferers. Provisions of the laid down. Law are that being followed in this country. Now ration card is not considered to be substansid proof. They say that it can be obtained for money lost their certificates of that sort have validity. Even the entries if the electoral rolls are not accepted as a proof. Even when the names appear in the electoral rolls of Mumbai, notices are being sent to the people by the police stations of Mumbai to appear in person to produce the proof of their citizenship...*(Interruptions)*

Mr. Chairman, Sir, they do not have patience to hear me. So. They are making interruptions during my speech. When the names are appearing in the electoral rolls, notices are being sent to thousands of people and electoral rolls are nothing accepted as a proof of validity. Even such people have been sent notices who have been municipal councillors for many years, Chairman of Haz Committee or the members of Maharashtra Assembly. What sort of ways they are following? Infact everything has gone haywise. The night comes and we see that during night time people are being beaten and awested. This is not a proper method. Have, I am not standing to plead for Bangladeshis and foreigners, but I would like to tell that we should follow the law of the laud and we should try to stop the wrong methods being adopted and to stop the cruel methods. It is necessary in the present situation. I heard hon. Mr. Panja with rapt attention. We came to know from his speech that he was aware that mistakes were committed and wrong methods were adopted, but they were termed as local and technical mistakes. He has tried to save the Government by telling that there are some complaints at the local police station. But the fact is that this House can not remain a silent spectator. I would conclude after going two or three suggestions. The first suggestion is for the Central Government that there should be clear guidelines. The power delegated to states perform the proceedings of deportation on their own, should be directly exevered by the centre. In the Constitution of India, the right to citizenship is not included in the fundamental rights. We do say that "Right to Live" is a fundamental right, but citizenship is not present as a fundamental right. By accepting it, we will have to make amendments in the provisions of foreigner act etc.

Sir, if we look into the numbers we may say that infiltration on a large scale taking place from border states. I would close the issue by just giving the reference and I would not present total numbers. In an unstarred question No. 2376, dated 17.8.1995 there is the information about the number of identified infiltrators. In Jammu & Kashmir their number is 77,

264 and 154 in the years 1993, 1994 & 1995 respectively. In Rajasthan, their number is 208, 196 and 107 in years 1993, 1994 and 1995 respectively. The number of other attempts of infiltration is given in the answer to this question. The trend shows their declining number. But, still there is lot of hue and cry about it. The cruelty committed on Bangladeshi and Bengali speaking Muslims has been given a fundamentalist colour. If one speaks Bengali and if he is a Muslim, then atrocities are committed against him.

I would appeal to this House to pay attention to this issue with a sense of deep emotion and justice. Law should be applied properly and the cruelty, which is being committed should be stopped. Please pay attention to it.

[Translation]

SHRI PRAKASH YASHWANT AMBEDKAR (Akola): Mr. Chairman, This case is related to the constituency of Ramdasji...*(Interruptions)*

MR. CHAIRMAN : Prof. Joginder Kavade has already spoken from your party. Take your seat...*(Interruptions)*

MR. CHAIRMAN : Why are you interrupting. I will give chance to all those whose names are there on the list...*(Interruptions)*

SHRI PRAKASH YASHWANT AMBEDKAR : Mr. Chairman, Sir, this case is related to the constituency of Ramdasji, therefore, give him a chance to speak...*(Interruptions)*

MR. CHAIRMAN : The name of Prof. Joginder Kavade was forwarded by your party and he has already spoken. You will get a chance to speak because the issue pertains to your area...*(Interruptions)*

MR. CHAIRMAN : No need of recommendation. You please do not stand up...*(Interruptions)*

MR. CHAIRMAN : You will not get a chance by behaving like this. You have drawn the attention and I will see.

(Interruptions)

MR. CHAIRMAN : If you continue like this, your time will be over

(Interruptions)

SHRI RAMDAS ATHAWALE (North-Central Mumbai) : Mr. Chairman, Sir, we should also get a chance to speak...*(Interruptions)*

MR. CHAIRMAN : If you disturb like this you will not get the chance...*(Interruptions)*

SHRI TAPAN SIKDAR (Dumdum) : Mr. Chairman, Sir, the topic, on which discussion is going on since yesterday, is really a serious matter. Our Senior Hon. Member Shri Somnath Chatterjee has said all this today because of the alarming proportions of the problem of infiltration.

(Interruptions)

The problem of Maharashtra is really related to the infiltration and this is the main problem...*(Interruptions)* I want to submit that the situation which is seen today, is because of the division of the country...*(Interruptions)*. The need to express such views by Somnath Da would not have arisen had the Communists not supported the division of the country at that point...*(Interruptions)* Here comes the matter of Bangladeshis and Bangla Speaking people...*(Interruptions)*

[English]

SHRI AJAY CHAKRAVORTY (Basirhat) : Sir, he is totally misleading the House.

[Translation]

SHRI TAPAN SIKDAR : In the meeting the name of Hindu Mahasabha was taken...*(Interruptions)*

Today West Bengal is in India. If Dr. Shyama Prasad Mukherji been at the helm of the affairs, then it definitely would have been a part of Bangladesh or Pakistan...*(Interruptions)*

[English]

SHRI AMAR ROY PRADHAN (Cooch Behar) : Sir, it is only the Forward Bloc which protected against it.

[Translation]

SHRI TAPAN SIKDAR : I want to say that the problem of infiltration is so serious that all have accepted it as a national burning problem. It is not that only Bhartiya Janta Party considered it so. It was accepted by Ex. Prime Minister Shri Narsimha Rao, Rajeev Gandhi and later on by Jyoti Babu also considered it a serious problem in Bengal. The question which has been raised regarding this problem is that Bangla speaking people are being pushed out of from Mumbai, is totally baseless and false. People are also saying that Muslim community is being pushed out from there because they are Bangla speaking people, is also not correct. I want to assure you and the House on behalf of my party that in the name of Bangla speaking any body be it

[Shri Tapan Sikdar]

a Muslim or Hindu, will not be pushed out of the country.

I would like to assure that if anyone takes any step in this regard, then I will speak against it too...*(Interruptions)*

SHRI KANTILAL BHURIA (Jhuabua) : Are you a Minister? Then how can you give assurance? ...*(Interruptions)*

MR. CHAIRMAN : You please listen. You don't have to answer. You address to the chair.

SHRI TAPAN SIKDAR : I have stated the stand of my party. I have not stated the stand of the Government. I was saying as to how this problem originated and has taken a serious turn. I am just reading out from the answer of Shri P.M. Sayeed given in the House on this issue.

[English]

- "(1) Muslim population in India increased by 32.76 percent as against the national average of 23.79 per cent. Whereas, Hindus' growth rate was 22.78 percent only.
- (2) the large scale infiltration of Bangladeshi nationals is one of the factors responsible for growth of Muslim population in West Bengal and other border areas."

[Translation]

I am telling you that in West Bengal the population of Hindus has increased by 21.5 per cent whereas the Muslim population has increased by 38 percent. The situation has arisen from this increase...*(Interruptions)* Listen-Listen. These figures are not the figures given by the B.J.P. but these are the figures presented in the House. Please listen. Now I quote the third observation.

[English]

- "(3) There has been a continuous influx of Bangladeshi nationals into India for a variety of reasons including religious and economic considerations.
- (4) The demographic composition in the border areas has been altered with new migrants flooding the area and the local migrants into the interiors".

[Translation]

It means, that the Indian citizens residing in the border areas, are moving into the interior parts due

to fear and Bangladeshi Muslims are immigrating in the Border areas in large number.

I want to ask what the West Bengal Government has done in this regard? Only Today, the figure of the 80 thousand has been mentioned but what the Border Security Force will do, because the border is quite long. I am telling you the facts since 1991.

Thirdly, you should mean it that the matter has come about Ration Card regarding the proof of citizenship. I want to cite two-three examples from West Bengal regarding Ration Card. A place in called Garden Rich. Four years ago there was population of 2.92 lakh in Garden Rich, but 3.98 lakh ration cards had been issued. In whose names those ration cards had been issued? These thousands of ration cards had been given to Bangladeshis by a Left Front Minister. I can give you proof. I am telling you with responsibility. An Ex. MLA of Malda, MLA of C.P.M. and Chairman of the Congress, both have distributed the certificates to three-four people that they had been known to them for the last three, four, five years. But these people had been arrested by the police in so many cases. When they were taken to the court, then it came to the notice that only three months back he came to India...*(Interruptions)*

SHRI TARIT BARAN TOPDAR (Barrackpore) : How was the period of three months proved? ...*(Interruptions)*

MR. CHAIRMAN : No need to interrupt. No. no argument...*(Interruptions)*

MR. CHAIRMAN : Now conclude. Please finish...*(Interruptions)*

MR. CHAIRMAN : No more questions. Please take your seat.

(Interruptions)

SHRI TAPAN SIKDAR : BSF has informed that they arrested 2161 Hindus and 6387 Muslims in 1984, 2117 Hindus and 8698 Muslims in 1985, 7160 Hindus and 15300 Muslims in 1986 and 7077 Hindus and 17959 Muslims in 1987.

13.51 hrs.

[Mr. SPEAKER in the Chair]

In all, you can see that a total of 80 lakh Muslims migrated to West Bengal from Bangladesh. We are not against the Indian Muslims. We are not in favour of any Hindu or an Indian Muslim being deported. But, the situation in West Bengal is very serious. In West-Bengal they have included the names of these infiltrators in the voter's list. I want that verification of the voter's list should be undertaken. With these words I conclude.

13.51 hrs.

SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) BILL*

[Translation]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL KHURANA) : Mr. Speaker, Sir, Hindi version of the documents regarding increasing the salary, allowances and Pension of Members of Parliament from Law department has not been received. Therefore, I request the honourable members to just refer to the English version.

[English]

Sir, I beg to move for leave to introduce a Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

MR. SPEAKER : Motion moved :

"That leave be granted to introduce a Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.

SHRI SOMNATH CHATTERJEE (Bolspur) : Mr. Speaker, Sir, I have something to say. This is not right that we are throwing away all the rules of procedure. I want to make my position clear. I am not saying that there is no question of looking into the amounts payable to the Members of Parliament under different heads. We have been repeatedly requesting, at least, on behalf of my Party and myself, that this a matter which should be left to some authority like the Speaker and the Vice-President or anybody else to decide it so that it does not allow people to comment that we are deciding about our own emoluments. Kindly give me two minutes time...(Interruptions) This is not right. This is not the way to treat each and every matter.

• That has somehow not been done. Many hon. Speakers felt that this was a proper procedure. Therefore, why should it, from time to time, come here? There should be an inbuilt mechanism to be developed by such authority. We are talking of Judicial Commission and so many independent bodies. Why not do this? That has not been done. Unfortunately, the House is going to consider this Bill by throwing away everything. The Bills are being circulated here and now. I agree that some indication has been given in the Leader's meeting. But even then, that is not compiled. So many things are new and nobody is even able to read it, lest an impression is given that with a sense of impatience and urgency

we are doing it. We are involved, therefore, all these procedures are not being observed. So, I appeal to you, let it be done very quickly. Sir, you can take the initiative. The Home Minister is here. He is a very senior and veteran leader of this House but also in this country. So, please do it within a week or ten days and I do not mind that. Why do you leave it to us to decide in this manner? It should be a matter where we do not come into the picture. I am appealing to you, let it not be understood that I am against any increase or any consideration; we are not against that, that there are some matters which require reconsideration because many hon. Members are facing difficulties. I am not disputing that.

But let it not be said that we are too concerned about ourselves and, therefore, we are resorting to this...(Interruptions) If this is the object, if this is the way we are treated, I will press for Division...(Interruptions) If this is the response that is given to it, let us come to an agreement outside...(Interruptions) Anybody can give us lectures behind and there is no procedure here also.

SHRI INDRAJIT GUPTA (Midnapore) : This issue of Members Salaries, Emoluments, Allowances etc., comes up from time to time for revision, modification and change. There is nothing wrong with that. I do not remember the exact years, but at least four or five times while I have been in this House, this matter has been coming up. Some of us had proposed the increase and it is going to be a regular feature. I also do not object to the plea that Members are in need. Many Members are really in acute financial condition. They have to maintain two establishments, one in Delhi and one back in their Constituencies. Some of them have got large families and so on. They require some more money. But our suggestion was that some independent body, some kind of a small Committee or a Commission should be set up as a permanent feature and whenever there is a need for revision, the matter should be referred to that body and let that body meet the Members, talk to them, hear their case, and then make recommendations which can be accepted. Then the Members will get whatever they deserve according to those recommendations. I know that 99.9 per cent of the Members will immediately want this increase to be passed and it will be passed. I know it. But my point is that whether you agree or not, I may point out one thing though it may not be relevant here. As far as my Party is concerned, almost 50 per cent of what we get by way of emoluments and allowances, is taken by our Party. I do not think all Parties have it. So, as a matter of fact, if these increases go through, the main beneficiary will be my Party. They will get proportionately a bigger amount every month, what we call, levy from every Party member who is an MP. But the point was that we should not appear to the public and to the press, the media and all that as though we are only

* Published in the Gazette of India, Extraordinary, Part II, Section-2, dated 4.8.98.

[Shri Indrajit Gupta]

ourselves voting these increases for ourselves. I find it highly embarrassing when everyday in this House we are shedding tears and talking about poverty in this country and how people do not have enough to eat and they do not have shelter, drinking water or anything and, here we vote for ourselves substantial increases in our allowances and emoluments. I do not think this is a proper method. One of the Committees went into practice which prevails in some other countries and found that they have got a practice like that. They have got a Standing Committee or a Commission consisting of independent people and that Committee goes into this matter and whenever it is necessary, makes recommendations. Those recommendations can then be debated and accepted, or not accepted. But they should not come from the Members themselves. I do not think it looks good at all in a country like ours.

Last time I know when the increase was made, every single newspaper in this country, editorially criticised us, and said that these gentlemen are only helping themselves to get more and more money and they are not bothered about what happens to the rest of the country. Why should we expose ourselves to this odium? I do not understand. I do not want to do it that way. Therefore, I am opposed to this Bill being brought in this House.

[Translation]

SHRI RAJO SINGH (Begusarai) : Listen. Listen to us also...(Interruptions)

14.00 hrs.

SHRI RAJO SINGH : Mr. Speaker, Sir, the committee is constituted for giving facilities to the Members. After a lot of discussion in that committee, the matter has been referred to the Government to decide as to how the facilities are to be provided.

So far as the opinion is concerned, the Hon'ble Member, who is a leader of a party might have read in the Times of India wherein it was clearly stated that Government had already pointed out that this bill would be introduced in Lok Sabha and Rajya Sabha by them. It is not so that this bill has been introduced in a hurry. Such was the demand of M.Ps. and the same was recommended by the committee. Now all the hon'ble members want that this should be passed. The people from major companies come here with the impression in their minds, that they should pay them because the M.Ps. can't pay his water and electricity bills and he is in a difficult situation. Such type of thinking should not be there. Therefore, I request the Government to get this bill passed without discussion.

SHRI LALU PRASAD : Mr. Speaker. Sir, Shri Indrajeet Gupta is not opposing this Bill...(Interruptions)

SHRI INDRAJEET GUPTA : I am not opposing the Bill but the procedure adopted therefor...(Interruptions)

SHRI LALU PRASAD : The question does not relate to this House. Be it the state Assembly of Bihar or the Central legislature of the country, there is a committee to decide about providing facilities to the members and this Government is not doing anything new. The Committee on amenities, whether it belongs to Legislative Assembly or the Parliament, it keeps on increasing, the amenities for the members from time to time. If you look at it you will find that these committees are not providing much facilities. There is a Railway facility but most of us do not even board the trains because they run late. So far as the facility of aeroplane is concerned, state food is supplied in the planes. The people of communist party, C.P.M., leftists are so called progressive. Whenever amenities are increased in Bihar Legislative Assembly, these very people stage a walkout first of all. In my opinion, such type of provision should be made therein that those who don't want to avail thousands of these amenities, may do so at their own sweet will. In that way all those who avail such increased facilities will naturally earn a bad name for themselves. We can understand the problem of these people. Party takes half of their pay and allowances. It is not right. We speak of state funding of elections. You see the conditions of MP's & MLA's if they take more than one curtain, its price is deducted from their salary. They are not getting pure drinking water as the water is contaminated. And if an MP takes dirty water for gardening etc. payment is deducted. Today is the last day of the session of Rajya Sabha and if it is not passed today, it will be kept in abeyance by Rajya Sabha. We admit that some members have become Ministers in their party but those who could not become Ministers, should also be provided some amenities. We want that this Bill should be passed. I want to thank to the Hon'ble Minister of Home Affairs and specially to Shri Khuranaji because they supported us. In my opinion, there must be some sort of mechanism in future that it is not brought repeatedly before the Parliament and amenities are automatically be increased. We can hold a discussion in this regard by sitting together later, why should we give our rights to others. Time is short. We have to complete the discussion about Bangladesh and the problems of SCs & STs. So without holding a further discussion on this issue, this Bill should be passed as you are not providing anything extra ordinary. The Government is providing car advance of Rs. 50,000 and 15% interest is being charged

thereon. What are you giving? Those who are MPs at present, would not be able to get even a single penny by way of pension in case the House dissolves. Now see who are not sitting Members, they are living in utter poverty and can not afford even a cup of tea. Now the same is the case of defeated MPs, they are passing their days in difficulties. So, you must pass the Bill.

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : Mr. Speaker, Sir, just now Shri Somnath and Shri Indrajeet Gupta have spoken. I have been here in the Parliament since 1970 except two terms. I have been a Member of Lok Sabha or Rajya Sabha alternatively. I know and I feel embarrassed when such type of Bill is passed and it is passed without discussion thereon by putting aside all kind of rules at the end of the session or on the last one or two days of the session. Therefore, basically what he has said carries weight. On the lines of the House of commons, we have taken a decision that the issues pertaining to members will be decided by the Members of the House and there are provisions to this effect. Under these provisions we have constituted a joint parliamentary committee for the revision or Members' salaries and allowances. 'On the recommendations of which we take a decision because that is an MPs' committee and not an outside body, I know how much MPs suffer economically. For an honest MP, who really takes interest in his work, it becomes very difficult to maintain himself at two places but despite all such hardships when we talk of raising our pay and allowances, a lot of hire any cry is raised. The first reason is that we have kept ourselves out of the tax net by fixing our salary at Rs. 1500/-, the second reason is that in this matter we take decision on our own, therefore, I think that we should consider the points raised by both of our leaders you should also think over this issue by inviting all party leaders. During previous years I gave suggestion to every Finance Minister that in all the democratic countries MPs are linked with some level of the bureaucrats and whenever the pay commission submits its report, to increase the pay of the bureaucrat the salary of MPs' is also increased automatically and therefore they do not take decision regarding their salaries. The second thing I want to say is that a committee consisting of speaker and chairman of the Rajya Sabha should be constituted. But in the absence of such a system if we increase our salaries, the public will criticize our such attempts...(Interruptions)

Sir, therefore, when during the last week this proposal came up before the Government, We were hesitating, but despite such hesitation people have understood that such proposal carries weight. Therefore, all the Members, specially the Members from Rajya Sabha met the Prime Minister and made

their point and I said that the proposal I would once again bring before the cabinet which was withheld earlier and then the proposal was submitted. Now our Parliamentary Affairs Minister has brought the duly approved proposal before the House.

I request you to accept that in the light of the views expressed by both the leaders which I also endorse.

[English]

There should be some kind of institutional arrangement which does not put all responsibility on Members themselves to decide about their own salaries and allowances. Some other separate mechanism should be developed.

(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV (Sambhal) : If you want to build your reputation at our cost then please withdraw it. It is not a good thing ... (Interruptions) It does not matter whether you increase the salary or not.

There is corruption in the matter of water and electricity bills of the residences of our MPs. Wrong bills are issued and there is also leakage of water. Old furniture is supplied to us and new one is taken elsewhere. Therefore, we want that we should be paid a certain amount instead of allotting us a bungalow. Then you may construct a hotel or a hostel or whatever you want to but we should be paid an allowance for the same. If we stay we will pay rent for the same therefore we should be paid salary and residence allowances in view of the increasing incidences of corruption in such matters. With that provision corruption will be done away with and it would be beneficial for the Government and that will add to its coffers. Today MPs request electricity employees to attend to their electricity complaints. Sometimes such complaints are attended to at the direction of Chief Engineer...(Interruptions), but generally wires are lying naked, as a result of which an MP may electrocuted or die. Electricians take the whole day to set it right. On this very proposal everyone has given his/her consent and therefore, do not defame us by dilly dallying and propagating it among the people. If you want to increase our salaries and allowances, just do it otherwise, I will withdraw my Bill.

[English]

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Salary, Allowances

and Pension of Members of Parliament Act,
1954."

The motion was adopted.

MR. SPEAKER : The hon. Minister may now
introduce the Bill.

SHRI MADAN LAL KHURANA : Sir, I introduce
the Bill.

14.12 hrs.

SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) BILL*

MR. SPEAKER : Now, let us take Item No. 2 of
the Supplementary List of Business. Shri Madan Lal
Khurana.

THE MINISTER OF PARLIAMENTARY AFFAIRS
AND MINISTER OF TOURISM (SHRI MADAN LAL
KHURANA) : Sir, I beg to move for leave to introduce
a Bill further to amend the Salaries and Allowances
of Officers of Parliament Act, 1953.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill
further to amend the Salaries and
Allowances of Officers of Parliament Act,
1953."

The motion was adopted.

MR. SPEAKER : The hon. Minister may now
introduce the Bill.

SHRI MADAN LAL KHURANA : Sir, I introduce**
the Bill.

14.13 hrs.

GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) AMENDMENT BILL*

MR. SPEAKER : Now, Item No. 3 - Shri L.K.
Advani.

THE MINISTER OF HOME AFFAIRS (SHRI L.K.
ADVANI) : Sir, I beg to move for leave to introduce
a Bill further to amend the Governors (Emoluments,
Allowance and Privileges) Act, 1982.

* Published in the Gazette of India, Extraordinary, Part II,
Section-2, dated 4.8.98.

** Introduced with the recommendation of the President.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill
further to amend the Governors
(Emoluments, Allowances and Privileges)
Act, 1982."

The motion was adopted.

MR. SPEAKER : The hon. Home Minister may
now introduce the Bill.

SHRI L.K. ADVANI : Sir, I introduce the Bill.*

14.13½ hrs.

PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) BILL*

MR. SPEAKER : Now, Item No. 4 - Shri L.K.
Advani.

THE MINISTER OF HOME AFFAIRS (SHRI L.K.
ADVANI) : Sir, I beg to move for leave to introduce
a Bill further to amend the President's Emoluments
and Pension Act, 1951.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill
further to amend the President's
Emoluments and Pension Act, 1951."

The motion was adopted.

MR. SPEAKER : The hon. Home Minister may
now introduce the Bill.

SHRI L.K. ADVANI : Sir, I introduce** the Bill.

14.14 hrs.

SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) BILL

MR. SPEAKER : Item No. 5 of the Supplementary
List of Business - Bills for consideration and passing.
Shri Madan Lal Khurana.

THE MINISTER OF PARLIAMENTARY AFFAIRS
AND MINISTER OF TOURISM (SHRI MADAN LAL
KHURANA) : Sir, I beg to move :***

"That the Bill further to amend the Salary,

* Published in the Gazette of India, Extraordinary, Part
II, Section-2, dated 4.8.98.

** Introduced with the recommendation of the President.

*** Moved with the recommendation of the President.

Allowances and Pension of Members of Parliament Act, 1954, be taken into consideration."

MR. SPEAKER : The question is :

"That the Bill further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954, be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will now take up clause-by-clause consideration of the Bill.

The question is :

"That clauses 2 to 7 stand part of the Bill."

The motion was adopted.

Clauses 2 to 7 were added to the Bill.

MR. SPEAKER : The question is :

"That clause 1, the Enacting Formula and the long title stand Part of the Bill"

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI MADAN LAL KHURANA : I beg to move :

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

[Translation]

SHRI SOMNATH CHATTERJEE (Bolpur) : Sir, we have got only one Bill about Member's Salaries and Allowances. Only one Bill has been circulated.

One is President Emoluments and Pension Amendment Bill and the other is Members Salaries and Allowances Bill. Only two bills...(Interruptions)

[English]

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : I am sorry if any hon. Member has not received it. There are four Bills, all relating to salaries and emoluments of the President, the Vice-President, Governors and Members of Parliament...(Interruptions)

MR. SPEAKER : Shri Lalu Prasad, we have to pass these Bills and send them to the other House also.

(Interruptions)

[Translation]

SHRI LALU PRASAD (Madhepura) : It may create a misunderstanding that we have increased our salaries and allowances...(Interruptions) I had been an M.P. twice, once for a period of two years and the other time for a period of one year and three months. That is why I am not entitled to get a pension. In case the Lok Sabha dissolves this time after a period of six months, then once again; I will not get pension...(Interruptions) I would like to submit that a provision should be made to this effect that if any person lasts as a member of Lok Sabha even for ten days he should be entitled to get pension...(Interruptions)

PROF. PREM SINGH CHANDUMAJRA (Patiala) : Such a provision already exists in the Assembly...(Interruptions)

SHRI MADAN LAL KHURANA : This bill may be cleared by this House otherwise it will have to be referred to the Department of Law. If even a single amendment is made in this Bill, it will have to be referred to the Department of Law and the matter will be prolonged.

14.17 hrs.

SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) BILL

MR. SPEAKER : Now, the Minister of Parliamentary Affairs may move for consideration of the Bill at item No. 6.

THE MINISTER OF PARLIAMENTARY AFFAIRS
AND MINISTER OF TOURISM (SHRI MADAN LAL
KHURANA) : I beg to move :

"That the Bill further to amend the Salaries and Allowances of Officers of Parliament Act, 1953, be taken into consideration."

MR. SPEAKER : The question is :

"That the Bill further to amend the Salaries and Allowances of Officers of Parliament Act, 1953, be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will not take up clause by clause consideration of the Bill.

The question is :

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

MR. SPEAKER : The question is :

"That Clause 1, the Enacting Formula, and the Title were added to the Bill.

The motion was adopted.

MR. SPEAKER : The question is :

Clauses 2 and 3 were added to the Bill.

That Clause 1, the Enacting Formula and the long title were added to the bill.

SHRI MADAN LAL KHURANA : Sir, I beg to move:

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

14.18 hrs.

GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) AMENDMENT BILL

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

"That the Bill further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982 be taken into consideration."

MR. SPEAKER : The question is :

"That the Bill further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982 be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will now take up clause by clause consideration of the Bill.

The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR. SPEAKER : The question is :

"That clause 1, the Enacting Formula and the long title stand part of the bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI L.K. ADVANI : Sir, I beg to move :

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

14.20 hrs.

PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) BILL

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

"That the Bill further to amend the President's Emoluments and Pension Act, 1951, be taken into consideration."

MR. SPEAKER : The question is :

"That the Bill further to amend the President's Emoluments and Pension Act, 1951, be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will now take up clause by clause consideration of the Bill.

The question is :

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

MR. SPEAKER : The question is :

"That the clause 1, the Enacting Formula and the long title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the long Title were added to the Bill.

SHRI L.K. ADVANI : Sir, I beg to move :

"That the Bill be passed".

MR. SPEAKER : The question is :

"That the Bill be passed".

The motion was adopted.

(Interruptions)

[English]

MR. SPEAKER : Now, the hon. Minister of Home Affairs will reply.

(Interruptions)

MR. SPEAKER : There is no time.

(Interruptions)

MR. SPEAKER : Please cooperate. All the hon. Members who have participated in the debate have dealt with the issue in detail.

(Interruptions)

[Translation]

SHRI MOHAN RAWALE (Mumbai South-Central): Mr. Speaker, Sir, I would also like to speak on the issue of Bangladeshis.

[English]

MR. SPEAKER : Please understand. There is no time.

(Interruptions)

MR. SPEAKER : Shri Fatmi, please sit down.

(Interruptions)

[Translation]

SHRI RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Speaker, Sir, sufficient time has not been given to our party.

MR. SPEAKER : Leaders of your party have spoken. You can participate in the next discussion. We are short of time.

[English]

MR. SPEAKER : We have to take up the next item.

(Interruptions)

14.24 hrs.

DISCUSSION UNDER RULE 193

Deportation of certain people by Maharashtra Government — Contd.

[Translation]

SHRI LALU PRASAD (Madhepura) : Mr. Speaker, Sir, I would like to be very brief. In this country, the overall situation has been worsening in the name of infiltrators and Bangladeshis. Consequently, it has vitiated the atmosphere of this country. Hon'ble Advaniji may recall that the former Government had convened a meeting of the Chief Ministers of all the states. In that meeting, a lot of discussion took place on the point of identification of infiltrators and their

repatriation. Such type of statements have been given that have stirred the public and public sentiments in this country. In Kishanganj and Purnea districts of Bihar, Bhartiya Janata Party and its youth wing Vidhyarthi Parishad have been spoiling the atmosphere in the name of Bangladesi infiltrators. Their leaders have always been indulging in agitations and making provocative statements. Even the Election Commissioner Shri. T.N. Seshan is equally responsible for that. Shri Seshan ...*(Interruptions)*

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF PROGRAMME IMPLEMENTATION (SHRI RAM NAIK). Mr. Speaker, Sir, I think that it is not proper to criticise the Election Commissioner here. There has been a move to identify the infiltrators, issue direction to the states in this regard and spreading communal hatred in the past. Mr. Speaker, Sir, when Bangladesh separated from Pakistan...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : Mr. Speaker, Sir, you yourself have given a ruling today that there will be a discussion on the issue of Scheduled Castes and Scheduled Tribes at 2 p.m. What is the meaning of your ruling and if the proceedings of the House are conducted in this manner, what will we do?

[English]

Sir, you have taken the consensus of the House and then only, you save the ruling. In spite of that, this is going on now. We protest against this. Otherwise, we will boycott. Shri Ram Vilas Paswan who wanted the discussion to be taken up on the very first day, is now keeping quiet.

SHRI RAM VILAS PASWAN (Hajipur) : I am not keeping quiet. I am only abiding by the decision of the Chair. The Chair told that it would be taken up at 11 O'Clock initially; then the Chair told that it would be taken up at 12 O'Clock, and later on the Chair told that it would be taken up at 2 O'Clock. Now, I do not know when it would be taken up. Sir, you cannot say that we are not serious about this issue.

[Translation]

SHRI LALU PRASAD Sir, I conclude ...*(Interruptions)*

SHRI MULAYAM SINGH YADAV (Sambhal) : Mr. Speaker, Sir, will the leaders of our party not be allowed to speak?...*(Interruptions)* Is it the way? Who stops you from speaking, you speak...*(Interruptions)* Then we will speak.

SHRI LALU PRASAD : Mr. Speaker, Sir, I am concluding. Hon'ble Home Minister may recall that in 1971, camps were set up in Chandbara, Siripur, Hazaribagh and Gopalganj districts of Bihar for the refugees coming from Bangladesh. They were poor people.

MR. SPEAKER : Lalu ji, there is paucity of time, so please conclude now.

SHRI LALU PRASAD : These refugees got married as a result of which the population of these people has increased in this area and now they are in a large number there. The Government of Bangladesh has refused to accept them as its citizens. These are very poor people. They do not have been proper clothes to wear. They speak Bangali. On the other hand a conspiracy is being hatched by Shiv Sena against them in Maharashtra. Shiv Sena is not a party, rather it is a Sena. Party is here and its leaders are sitting here...*(Interruptions)*

SHRI ANANT GANGARAM GEETE (Ratnagiri) : Only Sena can protect the country.

SHRI LALU PRASAD : A large number of Muslims of Bihar and poor people of Uttar Pradesh went there, to earn their bread and butter. These people lived there is Jhuggies but now they are being driven out from there. Out of the Hindu poor labourers who went to Mumbai alongwith Muslims. Some are engaged in a Tiles factory, some are selling paans, some are selling milk. Some of them belong to Scheduled Castes and Scheduled Tribes. Some of them are hawkers. But now these people are being driven out from there on a large scale under a conspiracy. Their names are not being included in the voters' lists.

Mr. Speaker, Sir, you must be knowing that under a conspiracy hatched by B.J.P. and Shiv Sena particularly Khuranaji, the names of 50 lakh poor labourers from Bihar were not included in the voters' list. Hatred is being spread against Bangali speaking people in this country. These people are of Bengali origin. Ill feeling is being generated in the country against these people and labourers of Bihar. With these words, I conclude. You have given me time to speak but it is not sufficient. People do not let me speak. We people maintain the decorum but the people from that side do not believe in doing so. In the end, I, would like to submit that it is a conspiracy. These people want to deport the poor people in the name of Bangladeshis to manage their vote bank. Therefore, I request to check this practice. Shri Tapandass and Shri Jyoti Babu are fanning such feelings, Thousands of people on commuting between the markets of Bangladesh and Calcutta everyday. Nobody wants that these people be driven like animals. They should, therefore, observe

restraint. They should stop all such activities. After identification Government should write to the concerned Government and hand them over with due respect. If that Government refuses to accept them, will you drive them in the state of helplessness.

(Interruptions)

[English]

MR. SPEAKER : There is no time.

[Translation]

SHRI LALU PRASAD : If you do not allow me to speak further, I sit down.

[English]

SHRI RAJESH PILOT (Dausa) : Sir, the Home Minister is here. Eighteen people have been killed in Punch this morning. Is it a fact? We have just had the information that 18 people have been killed in Punch today morning. Is it a fact that 35 people were killed yesterday, and 18 people were killed this morning?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : The information that we have received is that 18 relatives of a surrendered militant named Imtiaz have been shot down by a single unidentified gunman. This is the brief message that I have received. It may be an internal affair. I do not know. We are trying to get the full facts. But these are the relatives of a former militant by name Imtiaz. This is the information which I have with me.

MR. SPEAKER : Now, the hon. Home Minister may give his reply for the discussion.

(Interruptions)

[Translation]

SHRI MOHAN SIGNH (Deoria) : Mr. Speaker, Sir, I have also given my name to speak on this issue.

SHRI SHAILENDRA KUMAR (Chail) : Mr. Speaker, Sir, I have also given my name ...*(Interruptions)*

[English]

MR. SPEAKER : Your party has already participated in the discussion. Please understand this, Shri Mohan Singh. Please cooperate with the Chair.

(Interruptions)

MR. SPEAKER : How can I complete the business then? Two hours had been allotted for this

discussion but Members have taken seven hours on the same subject.

(Interruptions)

[Translation]

SHRI MULAYAM SINGH YADAV (*Sambhal*) : Sir, It is not proper. Time has also been allotted to our party. I request you that Mohan Singh be allowed to speak atleast for two minutes.

[English]

MR. SPEAKER : Please understand. Shri Mohan Singh. I am appealing to you. Please take your seat. Actually, two hours had been allotted.

(Interruptions)

[Translation]

SHRI MULAYAM SINGH : Mr. Speaker, Sir, injustice is being done to us...*(Interruptions)*

[English]

MR. SPEAKER : Shri Mulayam Singh, please cooperate with the Chair this time. Shri Fatmi, I am appealing to you to please cooperate with the Chair. We had allotted two hours for this discussion but the Members have taken seven hours.

(Interruptions)

[Translation]

SHRI RAMDAS ATHAWALE (*Mumbai North-Central*) : Mr. Speaker, Sir, Banglipura falls under my constituency. Peoples have been arrested from there and deported to Bangladesh. Despite, I am not being given time to speak. It is not proper I may be allowed to speak atleast for two minutes...*(Interruptions)*

14.33 hrs.

At this stage, Shri Shailendra Kumar and some hon. Members came and stood on the floor near the Table of the House.

(Interruptions)

[English]

MR. SPEAKER : Is this the way to conduct yourself in the House? Everytime you are coming to the Well of the House. What is this? This is not good. Are raising slogans and coming to the Well of the House the proper ways to conduct yourself in the House?

(Interruptions)

MR. SPEAKER : All right. Shri Mohan Singh may speak for only two minutes.

(Interruptions)

14.34 hrs.

At this stage, Shri Shailendra Kumar and some other hon. members went back to their seats.

(Interruptions)

MR. SPEAKER : I have allowed Shri Mohan Singh to speak.

(Interruptions)

14.34 hrs.

At this stage Shri Ramdas Athawale came and stood on the floor near the Table of the House.

MR. SPEAKER : Shri Athawale, I will take action against you. What is this? Everytime you are disturbing the House. If you do not behave properly, I will take action against you.

(Interruptions)

MR. SPEAKER : Shri Athawale, I am again telling you that if you do not behave properly in the House, I will take action against you. Everytime, you are disturbing the House. This is not good. Please take your seat.

(Interruptions)

14.34 hrs.

Then Shri Ramdas Athawale left the House.

(Interruptions)

14.34 hrs.

[Translation]

SHRI MOHAN SINGH (*Deoria*) : Mr. Speaker, Sir, please remove the tensions. After a lot of efforts, I have got some time to speak. I am grateful to you. I would like to submit that the Home Minister of Maharashtra had told in Mumbai that he wanted to cleanse Mumbai. I think that in the name of cleansing Mumbai the Government of Maharashtra has started deporting all those persons who speak different language and wear a particular dress.

(Interruptions)

Unfortunately there a party came in power whose main ideology is the son of the soil. It is their ideology that those only have the right to live who

[Shri Mohan Singh]

are born there. When a party with that kind of ideology came into power and that too with the blessings of the Central Government, they had been waging a battle that Hindustan is not a Dharmshala where anyone could live. They always stressed on this point. Now, they are identifying those people who are the citizens of this country by birth. I am sorry to say that a large number of refugees entered India during India - Bangladesh war of 1971. In Uttar Pradesh, a dispute is continuing over Udham Singh Nagar. At that place a large number of Bangla speaking people were settled. When these people go to Mumbai to earn a living they are being removed from there after enquiry about their religion, caste and language. This is against the unity, tradition and constitution of India. We condemn and criticise it and expect from the hon. Home Minister that the Government of India would not encourage this type of government. The Central Government should keep on eye on this and provide Security to them. I would like to conclude with this appeal.

[English]

MR. SPEAKER : Now, Shri Mohan Rawale, for two minutes only.

[Translation]

SHRI MOHAN RAWALE : How can I conclude in two minutes...(Interruptions) Bangladesh was created...(Interruptions) in 1972...(Interruptions)

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker, Sir, not a single member from our party has spoken on this issue, as the discussion on S.C., S.T. will be taken up after this. If you allow them, then you should allow as too...(Interruptions)

[English]

MR. SPEAKER : I have called him for only two minutes.

[Translation]

SHRI MOHAN RAWALE : In 1972...(Interruptions)

[English]

MR. SPEAKER : Shri Mohan Rawale, the hon. Minister for Home Affairs is going to reply please take your seat.

SHRI L.K. ADVANI : Sir, I will try to be as brief as I can.

[Translation]

PROF. SAIFUDDIN SOZ (Baramulla) : I must protest before that...(Interruptions) It is your order ...(Interruptions) But I did not speak...(Interruptions)

[English]

I am a party here...(Interruptions) All parties have spoken. I have not spoken a word. Why? ...(Interruptions)

[Translation]

There must me some stand...(Interruptions) Please allow me to speak for one minute ...(Interruptions)

MR. SPEAKER : There is no time...(Interruptions)

PROF. SAIFUDDIN SOZ : You will not have time...(Interruptions)

I shall have to fight...(Interruptions)

[English]

MR. SPEAKER : Prof. Soz. You are speaking every time. But again you are telling that your party has not participated.

[Translation]

PROF. SAIFUDDIN SOZ : Please make laws. Please tell me any method to maintain discipline here...(Interruptions) Please allow me to speak for two minutes...(Interruptions)

[English]

MR. SPEAKER : No, no; please take you seat.

[Translation]

PROF. SAIFUDDIN SOZ : Please allow me to speak for one minute...(Interruptions)

[English]

MR. SPEAKER : What is this?

(Interruptions)

MR. SPEAKER : This is not good.

(Interruptions)

MR. SPEAKER : Prof. Saifuddin Soz, please resume your seat now.

(Interruptions)

MR. SPEAKER : Please take your seat first.

(Interruptions)

[Translation]

SHRI LAL KRISHNA ADVANI : Mr. Speaker, Sir, you had allocated two hours for the debate on the issue raised by Shri Hannan Mollah, but the debate continued for four hours yesterday. These members were not present yesterday, who are insisting on speaking on this issue...*(Interruptions)*

SHRI MOHAN SINGH (Deoria) : I was present...*(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI (Darbhanga) : I was present upto 8.30 in the night...*(Interruptions)*

SHRI LAL KRISHNA ADVANI : I am not speaking about the members who were present. I am speaking about the absentees. The debate on this topic and the questions were raised by Shri Hannan Mollah regarding identification and initiation of deportation proceedings of 94 persons as Bangladeshi by Maharashtra Government on the 20th, 21st and 22nd against them. There was weight in Mr. Hannan's argument that if it completely wrong to term someone as Bangladeshi if his mothertongue is Bangali. It is completely wrong to deport someone if he speaks Bangali and is from the minority community. I agree with him completely that any citizen of India, irrespective of his language has every right to live in any part of the country. Whether he is Bangla Speaking, Tamil speaking, Marathi Speaking or Telgu speaking, it is his constitutional right to live in any part of India and that constitutional right can not be taken away by any government...*(Interruptions)*

SHRI MOHAMMAD ALI ASHRAF FATMI : Please say Hindustan. If you can not pronounce, please say Bharat.

SHRI LAL KRISHNA ADVANI : I am delighted to say that recently I got the opportunity to meet the Deputy Chief Minister of that state. Before making a statement I got information from the Government of Maharashtra and West Bengal. Someone rightly said that I had presented before the House the information furnished by both these governments and that I had not added much from my side. The reason for not adding much information was that the case was subjudice in Calcutta High Court. My point of view was that if the Calcutta High Court gave its decision, perhaps, then the case about the mistakes of the government would probably be known. In this situation, on the one hand I had myself made enquiries from the Deputy Chief Minister and on the other hand I am happy to know that a delegation comprising of Shri Ajit Kumar Panja and Shri Akbar

Ahmad, perhaps a third member was with them too went there and had described elaborately their discussions with the Chief - Minister, Deputy Chief Minister and the officers. They told that they had got detailed answers to their questions. I am quite confident that they followed the rules in a transparent manner...*(Interruptions)*

SHRI RAM VILAS PASWAN : It would have been transparent if an all party Delegation had gone there...*(Interruptions)*

SHRI LAL KRISHNA ADVANI : No one is prohibited...*(Interruptions)*

SHRI RAM VILAS PASWAN : The Central Government should send an All Party Delegation ...*(Interruptions)*

SHRI LAL KRISHNA ADVANI : It is the responsibility of the Central Government to look into the matter whether the rules and procedures framed in this regard is being followed or not? I can say that the procedure have been followed, and the decisions had been taken with the permission of the Metropolitan Magistrate and only after that deportation orders were issued. Besides this, it has come to my notice that in West Bengal, out of 38 persons released on bail, the bails of some of them were cancelled by the Session Judge when they admitted of being Bangladeshis.

[English]

This was in Midnapore. Therefore at this point of time I do not want to anticipate anything.

[Translation]

I would like to assure that any Indian, irrespective of his religion and language, has the right to live in any part of India. That right would not be taken away and no one would transgress the Constitution.

Secondly, I believe that we should not nurture the illusion that there is no foreigner in Hindustan. There are a large number of foreigners and the number of one crore told by Mr. Rawale, but it is that of ex. Home Minister, Shri Indrajeet Gupta. According to law, it is the duty of the Government to identify those foreigners who have neither passport now visa and to deport them to their native countries. I admit that it is not possible to deport all those foreigners en-masse who have come have due to years of our negligence. Someone among us would have used the word 'infiltrator'.

[English]

I think that the right word is illegal immigrant. May be some of them are infiltrators, who have deliberately infiltrated.

[Shri Lal Krishna Advani]

[*Translation*]

But it is beyond doubt that all of them are illegal immigrants. Regarding the problem of illegal immigrants, the government is seriously considering whether it is possible to deport all the illegal immigrants to Bangladesh. It is not possible after considering the human aspect of their poverty and their desire to earn livelihood. The government is thinking about identifying and giving identify - cards to those non-citizens, even if they are illegal immigrants, at the time of making a national register of citizens and given such an identify cards to them.

[*English*]

MR. SPEAKER : Let him complete first.

[*Translation*]

SHRI LALU PRASAD : They look that passport here. The old citizenship, the people who had come from Pakistan...(*Interruptions*)

MR. SPEAKER : It is not proper.

(*Interruptions*)

SHRI LALU PRASAD : Those who had come from Pakistan and who were born here, are eligible to get citizenship...(*Interruptions*)

SHRI L.K. ADVANI : I have dwelt on this whole Scheme and I have also discussed it in the consultative committee of Home Affairs. It is on the basis of it that this problem...(*Interruptions*)

[*English*]

MR. SPEAKER : Shri Lalu Prasad, there should not be a running commentary when the hon. Minister is giving his reply.

[*Translation*]

SHRI L.K. ADVANI : This Government will give the right humanitarian solution. I have to say just that.

[*English*]

SHRI SOMNATH CHATTERJEE (Bolpur) : I would like to seek one very important clarification. I am very sorry. Today, I am very disappointed with the reply which the Minister has given.

MR. SPEAKER : Shri Somnath Chatterjee, please.

SHRI SOMNATH CHATTERJEE : Kindly give me only a minute.

The Minister has given a clean chit without referring to any of the important points raised in the debate. In my submission, probably more than once, I specifically told that I had asked for a copy of the circular by which the Central Government has delegated its power to the State Government. I had written to the Minister but his Ministry refused to give me a copy of it. Though I had raised it while speaking on the debate, the Minister has not even mentioned about it. This power is only with the Central Government and the State Government only acts as a delegate. I have referred to the judgements of the Supreme Court and the High Court which said if delegation is not legal, there can be no valid other. I have been asking for a copy but till today I have not receive one. Even in his reply the Minister has not chosen to refer to my letter or to the notification. It is very unfortunate that the Minister has given a clean chit.

SHRI L.K. ADVANI : I am just being told by Shri Ram Naik that Shri Somnath Chatterjee made a reference to it. I am sorry, I was in the other House. I shall certainly see this letter and then convey to you the exact position...(*Interruptions*)

SHRI SOMNATH CHATTERJEE : It was sent on 30th July as an urgent letter.

SHRI L.K. ADVANI : I have not seen it.

SHRI SOMNATH CHATTERJEE : The Minister should then pull up his office. The Minister is looking after the internal security of this country. The Ministry is under him and he does not get an important letter from the Leader of a party in the House. Is this the way the Government is functioning? This is a very serious matter. Things have been done in a very casual way. I cannot accept it and in protest I am walking out.

14.48 hrs.

At this stage, Shri Somnath Chatterjee and some other hon. members left the House.

[*Translation*]

SHRI MOHAN RAWALE : The people of Maharashtra have welcomed it. I appeal to the Home Minister that....(*Interruptions*)

SHRI MULAYAM SINGH YADAV : The questions raised by Shri Somnath Chatterjee have not been answered properly and it is true that if this process goes on, then on day voices will be raised about considering those refugees who have come from

Pakistan. If it does not happen, we are going to boycott this House.

14.49 hrs.

At this stage Shri Mulayam Singh Yadav and some other hon. members left the House.

SHRI LALU PRASAD : Sir, the point is that these people are spreading hatred in the whole nation. They are spreading hatred in the country in the name of Hindus, Muslims and Bangladeshis. Therefore, we are boycotting the House.

14.49 hrs.

At this stage Shri Lalu Prasad and some other hon. members left the House.

[English]

PROF. P.J. KURIEN (Mavelikara) : We are not satisfied with the reply given by the hon. Home Minister. So, we are walking out in protest.

At this stage, Prof. Kurien and some other hon. members left the House.

[Translation]

SHRI RAM VILAS PASWAN : I am also walking out in its protest.

14.50 hrs.

At this stage Shri Ram Vilas Paswan left the House.

[English]

SHRI G.M. BANATWALLA (Ponnani) : Mr. Speaker, Sir, a very unsatisfactory reply has come from the Home Minister. None of our points has been replied to...*(Interruptions)* We walk out protest.

14.50 hrs.

At this stage, Shri G.M. Banatwalla, and some other hon. members left the House.

DR. SUBRAMANIAN SWAMY (Madurai) : Mr. Speaker, Sir, may I ask if there is a specific time at which the House is going to take up consideration of the Jain Commission Report?...*(Interruptions)*

MR. SPEAKER : Please take your seat.

14.52 hrs.

DISCUSSION UNDER RULE 193

Problems of Scheduled Castes and Scheduled Tribes

[English]

MR. SPEAKER : The House shall now take up Item No. 12 - discussion regarding problems of SCs and STs. Shri Ram Vilas Paswan.

[Translation]

SHRI RAM VILAS PASWAN (Hajipur) : I joined the walk out only because I did not want to give any wrong impression.

Mr. Speaker, Sir, first of all I want to thank you as today you have given permission for a discussion regarding problems of scheduled castes and scheduled tribes. I would like to tell the Government that the Commission on Scheduled Castes and Scheduled Tribes has submitted its report for 1997-98. My many friends have got the copy of special report regarding reservation alongwith the Action Taken Report from the library unofficially. I want that the report on Scheduled Castes, Scheduled Tribes and Action Taken Report should be presented in the House, so that we may make on detailed discussion on it. Similarly, Safai Karamchari commission has been set up for Safai Karamcharis. It also has submitted its report for 1994-95 and 1995-96 and these are lying with the Government. I want that the report should be presented in the House, so that a discussion can be held in this regard.

I would like to make one more request. I see that in the cabinet Ministry of Welfare was established as a Nodal Ministry in 1990. When we had conferred the honour of Bharat Ratna on Baba Saheb Ambedkar and installed his statue in the Central Hall, then recommendations of Mandal Commission were also implemented at that time. Even if it is wrong, the people were divided in two factions. Therefore the status of this Ministry was elevated and Minister of Welfare was given a Cabinet rank.

14.54 hrs.

[DR. LAXMI NARAYAN PANDEY *in the Chair*]

After that Congress came into power and Sita Ram Keshriji became the cabinet Minister in the Ministry of Welfare. I do not say that Maneka Gandhi is not efficient, she is efficient enough. When she was the Minister of Environment in our Government.

[Shri Ram Vilas Pawan]

She had performed very well, no one can deny this fact. Just now someone was saying that Ministry of External Affairs is not performing well with a state Ministers. Similar is the case of Welfare Ministry, its in effectiveness lives in the fact that its Minister is also a State Minister as such, then who will raise all the things in the cabinet.

Therefore, I will request the Prime Minister. It would be better if he had been present here. Home Minister is also not here. I want that cabinet rank should be given to Welfare Minister. Make Maneka Gandhi Minister of cabinet rank. We demand that Ministry of Welfare should not be made like untouchables, rather it should be strengthened may prove so that it can function like a modal ministry. Not only we but all the SCs-STs forums be it that of the congress or the opposition, had requested the Prime Minister to provide cabinet rank to the Welfare Minister, so that he can become efficient in making policies and taking decisions.

We are not talking about any party but this is matter of distress for all of us. We were also in the Government, therefore we know that Bureaucracy is permanent and how it dilute all the things. We have requested during the Prime Ministership of Deve Gowdaji, Narsimha Raoji and Gujralji, on behalf of SCs-STs forums so many times in this regard. Now Atal Behari Vajpayeeji is the Prime Minister, SCs-STs forum has requested and demanded for the same think from him. It is not that we have changed our demands. Demands are the same, but it is a matter of distress that none of the Governments has not paid its attentive to three demands. Government receives its helplessness. Under the present circumstances when the Government becomes weak, the Bureaucracy becomes strong. When Bureaucracy became strong Government thinks to taking say action but that time it falls. As a result of which issue pertaining to demands of SCs-STs, I will come to it later on remain as it is.

Mr. Chairman, Sir, you are one of the eldest member. You know all the things. As you know pillars are used to give support to any struction like wise there are four pillars to run the country in a proper manner. First pillar is Social, Second is Economic, Third is the Financial and the fourth one is political. But it is a matter of distress for us that the largest social pillar which stands on the bricks of caste. You can change anything in this country, religion can be changed, rich men may be poor, poor men may be rich but if you want to change your caste, you cannot do so. If a Brahman wishes to become SC and I admit that each caste and the people of each religion have struggled against social evils in this country.

Lard Buddha was born in a kshatriya family, but when he started to work for the welfare of the poor people, on the principle "Buddham Sharanam Gachhami, Sangham Sharanam Gachhami, Charam Sharanam Gachhami," he was tortured a lot. Similarly, Swami Dayanand Saraswati was a Brahmin but through Arya Samaj he started struggle against hypocrisism a brahman had given him poison. Mahatma Gandhi was a Vaisya but we was not murdered by any Muslim or Dalit, he was murdered by Nathu Ram Godse. Viveka Nanda was Kayastha and he advised to the upper castes, to handover the rights to the Shudras within a time frame otherwise they will overthrow you.

It is not like this that Ram Vilas Paswan is a Dalit, so he should fight for the Dalits. If any one is Muslim then he should fight for the rights of Muslims. Real socialism, real secularism will come to this country only when, the people of different castes or religion, will fight and think for other castes or religions.

15.00 hrs.

But I want to say that I have complete report of the commission. On this issue, other hon. members will also speak. It is needless to say that even today, untouchability is in practice. Opperssion and corruption...(Interruptions) Even today the practice of untouchability is prevailing in the villages ...(Interruptions). I am not saying about upper and lower castes. I am telling about my village. We used to see in our villages that a person of Scheduled Caste could not walk through the way, used by a man of upper-caste...(Interruptions) at present. You can go and see in any of the states, opperssion and corruption. I am going Meerut a day after tomorrow on 6th. Four Muslims have been killed in a fake encounter there. Sh. Surendra Jatav, brother of Sh. Jogendra Singh is District Chairman. He was taken to jungle and was shot at. Some days back an incident in which ladies were paraded nakedly in Bijnour has come to light. Our friends are raising the point of the incident which has happened in Delhi. It is very shameful and the Government must take immediate action in this matter. A news regarding Guddi Devi has appeared in today's Newspaper.

SHRI MULAYAM SINGH YADAV (Sambhal) : It is not a case but it is a serious incident.

SHRI RAM VILAS PASWAN : I mean to say that action will be taken only when there is a case. I would like to submit that BJP activists beat a dalit lady. Since a particular party is involved, I do not raise this issue because it may be wrong. Guddi Devi was not permitted to enter into a temple and

this happened in Delhi. It is extremely shameful if anybody is beaten on entry to a temple. Inumalai and I both were ministers in the Govt. He used to translate into Hindi during our visits to the South. He knows very good Hindi. I would like to tell you that some years ago a boy was blind into one eye in Tamilnadu because he drank water from the pitcher of upper caste. Laluji comes from Bihar. Today, I've received a fax from Bihar. It reads that four dalits have been killed in thana-Mohpur, District-Gaya; Suppose, incident occur in Bihar there are several senas in Bihar, but Government of India and Government of Bihar are responsible to safeguard the lives and property of the poor. Similarly, I've a clipping regarding Bharatpur, Rajasthan. Three dalit women were killed, two of them were pregnant, there because they were not ready to do forced labour. May be our friends from Jaipur speak on this issue. This incident occurred in Jaipur on 27.4.1998. I've the photograph of this incident. A dalit was nosestringed like an ox because he refused to do forced labour. A woman was paraded nakedly after being raped in Shajapur District near Bhopal. You should refer to the replies of previous Governments on the subject. The number of such incidents came down in 1996-97 as compared to 1995 ...*(Interruptions)*

Sir, Uttar Pradesh witnessed a steep increase in the number of such incidents. I would like to submit that the record shows a decline in 1996-97 as compared to in 1995. We have not received the report for 1998 so far. With reference to the reply of a Parliament Question in the House I am saying to you that Prevention of atrocities on Scheduled Castes and Scheduled Tribes Act...has lot sight of. The act is not being implemented anywhere. You go to the villages, you go to the Police stations there, some where you'll find dogs roaming around in Police stations and no vehicles are available there. I mean to say that the Act has lost its meaning. Therefore, I'd like to request the Hon. Minister that he should apprise us of the action taken or proposed to be taken by the Government to chek the atrocities.

Sir, same is the case of reservation, it is also of three types. The representatives of SCs, BCs, Minorities and upper castes come from public to Parliament and Assemblies. As a result we pass the law in Parliament, but when the law goes to the excutive side, the representation of these castes is negligible there, in bureacracy...*(Interruptions)*. Now few of them are coming but in class III and IV only. First obstruction is created from the executive side and thereafter from the judiciary side. If you go to judiciary side, I don't know whether there is any Judge of Supreme Court belonging to Scheduled Caste or Backward Class. As a result, the gross injustice is done in courts. In the last 4-6 established judgements if has been held that SCs, STs will get

reservation and now it is being denied and now under a decision roster system for SCs and STs in reservation. It was said that SCs and STs will get reservation in promotion. I remember that there were nine Judges in Mandal Commission when its judgement came. They unanimously said that reservation in promotion will continue for five years. I mean, the judgement of Mandal Commission came on 16th November on 16th December and there will be no change in the reservation policy from 16th December, 1992 to 16 December 1997. Reservation in promotions will continue but we were doubtful that the reservation will come to an end after five years. We, the members of all the parties put pressure in this House and as a result the constitution was amended. This amendment said that reservation in promotions will continue. You will be sorry to learn that a three judges bench awarded a judgement in the month of July contrary to that of nine judges. After the Judgement, reservation in promotions was stopped. I want to ask that reservation in promotions which was not to be changed before December, 1997, was discontinued.

Hon.Minister, Sir, when we were in the cabinet, we wrote to Gujral Sahab on this issue which also hurt him as to why we made this a public issue. Then we admitted that we wrote a letter in this regard, and distributed its copies to the members of our forum. After that a Committee was constituted consisting of Welfare Secretary, who made his points very effectively. Solicitor General, Secretary, Department of Personnel were also there in the committee. A decision was taken by all these persons that the Government's order in this regard should be withdrawn. But I don't know what happened to that. But the attitude of the then Cabinet Secretary was against SC's and STs. Please examine properly as to who should be the Secretary of Department of Personnel.

I won't say that he is of your times, he is continuing from our times, but we know well what sort of men they are. They think that these politicians who are ministers today, are subjected to go tomorrow and we people are permanent.

SHRI RAJO SINGH (Begusarai) : Ram Vilas Paswan ji, You took so much time to understand this thing.

SHRI RAM VILAS PASWAN : I'm not refering to the Government. Even I can't occupy all the seats if we happen to be in Government. There also, some other persons will be Prime Minister and Home Minister. My stand will remain same even if you because Prime Minister tomorrow. I am talking about the system, not about a particular party. We have to fight in an established system, despite this all outcome is zero. Therefore, I also share the

[Shri Ram Vilas Paswan]

responsibility. Today, BJP, is in power, if I say that BJP is behind all this and that, it is not so, the issue is pertaining to the system. You bring the issue to light. The sub-committee of the cabinet headed by me had given a report along with a draft Bill which have now lost sight of. I would like to request you to take the issue of reservation seriously. Recently, a new G.O is issued that reservation in promotions will continue but there will be no relaxation. That means, throw someone into the river with limbs tied and ask him to swim, claiming that we have allowed him to swim. What is the use of reservation without relaxation. Recruitment is open in Delhi Police at this time but no seat out of 645 is reserved for SC/ST. In U.P.S.C. there was a rule that if an SC candidate qualifies in general category, he will be considered in general category only not in S.C. But what is being said now. In the recently declared result of U.P.S.C., four I.A.S. and I.P.S., many candidates of S.Cs S.Ts and Backward Classes appear among toppers, they are told that as per the order of the Supreme Court they will have to come under reservation quota in which they are getting relaxation in reservation, age, qualification

[English]

You will not be treated as a general candidate. You will be treated as a reserved candidate.

[Translation]

By saying these things, they are being pulled down. Mr. Chairman, Sir, I would submit two or three suggestions on reservation. There are M.Ps. of both the sides here. There are 25 thousand employees in Neyveli Lignite Corporation, Tamilnadu; Dalit Ezhilmalai comes from there. 1200 posts are lying vacant there since 1992. An agreement was made for 12 vacant posts but still these are not being filled up. As a result thereof, the employees are on strike there. When I was the Minister of Railways I had launched a special recruitment drive from first June. I had stated that out of the total stalls of Railways, 20 percent would be allotted to the Scheduled Castes, Scheduled Tribes and Backward Classes under Mandal Commission. During my tenure, at least 5 members of Scheduled Castes and two members of Scheduled Tribes were there in the Railway Recruitment Board. The Member from Assam belonged to Scheduled Tribe the members of Ranchi, Patna, Gorakhpur and Bhajban Behra of Orissa were from Scheduled Castes. Ram Singh of Jammu and Kashmir was also scheduled castes. At that time, three members were Muslims, Two were christians, two were sikhs, four were Backward Class and two from high castes.

Mr. Chairman, Sir, social justice means justice for all categories of society. If some one is deprived for it then it is not social justice. We want that everybody should get his right. The present attitude of management is very alonge.

When I was a Minister in 1990 a law was enacted. Now-a-days the law of reservation is implemented by Government order. The Government order means that if any officer violates it, there is no provision to punish him. The Government should bring a legislation and get it passed in Parliament. The draft of such legislation is already complete move it in Parliament. The day it would be enacted any officer violating it, would be punished. All orders issued by the Department of Personnel are against the fundamental objects of the Constitution. The legislation may be brought as early as possible whether by promulgation of an ordinance or by moving it in Parliament directly or by amending the constitution. I would like to submit that the Government should take action to cancel all such orders which are against Scheduled Castes, Scheduled Tribes and weaker sections.

Government has framed the policy of liberalisation. Therefore, public sector is being converted into Private Sector. I would like to demand that there should be reservation not only in public sector but also in private sector so that persons belonging to SC and STs can represent in each sector according to their number. The population of Scheduled Castes and Scheduled Tribes has been increased due to new Buddhishtha. Their number is increasing due inclusion of other castes and now their number has been increased to 25 percent but the reservation is only 22.5 percent. The Supreme Court has given its judgement on Madal Commission that reservation would not be more than 50 percent. When we demand reservation for dalit christians, the ceiling of 50 percent comes into the way. My colleagues from Tamilnadu are sitting here. The Government of Tamilnadu has passed a law by making provision of 69% reservation, and sent it to Parliament. The Parliament kept it in the Ninth Schedule of the constitution but it was not implemented so far. I would like to demand that the ceiling of 50 percent should be removed. Keeping in view the increasing population of Scheduled Castes and Scheduled Tribes, provision be made to give reservation to them in Government service and in Lok Sabha and Assemblies according to their number so that as per provision their seats may increase not only in Lok Sabha but in state Assemblies also. Moreover, Besides this reservation should be implemented in each sector.

Mr. Chairman, Sir, as I have said in the beginning that the Judiciary is sitting at the root. When matter

is referred to the Judiciary it is rendered ineffective. Now time has come when it has to be implemented everywhere. As far as lower courts are concerned, reservation is there but it has not been implemented in the Supreme Court and High Courts. I would like to demand that provision be made for reservation in the recruitment of judges of the Supreme Court and High Courts also so that the basic feeling of the constitution may not hurt.

Mr. Chairman, Sir, now I would like to raise the issue of Safai Karmcharies. Today their plight is miserable in the country when Shri Mulayam Singh ji was the Chief Minister of Uttar Pradesh, he took a good decision at that time that the Government had taken the responsibility of disbursing the salaries of all Safai Karmcharies in the state. You might have remembered that Malkani Committee was constituted in 1960. Since then 38 years have been passed but nothing has been discussed so far in this context. Even in Parliament, House out of all safai Karamcharies, nobody is confirmed. When I was the Minister of Railways, I had ordered that all Safai Karamcharies coming under contract system, be made a part of Railways and it was done. If such action can be taken there, the Government can also take such decision here also that no Safai karamchari will work under contract system in Parliament also and every person will be a Government employees.

Do you know as to how a safai Karamchari looks after his children? He works right from 6 A.M. to the evening. When there is time for their children to go to the school, parents have to do their sweeping work. Consequently, inspite of having money, their children are not able to get education. I would like to demand that this contract system should be abolished. I request you to pay attention towards the timings of their duty should be fixed in such a manner that they can look after their children. If sweeping is required once in 24 hours, they should be asked to do their job at night so that in the morning they can give time to their children.

Mr. Chairman, Sir, the reports of National Safai Karamchari Commission for the year 1994-95, 1995-96 have been laid in the House. The report of Malkani Committee has also been submitted. After the perusal of these reports, contract system can be abolished. You claim that untouchability will be removed from this country. You go to any part of the country you will find that nobody wants to keep him in his company. I request you to make a time bound programme to stop night soil carrying on head. I would like to know as to how safai Karamcharies can not be treated as technical staff? I am surprised to know that the welfare of Safai Karamcharies will not be considered on the basis of their castes. It is written in the constitution that :

[English]

There should not be any discrimination on the basis of caste and religion.

[Translation]

Therefore, any person who sweeps will be treated as Safai Karamchari. This is the provision of the Act but the fact is different. The provision of the Act is that a person who is a sweeper will not do any other work but the fact is that they also compelled to do job of a Daftry or Peon. I, therefore, would like to demand that the area the member of Safai Karamcharies is in majority they should be treated on Government service so that their standard living may be raised.

Mr. Chairman, Sir, I would like to raise an another issue on the financial aspect of these castes. Several members of Scheduled Tribesone sitting here I have a report on Scheduled Castes and Scheduled Tribes if you go through this report, you will find that in all Ministries, a target of Rs. 19375 crore was fixed for the year 1995-96 whereas only Rs. 1481 crore were allotted. Similarly, during Eighth Five Year Plan, a target of Rs. 1,81,735 crore was fixed but only Rs. 38,221 crore were allotted. As per the SC and ST Commission each Ministry was agreed to the point that the fund meant for Scheduled Castes and Scheduled Tribes would be kept separately in each Ministry. I request you that the fund should not only be kept separately but it should also be ensured that the fund is actually, being spent. Today separate states like Jharkhand, Uttrakhand and Chhattisgarh are being elemender in tribal areas. There are some reasons behind it. In my state, Bihar, there are tribal areas like Ranchi, Bokaro and Dhanbad where heavy industries are set up but not even a single person has been employed in these industries even on the post of a peon. If a person cuts wood to sell twig brush he has to come to Patna. It causes resentment in his mind and he thinks that the people should demand for a separate state. According a report from Madhya Pradesh 45 K.M. ong road was constructed in the name of connecting a village of 15 tribals with road. It was found later on that the road was not reached to the village of the tribals but other people were benefited what is the use of national highways for scheduled castes and scheduled tribes? If you really want to provide facilities to Scheduled Castes and Scheduled Tribes, you should provide them link roads, schools and lift irrigation schemes. I am surprised because the Government of India has sufficient fund in Indira Awas Yojna, 80 percent expenditure is borne by the Government but dalits are not being given its benefit. People who already have their own houses, are getting the benefit but dalits are forced to live without their own roofs. There are employment Assurance Scheme and Tribal Sub-

[Shri Ram Vilas Paswan]

plan what is the number of such schemes? If any person go through all these schemes, he will say that the Government of India has provided so many opportunities to the Scheduled Castes and Scheduled Tribes but you see the benefits of these schemes. I have post Independence data the number of farmers, landless labourers has come down in every sphere. They have got only a minor benefit through Government jobs.

I want to submit that frequent discussions take place in this House on the issue of Government jobs. The issue of government jobs is confined to neither Congress, nor B.J.P. and nor to Janta Dal. The reservation in government jobs was introduced a long time back.

MR. CHAIRMAN : Please make your speech short.

SHRI RAM VILAS PASWAN : I am concluding.

SHRI LALU PRASAD : Where are the jobs? The government have increased the retirement age upto 60 years. How can the children be recruited in B.S.F. whose height and chest is not up to the desired level...*(Interruptions)*

SHRI RAM VILAS PASWAN : Mr. Chairman, Sir, I was saying that a question mark is put on the realm of reservation. The people who say that Baba Saheb Ambedkar wanted reservation to continue for ten years only should remember that it was said in the context of Legislative Assembly and Lok Sabha. The limit of 10 years was for Legislative Assembly and Lok Sabha, but the agreement on the issue of job reservation was arrived at in the Round Table Conference. So, reservation should be strictly implemented.

Further, I would like to submit that in Delhi the Scheduled Tribes are not being considered as such. If you are desirous of solving this problem, then you should frame a law by which a member of Scheduled Caste or Scheduled Tribe is deemed as such in any part of a country if he has been categorised as Scheduled Caste or Tribe in any one state. Your officers will say that such a law already exists. But, according to me, this rule is for the Central Government services. However, in the State services, for example, in Delhi a Paswan is not considered as Scheduled Caste. Similarly, a fisherman is not considered as Scheduled Caste in Bihar. But, fisherman come in the category of Scheduled Caste in West Bengal. Does the caste and status of a person change with his migration from one State to another? So, one's status as Scheduled caste in one State should be maintained for the services in all other States. Anyone may be allowed to compete for the

services of Central Government on the basis of that certificate. But, his status remains the same in State Government's Services.

Mr. Chairman, Sir, I shall not take much time of the House's. I had a lot of homework for that. But, what home work because we belong to the same caste....*(Interruptions)* I am not talking of Women's Bill. That Bill is not being introduced. The Women's Bill is a different issue. On that issue my opinion is that no male Member wants his seat to be occupied by a woman Member. Every one makes excuses to conceal the real intentions. They are searching for excuses. They blame Mulayam Singhji and Laluji. However, no one wants his seat to be occupied by a woman. So, if you want to make reservations for women, you should increase the seats in Parliament by one third. Within it provide separate reservation for Scheduled Castes, Backwards and Minorities. In this way, you can please all Members and the Women will also get seats in Parliament.

SHRI LALU PRASAD : They are going to reserve 33 percent seats from the reserved constituencies of Scheduled Castes and Scheduled Tribes M.P.'s. Your constituency of Hajipur will also be reserved. Then from where will you contest?...*(Interruptions)*

SHRI RAM VILAS PASWAN : I shall not feel sorry if the Hajipur seat is reserved. I represent Hajipur reserved constituency where people from general category did not get the opportunity to contest for the last 21 years which is heartburning. I do not have any objection if that seat is reserved for the women. But that issue is altogether different. The issue of women's reservation is based on the issue of sex and gender, but the reservation for SC/ST is linked with the issue of untouchability. Therefore, it should not be linked with untouchability. I agree to it that reservation should not be included as a separate system of reservation, because the principle of that reservation is quite different. One should not assume that we wanted to stall the Women's Reservation Bill. One should not get that kind of message.

Mr. Chairman, Sir, as far as our demands regarding Scheduled Castes and Tribes are concerned. I think that the whole House and the whole forum has got unanimity. So through you, I want to warn the Government. One should not take it otherwise, whether it is our government or of some other party. Sir, at the time of the occurrence of Chundar incident 106 M.P.'s had gone to meet the President of India in an extremely civilized manner. But, the President refused to meet us. At that moment we decided that if the President did not want to meet us, we would elect a President of our own Caste. We are very happy that Shri K.R. Narayanan was elected first as the Vice President and afterwards as the President. The Credit for it goes to the Forum. Today,

I warn you again in a decent manner. This Bill was to be introduced the day before yesterday, but it has been introduced only today as we did not want to disturb other item of agenda. We are as much interested in it as in Jain Commission's report. However, our point of view is that now you should not treat the Scheduled Castes and Scheduled Tribes issue as untouchable, but you should take it seriously. If it is not taken up seriously then not only members of Scheduled Castes and Scheduled Tribes, but all of us will appeal to other M.P.s to collaborate with us in this movement cutting across party lines. The time has come when such atmosphere is created in which the rights of Scheduled Castes and Scheduled Tribes need to be reiterated again and the efforts to nullify those rights after 50 years of independence should be checked.

Mr. Chairman, Sir, I would like to conclude by saying that volcanic substances get accumulated beneath soil. If it gets way to come out then there is no eruption of the volcano. But, if it is not allowed to come out, then volcano erupts. Its affect is most on those who are sitting at the top. But it hardly affects those who are at the bottom. I would like to conclude by quoting this proverb of English :-

[English]

"A person who is already down does not have the fear of a fall."

[Translation]

We shall suffer, but you too will not remain unaffected. I concluded with these sentences.

SHRI MAHESHWAR SINGH (Mandi) : Mr. Chairman, Sir, I would like to participate in the debate initiated by the honourable Member of this august House, Shri Ram Vilas Paswan regarding the problems of Scheduled Castes and Scheduled Tribes.

Sir, it is well-known that the maker of country's constitution Baba Saheb Ambedkar had said in the very beginning that the reservation for the downtrodden will be... (Interruptions)

[English]

SHRI P. RAJARETHINAM (Perambalur) : Sir, I have given my notice and my name is in the second place in the list.

MR. CHAIRMAN : You will be called, but not now.

[Translation]

It is not necessary to give a chance to speak to another more when the first mover has already done

the needful. You will get chance to speak afterwards. Shri Maheshwar Singh may continue his speech.

SHRI MAHESHWAR SINGH : Mr. Chairman, Sir, in the early years itself Baba Saheb Ambedkar had stated that this reservation would continue for ten years and the time-period of ten years was fixed with the intention that after independence the Government of this country would do justice and reservation would not be necessary after ten years. So, firstly, we have to raise ourselves above the party politics and have to ponder over as to why they had not got justice uptill now. Who is responsible for this and do they still need reservation?

Mr. Chairman, Sir, I agree with Paswanji as far as he emphasised upon the need for reservation in Government jobs for Scheduled Castes and Scheduled Tribes. The Members of Scheduled Castes and Scheduled Tribes living in inaccessible and hilly regions, especially the Tribal areas of Himachal Pradesh never get interview letters in time and it is a calculated and planned move so that due to late receipt of interview letters they would not be able to appear for interview. So, I totally agree with Paswanji that if things like this continue the interviewing officer should be made responsible for all such things.

Sir, as far as development is concerned, the Govt. of India sanctions Crores of rupees in the name of Tribal-sub-plan. But in real terms that fund is not used for the development of tribal areas. That money is not utilised for the upliftment of Dalits of that area. Therefore, I would like to suggest to the Govt. of India that there should be a Monitoring Committee at Central Level, which should visit each state and ensure that the funds allocated by the Govt. of India under Tribal-sub-plan for the development of that area, has been utilised properly or not. If the fund has been utilised the percentage thereof and not the reasons therefor and what steps to be taken in this regard?

Sir, my parliamentary constituency is Mandi in Himachal Pradesh. The total area of Himachal is 55,673 sq. Kms. Out of which Mandi alone constitutes the area of 34383 sq. Kms. There are three tribal areas in this region, which are known as Lahaul -Spiti, Kinnaur and Bharmaur. There is no representative of these areas but being the representative of Mandi Constituency, I represent 23665 sq. Kms which is just half of the total area of Himachal Pradesh. Due to the less Population of that particular area it does not have its representative in the House. Therefore I demand through you from the Government that in future when the area of the parliamentary constituencies is delimited there must be the right to elect a representative to these tribal areas, despite having

[Shri Maheshwar Singh]

less population there must be a tribal seat in Lok Sabha, so that their representative can represent his own people in the House.

Sir, yesterday, during the discussion on Foreign Policy the situation prevailing in Jammu & Kashmir was mentioned.

I am happy that when Soz Sahab was speaking here he stated that situation in Jammu & Kashmir has changed today. There is Peace. It is also true that Himachal Pradesh is a hilly state which is a peace loving state. Whenever we have any problem we also raise these problems in a peaceful manner. Either it is related to North-Eastern States of Jammu & Kashmir, how these states are in the grip of terrorism, it is well known. It is a matter of distress that in such a peace loving state an incident occurred yesterday in Shatrunndi and Kalaban area of Chamba district in which 35 people were killed mercilessly. This event is not the result the extremism in Himachal Pradesh, but these extremists have come from the neighbouring states. This region is adjoining to Doda and certainly Pakistani extremists are responsible for it. They also want to disturb the peace of Himachal Pradesh. The Himachal Pradesh Government is making efforts to maintain peace. I am grateful to the Central Govt. for extending full support to Himachal Pradesh Government.

I was stating that this big area has its problems. Hilly Tribal areas are covered with snow during winter season as a result of which they are cut-off from the remaining parts of the country. Particularly in my area Lahaul-Spiti and Pangi are two such areas between which there is a natural barrier which is called Rohtang Pass. This Pass is situated at a height of 13,000 feet. When this pass is closed, these areas are cut-off from the remaining parts of country for nine months and only three months these parts are linked with the remaining parts of the country. The people of this area are fed up to such an extent that they are fleeing to other places. If the problems of these people are not solved, the people of this area, the actual sentinels of the country will migrate to other places. These people are living at the borders of the country. The border of our country at one side touches the border of China and at the other side it touches Pakistan. If the migration of these people is not prevented it will be a threat to the security of our country. Therefore it is essential that basic amenities should be provided to these people.

As Kumari Mamta Banerjee said that the root cause of terrorism in the North-Eastern States is that people of that place are deprived of basic amenities. Therefore they have not been able to join the mainstream of progress in the country and they are alienated. Although these are tribals area

have yet a lot of problems, that's why attention be paid to them.

In 1981 when the then Prime Minister, Late Smt. Indira Gandhi went to Lahaul-Spiti, she announced that a tunnel would be constructed below the Rohtang pass, so that these areas could be linked with the remaining parts of the country. A survey has also been done in this regard but it is a matter of concern that even after passing 17 years this 9 kilometer tunnel has not been complete till now. Today the officers of the concerned department and the officers of Defence are saying that this project is not viable because it involves an expenditure of Rs. 1400 crores. They do not understand that it does not matter if Rs. 1400 crores would be spent on this project, but it is most necessary in view of the security of our country. To solve the problems of these people it is necessary that this tunnel should be constructed. This is the shortest route through which all the defence supplies are provided to Leh and Laddakh. If all these facilities are not provided to these people they would be compelled to migrate from Lahaule. I want to state that we should not consider about this tunnel with a financial point of view but we should think about this tunnel from the point of view of the country's security. RITES has prepared a feasibility report regarding this tunnel. I am happy that when Hon'ble Prime Minister visited Kullu, he made an announcement that he would reconsider this matter.

I want to request the Government through you that provision for funds to construct this tunnel would be made at the earliest because with a view to the country's security it is necessary. By constructing this tunnel 45 kilometer length will be reduced. On the one hand it will be a facility for the tribal areas and at the same time it is necessary in view of the security of our country. The people who have visited Lahaule-Spiti or Rohtang pass they must be knowing that there is a 10 kilometer long road, which is damaged every year due to avalanche and glacier as a result of which this road is constructed every year. Today the funds allocated under tribal sub-plan is spent on the development in less quantum but it is being spent as subsidy for their helicopter transportation during winter season to take them out of their homes and bring them back again to their homes. This amount could be spent on the developmental work. If this tunnel is constructed, the special facility of the helicopter will not be required.

MR. CHAIRMAN : Please come to the point..

SHRI MAHESHWAR SINGH : This is the only issue on which I am speaking. I am talking about the facilities to be given to the tribal people ...*(Interruptions)*

[English]

I am only talking about the facilities to be given to the tribal people. This is also a tribal area.

[Translation]

Marketing and processing facility for the produce of the tribal people should be received by the Government because they work to earn their bread and butter. The crop of hops is produced in our Lahaul. Last year the production of hops was 132 Metric tonne. But hops needs a platform for the purpose of its sale but this facility is not available there due to which the people of this tribal area run from pillar to post to sell their produce. At last Government have to purchase that hops at throw away rates which has lowered today. I am thankful to the Prime Minister that he has announced for a plant for them.

Dehradun district of U.P. is adjoining to the boundry of Himachal Pradesh. There is an area called the area of Giripar which at one time fell under Tehri Province. Once it was under one Province. But today Jaonsar Baber area has been declared as tribal area and it is getting all the basic facilities available to tribal areas. But the adjacent area, Nahan which is now under Himachal Pradesh is deprived of these facilities while their culture and social customs are the same. Mr. Paswan has given a suggestion that if a particular caste has been declared as a scheduled caste or scheduled tribe in any part of the country, it should come under scheduled Caste or Scheduled Tribe in other parts of the country also. I belong to a state where there are a lot of anomalies. The people residing on the one side of the Tons river has relatives and lands in Himachal Pradesh and the other side of Dons river is known as Giripur area where polygamy still exists. But that area has been declared as non tribal area. Whereas, the areas which fall under U.P. has been declared as tribal area. Further, there are two castes in Himachal Pradesh one is Guddi and the second is Gurjar. Himachal Pradesh has also two parts. One part is called old Himachal and the second part which was earlier in Punjab become the part of Himachal in 1966 under which my home district Kullu and Kangra, Hamirpur and Una fall. The Guddies and Gurjars of this area do not come under the category of tribes, while their language and culture are the same as that of the Guddi caste of Bharmaur. The Guddi Caste of Bharmaur is called tribe and Hindu Gurjar of Mandi district is also called tribe but this facility is not available in other areas where there are Hindu Gurjars or Muslim Gurjars. I think hon'ble Rajesh Pilot also knows this fact very well because he had visited my Parliamentary Constituency Mandi during elections. The Gurjars and Guddies of Kullu are not tribes while they are declared as tribes in

Mandi. And the Guddies of Kangra have also not been declared as tribes. Whenever we raised these questions in the House, we got only one answer that for this purpose a committee has been constituted and when the report of the committee is received, the anomalies would be removed and some new castes will be declared as tribes. Only God knows when this report will come and this work will be done. Hence I must request the Government through you that I agree with Shri Paswanji that if a particular caste of any part of the country is called Scheduled Caste or Scheduled Tribe, it should get the same facilities in the other parts of the country. If a person belonging to a particular caste in a particular state goes to another state, his status does not change.

With these words, I conclude. Thank you for giving me an opportunity to speak. At that I want to say again that the Govt. should think seriously regarding our tribal areas, because the population of these areas is scattered, therefore we do not pay our attention to them. The people residing in the hilly areas are sentinels of the country. If the migration of these people is not stopped, the Govt. do not think about their overall development and if these people migrate continuously it will not be in the Government towards these tribal areas.

This is what I wanted to say.

[English]

SHRI GIRIDHAR GAMANG (Koraput) : Mr. Chairman, Sir, I am thankful to you for giving me this opportunity to speak on an important subject relating to the problems of the Scheduled Caste and the Scheduled Tribe people. While initiating the debate, Shri Ram Vilas Paswan was telling about the problems faced by the Scheduled Caste and the Scheduled Tribe people.

Coming to the point, in 1985, it was the late Shri Rajiv Gandhi who created a separate Ministry, for SCs/STs named the Ministry of Welfare. I was given the change of Welfare Minister in the Ministry. But recently the name has been changed to that of the Ministry of Social Justice and Empowerment. With the change in the name of the Ministry, definitely the concept would also change. But in the States of Bihar, Madhya Pradesh and Orissa, under article 164 of the Constitution, the Tribal Welfare Minister will head the Welfare Department. Accordingly, the states also changed the name on the basis of the change effected by the Government of India. Some States have changed the Tribal Welfare Department into that of the Department of Welfare. But in the case of Bihar, Madhya Pradesh and Orissa they cannot change the name because there should a Minister in Charge of the Tribe Welfare Department. Especially in Orissa, they have changed the Tribal Welfare Department to that of Welfare Department.

[Shri Giridhar Gamang]

The name of the Department is called the Department of Welfare which is not justified as per the first proviso to article 164 of the Constitution.

When we are discussing the important subject but we will get less time. Therefore, I would request the Minister to convene a meeting of the Members of Parliament belonging to Scheduled Caste and the Scheduled Tribe communities separately and not both at a time. It is because we have got 46 ST MPs and the number of SC MPs is more than 85 or so. There will be time problem for discussion of various issues and problems.

SHRI RAM VILAS PASWAN (Hajipur) : The total number is 156.

SHRI GIRIDHAR GAMANG : The total put together comes to 156. It will be difficult to discuss the issues in one common meeting. First, we have to discuss the issues. The issue set to be discussed first is respect of Scheduled Tribe is exclusively constitutional issues. The constitutional provisions provided for the Scheduled Castes and the Scheduled Tribes are separate. We have got the Scheduled Areas under the Fifth Schedule. Different issues are involved such as the role of the Governor, the power given to the MLAs and the MPs in the scheduled Areas and the applicability of law in the Scheduled Areas. The power has been given through an Act of Parliament or by an Act of the State Legislature. We have to consider whether it will be applicable to Scheduled Areas or not. All these issues have to be discussed.

We have got three boundaries. One is the international boundary, the second one is the State boundary and then within the State we have got a Scheduled Area boundary. The Scheduled Area boundary is a constitutional one. Therefore, it definitely relates to the applicability of law and other problems which are concerning the Tribal Areas and the Scheduled Areas. The states have divided the Scheduled districts and changed the name of the districts. Therefore there will be the problem of applicability of law in the Scheduled Areas.

What is more important today is the problem of the Scheduled Tribes development. We are talking about different schemes and programmes started by the Government of India since the Five Year Plans. They are continuing.

Regarding funds which have been indicated either in the State Plan or in the Central Plan, the figure seems to be very high but the investment is very low. There are two things which are important. There is one demand for grant in the States that for the development of the Scheduled Caste and the Scheduled Tribe. There should be a separate Demand for Grant for SC and STs single-line

administration for the implementation of various schemes. Whatever money that is allocated by the Government of India to the TSP area or to the Special Component Plan for the Scheduled Caste people should be on the basis of identification of programmes as well as problems. Whatever money quantified by the Ministries and Departments of Government of India should be communicated to the State Governments and the Tribal Welfare Department of the States about the quantification of funds. Whatever money that will be available from other sources including the institutional finances should be quantified. Fund should be allocated under the first proviso to article 275 of the Constitution for Scheduled areas.

All these monies have to be pooled together and put in a separate Demand for Grant. Funds should be distributed among ITDP areas and cluster villages. The concept of tribal development will be meaningful at State level if funds are used in this way.

The second point is about the single line administrative structure which is required for implementation of projects or schemes in tribal areas. It is required because of multiplicity of departments as well as agencies, which definitely creates a confusion. In Andhra Pradesh, single demand and single line administration have been adopted. In Himachal Pradesh also, they have adopted a single line concept of administration. Why can we not adopt it in the major States like Bihar, Madhya Pradesh and Orissa. These States have not yet introduced approach of single line administration for implementation of schemes and programmes relating to the Scheduled Tribes in the Scheduled Areas of the States. I do not know why it is not possible. I do not know whether they will be adopting it or not.

Another important question which I am raising is this. There are a number of policies relating to the Scheduled Tribes. There is a forest policy. There is an education policy exclusively for the Scheduled Areas. There is an excise policy under which liquor is prohibited in the area and then comes the allotment of land. Under the Fifth Schedule, the Governor has the power to regulate the allotment of land in the Scheduled Area and restrict alienation of tribal land.

There are a number of provisions under the Constitution which have not yet been interpreted properly for implementation of the plan. There is no impact of these provisions in Scheduled Areas. Secondly, these provisions are implemented without any interpretation. There are some provisions which have neither been interpreted nor implemented.

All the provisions which are enshrined in the Constitution, are very voluminous ones. They have to be studied in such a way so that they are implemented properly and the Scheduled Castes and

the Scheduled Tribes are given rights and protection. Whatever schemes or programmes which are under formulation and implementation by the Centre or the State Governments, all comes under the constitutional provisions. Investments on bigger projects or dams etc. in tribal areas should be reviewed.

Rehabilitation policy should be formulated and implemented properly by the States and the Central Government. Land alienation and land acquisition due to these projects should be reviewed. Without that, no project will benefit the tribal people. It has been stated that there is no coordination between the Central Ministries, Welfare Ministry and the States with regard to rehabilitation. The tribals have been deprived of their land, water and so on. It is very difficult for them to survive. They have sacrificed everything including their land for the development of the nation in the name of public purpose.

Another important thing is about the present reservation policy of government. Shri Paswan was referring to that. As regards the role and duty of Public Service Commission of states and Centre. Under article 320 (4) of the Constitution, it is mentioned :

"Nothing in clause (3) shall require a Public Service Commission to be consulted as respects the manner in which any provision referred to in clause (4) of article 16 may be made or as respects the manner in which effect may be given to the provisions of article 335."

That means, the Public Service Commission should not be consulted in the matter of method of recruitment or in respect of making appointments to the Civil Services or in a disciplinary matter or promotion and so on. In all such matters, the Public Service Commission should not be consulted for SCs and STs. So far, neither this provision has implemented nor interpreted properly. We have not seen as to what will be its impact. These have to be interpreted properly while implementing the reservation policy in services and posts for the Scheduled Castes and the Scheduled Tribes.

16.00 hrs.

Sir, article 339 (1) of the Constitution relates the control of the Union over the administration of Scheduled Areas and the welfare of Scheduled Tribes. It provides the appointment of a Commission to report on the administration of Scheduled Areas and the welfare of the Scheduled Tribes in the States. In 1995, it was already decided by the then Government to constitute a Commission for Scheduled Areas and the welfare of the Scheduled Tribes. But it is still pending for constitution of the Scheduled Areas and Scheduled Tribes. They have not yet

constituted this Tribes Commission. This will be the second Commission after 1961 for SA and STs.

The Scheduled Tribes list comes under the State List. The area restriction which was imposed for the Scheduled Tribes has been removed for within the State...*(Interruptions)*

PROF. P.J. KURIEN (Mavelikara) : Sir, it is now 4 o'clock. As per the ruling of the hon. Speaker, the Discussion on the Jain Commission Report was to be commenced at 4.00 p.m. today. I know, the Discussion on SCs/STs is also very important. I am not saying that it should be scuttled. But as I have already pointed and the whole House will agree with me that the Discussion on the Jain Commission Report is very vital, as it is connected with the assassination of Shri Rajiv Gandhi who was the leader of the whole nation.

My suggestion is that if the Discussion on the Jain Commission cannot be taken up now, the sitting of the House may be extended by one more day so that tomorrow and day after tomorrow, we will get time to discuss this Report...*(Interruptions)*

SHRI T.R. BAALU (Madras South) : Everybody should get ample time to speak...*(Interruptions)*

16.02 hrs.

[SHRI P.M. SAYEED in the Chair]

MR. CHAIRMAN : Let me hear.

PROF. P.J. KURIEN (Mavelikara) : Mr. Chairman, Sir, as per the ruling given by the hon. Speaker, the Discussion on the Jain Commission Report should be taken up at 4 o'clock, that is, now. Or, if that is not possible, the sitting of the House should be extended by one more day, that is, upto 6th August, 1998, so that we get two days to discuss the Jain Commission Report, and we may continue the whole day with the exhaustive discussion on the SCs/STs. It is also a very important subject. The hon. Chair may kindly consider our point...*(Interruptions)*

[Translation]

SHRI RATILAL KALIDAS VERMA (Dhandhuka) : We are avoiding the discussion...*(Interruptions)*. It must also be discussed. Another issue should be discussed after finishing the first one.

DR. BIJAY SONKAR SHASTRI (Saidpur) : We should be given a chance to speak so that we may raise the points what have not been discussed...*(Interruptions)*. We should also be given a chance to speak...*(Interruptions)*

MR. CHAIRMAN : Please speak one at a time.

(Interruptions)

SHRI BHUBANESWAR KALITA (Guwahati) : you can continue with this Discussion on SCs/STs. But the House should be extended by one more day so that we have two days to discuss about the Jain Commission Report. The House was extended precisely for discussing the Jain Commission Report...(Interruptions)

[Translation]

PROF. P.J. KURIEN : The House is of the view that the discussion on this issue should be held for two days i.e. tomorrow & day after tomorrow...(Interruptions)

DR. LAXMINARAYAN PANDEY (Mandsour) : On the request of the Hon'ble Members the time may be extended...(Interruptions).

[English]

DR. SUBRAMANIAN SWAMY (Madurai) : Sir, either it should be taken up now or tomorrow at 11 o'clock, and the House may be extended by one day because the whole nation is going to listen to this debate on the Jain Commission. Therefore, it is very vital that it should be in the late hours of the night. It should start at 11 o'clock tomorrow or today at 4 o'clock, that is, now, and it should be extended by one more day. The proposal of Prof. Kurien is very eminently reasonable and the House should agree to it.

SHRI V. SATHIAMOORTHY (Ramanathapuram) : Mr. Chairman, Sir, what is the urgency to continue with it now? It was the decision of the Chair that we will take up Discussion on the Jain Commission Report at 4 o'clock today.

As scheduled, the discussion on the Jain Commission Report and the ATR should be taken up at this point of time at four o'clock.

SHRI T.R. BAALU (Madras South) : This morning, the hon. Speaker has categorically said that after completion of this discussion regarding the problems of the Scheduled Castes and Scheduled Tribes, the discussion on the Jain Commission Report will be taken up. I want to know when this discussion regarding the problems of the Scheduled Castes and Scheduled Tribes will be concluded.

[Translation]

SHRI PRABHUDAYAL KATHERIA (Ferozabad) : Hon'ble Mr. Speaker, Sir, the feelings expressed by the Hon'ble Members are important. Rajiv Gandhi was a leader of all of us. We respect his sentiments. The House is witnessing a debate on an important issue, we also want to express our opinions. I would like to make a request that we should get sufficient time to express the feelings of suppressed and downtrodden people of society properly. I want that

the House should be extended by two hours so that this issue could be discussed properly in the House..

PROF. P.J. KURIEN : I have told the same.

DR. LAXMINARAYAN PANDEY : There is no need to extend the time of the House for a day. We may extend this discussion for two hours and then Jain Commission may be taken up. But there is no need to extend the House for one day.

SHRI K.D. SULTANPURI (Shimla) : This discussion should be extended for some hours but there should be enough time for Jain Commission Report so that all the Hon'ble Members can participate in this discussion. The issue pertaining to Jain Commission Report must be discussed.

SHRI SHIVRAJ V. PATIL (Latur) : Sir, the proposal Kurienji has put up before the House has been endorsed by the members of both the sides. At present the House is discussing the issue of Scheduled Castes and Scheduled Tribes of number of Hon'ble Members want to speak on this subject. If they are not allowed to speak, then it would be an injustice to that subject. So those Hon'ble Members should be given an opportunity to speak. I would rather say that not only the members of scheduled caste or scheduled tribe should speak on this subject or not only women should speak on the Women Bill, but others should also speak. If sufficient time is not given to this discussion, it would be an injustice to this subject. Along with this, sentiments of all members are attached with the Jain Commission Report. This subject is related to the assassination of our former Prime Minister. This case has been under investigation for the last seven or eight years. Now its report has come and this report has 15 volumes - this interim report has six volumes and the final report has nine volumes - which is of ten thousand pages. Tomorrow Shri Shivshankarji and other Hon. Members will speak on this subject. There should be justice with this discussion. So we request you to extend the proceedings of the House for another day.

SHRI KALPNATH RAI (Ghosi) : The Jain Commission Report took seven years to be completed. This report is related to the assassination of one of our national leader. It should not be discussed in a hurried manner. Discussion on this should continue for two days. So I request you to extend the proceedings of the House for another day.

SHRI LALU PRASAD : The whole nation wants to know about this report. It wants to know the feelings of all parties. What we lost, what we achieved, all this should come to the surface. There should be no short-cuts in this. Let the discussion on scheduled castes and scheduled tribes be completed today. Tomorrow is already scheduled, so one more day may be extended. Those who want to be here will be here. Those who will be here, those who are concerned will deliberate on it. Late Rajiv

Gandhi was the Prime Minister of the country, he was a popular leader. So there should be sufficient time for discussion on the Commission's report.

[English]

MR. CHAIRMAN : Hon. Members, I have with me a list of nearly twenty or twenty-one names of hon. Members who want to speak on the discussion regarding the problems of the Scheduled Castes and Scheduled Tribes. I will convey the feelings of the House to the hon. Speaker. I understand that he is considering to extend the House by one day. I would request some of the leaders to meet him. Meanwhile, let us go ahead with the discussion on the problems of SCs/STs. Still 21 hon. Members are to speak on this debate.

(Interruptions)

PROF. P.J. KURIEN : Sir, I submit that the discussion on the problems of the SCs/STs should be completed today. Then, tomorrow morning we can take up discussion on the Jain Commission. I think the consensus of the House is for extending the House. I would request the Chairman to convey the feeling of the House to the hon. Speaker ... (Interruptions)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF TOURISM (SHRI MADAN LAL KHURANA) : Originally, the Session was scheduled upto 4th August, 1998, after discussions, it was decided to extend the sitting by one day, that is upto 5th August, 1998.

[Translation]

If you have taken a decision, I will have to speak to the Hon. Prime Minister and others regarding your suggestion. Only then the issue of extension can be decided. I will talk to them about your point of view. My suggestion is that now we can postpone the discussion on SC and ST till tomorrow, otherwise I will have to confirm regarding the extension ... (Interruptions)

[English]

SHRI T.R. BAALU : Sir, there is a consensus in the House that the House should be extended ... (Interruptions)

MR. CHAIRMAN : Let the hon. Minister complete.

(Interruptions)

[Translation]

SHRI MADAN LAL KHURANA : Sir, this is a matter of extension of the House, so what can I say unless I discuss this matter with my people?

[English]

MR. CHAIRMAN : Order please. Please be seated. Let the hon. Minister complete.

(Interruptions)

SHRI T.R. BAALU : There is a consensus in the House that it should be extended... (Interruptions) Please, you take the opinion on the House ... (Interruptions) Why should you ask the Minister of Parliamentary Affairs?

[Translation]

SHRI BHAJAN LAL (Karnal) : Sir, the House has to take the decision. A proposal has been brought before the House. You kindly take a decision and extend the House for one day, because the assassination of Rajiv Gandhi is not a small incident, this is very shameful for the country. This is highly condemnable. So there should be a two day discussion on Jain Commission Report so that the whole country may know the circumstances in which Rajiv Gandhi was assassinated and how. So this is my request to you and the entire House wants that the House should be extended for a day.

[English]

SHRI T.R. BAALU : Sir, majority of the Members are in favour of extending the sitting of the House ... (Interruptions)

[Translation]

SHRI LALU PRASAD (Madhepura) : Sir, now this is a question of fresh discussion. Discussions would continue for two days, so the House was extended. It is already 4.15 and discussion on it is to continue, I also have to speak. So you kindly extend the time of the House.

SHRI RAM VILAS PASWAN (Hajipur) : Sir, what the Minister for Parliamentary Affairs has said is not right. Earlier the House was scheduled upto 29th July. when the House sat all the Hon'ble Members were of the view that the House should be extended till 30th July. Friends from the Congress opined that they should be given time to go through the Jain Commission Report and after adjourning the House discussion on it would be taken up on 13-14 August. Then it was decided that if the House was called on 13-14 August it would appear that it had been called especially for discussion on Jain Commission Report. Afterwards the proposals came that the discussion may be taken up on 16-17 August or 17-18 August.

The Government did not agree to it and then a proposal from the Government came and the House was extended till 31st, then the Government

[Shri Ram Vilas Paswan]

proposed to extend it till 3rd or 4th and we agreed to it also. But later the Speaker Sahib decided to extend the House till the 5th, because it was thought that the discussion of Jain Commission Report would be completed by then. Two days are to be given to Jain Commission Report, now you may accept it or not but it was implied in it. You saw that when the question of Maharashtra arose, the question of MEA came, discussions were held on all point but when the issue of SC's is coming you want to wind it up...(Interruptions) You have just said.

SHRI MADAN LAL KHURANA : You get your demands accepted and at the same time say things like this. Whatever points you have raised during the entire Session we have agreed to hold discussions on those.

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, you can see it from the records, the Parliamentary Affairs Minister has said that discussions on SC's should be postponed and Jain Commission Report should be put up.

SHRI MADAN LAL KHURANA : I have urged to put it up tomorrow.

SHRI RAM VILAS PASWAN : Mr. Speaker, I object to it. Please call all the members who want to speak on SC & ST and if need be, extend the time for one day. If you have already extended it for a week and another extension of one day not make much difference...(Interruptions)

SHIR BALRAM JAKHAR (Bikaner) : Mr. Speaker, once a decision is taken by the House, nobody has the right to change it, this is the convention of the House. In my opinion, this is such a serious issue that one cannot ignore it, this is a heinous crime which we cannot take lightly. Khuranaji, I would like to make a request...(Interruptions)

SHRI MADAN LAL KHURANA : Jakhari Sahab, you have been a Minister, I have never said 'no', I have said that I will tell you after consulting the Prime Minister...(Interruptions)

[English]

SHRI T.R. BAALU : Sir, this is not fair. Why should he ask the Prime Minister? What way he is concerned with this? You should go by the consensus of the House. Sir, you need not ask the Parliamentary Affairs Minister or the Prime Minister. The House is supreme and so, you can take the consensus of the House.

MR. CHAIRMAN : Let me conduct the House.

(Interruptions)

SHRI BALRAM JAKHAR (Bikaner) : Sir, the House is always supreme. Nobody can dominate the House; the House dominates us. So, there is no question of going back on that. Please do justice; we also have to discuss the Jain Commission Report...(Interruptions)

MR. CHAIRMAN : The time allotted for this discussion is up to 4.50 p.m.

(Interruptions)

MR. CHAIRMAN : Please hear me for a minute.

(Interruptions)

MR. CHAIRMAN : The time allotted for discussing this issue is up to 4.50 p.m.

(Interruptions)

SHRI T.R. BAALU : It cannot be concluded by 4.50 p.m. It is the most important subject and everybody wants to speak on this...(Interruptions)

MR. CHAIRMAN : Please hear me. The House is supreme.

We can continue the discussion now for at least about half-an-hour. In the meanwhile, you can sit with the Speaker and decide. Already the Speaker is considering this. Why are you agitated over this issue? So, let us not waste the time of the House; let the hon. Members speak on that discussion.

PROF. P.J. KURIEN : Sir, kindly convey the consensus of the House to the hon. Speaker.

MR. CHAIRMAN : Yes.

(Interruptions)

SHRI N.K. PREMCHANDRAN (Quilon) : Sir, there is no consensus in the House. We have got different views...(Interruptions)

SHRI RUPCHAND PAL (Hoogly) : Sir, I have got a very important point to make. On the 6th August, Hiroshima Day is to be observed in many parts of the country. All our Members will be going back to their Constituencies. Regarding repeated extensions of the sittings of the House, it was discussed in the Business Advisory Committee. Originally, it was scheduled upto 29th July. Then it was extended for one day. Our Leader had expressed that the Members have got their own schedule and programmes in their Constituencies. Still we agreed that it may be extended for a few more days...(Interruptions)

MR. CHAIRMAN : The time allotted for this discussion is upto 4.50 p.m.

(Interruptions)

MR. CHAIRMAN : Shri Rupchand Pal, please resume you seat.

(Interruptions)

SHRI RUPCHAND PAL (Hoogly) : I am concluding, I have got a suggestion to make. The discussion on the Jain Commission Report may be taken up after completing this discussion...*(Interruptions)*

[Translation]

SHRI BUTA SINGH (Jalore) : Mr. Chairman, Sir, a lot of discussions took place over the proposal of Prof. Kurien I do not want to give further stress to it. I just want to give a submission. It is the convention of the House that according to the agenda, when the time comes for an item, a member may express this point of view by standing on his legs. Prof. Kurien told so because the discussion regarding Jain Commission was about to start at four o'clock. It is wrong to say that it is a wastage of time. I was feeling that the discussions regarding the problems of Scheduled Castes and Scheduled Tribes could not be taken up in this House as it was being pushed up out of the agenda day by day. Shri Ram Vilas Paswan had great difficulty in initiating discussion regarding the plight of the poor under Rule 193. Hon. Minister for Parliamentary Affairs had took it in casual manner and said that the discussion regarding Jain Commission should be initiated. It showed that neither his party nor his government or he had any respect for Scheduled Castes and Scheduled Tribes. I request you should consider the proposal put up by Shri Kurien and seconded by Shri Shivraj Patil and Shri Lalu Prasad as the sense of House and should give your ruling on it. Let the discussion on Jain Commission continue for two days by extending the House for one day. If the House so desires, let the discussion about SCs and STs continue for the whole night to complete it. We are not for any favour, it is our right...*(Interruptions)*

SHRI MADAN LAL KHURANA : Mr. Chairman, Sir, I request you to start discussion on it.

DR. BIZAY SONKAR SHASTRI (Saidpur) : He is talking of extending this session for one day, I have to say that the festival of Rakshabandhan would be on 8th. How could we reach home? There is no need to extend the session for one day. It should be closed in time...*(Interruptions)*

SHRI RAMDAS ATHAWALE (Mumbai-North Central) : Mr. Chairman, Sir, the issue of SCs and STs is important but the issue of Jain Commission is equally important. So, after the completion of discussion on SC & ST, the discussion on Jain Commission should be completed by extending the House on 6th and 7th August.

MR. CHAIRMAN : Your feelings have been communicated to the Speaker.

[English]

Shri Giridhar Gamang has not yet completed. So, he will speak.

SHRI GIRIDHAR GAMANG (Koraput) : Sir, I was going to complete my speech. But in the meantime, all the trouble started.

There are a number of Scheduled Castes and Scheduled Tribes. In most of the States, they have not been included in the list. The Govt. have to consider for their inclusion seriously. The non-tribals are trying to get themselves included in the list of Scheduled Castes and Scheduled Tribes, it should be.

There are a number of bogus tribes. They are taking advantage of reservation for employment and getting benefits of Development Schemes or at the political status which is very serious matter.

Another important thing is that for how many years the political reservation will continue. It is up to 2000 AD. Then, it is to be extended for a further period of ten years period under article 334. Political reservation is a temporary reservation. But article 335, is permanent reservation related to services and posts. When the government are proposing to extend the political reservation beyond 2000 AD House of people, State legislature and in Panchayats.

The one-third reservation provided to women in the Panchayats is reservation within the reservation. What we need today is reservation within not among the Scheduled Castes and Scheduled Tribes. It is a very important issue. We agree that there should be reservation for Scheduled Castes and Scheduled Tribes. Without any division and diivation. Definitions provided in article 366 regarding 'Scheduled Castes' and 'Scheduled Tribes' as well as articles 341 and 342 regarding the powers given to the President and the Parliament for inclusion and exclusion of SCs and STs.

Other important constitutional provisions are there which requires detailed discussion. Please convene a meeting for discussion on the constitutional provisions relating to the Scheduled Castes and the Scheduled Tribes. The provisions have to be interpreted and implemented with good intentions for protection of people of these 8. One cannot stop that. We have to see which are the Article which require amendment today. For example, if I say that every one-and-a-half years or every two-and-a-half years we should go to polls, then the Scheduled Castes and the Schedule Tribes would be the worst victims of any uncertain political development. All these points should be gone into.

[Shri Giridhar Gamang]

While adopting certain measures for the protection of the Scheduled Castes and Scheduled Tribes in different fields like education, economic development, giving reservation in education as well as in politics.

The demand for separate States is there because of unrest as well as discontentment which is there in the tribal areas. Why is this discontentment growing? Nobody has made a study on this. I think the Government is not taking it seriously. There is no two opinion on development in tribal areas of Central India Tribal belt but there should be comparison of the tribal areas of North-Eastern States with the Central India Tribal belt in respect of the constitution provision Bihar, Madhya Pradesh, Orissa, Andhra Pradesh, etc. all come under the Central India Tribal belt. We have to discuss separately about the Fifth Schedule and the Sixth Schedule provisions. What are the benefits out of the provisions contained in the Fifth Schedule Areas and, what are the provisions enshrined in the Sixth Schedule Areas for the upliftment of the tribes that has to be analysed.

I have the Constitutional right to be here. I have been in the House as a representative of the people for eight terms. The hon. Members, like Shri Paswan, and others are also there in the House like me to represent the people. Please go through the provisions of the Constitution relating to Scheduled Castes and Scheduled Tribes while adopting any measures for their protection.

SHRI P. RAJARETHINAM (Perambalur) : Mr. Chairman, Sir, I wish to thank you for the opportunity given to me to raise an important issue with regard to the problems of the Scheduled Castes and the Scheduled Tribes in my maiden speech itself.

Before I touch upon the main issue, it is my sincere duty to thank my beloved leader, the ever and ever unbeatable leader of Tamil Nadu, the saviour of social justice, Dr. Puratchi Thalaivi who has sent me to this august House. Her regime was a golden era of Tamil Nadu. During her regime, she implemented a number of welfare schemes for the upliftment of the Scheduled Castes and Scheduled Tribes. During the regime of Dr. Puratchi Thalaivi, free education was given to all Scheduled Caste and Scheduled Tribe students. Rupees 100 per month was paid to the Scheduled Caste and the Scheduled Tribe students studying in sixth to eighth standards. Also, under her regime, free electricity and pure drinking water was supplied to the colonies where the Scheduled Caste and Scheduled Tribe people were living. She was the first one to introduce a scheme in whole of the nation, as the Chief Minister of Tamil Nadu, to make 100 Scheduled Caste and Scheduled Tribe youths as industrialists by providing them international shares and financial assistance

of more than Rs. 1 crore at Tirupur in Coimatore district, in the State of Tamil Nadu. During her regime the entire Scheduled Caste and the Scheduled Tribe community was safeguarded whereas the atrocities are very high during the present Government.

This is an important issue which relates to the problems faced by Scheduled Castes and Scheduled Tribes throughout the nation. The Scheduled Castes and Scheduled Tribes are suffering either at the hands of the police or some other people everyday. We can see from the newspapers the incidents of atrocities on the Scheduled Caste and Scheduled Tribe people. Some of the headlines in the newspapers are: "SC/ST PANEL PULLS UP STATE GOVERNMENT", "STATES ASKED TO CHECK ATROCITIES ON DALITS", "SUPPORT TO ATROCIOUS STANDS" "DALITS ALIENATED AND ANGRY", "DALIT ACT MISUSE? IT IS NOT BEING USED", "TRIBALS STRIKE TERROR", etc.

Our party colleagues in the elders' House Thiru Niraikulathan and Thiru O.S. Manian and Thiru Margabandu put a common question regarding the communal tension, and atrocities on the Scheduled Castes and Scheduled Tribes in our country. The question was whether the Government proposes to take any stringent measures for containing the widespread communal violence and atrocities on Scheduled Castes and Scheduled Tribes in several parts of the country.

In his reply, the then Minister of State for Home Affairs, Shri Maqbool Dar - it was the United Front Government then - stated that the overall communal situation in the country had considerably improved. There was a major incident of violence only in Tamil Nadu during the previous two months. It was in the year 1996. On the other hand the situation was very peaceful during the regime of Dr. Puratchi Thalaivi. Nowadays, as far as communal violence and atrocities on Scheduled Castes and Scheduled Tribes are concerned, Tamil Nadu is the worst affected State under the present DMK Government.

While answering a Starred Question asked by Thiru Thalavai Sundarm, Member of Rajya Sabha, the then Union Minister of State for Welfare in the United Front Government Shri Ramoowalia stated that the number of cases of atrocities committed against Scheduled Castes in Tamil Nadu during 1996 and 1997 were 535 and 372 respectively. When I am participating in the debate on the problems of Scheduled Castes and Scheduled Tribes, it is relevant to quote some incidents that occurred recently in Tamil Nadu under the DMK regime.

A tragedy took place while allotting group houses for Scheduled Castes and Scheduled Tribes at Sorakudi near Valankaiman Thirvarur District of Tamil Nadu. There were some clashes between two rival groups. Police arrested some people and remanded them to custody...*(Interruptions)*

SHRI T.R. BAALU (Madras South) : Mr. Chairman, this matter is *sub judice*. It should not go on record. Please see that it is expunged from the record.

MR. CHAIRMAN : Matters *sub judice* will not go on record.

SHRI P. RAJARETHINAM (Peramballur) : When they were being taken to Tiruchi, one of the remanded Scheduled Caste person named Chinnayan died on the way due to the harassment of the police. After that they brought the illiterate wife of the deceased person from the village and threatened her to sign a statement which was already prepared at the instigation of some top politicians of the ruling DMK Government. The Tehsildar of Valangaiman, with the help of police, tried to perform the last rites of the deceased. At that time, the village people, along with Shri O.S. Manian, Member of Parliament (Rajya Sabha), and the District Secretary of AIADMK stopped the cremation and asked for the re-postmortem of Shri Chinnayan's body. After a prolonged agitation the postmortem was again conducted and the body was cremated. My question is, under whose instructions the Tehsildar, along with the police, tried to cremate the body?

This is happening everywhere in Tamil Nadu under the guidance of the ruling political personalities of the DMK party. This is only a small example of how the SC and ST people are facing problems in Tamil Nadu. I can quote another important incident with regard to the problems and atrocities on SCs and STs which occurred in Thuraiyur village of Tirunelveli district. Police had foisted a false criminal case against an SC youth and took some people to police station. So, the Scheduled Caste people were harassed. People in the Thuraiyur and surrounding villages condemned the harassment of police and they took out a procession. At the instigation of the Government in Tamil Nadu, the police lathicharged the crowd and opened fire and a Scheduled Caste youth by name Philip was killed.

Sir, the Central Government is providing many schemes for the economic empowerment of SC and ST people, but the schemes are not properly implemented. Scheduled Caste and Scheduled Tribe people are not getting any loans from banks. The bankers ultimately deny the loans. They are asking for securities from the SC and ST people. In an event in Paramakudi, an innocent girl by name Panjavarnam was killed because of the inefficiency of the ruling DMK party in Tamil Nadu.

Now, I wish to mention the people faced by SC and ST people who have been migrated from Tamil Nadu and settled in Mumbai for many years. They were unable to get the community certificates even though there was an order from the Union

Government to issue certificates to the SCs and STs nation-wide by producing their original certificates issued by the concerned State. I appeal to the Union Government, through the hon. Minister, to redress the problems of migrated SC and ST people in Maharashtra.

I want to quote an important matter. The management of Neyveli Lignite Corporation in Tamil Nadu failed to implement the Reservation Policy. Demanding this, 3000 Scheduled Caste employees are protesting. They are on strike for the past 20 days. This shows the problems faced by SCs and STs.

We are celebrating the 50th year of our Independence. Even then, the SCs and STs are facing a lot of problems. Sir, here I want to quote the words of the greatest poet of Tamil Nadu, Mahakavi Subramania Bharati.

"Jadigal Illaiyadi Papa Kula Thazhcnl
Uyarchi Sollal Paavam"

I also want to quote another poem by Poet Bharathidasan.

Iruttarayil Ullathada Ulagam Saathi
Irukkindrathenbanum Irukkindrane"

Sir, before concluding my maiden speech, I appeal to the Union Government to take stringent steps to stop atrocities on SC and ST people at least in the 50th year of our Independence. Scheduled Caste and Scheduled Tribe people had entirely voted for the AIADMK party under the able leadership of the former Chief Minister of Tamil Nadu, Dr. Puratchi Thalaivi. They had sent more than 5 MPs from our party, but there is no MP belonging to the SC and ST from the DMK party. It shows how the previous AIADMK Government under dynamic leadership of Dr. Puratchi Thalaivi took care of the entire community of SC and ST. Only from this we can understand that our leader Puratchi Thalaivi is the only saviour of the SC and ST people. Our leader is having such a great mentality of accomodating SC and ST people even in the Rajya Sabha elections. But the present Chief Minister and the DMK party is not having such a mentality to give representation even to a single Member from the SC and ST. This only shows the difference between our dynamic leader, and the DMK leader Shri M. Karunanidhi.

As indicated by the Jain Commission, the DMK and its Chief is not only connected with the assassination of Rajiv Gandhi but also directly connected with the killings of innocent SC and ST people.

I urge upon the Union Government to come forward to set up an Enquiry Committee to go into the atrocities committed on Scheduled Castes and

[Shri P. Rajarethinam]

Scheduled Tribes during the past two years and action be taken against the DMK Government in Tamil Nadu.

SHRI T.R. BAALU (Madras South) : Sir, the AIADMK lot has become a laughing stock. Taking advantage of the maiden speech, they had misled the House. This, I want to put on record.

SHRI R.S. GAVAI (Amravati) : Mr. Chairman, Sir, the present motion relates to the problems of Scheduled Castes and Scheduled Tribes.

I will be strictly limiting to the purview to the Constitution regarding the problems of Scheduled Castes and Scheduled Tribes for their upliftment and welfare in the sphere of services, education, land, industry, commerce and so on.

The very purpose of providing the safeguard in the Indian Constitution is to bring the Scheduled Caste and Scheduled Tribes at par with others. As earlier pointed out by Shri Buta Singh, it is not a matter of pity, it is not a matter of sympathy, it is a matter of their legitimate right. Why is it so? Having no fault of theirs but because of the Caste animus the Scheduled Castes and Scheduled Tribes have to suffer and remain aloof from the mainstream of the nation. Therefore, the forefathers of the Indian Constitution, particularly the Chairman of the Drafting Committee, Dr. Baba Saheb Ambedkar, took care of it. The very purpose of providing this safeguard is to bring them at par with others.

Sir, firstly, I will deal with the problem of Service matters. I am very sorry to mention that the Department of Personnel and Training has issued about 5-6 Office Memorandums. Therefore, in keeping with the spirit of the Constitution, they are quite derogatory and violating the spirit of the Constitution.

There was an order of the DOPT dated 30th January 1997, which relates to the case, the Government of India versus Virpal Singh. In that case, they mentioned that if a Scheduled Caste candidate is promoted to a higher post or grade earlier than his senior general candidate, thereafter the senior general candidate is promoted to the same higher post, the seniority of the senior general candidate be retained. It is nothing but snatching the seniority and promotion of the Scheduled Caste candidate by the general candidate.

While issuing that OM, the DOPT had forgotten the latest decision in this matter. This is nothing but going away from the safeguards provided in the Constitution. It is not keeping with the spirit of the judgement dated 7th May, 1997 in the matter of Jagdish Lal and others versus State of Haryana and

others.

Here it was observed that on promotion to the higher cadre the reserved candidates steal a march over the general candidates.

The second OM is dated 2nd July 1997 issued by the DOPT regarding the judgement delivered in the case of R.K. Sabharwal versus the State of Punjab as well as J.C. Malick versus the Ministry of Railways. But, conveniently, they have forgotten the judgement that is relevant to the Scheduled Castes and Scheduled Tribes, that is, the case of R.K. Sabharwal and P.S. Gehlot. It observed that the Scheduled Caste and Scheduled Tribe candidates competing with general candidates, would be counted against the general posts and not against the reserved posts. The content of the OM is contrary to this judgement. Therefore, I urge upon the Government to withdraw that OM and issue a fresh OM, keeping in mind the content of the judgement.

Then, there is a third OM, dated 22nd July, 1997. That OM was issued on the basis of the Supreme Court judgement in the matter of Vinodh Kumar versus the Government of India. That OM stated that they had withdrawn the relaxation, concessions etc. This point was dealt by Shri Ram Vilas Paswan. In addition to this, I want to say that you have to see the standard of evaluation of the performance made in favour of the Scheduled Castes and Scheduled Tribes. Therefore, the OM, dated 22nd July must be withdrawn.

There is another OM, dated 13th August, 1997 of DOPT. It contented that the existing reservation in promotion is up to the lowest rung of Class-I and not beyond that. This is contrary to the spirit of Article 16 (4A) and this decision was taken by this august House through the 27th Amendment of the Constitution. What right has the DOPT got? This is derogatory to the decision of Parliament. The entire Parliament ought to have taken cognizance of it. Why should DOPT take such decision which is contrary to the decision of Parliament? I, therefore, urge upon the Government to withdraw the OM and honour and 77th Constitutional Amendment made by this august House by unanimously. Please do not allow the DOPT to ignore this decision of Parliament.

Another OM, dated 29th August, 1997 of DOPT stated that special recruitment drive cannot be continued even to clear the backlog vacancies. They want to stop the reservation policy but at the same time, the DOPT has ignored the judgement in the case of Post-Graduate Institution of Medical Education and Research versus K.L. Narsimha. The judgement says that the filling up of backlog vacancies by special recruitment drive is not by violating the principle of carrying forward backlog

vacancies within one year and within the 50 per cent quota. Hence, I would request that this OM ought to be withdrawn.

As I have mentioned, of course, unofficially, the Action Taken Report was published. But it is an insult to this House that it has not been laid on the Table of the House. Anyhow, what is their argument? Their argument is that it relates to the judgement of the Supreme Court saying that was the law of the land, because it is a precedent created by the Supreme Court. At the same time they are going out of the spirit of the court's judgement. A valid point is whether the decisions taken by the DOPT or even by the court, are within the purview of the Indian Constitution.

If these O.Ms of the DOPT violated the spirit of the basic structure of the Indian Constitution we, the sovereign Parliament, should not allow its encroachment. I, therefore, suggest that we should have a comprehensive enactment by Parliament which should be put in the Ninth Schedule stating therein that it would deal with the problems of Scheduled Castes, like initial recruitment, reservation, reservation in promotions carrying forward and clearing of vacancies and other allied matters like training, transfers deputation etc. Also the concerned officer should be made accountable. They should not take their decisions according to their whims or act whimsically with a caste bias towards the Scheduled Castes and Tribes. I urge upon the Government to have a comprehensive legislation in this respect.

This has also to be incorporated in the comprehensive Act on reservation providing therein reservation in Defence service and Judiciary as earlier mentioned by my friend. Generally the Unions or Associations of the Scheduled Castes and Tribes are not accorded recognition. Therefore, they go to their authorities to establish their claim that they are acting with a social purpose and that the attitude of the trade union is indifferent. The various departments should come forward and such an association or organisation of SC/ST employees should be recognised immediately.

As earlier mentioned by Shri Raja, my colleague and supporter of the Motion moved by Shri Ram Vilas Paswan, we have to see the nature of the atrocities. Today in the Press it has been mentioned that one girl has been molested by the BJP MLAs in front of certain MLCs, that too in a temple. Of course, I do not know the correct facts. But whatever it may be, the occurrence of atrocities stated by them has to be investigated.

SHRI T.R. BAALU : It is totally wrong. You have not understood what I have said.

SHRI R.S. GAVAI (Amravati) : Let us forget the incident. Recognising the nature of the atrocities what should the Government do? There is an Act, Prevention of Atrocities on Scheduled Castes and Tribes Act.

AN HON. MEMBER : Civil Protection Act.

SHRI R.S. GAVAI : No, no. That is different. I am talking of the Prevention of Atrocities on Scheduled Castes and Tribes Act. What is the net result? The net result is that a Sub-Inspector of Police has to take cognizance of the atrocities and frame a charge-sheet. I, therefore, say that special courts have to be set up to conduct summary trials and to take decisions very promptly.

17.00 hrs.

Now, I come to the Report of the Scheduled Castes and Scheduled Tribes Commission. If you refer to article 335 of the Constitution, it says that it is incumbent on the part of the Government and the hon. Speaker to lay such reports on the floor of the House. Those Reports should be discussed. It is a very sorry state of affairs.

My hon. friend, Shri Buta Singh has got the Action Taken Report. I do not know how he has got that Report. He is an influential man. I am a poor man. How can I get the Report? But I have gone through the Report. It is a shame on our part that the Report is published, sent to the library, without laying it on the Table of the House. It is an insult of the House. This Report ought to be discussed.

The Reports of the National Commission on the Scheduled Castes and Scheduled Tribes are not being discussed since last ten years. The legitimate right of the Members to lay the Report on the Table of the House and to have a discussion is not being done by the Government.

17.01 hrs.

[SHRI RAGHUVANS PRASAD SINGH *in the Chair*]

The hon. Minister of State of the Ministry of Social Justice and Empowerment is not present here. She ought to be present here. I hope she will come later on. I will talk about the matter which relates to the hon. Minister of State, Shrimati Maneka Gandhi later on. At the same time, I will urge upon, through you, the Government that an impression should not be created in the minds of the Scheduled Castes and the Scheduled Tribes that their rights are being ignored.

In the era of land reforms, what about the tenancy, land ceiling, and the lands allotted to the poor people? Some of our Government servants here in the lobby met me and handed over their representations. They said that lands were allotted, *pattas* were released, and they were snatched away.

[Shri R.S. Gavai]

We have to strive to bring the Scheduled Castes and Scheduled Tribes on par with others. Therefore, they must be allowed to enter the fields of commerce and industry in order that they can become financially sound. There is no scope for them to enter the judiciary. Within the purview of the Constitution, justice should be rendered. There is no reservation in judiciary. It is a monopoly of particular caste. Why? There should be a fair deal to the Scheduled Castes and Scheduled Tribes also.

I want to conclude my speech. The hon. Minister of State is not present in the House. I think, probably, somebody may convey her my feelings. She is the Chairman of Dr. Baba Saheb Ambedkar Foundation. The schemes formulated by the Foundation are worthy ones and they are meant for the benefit of the Scheduled Castes and Scheduled Tribes. But the bureaucrats of the Department are creating day-to-day obstacles in the day-to-day affairs to the Dr. Baba Saheb Ambedkar Foundation. There is a caste-based attitude of the bureaucrats that they do not want the Baba Saheb Ambedkar Foundation to survive. They cut the fund allocation, spoil the scheme and spoil the minds of the Ministers also. Of course, I will have an occasion to discuss it. I happened to be a Member of the Foundation. A meeting was fixed for 10th August, but because of the advice of the bureaucrats, the meeting was postponed. They were scared that if the meeting takes place and if their attitude was known, then they are likely to be punished. That is why, the meeting was postponed.

PROF. JOGENDRA KAWADE (Chimur) : The photo of Dr. Baba Saheb Ambedkar is being removed from the office of the Foundation.

SHRI R.S. GAVAI (Amravati) : My hon. friend has told that the photo of Dr. Baba Saheb Ambedkar has been removed from the office of the Foundation. It is probably from the office of the Ministry of Social Justice and Empowerment and not from the Foundation....(Interruptions) This information was recently given by the hon. Member of this House.

As stated by Shri Ram Vilas Paswan, the name of the Ministry has also been changed. Earlier, it was known as Ministry of Welfare and now, it is called the Ministry of Social Justice and Empowerment. Now, it is a very sorry thing that the Department which is supposed to be the caretaker of the Scheduled Castes and the Scheduled Tribes and to render social justice is doing injustice towards the Scheduled Castes and the Scheduled Tribes.

17.06 hrs

[SHRI P.M. SAYEED *in the Chair*]

I urge upon the Government, the Prime Minister, and Shrimati Maneka Gandhi, the Minister of State of the Ministry of Social Justice and Empowerment to take cognizance of this issue. I also request all the Members of Parliament in general and Members belonging to the Scheduled Castes and the Scheduled Tribes in particular, to be very alert, to take cognizance of the attitude and to take to task whomsoever does anything wrong.

Sir, I am thankful to you for having given me the time.

SHRI T.R. BAALU : What about the decision regarding discussion on Jain Commission Report?

MR. CHAIRMAN : Please wait. They are discussing the matter.

[Translation]

SHRI RATILAL KALIDAS VARMA (Dhandhuka) : Mr. Chairman, Sir, we are discussing the issue of SCs and STs under rule 193. All of us know that if India's economy is based on caste system. The social system of the country would have remained on caste-system.

Today the worth human being is based not on his deeds but on the basis of his caste. Rights are conferred and snatched on the basis of thousands year old traditions. One is respected and abused on the basis of one's caste. Similarly suppression of rights is based on the basis of caste. People become educated or uneducated on the basis of caste. We have seen that one's status is considered in society on the basis of his caste. This system is thousands of years old and even after the lapse of so many years the SCs and STs are deprived of their rights. They could not reach there where they should be.

As far as literacy is concerned, according to the census of 1991 the number of SCs was 13.82 crores. Out of them the number of men and women was 7.70 crore and 6.12 crore respectively. The number of STs was 6.77 crore and among them 3.33 crore were male and 3.44 crore were female. You will be surprised to know that among them 16.49 percent of SCs and 8.1 per cent of STs were educated. If the SC and ST had got proper education, the situation would not have been so bad. Many members said that the reservation for ten years is not yet completed. Even after fifty years of independence no one from these categories has reached upto the level of secretary in any department. Even quota of Class II posts have not been filled up. Reservation is filled

up only in Class-IV posts. Except that reservation quota is not filled up in any other category. I belong to the state of Gujarat. Gujarat has made some progress in this regard. 61.07 percent among SCs are educated and in this regard Gujarat's position is IV. At the top of list are Kerala, Daman and Diu, Mizoram and Dadra & Nagar Haveli respectively. Though a bit of work has been done yet tyranny is there. Education is more widespread in the South but the Dalits are still in trouble. My predecessor spokesman raised the voice of victimization of the SCs and the STs in South. I want to state about Madhya Pradesh. In Chandrapur village of Madhya Pradesh a person named Dinkushoram stood against a landlord. That person raised the question of trust of temple because the landlord was misusing the temple's land. As a result thereof his son was beaten so much that he lost his eye-sight. In the same manner an eye of a five-years old girl was gauged out by her teacher because she used that glass of water to drink which was kept there for the children of upper castes. In Mitlapur village of Thewar district in Tamilnadu when a journalist asked an eighty years old woman she replied as to why were they born. She is an eighty year old woman who used to say that they are denied to take bath in ponds. Neither they can water from the wells nor can enter temple in the villages. Besides this, they can not stand up under the sheds at bus-terminals. Such is the situation in the country after fifty years of independence. How miserable is their plight!

Sir, if you get an opportunity to go to these villages, your eyes would be full of tears to see their plight. It is true that the untouchability has come down in big cities. In big cities people are seen speaking English and in good attire but their condition is not good in villages even today. Social condition of women and victimization of the women have been discussed in this House. If you look into these incidents you will find that the victimised women were not from the upper castes but from the SCs and STs. These women are not getting any protection. In addition to this, Shri Ram Vilas Paswan informed the House as to how injustice is being done in promotional matters. An officer of All India Radio from Ahmedabad was transferred here, which is not proper...*(Interruptions)*

Sir, I wish to tell you that these people work in farms, factories and brick, kilns but they are not their owners. They drive tempos but are not their owners. They build multi-storeyed buildings but live in slums. They make cots but sleep on earth. The shoe-makers can not afford to have shoes. They walk bare-footed. The weavers can not cover their bodies...*(Interruptions)* I have already said that there is a bit change because of reservation. But the required qualitative change has not yet taken place. The gap

between these classes should be minimised, but instead of minimising, it is increasing day by day. Even after such an inequality the Dalits did not changed their religion. They did not conspired with the foreign countries. They are ready to die for the country. No Dalit became either a terrorist or an extremist. Besides this, they did not become land-mafia or aggressor. They are not NRIs. They do not have money in foreign banks. They never revolted against their country. They devoted themselves continuously to the service and building of the nation. Even then other classes do not have that feeling and love for them which they deserve.

Sir, I am glad to say that now Bhartiya Janta Party is in power Hon. Atal Bihari Vajpayee is the Prime Minister of the country. He was awakened the faith of the SCs and STs of the country and because of that faith the Dalits have got hostel facility. Fund has been allocated for building hostels. If prior to it, attention had been paid to primary schools, the situation would not have been so bad. The situation is so bad only because of very low rate of literacy. Employment has been promised to lakhs of people. In Gujarat, it has been decided to give bicycles to all the young men and women of SCs and STs to help them in their studies. 50 per cent of them have been provided bicycles but they plan to give it to all of them.

Sir, I thank you very much for the time given to me. The time limit should be increased as I have not delivered my full speech. Even then, I conclude for the respect to the Chair.

(English)

SHRI BAJU BAN RIYAN (Tripura East) : Sir, thank you for giving me the opportunity to speak on the problems of SCs and STs in the country. We are discussing the problems of the 22 per cent of the population of this country. If you go through the history, the Scheduled Tribes and Scheduled Castes were agriculturists or agricultural workers. But after 50 years of independence, most of the cultivable land has gone out of their hands. Now, they have no land to cultivate. Most of the people have to depend on the forest of this country. In the North-East, the tribal people practice high land cultivation. They need forest for high land cultivation. But the forest are is decreasing day-by-day. The availability of plain land for the tribals of North-East is very less. Therefore, their life is worsening day-by-day. Of the people who are living below poverty line, the majority of them are tribals. The Central Government as well as the State Government have formulated many schemes to uplift their economic standard. But I have a doubt that either these schemes are not being implemented properly or these schemes are not successful.

[Shri Bajju Ban Riyan]

It is seen at the end of every financial year that a large portion of the funds allotted by the Central and State Governments for this section of the people remains unspent. In this way, the effort to uplift the tribals and the Scheduled Castes in terms of their social and economic lives has been frustrated. It is not that the problems of the Scheduled Castes and the Scheduled Tribes are not known. The Government knows their problems. Many committees, both at the Central and State levels, were constituted and many valuable recommendations are available now. But if we examine as to how many of those recommendations were implemented, then you can see that most of those recommendations have not been taken into consideration or implemented. Therefore, the condition of the tribals and the Scheduled Castes is very bad.

As per the Constitutional provisions, both Central and State Governments give some reservation for the Scheduled Castes and the Scheduled Tribe candidates. But in all the departments, there is a backlog. I am not talking about Class I or II, but even in the case of Class IV, where a lower qualification is required, the quota has not been filled up. We have a Parliamentary Committee on the Welfare of Scheduled Castes and the Scheduled Tribes. This committee examined the public sector undertakings and some Government Departments, and found that not even in a single case, they have filled up the quota 100 per cent.

Sir, the tribal people depend on the forests and there is scope to collect minor forest produce. At present, in most parts of the country, they are not allowed to do that.

In the Sixth Schedule of the Constitution, there is a provision for the Scheduled Castes and the Scheduled Tribes to constitute Autonomous District Council. In the North-Eastern part of our country, that is, Assam, Mizoram and Tripura, it is being implemented. I urge upon the Government to uplift the lives of the tribal people. Enough funds should be given to the Autonomous District Councils so that they could run smoothly. In some States like Bihar, Madhya Pradesh and in some other parts where there is a concentration of tribal population, the Central Government should constitute Autonomous District Councils under the Sixth Schedule of the Constitution.

[Translation]

SHRI SATNAM SINGH KAINTH (Phillaur) : Hon. Chairman, Sir, I am grateful to you for giving me an opportunity to speak on the problems of Scheduled Castes and Scheduled Tribes. Shri Ram Vilas

Paswanji and other Members have highlighted the problems of Scheduled Castes and Scheduled Tribes in detail. I do not want to repeat it. Today after looking at the injustice and atrocities being committed against the people of Scheduled Castes and Scheduled Tribes, it can be said that -

"Hadase itne hain wastan mein,
Apne Khoon se chhap kar akhbar nikal
sakata hai,
Tum to thahare hi rahe jheel ki tarah,
Dariya bankar nikalte to bahut door nikal
sakate the."

Even after 50 years of Independence it seems that economic and political condition of the people belonging to scheduled castes and scheduled tribes is so bad that no where in any other society are such sufferers in the world whether it may be a matter of justice or atrocities. Such incident take place with these people only. These people always remained dependent at the mercy of the successive Government. Programmes should be prepared for their welfare. Their standard of living should be determined on the basis of their income. In this regard, all political parties should change their attitude. They are required to change their thinking. Dr. Ambedkar Saheb had said :

[English]

"You must fight for your right to lead to life of dignity. If you cannot revolt against injustice and inhuman treatment, it is better you die before you see the brutal killing of your father raping of your sister. You can get your salvation only when you revolt with all resources and power at your disposal to put an end to the atrocities of the so called higher caste people."

[Translation]

My colleagues have said here that justice is not being done with the bureaucrats belonging to these castes. Land bureaucracy, oil, commerce and industry are five sectors required for the progress of any community. When we have look on these sector we find that their share is negligible. Everywhere, our public sector is a failure whether they are schools, colleges or industries. Reservation is a must for Scheduled Castes and Scheduled Tribes in private sector so that they may get employment opportunities. Prof. Bodsanki was a great economist of America. He carried out a comparative study of Japan, England, America and India. He concluded that so far as natural resources, manpower and raw material is concerned, India is richest in the world. Even than India is a poor country. He had written a book in this regard also. He said that -

[English]

"If it were possible to transfer overnight all the factories in Pennsylvania and Ohio without changing the attitude of the people, the country would be as it is now even two decades later."

[Translation]

Unless we do not bring change in their plight, they will not get opportunity to come forward. It is necessary to clear the backlog in services and enacting a reservation act on all India level for this purpose is needed to solve the problems of Scheduled Castes and Scheduled Tribes. It should be done. Persons involved in the incidents of atrocities being committed against Scheduled Castes and Scheduled Tribes should be severely punished.

Today, people belonging to various political parties use to say that they are not against reservation but it should be based on economic line. Thinking of such MPs and other people is not in favour of Scheduled Castes and Scheduled Tribes. Social and political structure will collapse such situation prevails in the country even after 50 years of Independence. Now, people of the country are awakening. People of weaker sections are organising themselves. All parties should work for their welfare cutting across party line. Steps should be taken in the right direction to solve the problem of these people. Bureaucracy and political set up is required to be strengthened. With these words, I conclude. Thank you.

SHRI JANG BAHADUR SINGH PATEL (Phulpur): Hon. Chairman, Sir, associating myself with the views expressed by Shri Ram Vilas Paswan, I would like to say something about the atrocities being committed on Scheduled Castes and Scheduled Tribes.

Mr. Chairman, Sir, though, a number of incidents of atrocities on scheduled castes take place but a few days back, a matter was raised in the Lok Sabha in which on transfer of a judge belonging to Scheduled caste from Allahabad, his reliever got his seat washed with the Ganga river water. Similarly, employees belonging to SC of a branch of Union Bank situated in Allahabad, had displayed a portrait of Baba Saheb Ambedkar in their office which was removed forcibly by the Manager of the branch. Thus, atrocities are committed against the people of Scheduled Castes all over the country. The number of such incidents are so high that some of them are published in the newspapers but many of them remain unreported. Some people fear to report the matter to the police because police torture them more instead of helping them.

Mr. Chairman, Sir, through, 50 years have passed since we got Independence but the people of Scheduled Castes and Scheduled Tribes and depressed are helpless and slave. What can be done for their independence? Baba Saheb Ambedkar struggled for his entire life for the upliftment of Scheduled Castes, Scheduled Tribes and dalits. He emphasised the need of educating the people of Scheduled Castes and Scheduled Tribes to get rid of slavery and helplessness which is an instrument to take that struggle ahead.

Mr. Chairman, Sir, I would also like to speak in brief on the anomalies among Scheduled Castes. There are some castes in Uttar Pradesh and Madhya Pradesh which come under Scheduled Caste in one State but these castes come under Backward Class in the another state if a caste comes under Scheduled Caste in the another. As per the Act regarding atrocities against scheduled Castes and Scheduled Tribes people belonging to Dhobi caste in Madhya Pradesh come under Backward Class but the caste 'Kumhar' in Uttar Pradesh comes under Backward Class. Allahabad district of Uttar Pradesh and Reewa district of Madhya Pradesh are neighbouring districts. If a person of Kumhar caste beats up a person belonging to Dhobi caste in Allahabad district, he will be challaned under Scheduled Caste Act and if any person of Dhobi caste beats up the other belonging to Kumhar caste, action will be taken against him under Scheduled Caste Act too.

My submission is that the Scheduled Castes, Scheduled Tribes and Backward Classes may be earmarked again all over the country and reservation may be given on the basis of uniformity. I would like to refer to some office Memoranda issued on 30.1.97, 27.7.97, 13.8.97 and 29.8.97 by which reservation and promotion have been restricted for the persons belonging to Scheduled Castes and Schedule Tribes. A letter has been sent to the hon. Prime Minister to withdraw the restriction by the Scheduled Castes and Scheduled Tribes Commission. I would like to request the Government that action must be taken in this regard. Thank you.

KUMARI MAYAWATI (Akbarpur) : Hon. Chairman, Sir, after formation of Bhartiya Janata Party Government at Centre for the first time discussion is being held in Lok Sabha under rule 193 over the problems of Scheduled Castes and Scheduled Tribes. But I regret to say that hon. Prime Minister and Home Minister are not present in the House at this moment. It seems that present Union Government led by Bhartiya Janata Party is not taking the problems of Scheduled Castes and Scheduled Tribes seriously. The problems of Scheduled Castes and Scheduled Tribes are numerous social financial or political fields. Taking social aspect, I would like to raise my

[Shri Kumari Mayawati]

point that there was Manuwadi system in the country. The social system of this country was formed on Manuwadi system, which was based on social inequality, due to which the people of Scheduled Castes and Scheduled Tribes were treated as slaves and helpless at every stage of life. But our great leaders made untiring efforts time and again to make these people self-dependent and to get rid of this Manuwadi system. Mahatma Jyotirao Fule, Baba Saheb Ambedkar, Chhtrapati Shivaji Maharaj and Periyarji dedicated their lives for the upliftment of these people. For the efforts of these great leaders the people of Scheduled castes and Scheduled Tribes got some respect. But I regret to say that discussion is being held in the House over the problem of the people of SCs and STs for whom these great leaders had done so much. These great leaders struggled time and again for the upliftment of the people of Scheduled castes and Scheduled Tribes.

Mr. Chairman, Sir, Lucknow is the capital of Uttar Pradesh which is the biggest state of the country. Bhartiya Janata Party is ruling in Uttar Pradesh. I would like to make this House aware of the fact that these great personalities are being insulted grossly in Lucknow, the capital of Uttar Pradesh. I am ready to face any punishment if I am telling a bit of lie. Hon. Prime Minister is a Member of Parliament from Lucknow. Sir, there is a Hazartganj Chauraha at Lucknow where a statue of Baba Saheb Ambedkar is installed on one side and a statue of Mahatma Gandhiji is also installed near to it. At some distance Begam Hazarat Mahal Park is situated and a statue of Netaji Subhash Chandra Bose is installed there. Parivartan Chowk is situated near the statue and if we go ahead from there, there is Lakshman Park. When our party was in power in Uttar Pradesh no discrimination was done to any of these great leaders. We gave equal respect to them but I regret to say when the BJP came to power there, there is no light at the statue of Babasaheb Ambedkar whereas light remains from Hazaratganj Chauraha upto the statue of Mahatma Gandhi. Light remains at the statue of Netaji Subhash Chandra Bose but there is no light at Parivartan Chowk. Construction work of a very big park involving the cost of Rs. one hundred crore in the memory of Babasaheb was started which was stopped by the BJP Government. Leaders of BJP claimed that they were not against Babasaheb. 14th April was the birth anniversary of Babasaheb. The statue of Babasaheb is installed in the lawn of the Parliament House. The main gate of the Parliament House is opened for the people for having a glimpse of the statue on 14th April but it is sad that people were not allowed to enter the garden constructed after the name of Babasaheb in Lucknow on 14th April. There was no lighting arrangement in

the garden and at Hazaratganj Chauraha and near the statue of Babasaheb.

Mr. Chairman, Sir, my submission is that such great personalities are being insulted at the place from where the hon. Prime Minister has been elected and such a great personality is being insulted who was the founding father of the constitution of the country and struggled for the upliftment of weaker sections...*(Interruptions)*

He is being insulted.

[English]

MR. CHAIRMAN : Dr. Shastri, please do not interrupt. We do not have time.

[Translation]

KUMARI MAYAWATI : Mr. Chairman, Sir, through you, I would like to tell this House that as far as the question of injustice and atrocities are concerned, law is there to curb it but it seems that the Government does not want to implement it. Government enacted Scheduled Castes and Scheduled Tribes (prevention of atrocities) Act to prevent injustice and atrocities but it has not been implemented in a proper way. I think that the persons doing injustice and committing atrocities on SCs and STs can be dealt with under this Act but it is a matter of great concern that it is not being properly implemented. I would like to tell this House in Uttar Pradesh the BJP after coming to power issued a G.O. to make this Act ineffective and atrocities against the people of Scheduled Castes and Scheduled Tribes were going on.

Mr. Chairman, Sir, G.O. has not been issued about some other so called acts like gunda Act, MSA and gangster act under which the people of Scheduled Castes and Scheduled Tribes are falsely implicated. Consequently, atrocities on the people of SCs and STs have again started. It, apparently, shows the intention of the BJP Government.

Mr. Chairman, Sir, not only this, the Government of India made a provision to disburse the land to the landless people and some land was allotted to them but allotment was made only on papers. The land was not actually disbursed to them. I would also like to raise the issue of reservation 50 years have been passed after we got Independence but the reservation quota for Scheduled Castes and Scheduled Tribes has not been filled up till date and backlog but the intention of the Government is not good. When our party was in power in the Pradesh, we made all efforts and started special drive to clear the backlog but the leaders of all other parties did not like it. They only talk about reservation for

Scheduled Castes and Scheduled Tribes but the fact is that they do not want to give reservation. All the parties talk about reservation to SCs and STs but actually they are against it.

Mr. Chairman, Sir, several provisions have been made in the Constitution of India to make the people of Scheduled Castes and Scheduled Tribes self reliant and to stop injustice and atrocities being committed on them but the people who implement them are not honest. While submitting the constitution of India to the first President of the country Dr. Rajendra Prasad, Dr. Babasaheb Ambedkar said that the finest constitution of any country could be ineffective if the implementing authority is not honest and it can be proved as worst.

Mr. Chairman, Sir, at present the Government is not implementing the provision of the Constitution made for the welfare of Scheduled Castes and Scheduled Tribes properly as a result there, they are suffering a lot. All provisions for facilities, made by the Government are only on papers and practically, they are not being implemented. If these provisions are actually implemented, I think all the problems of these people can be solved.

Mr. Chairman, Sir, there are many employees belonging to Scheduled Castes and Scheduled Tribes in this Parliament itself who have not got justice due to which reservation quota has not been fulfilled. Many employees belonging to Scheduled Castes and Scheduled Tribes met me in the Parliament House itself who told me that their promotion was marred by spoiling their character roll. Thus, the progress of the people of Scheduled Caste and Scheduled Tribe is obstructed. Unless the intention of those who implement the law is honest they cannot get its benefit.

Mr. Chairman, Sir, we have got reservation because of the efforts made by great persons. I would like to submit that had Babasaheb Ambedkar not made provisions for reservation in the constitution, the people of Scheduled Caste and Scheduled Tribe would not have got opportunities to be appointed as IAS and IPS officers. Today, despite the existence of laws, after qualifying the IAS and PCS examinations, people of Scheduled Caste and Scheduled Tribe do not get those posts which they deserve as per their seniority and they are compelled to hold lower posts only. Same situation is there in judiciary and universities. Reservation quota has not been fulfilled anywhere. In every department and Ministry, step-motherly treatment is meted out to the people of Scheduled Caste and Scheduled Tribe.

Mr. Chairman, Sir, with your permission, I would like to raise one more issue. From political point of view, Members belonging to Scheduled Castes and Scheduled Tribes are elected from each party but

attention is not paid to their interest. When the issue of their interests is raised nobody comes forward to support them. Through you, I would like to tell the entire House that at the time of introduction of Reservation for women Bill, when I demanded for making provision for reservation for women belonging to Scheduled Castes, Scheduled Tribes, Backward Class and Minorities, many Members of Bhartiya Janatas Party i.e. ruling party belonging to Scheduled Castes, Scheduled Tribes and Backward Class appreciated my demand. But when I asked them as to why they were not supporting me, they told that they were helpless.*

I would like to submit that unless the Members of Parliament belonging to Scheduled Castes and Scheduled Tribes work cutting across party line, they cannot do any work for upliftment of their community...(Interruptions) We will have to rise above party lines...(Interruptions). Though, the facts which I have put forward through you, may be bitter...(Interruptions). Until the Bhartiya Janata Party is in power...(Interruptions) Interests of the people of Scheduled Castes and Scheduled Tribes will have to be promoted. With these words, I conclude. Thank you for giving me time to raise my issue...(Interruptions)

DR. BIZAY SONKAR SHASTRI (Saidpur) : Please ask her to withdraw her word...(Interruptions)

[English]

SHRI TAPAN SIKDAR (Dumdum) : Sir, she used to words. This is unparliamentary...(Interruptions)

[Translation]

SHRI K.D. SULTANPURI (Shimla) : Mr. Chairman, Sir, I am grateful to you for giving me the opportunity to speak. My colleagues dwelt at length on the issues pertaining to the SCs and STs. However, I would like to make few submissions. In jobs the backlog of vacancies reserved for them has not been filled up. I too was the Chairman of that Committee. As the Chairman I toured the whole of India and found that in all the Departments the reserved vacancies had not been filled up. I would like to submit that you come from a good family and also have the rational way of thinking to make the nation progress. I would like to urge you to pay special attention towards this aspect and make all out efforts for filling up the backlog.

I would like to speak about judiciary also. I support the submissions of hon. colleagues in this regard. It is correct that the number of judges right from lower court upwards to the Supreme Court is abysmal. I would like to submit that when

* Expunged as ordered by the Chair.

[Shri K.D. Sultanpuri]

constitutional provisions exist then the quota should be filled up. A time bound programme needs to be chalked out for filling up the quota. If it is done then I would consider it to be the biggest achievement of the Government and shower provision it too.

The hon. lady Member spoke at length about UP. I would like to say that even in UP. Your party was in alliance. In UP Rakhis were sought to be tied on the wrists of the upper caste by the people of SCs and STs so that was the fault of SC/ST? Therefore, excesses should be stopped. At present injustices are being inflicted upon the SC/ST. In banks, railways everywhere they are being subjected to injustices. A short while ago Shri Ram Vilas Paswan said when he was the Minister in right earnest vacancies were being filled up. Now Shri Jatiji is the Minister in charge, but he is also the Minister of Labour. He listens to the grievances of the labourers going out of the country. Newspapers are daily reporting about the atrocities being committed on women and particularly upon the women of the SCs. I was stunned when a Harijan girl of around 25 years of age walking on a road in Himachal Pradesh was waylaid and tied to a tree and raped and in the end doused after sprinkling kerosene. It is the only incident which took place in Himachal Pradesh. In Delhi, Maharashtra, UP and in other States newspapers report that excesses are being committed upon women and most of them belong to SC/ST. I would like to submit that special attention needs to be paid towards their education and particularly of the girls. Our children should be admitted in schools so that they became aware of their rights.

Reporters of the Parliamentary Committees, commissions or any other report is rarely discussed in the House. For the first time discussion is being held, but the time allocated is less, not the whole day. Member of only one party should become the Ministers because some are unnecessarily praising Shri Vajpayeeji seasoned deserving Members of Harijan community should be inducted into the cabinet. How can the Government survive for long on the basis of borrowed strength. Implementation is faulty. The Governments should use its own wisdom. If the Government is not judicious then it would not last long. We had been watching for a long time. So, we pray to the God to give them a little wisdom. Shri Suraj Bhan, the present Governor of UP also drafted and presented a report and there are other reports too. In Maharashtra I witnessed a girl got her name registered in the list of SCs. That girl was not found capable there, but in Delhi even by not claiming the SC status got immediately selected. Such injustices should not be done to us. If the Sun says that it belongs to a particular caste then I would not have any objection. If it is imprinted on water that it is meant for only upper castes then I will accept the

arguments given in this regard. For the upliftment of the SCs, first of all the backlog needs to be cleared. Seats have been reserved in Lok Sabha, but not in Rajya Sabha. Seats in Rajya Sabha should also be reserved. I support the submissions of Shri Maheshwar Singh. In Himachal Pradesh 35 persons were killed and some of them must be from the SCs. We are going there. I think the whole nation is worried about them. Yesterday I told Shri Advani ji that there is the likelihood of disturbances and disturbances did take place and so many persons were killed. It is the first time that such an incident took place in Chamba district in Himachal Pradesh.

18.00 hrs.

I would like to urge the Government to pay special attention towards the development of the tribal area which fulfills the criterion of the STs area. Land title should be given to the poor who have been allotted lands. Land owners became affluent while the rest poor. Farmers of villages need to be provided adequate protection. We do not hope much this Government but if all the 18 parties...pressure then things will get moving, otherwise their agenda is totally different.

Trans Gori region is part of my constituency. Quar region bordering UP falls in district Sirmour. In that Hill area people in UP have been declared as ST but not in my constituency. People of UP have been included in HP and are called 'Hatti'. Mr. Minister when Shri Sita Ram Kesri was the Minister, we gave a representation to him and you too. Now the Legislative Assembly of HP has also passed a motion declaring it to be tribal area and conferring of all the rights of the tribals.

I would like to submit that the persons living across Gori in the Trans Gori region call themselves 'Hatti' and have got similar customs and rituals. All these are immigrants living in Sirmour and must be extended all the benefits which are given to the tribals by declaring them as tribals. It has been rightly commented upon that there is no uniformity across the states regarding inclusion of castes in the lists of SC/ST. Therefore, there should be uniformity in all the States in this matter. They need to be extended all the benefits as per the constitution. Violation of the constitution will not take the nation forward.

I thank you for giving me the time to speak. I am confident that this Government will not do anything as its days are being numbered. Therefore, I would like to request it...*(Interruptions)* However, I urge you to do the needful and earn accolades and good wishes of the poor.

With these words I thank you.

SHRI LALU PRASAD (Madhepura) : Discussion is not going on party lines. Many rounds have been

completed, but not a single name from R.J.D. or the Samajwadi Party has been called even though the names were furnished...*(Interruptions)* When were the names called?

MR. CHAIRMAN : Only RJD is to speak even though 2-3 times it was called.

SHRI LALU PRASAD : Many rounds have been completed.

MR. CHAIRMAN : Next chance is of RJD.

SHRI MULAYAM SINGH YADAV (Sambhal) : For time we have to fight it out. Is this the only way out?

MR. CHAIRMAN : No, it is not. There is no need for it. Shri Lalu ji, next his turn.

[English]

DR. BIKRAM SARKAR (Howrah) : Mr. Chairman, sir, the problems of the Scheduled Castes and Scheduled Tribes are discussed in all the Sessions of the Lok Sabha. It is a routine discussion. I had the unique opportunity of working in the Ministry of Home Affairs and the Ministry of Welfare as a Joint Secretary looking after the welfare of the Scheduled Castes and Scheduled Tribes. During the period, 1982-87, I had the opportunity of meeting the hon. Members of Parliament and discussed with them about the welfare of SCs and STs. Let us not go into politics and indulge in politics. Let us not divide the Scheduled Castes on the basis of political parties. The concern of the founding fathers of the Constitution was expressed in the debates in the Constituent Assembly. Since then, as I said, it is being discussed as a ritual. I say 'ritual' deliberately because the outcome of the debates, discussions, recommendations and suggestions or agreed recommendations for action remain totally unimplemented. We go back again to meet on another occasion to reiterate the whole thing.

Here after 50 years of Independence, we have come to meet and discuss the subject today. In a newspaper today, we find that a Scheduled Caste lady has been tortured, molested, and beaten up mercilessly by some of the so-called upper caste people. This is very sad.

I belong to a Scheduled Caste category. We do not want charity; we want our rightful claim to be established...*(Interruptions)* When I go into the educational or economic development or the aspect of abolition of untouchability, let me start with the last one. Even though Dr. B.R. Ambedkar was able to include in the Constitution of India some of the provisions for social education and economic development, including reservations in services and in Membership of Legislatures, during the last 50 years what we saw was that nothing much had been done to mitigate the plight of the weaker sections of the society.

Coming to the question of untouchability, 1950, the Constitution abolished the practice of untouchability in all forms. What we see even now is that untouchability is being practised in many parts of the country in covert or overt forms. It is very sad. This is known to everybody. This is being practised. There is a big hypocrisy that is going on in the country. What do we do about it? Is it the responsibility of the Members belonging to Scheduled Castes and Scheduled Tribes alone? Is it not a responsibility of all of us across the party lines? What are they doing here? It is being said that we should get ourselves integrated. Who will be integrated to whom? It is a mindblock of the so-called upper castes which is standing in its way. I am saying from my personal experience. I will give an instance. A relative of mine got a first class from an IIT. As his surname did not indicate that he belonged to a Scheduled Caste, the so-called upper caste people started discussing it. In any case, he was a topper. There was some sort of discussion about matrimonial alliance from his boss who was from a general caste. Later on, as he was working in a public sector undertaking, the public sector department wanted to know the position of the caste. When he mentioned that, the whole scenario changed. He was about to be thrown out of the service. I am saying this with a very heavy heart. I have felt many of these things. The attitude of the so-called upper castes has not changed. In certain areas, the so-called upper castes have changed for worse.

My friend was taking an umbrage because they have been treated as bounded labour. I reiterate that the Members belonging to the Scheduled Castes and the Scheduled Tribes of all the parties somehow should feel free to extend their voice and support even for the cause of the Scheduled Castes and the Scheduled Tribes. How can they do it? Even look at a Scheduled Caste constituency. I have come from a general caste constituency thanks to Kumari Mamata Banerjee. She has given that respect. But I have seen that more than 40 per cent belong to the Scheduled Caste category. So, it will be decided by the Caste Hindus as to who is a Scheduled Caste candidate who will come as a Scheduled Caste Candidate. This is the kind of things. This is the mistake that has been committed in the Constitution.

I would say with all humility that something has to be done about it. Otherwise, this will be completely in the hands of the so-called upper castes.

Snide remarks in universities and innuendos are used by the upper castes. Do you know about the Scheduled Caste and the Scheduled Tribe? It is 'Sone ka Jaat' and 'Sone ka Tukda'. This is being discussed all over the universities by the professors and the first-year students. This is the kind of thing that we have to face. What have we come to after 50

[Dr. Bikram Sarkar]

years of Independence? This is very sad about the attitude of the upper caste Hindus. When they find that their Scheduled Caste and Scheduled Tribe brothers and sister are improving their conditions educationally and economically, they are subjected to atrocities in the villages.

Extreme form of hostile attitude towards the Scheduled Castes and the Scheduled Tribes is manifested in the perpetration of atrocities on the Scheduled Castes and the Scheduled Tribes. If we look at the number of atrocities during the period 1981 to 1987, the figure was around fourteen to fifteen thousand per annum. But during the last few years, this figure has gone up by more than double. As reported in the Report of National Commission on Scheduled Castes and the Scheduled Tribes for the year 1996, it was more than 30,000. This shows the state of affairs in our country.

Sir, today I feel happy as an individual in the sense when this discussion is going on here, the hon. Minister is present and there is also some kind of an awareness in the House. During the period 1982-87, as a Member of the Executive, I saw that hardly some 20 to 25 Members used to be present when such a discussion was held in the House.

Sir, I would like to present some figures on employment in Group A, B, C and D services. This is very relevant. I have collected these figures from the Report of the National Commission on Scheduled Castes and Scheduled Tribes and also from the DOPT. In the Group A Central Services category, the representation of the Scheduled Castes is only 10.5 per cent, whereas it should have been 16 per cent. The position is still worse in Central Public Sector Undertakings. There it is little more than eight per cent. What is being done? This shows the mind-block of the authorities including the Ministers.

Sir, I would like to mention a very interesting thing. In Group B services, the percentage of employment is little better. It is 12.61 per cent. In Group C, it is 16.15 per cent and in Group D, it is 21.26 per cent. It is more than the percentage of their total population. But in case of the employees of the Group D categories, the moment they are posted abroad in the Indian Embassies, one finds that our friends belonging to the upper caste would have preferred their brethren to have gone over there. In percentage terms, it is just seven per cent. This shows the mind-block, the attitude and the hypocrisy.

MR. CHAIRMAN : Please conclude now.

DR. BIKRAM SARKAR : Sir, I would conclude within a minute. The percentage of persons employed as High Court Judges from the Scheduled Castes

and Tribes is almost negligible and, I think, there is no Judge in the Supreme Court from these communities at the moment.

Sir, in regard to economic development I would like to submit that it was Madam Indira Gandhi who thought seriously about it and formulated the Special Component Plan and the Tribal Sub-plan. This has been mentioned by my friend Shri Giridhar Gamang. It was mentioned then that they were not getting the amount that they should get. A Special Assistance Scheme was added to these Plans. This was purely and a cent per cent Central Plan. I was instrumental in getting about Rs. 900 crore for the Special Central Assistance Scheme for the Special Component Plan in the Seventh Plan. But unfortunately, last year the amount under the Plan was reduced by half. Whenever the question of economic development comes, the persons belonging to the Scheduled Caste and the Scheduled Tribes are the hardest hit.

MR. CHAIRMAN : Please conclude now.

DR. BIKRAM SARKAR : Sir, I would conclude within half-a-minute.

Sir, in regard to educational development, I would like to submit that in the Humanities faculty, 90 per cent of the seats have been reserved for the upper caste people. In the Science faculty, there has been a reservation of 94 per cent for the upper caste people. Why should they get it? They should not get more than their share of percentage. The representation of the Scheduled Caste and the Scheduled Tribe people, taken together, in the Science faculty is just 0.5 per cent. In the Humanities faculty it is just 1.2 per cent. The situation is despicable.

Sir, we say that we swear and are guided by the Constitution. We say that everything is in the hands of the Government and, we in the Parliament feel helpless about it. There are so many provisions in the Constitution.

Sir the amount of scholarship is inadequate. The amount is so meagre that it is just like giving to a beggar. The amount should be fixed based on the reality, as it is obtaining in the ground. Otherwise, if one has to spend Rs. 1,000/- and is provided with just Rs. 200/-, wherefrom would he or she manage the rest Rs.800/-? So, it should be realistic.

Sir, I would conclude by saying that we have got so many provisions but the problem arises, as has been rightly pointed out by Ms. Mayawati and many others, with the question of implementation, the mind to implement, and the Parliament should not feel so helpless about it. The National Commission on

Scheduled Castes and Scheduled Tribes is totally helpless. The kind of reports that it is giving and the kind of scanty respect that is being paid to it, show that we should not have it. So far as implementation or enforcement is concerned, I would request the Parliament to do something on its own.

[Translation]

SHRI PITAMBER PASWAN (Roserā) : Mr. Chairman, Sir, I thank you for giving me the time to speak.

We are discussing the victimisation of Scheduled Castes and Scheduled Tribes in the House even after fifty years of India's Independence. Certainly some persons have been elected to Legislative Assemblies and Lok Sabha and have also been selected for government services, but the condition of those living in villages and small towns has remained the same as it was before Independence. Even today, they are helpless and suffering a lot. No one can deny that they are being victimized in Manuvadi system. Whether it is an issue of the victimization of women or untouchability or the issue of entering in temples or insulting Dalit Officers- these kinds of victimizations are rampant. Many Commissions were constituted, policies and laws were framed to bring improvement in their conditions, but all such efforts went in vain. There is a proverb in our village- "The weaver knows where the shoe piches". Those persons who have been given the responsibility of improving their lot, do not have the first hand experience in this regard, do not belong to lower castes and have not witnessed their suffocation. Such people frame the policies for the upliftment of Scheduled Castes and Scheduled Tribes. So, it is necessary that everyone should work for the welfare of these people by rising above their self-interests and by coming out of Manuvadi thoughts. These people are victimized by those who work in Manuvadi system. It is ironical that some people from Scheduled Castes enjoy benefits by becoming leaders, but do nothing for their upliftment. People become hopeful when one of their fellow brother becomes a leader and think that there will be improvement in their condition. But, no improvement takes place. I would like to say that in the glitter of the city life he even forgets the place of his origin, then how can we expect from him that he will do something for the welfare of the Scheduled castes. Enjoying the benefits of reservation, he becomes a leader or an officer, but thinks nothing about the welfare of these people. So, one must differentiate between one's saying and doing. After getting the benefit of reservation and by getting high-ranking post he plans about the welfare of his family and children. He plans about getting his children admitted to Cambridge School where the children of big industrialists get educated. He will travel in a car

worth 20 lakhs. He will dress like a prince and live in grandeur like rich people. If we dress like that, then what is the difference between reserved category and general category of people. If they want to enjoy such life then I would like to suggest to those people that they instead of availing the facility of reservation they should join the ranks of general category to enjoy such life style. Moreover, in our Dalit society, the scheduled caste woman becomes very hopeful when her husband becomes a leader or a senior officer. When he acquires a senior post, his Dalit wife becomes very happy on being the wife of such a big leader. But she is greatly hurt when she is deserted by her husband. That poor Dalit lady is not destined to share those glitters of life and she again returns to her society. Here, they choose fashionable ladies as their wives. So, there must be transparency in political life. There must not be difference between saying and doing.

Sir, such persons when in power do nothing towards the upliftment and giving respect to Scheduled Castes and Scheduled Tribes and when they are out of power, they shed crocodile tears and it will not serve any purpose. So, I say "Navik Nao Majdhar Par Utare, Jab Navik he Nav Duboye To Usko Kaun Bachaye". (It is the boatman who takes you across the river but nobody can save a boat being sunk by the boatman himself). A large scale upliftment and emancipation of the Dalits took place in Bihar due to Lalu Prasadji who has done a lot for the upliftment and progress of the Dalits. He gave courage and good refinement to Dalits. The priceless mantra given to the Dalits by Babasaheb Ambedkar that the Dalits should be educated, organized and should do struggle, was proven to be correct by Laluji through his deeds in Bihar. He asked them to learn reading and writing and then only they be able to learn about their rights. They should fight unitedly for their rights. Today a sense of self respect has been created among them. There were hundreds of Jhonparis in Patna and people used to live in the Houses made of polythene there, Hon. Laluji gave respect to the Dalits by getting three-four storeyed buildings constructed for them. He gave love and respect to the children of the Dalits by visiting their homes even when he was the Chief Minister. He embraced all the scheduled castes including the Doms, Halkhors, Pasis, Dhobis, Mushars, Dusadhs ... (Interruptions) Chamars and Mehtars. People belonging to all classes were given representation in the state services. This miracle took place in Bihar where Laluji was in power. He has love in his heart for the Scheduled Castes and Scheduled Tribes, which BJP is lacking. The Dalits are being victimized in the rule of BJP. The women are being insulted and houses are being burnt in broad day light. People are being sacked from their jobs. The condition of Scheduled Castes and Scheduled Tribes is not good in BJP ruled states.

[Shri Pitamber Paswan]

Sir, in Maharashtra Dalit women are paraded naked. The statue of our Messiah of scheduled castes, Babasaheb Ambedkar is being garlanded with shoes. In U.P. when a judge, who was of a Dalit transferred his Chair as well as those occupied by him were washed with the water of the Ganges- it is a fact. As long as such attitude persists, it will continue to reflect the mentality of BJP. Sir, what is the use of making an appeal before a heartless ruler. The Government led by BJP, do not have any soft corner for the Dalits, the Scheduled Castes and Scheduled Tribes. They are not able to do anything. I conclude with these words.

SHRI HARI KEWAL PRASAD (Salempur) : Mr. Speaker, Sir, while depicting poverty in the country, late Vishwanath Singh Gawri had said in this House on the 2nd of June, 1962 that in Poorvanchal the people of the Scheduled Castes survive on the grains picked from the cow dung. Then then Prime Minister Respected Pandit Jawaharlal Nehru had made an announcement regarding the Constitution of Patel Commission on the basis of that depiction. The report given by Patel Commission for the development of those people has thrown in the waste paper basket. The discussion initiated by respected Ram Vilas Paswanji under Rule 193 on the subject of the Scheduled Castes and Scheduled Tribes is justified in the present context. I think that the feeling of untouchability in people's mind is due to the caste-system prevailing in villages. I think that due to the caste-system the upper caste people right from Delhi to Patna treat the Scheduled Castes and Scheduled Tribes as inferior which causes disputes.

I want to put up a question about bonded labourers. What is happening in a village in my Constituency. One Dalit took a loan of rupees two hundred but the money lender made an entry of 28,000 rupees against his name the loan increased upto 84,000. when the Dalit borrower's son told the money lender that he had already taken a goat the one thousand rupees as the interest for the amount of two hundred rupees from them then how come this amount had increased 84,000. Its repercussion was that his father was kidnapped. In an another case, a Dalit of the same village had taken a loan of Rs. 600, his son was made to work as a bonded labourer and 94,000 rupees was shown as outstanding against his name. In the same way, in entire country and specially in Purvanchal the houses and huts of the Dalits are registered in the names of the influential persons of the village. Everything goes smooth as long as he continues to be a bonded labourer, but the moment he refuses to do so, he will be got thrashed by the SHO and will be sent to jail by framing false charges against him. This system is still prevalent there. All these things

happen even when law and order exist in the country. Just now Mayawatiji was discussing the oppression of the Dalits, Backwards and Downtrodden people. At that time, there was a competition to install all sort of statues. Now-a-days, the Dalits are oppressed on the basis of their birth. The Constitution which was written by Babasaheb Bhimrao Ambedkar and under which we fought for our rights, was opposed by the upper caste people of the society, who follow that very Constitution. They say for the sake of saying that they feel pain for them. Whenever they think about them, they think that these people are inferior. It further increases their victimization. They are involved in false cases like rape etc. On paper, their number is shown as increasing in schools and colleges. There is competition for getting scholarships. The dalits are even murdered after being victimized.. We could not stop it even after 50 years of Independence. If any Dalit dies because of victimization and torture, then there should be a provision for giving a fixed amount as compensation to his family so that atrocities may be prevented. Law for stopping the victimization of Harijan is implemented in name only but many persons from upper caste victimize them. There is groupism in every village. Prosecution should be started wherever there is victimization of Harijans. The society is divided in two groups. Prosecutions relating to Harijan-victimization are initiated on the basis of the groupism of villages by vilifying the law in a wrong manner. Under it, a conspiracy to vilify the Dalits is hatched. I congratulate Kalyan Singhji for the initiatives taken in checking the cases of the victimization of Harijans through an Ordinance. He has initiated it to stop those people from filing cases on the basis of groupism in villages.

Mr. Speaker, Sir, reservation is on papers only. It is not implemented whether it is Delhi, Lucknow or Patna. In answer to my question regarding reservation in the Armed Forces the Minister answered that reservation is not implemented in Armed Forces. If we look into the matter in an impartial manner, we shall see that past Governments did nothing for them. We are partners in this Government. I would like to appeal to the Minister of Welfare, Government of India to take some steps to bring improvement in the condition of these classes of people. I would like to ask her if the prescribed quota for Dalits in Higher Posts has been filled up? If it is not, then there should be a provision to initiate the process of filling up that quota on a war scale. It will instil a sense of confidence in them that this Government is doing something for their welfare. Manuvadi system starts whenever steps are taken to improve the condition of scheduled castes and scheduled tribes. They start behaving on the basis of their caste. A sense of fear starts creeping in their minds that a son of a ploughman reached from

Lucknow to Delhi. How he managed to get a higher post? When we start thinking on these lines than it amounts to an insult to the Constitution, and it will ultimately result into making Dalits devoid of their rights. So, I demand that their quota in reservation should be filled up by removing their inferiority complex. Daily, we read in the newspapers headlines that in some or the other part of the country a woman is raped. If we go through the list, we will come to this conclusion that most of the women are from Dalit families. When the names of Dalit women figure, we should consider about its cause and the way to solve and check it.

Mr. Speaker, Sir, Governments come and go. We can not make improvements in the feelings of people by crying for the rights given under the Constitution. We will have to strictly follow the rights given under the Constitution. Until and unless a change of heart takes place and we start behaving with the people without considering whether they are poor or rich or belong to lower or higher strata or on the basis of their birth we become more human till then the victimization of Dalits will not cease. I demand from the Government of India and honourable Prime Minister to give scholarships to the families of those Dalits who get killed because of victimization. Although, on papers the process of giving scholarships exist and the State Government perform this task, but the funds meant for Dalits should not be misused. As far as the matter of giving reservation in jobs in any part of the country is concerned, monitored whether the filling up of quota is according to set standards or not. If it is not, then the names of those families doing bonded labour should be struck off from the records and their names should be included in the reservation list to provide jobs. If this process is adopted the Dalits will feel happy and they will consider it as their own Government. If it is not so and they are suppressed for long then it is but natural that a revolt will take place. All those people who are deprived of their rights will unite, irrespective of their castes and then revolt will take place.

Mr. Chairman, Sir, as a consequence of the discussion initiated by Shri Ram Vilas Paswan and other honourable members the Government should frame such policy and should give such instructions, by which the poor and Dalits living in jhuggis may get justice. I conclude with these words.

[English]

MR. CHAIRMAN : Shri Sode Ramaiah, have you informed the Secretariat that you were going to speak in Telugu?

SHRI SODE RAMAIAH (Bhadrachalam) : Yes. I had already given the name.

MR. CHAIRMAN : You kindly resume your seat. We will arrange interpretation. I will call you later.

Shri Buta Singh.

[Translation]

SHRI BUTA SINGH (Jalore) : Mr. Chairman, Sir, before I put up my views on the discussion raised by Shri Ram Vilas Paswanji, I want clarification before the House about a fundamental issue. The Department created to deal with the issue of SCs and STs, the nomenclature of the Ministry of respected Minister is Ministry of Social Justice and Empowerment, but we notice that we have been getting replies on this issue from the Department of Personnel and Training. For this all the SC and ST members of all the parties are agitated because.....

[English]

the Department of Personnel and Training is not the Department which should look after the problems of the Scheduled Castes and Scheduled Tribes. I have with me the Allocation Order of work to various departments.

[Translation]

The allocation of Department of Personnel and Training is... (Interruptions) Ram Vilasji and Gawaiji you too, please pay attention towards the allocation of DOPT because it is a fundamental question. I would also like to request the Hon. Minister to pay attention. It is written therein.

[English]

Item No.1: Reservation of posts in services for certain classes of citizens.

[Translation]

In this regard the Department of Personnel and Training thinks that the entire work related to reservation for SCs and STs is allocated to them. However, this is not correct because there are separate provisions for SCs and STs and backward classes in the Constitution. With all respect I have to say the DOPT is incharge of matters pertaining to Backward Classes and not SCs and STs so the Hon. Minister must classify it and take direct responsibility of it, because all the replies regarding reservations we have seen, are all coming from DOPT which is not correct and illegal.

[English]

They are not covered under the Constitution of India. Under the Constitution of India, it is very well

[Shri Būta Singh]

described that the welfare of the Scheduled Castes and Scheduled Tribes is covered under article 338 and the welfare of the backward classes is covered under a different article of the Constitution. Therefore, this very fine distinction has to be made. Otherwise, I am sure that the people belonging to the Scheduled Castes and Scheduled Tribes will never get justice from the Government; because the allocation is wrong as it is a misinterpretation by the bureaucracy.

Therefore, my humble submission to this august House is that we should not address the problems to the Department of Personnel. Luckily for me today, there is nobody from the Department of Personnel. As the hon. Members have pointed out, they are nobody. They are not connected with us. The hon. Minister is sitting here. I would like her to attend to all the problems that we are facing and also being posed by hon. Members from all sections of the House.

[Translation]

In this House, if there is consensus on any one subject, one class, one issue it is on the issue of SCs and STs and Hon. Members belonging to various parties of the forum prefer that there should be no discussions on party lines on this issue. Therefore, the points going to be raised today are those on which there is consensus and these only have been raised by my friends Shri Ram Vilas ji and Gawai Saheb. I would like the Government to issue an ordinance or an amendment so that this Department could be detached from DOPT and merged with the Department of Social Welfare.

After this I have to raise a basic point about reservation that it is commonly understood in the country that reservation should be given only in services. Apart from this nothing is given. What about the industries, land distribution, cottage industry, they have got nothing to do with reservation. It is understood that the Hon. Member who spoke before me said, keeping in view all these things. Shri Lalu Prasadji has opened new avenues for the people of SCs and STs also is totally correct. But today in this country reservation is meant only in Government jobs or certain categories. Just earlier an Hon. member of the Trinamul Congress was saying that the Public Undertakings of Government of India themselves are not implementing the reservation policy. There are a handful of public sector Banks in the Banking industry that implement the reservation policy. The largest Bank, the State Bank of India has put a ban on direct

recruitment. So I easily say that there is no reservation at all. If the reservation policy is being flouted by the Government of India's own Public Sector Banks then the responsibility for it rests with the Hon. Minister. She may issue orders for its implementation.

Mr. Chairman, Sir, one more basic thing I want to say that the SC and ST percentage in the country is till shown as 22.5, while our population according to the latest report, 1991 of the Census Commissioner is 25 per cent. The reservation benefit of 22 per cent which we are getting at present from the Government, is three percent less. The Constitution provides that according to the latest census the reservation policy should be implemented. The percentage of SCs and STs during the last 15-20 years has been about sixteen and seven respectively. If we go by this there has been a cut of three percent in the quota every year, because this Government is not implementing the reservation policy as per the latest census.

Another basic thing about which all have spoken and Gawai Saheb has also spoken, is that reservation policy still depends on the mercy of the Government and is implemented through Government orders. It has got no legal backing. A law was made in 1996 which also was passed by the Cabinet and that law was to be introduced in the House, too, but it was never introduced. Today, when we have demanded this, the Government has given a stock reply. Before you I want to read out a line of that reply. The SC, ST Commission sent a recommendation to the Government of India that the Bill which had been passed by the Cabinet be made an Act by getting it passed by the House so that the responsibility of reservation might be fixed through law. Once an Act is made any Department of Government of India, undertaking, State Government or any Council cannot ignore it. There is a provision in that law that if bureaucracy or even the topmost officials this to flout this law it will entail punishment. However, the reply of the Government, the reply of the Minister -

[English]

Action Taken Report on the Special Report of the Commission for Scheduled Castes and Scheduled Tribes.

[Translation]

makes us angry and we feel ashamed, as we are of the opinion, it is a deplorable decision of the BJP Government. What sort of a reply?

[English]

The enactment of the said draft Bill on Scheduled Castes and Scheduled Tribes comes under the purview of the DOPT.

[Translation]

Mr. Chairman, Sir, he simply dropped the name of DOPT and left it there. Hon. Minister perhaps you would not have read the action taken report. The last line of it is quite agitating for me. It states -

[English]

The Department of Personnel and Training is not in favour of enactment of this Bill. Is that the reply? This Bill is meant to cover the reservation policy. It is, at the moment, being governed by the Government Order. It has no legal sanction. We, all the MPs belonging to the Scheduled Castes and the Scheduled Tribes, cutting across the party lines, have unanimously resolved in our Forum in this regard. This Bill was also discussed and approved by the previous Cabinet. This Bill was to be brought before this House. But after the answer which has been given by the Hon. Minister in the Action Taken Report.

[Translation]

This has made it to be a non-issue. I would like to request the Hon. Minister to withdraw this ATR and discuss it in the Cabinet. We give you the last chance after which a massive movement will be launched in the country and this Bill will have to be passed in this House. So I request you to withdraw this ATR.

Mr. Chairman, Sir, besides this I would also dwell briefly on three or four points. In 1994, the Government of India had constituted a National Commission for Safai Karamcharies of India. It submitted two reports. Those reports are somewhere still gathering dust. You are aware that the lives of Safai Karamcharies in the country are still inhuman. Today the situation is such that the children of the Safai Karamcharies wake up in the morning to find that their mother and sister had already left for job at six or seven in the morning. There is none in the household to come for the child's bath, clothes, food and to look after him. The huts of the Safai Karamcharies are situated by the side of drains and when the children walk out, who do they meet to play with - they play with pigs and heaps of garbage.

Mr. Chairman, Sir, the Hon. Minister has all love for snakes, scorpions, cats, foxes, cows, horses and

all other animals. I request her to learn to love the off-springs of man also including animals so that the children of Safai Karamcharies who play in the morning with docile animals like pigs, may get some amenities as other urbanites get, and improve their lives. If you yourself wake up at six in the morning someday then please go to the Safai Karamcharies' colony and see how they play in the filth with the absurd or dirty animals. The ray of hope - that report which has been sent to the Ministry throws proper light and in accordance with the Constitution, you must take action on that report and place it on the table of the House.

Mr. Chairman, Sir, in the birth place of Mahatma Gandhi even today the Safai Karamcharies collect night soil with their hands and carry it on their head. It is a shame that even after 50 years of India's independence, Safai Karamcharies have to collect night soil with their hands and carry it on their heads. I want to apprise the House through you that Government of India sanctioned crores of rupees to Municipal Corporation of Delhi for construction of 20,000 houses for Safai Karamcharies, but MCD misappropriated that amount and the 400 houses that were built are now inhabited by animals. These houses are roofless, there is no source of drinking water, there is no electricity and there is also no provision of toilets. The crores of rupees given by the Government of India for constructing houses for Safai Karamcharies has been misappropriated by the BJP Government in Delhi and the Scheme to allot houses to Safai Karamcharies is yet to take some shape. Madam, the Government of Delhi is under your control. You do not need much time to ask them. You should ask for a report from the Municipal Corporation. What happened to the 20,000 houses that were to be constructed for Safai Karamcharies with the money of the Government of India?...*(Interruptions)* Chronology of atrocities is quite long. I would not be able to tell it in such a short time but I can read out the three or four lines referred to by the Commission on atrocities. A little while ago the Hon. Member who spoke before me said that two dalit women of a village in Rajasthan with their feet shackled and half stripped were hung from a tree. They remained in that position for six or seven hours...*(Interruptions)*. Today's *Hindustan Times* has published on its front page that -

[English]

"BJP workers beat up SC women. The victim says culprits threatened her for filing FIR."

[Shri Buta Singh]

[Translation]

What was the fault of the woman called Guddi Devi? Her fault was that she had gone to pluck some 'mehandi' leaves with the permission of the priest in Trilokpuri. A senior BJP leader Councillor Subhash Kohli and BJP election candidate Ram Charan Gujrati were present there. In the presence of both...(Interruptions)

SHRI VIJAY GOEL : You are not aware of the fact. There is no allegation against the two—neither of beating and nor of quarreling.

SHRI BUTA SINGH : It so happened to Guddi Devi in their presence...(Interruptions)

SHRI VIJAY GOEL (Chandni Chowk) : You please read the first line...(Interruptions). Why is he referring about those Members of the Corporation who are not present...(Interruptions)

SHRI BUTA SINGH (Jalore) : Mr. Chairman, Sir, the photo of Guddi Devi has been published ... (Interruptions)

[English]

MR. CHAIRMAN : He is only quoting.

MR. VIJAY GOEL : Sir, I am only correcting him.

MR. CHAIRMAN : Do not correct him. He is quoting from the newspaper.

(Interruptions)

[Translation]

SHRI VIJAY GOEL : They do not live in Delhi, I have verified the facts...(Interruptions). The leaders who have been named...(Interruptions)

[English]

MR. CHAIRMAN : Shri Goyal, please resume your seat.

(Interruptions)

SHRI VIJAY GOEL : Mr. Chairman, Sir, please give me two minutes' time to speak after him ... (Interruptions)

[English]

MR. CHAIRMAN : Shri Goyal, how can you speak without my permission?...

(Interruptions)

MR. CHAIRMAN : Shri Thomos, please resume your seat.

[Translation]

SHRI BUTA SINGH : This is a photograph of Guddi Devi. I would like it to be hung in front of the B.J.P. office and any one who wishes to deny, submit an affidavit in the B.J.P. office. The matter won't subside even if Goyal ji speaks in this manner in the House. I want to quote from the findings of the Commission for Scheduled Castes and Scheduled Tribes regarding the atrocities..

[English]

"The Scheduled Caste bridegrooms are not permitted to...(Interruptions)."

[Translation]

MR. CHAIRMAN : Please, speak briefly.

SHRI MULAYAM SINGH YADAV (Sambhal) : They are senior members...(Interruptions)

[English]

SHRI C.P. RADHAKRISHNAN (Coimbatore) : Mr. Chairman, Sir, I would like to know whether a senior leader can take as much time as to wants.

MR. CHAIRMAN : Shri Radhakrishnan, the time is very limited. Please allow me to conduct the House.

[Translation]

SHRI BUTA SINGH : All the SC and ST Members are in agreement with what Shri Lalu Prasad Yadav ji demanded today in the morning that SC and ST youths should be given relaxation in physical standards at the time of recruitment to Defence, CRPF, BSF, ITBP or RAF...(Interruptions) I submit this proposal. If we look into the number of drop outs of our school going SC children, we find that most of the children drop at middle standard, Matriculation standard, B.A. standard. Only lucky ones do post graduation.

19.00 hrs.

In the same manner, the education system of our country is really practising untouchability. The Vice-Chancellor of Maharshi Dayanand University, Rohtak has spread so much terror that no SC, ST candidate gets admission there. There the two leaders who were agitating on the issue of SC and reservation, were rusticated from the University. Hostellers are being maltreated...(Interruptions)

[English]

SHRI SURENDER SINGH (Bhiwani) : Sir, that university is an autonomous body.

[Translation]

Today, he is speaking only what Laluji is exhorting him to speak...(Interruptions)

[English]

SHRI BUTA SINGH : That is precisely the point. My hon. friend does not know that the reservation policy is governed by the constitution of India. There can not be any plea of autonomy.

[Translation]

Similarly, our children are being deprived of scientific education, technical education, medical education and the conditions in the University had deteriorated to the extent that administrative department is nonfunctional and admission is not in any other department. Lot of discrimination is witnessed during admission. There should be provision of reservation in technical institutions...(Interruptions). I started in the Department of Personnel. Gawai Saheb read here many memoranda but all were turned down on the plea of an order of the Supreme Court. I have more than a dozen copies of the orders of the Supreme Court...(Interruptions) I will not read out all but conclude by quoting one line from one of the orders which the Supreme Court passed for Mumbai council in Maharashtra. It was regarding whether or not, there should be reservation in promotion. An employee of Mumbai Municipal Corporation did not get promotion because some order of the Supreme Court or the High Court was coming in the way. He appealed in the Supreme Court and the matter was decided in 1994. I would like to read out a line from it.

[English]

"Declaring the action of the Corporation as illegal, the Court held that the right to consider for promotion is the Fundamental Right granted to the Scheduled Castes and Scheduled Tribes in the fulfilment of the mandate under article 16(1) read with article 46 of the Constitution."

[Translation]

They have implemented all those orders which suspended the concessions of our children and this speaking order in which the Supreme Court has

demanded our fundamental Right has not taken care of by the bureaucracy. With Your permission, I would like to place all the copies of the order on the Table. These orders of the Supreme Court which favour the Scheduled Caste and Scheduled Tribe youths, have been deliberately thrown into the waste paper basket. I say so intentionally, wherever there is a writ petition against a Scheduled Caste employee, the Government hire the leading advocates whereas the poor lack money...* not influential but leading advocates can definitely argue better. I withdraw that word. However, all the orders which go against the Scheduled Castes, are published in the Government Gazette and those in favour of Scheduled Caste, are thrown into the waste paper basket. Therefore, Madam, I warn you at this very juncture that bring to an end the highhandedness, dictatorship and the gross injustice against the Schedule Caste and scheduled tribe persons, otherwise your D.O.P.T. will lose it's existence. I request you to take all the work in your hand. There was a time when the hon. Home Minister used to be incharge of this department, but today you are merely a toothless pushover in the department, because all the replies contain only one line.

[English]

That D.O.P.T. does not agree...(Interruptions)

[Translation]

I want to speak on the twenty point programme...(Interruptions)

MR. CHAIRMAN : Please conclude.

SHRI BUTA SINGH : This is my last point...(Interruptions)

SHRI SURENDER SINGH : Mr. Chairman, Sir, I am on a point of order. I respect Sardar Buta Singh ji very much. I've been impressed by him since my childhood, but today during the speech, he said two things. One that "I warn the Minister"...(Interruptions)

SHRI BUTA SINGH : That has to be done, that is parliamentary.

SHRI SURENDER SINGH : O.K. no problem. Further saying that you are merely a pushover which is not a good thing.

[English]

MR. CHAIRMAN : No, it is not a point of order. Shri Buta Singh, please conclude now. This will be your last sentence and you will conclude after that.

* Expunged as ordered by the Chair.

[Translation]

SHRI BUTA SINGH : It is not unparliamentary, therefore I used that word. I'm going to dwell on the last point. My point is that the Jawahar Rojgar Yojana of the 20 point programme grant of Rs. 20,000/- is being given to the SC and ST persons. Grant is given under I.R.D.P. too. One can not purchase even the smallest machine for Rs. 20,000/- in the market and they are asked to set up piggery or to start the shoe repairing work. It means promotion of casteism. We request that give those children computers, set up industries, give jobs, dealership, and licenses in order to provide them new job avenues different from their traditional vocations, so that they can truly grow alongwith other classes of the Society. All the Schemes must be modified.

I am grateful to you for giving me a chance to speak. Thank you very much...(Interruptions)

SHRI VIJAY GOEL : Mr. Chairman, Sir, one minute only. I only want to make it clear that thing. I want to thank you that you have given me time of one minute. Sardar Buta Singh has quoted from the Hindustan Times.

[English]

"BJP workers beat up SC women".

[Translation]

What is happening here in this House is that we raise questions on the basis of news items without verifying the facts...(Interruptions)*

[English]

MR. CHAIRMAN : Nothing will go on record.

(Interruptions)*

[Translation]

MR. CHAIRMAN : This is not the proper way. You have requested for submission.

(Interruptions)*

MR. CHAIRMAN : You have stood for making clarification, submission. But you have started delivering a speech.

(Interruptions)*

MR. CHAIRMAN : I just had given my ruling.

[English]

I have allowed you to speak. Now, you should hear me....

(Interruptions)*

[Translation]

MR. CHAIRMAN : When your turn will come, you can condemn that you are not a new Member of the House but as senior Member you must know that your party can also condemn that....

(Interruptions)

[English]

MR. CHAIRMAN : He was quoting from the newspaper. Lalu Prasadji, one minute.

[Translation]

SHRI LALU PRASAD (Madhepura) : Please just listen.

[English]

MR. CHAIRMAN : Lajuji, this is not the way. I am on my legs, please sit down.

[Translation]

SHRI LALU PRASAD : Yes, I take my seat.

MR. CHAIRMAN : I am saying that what he has quoted, that is there. Now there is no need to repeat that.

SHRI LALU PRASAD : We are not quoting. They are taking it wrongly. First of all listen it...(Interruptions)*

MR. CHAIRMAN : Wait a minute. I am saying that what he has quoted that is there and now no need to repeat that. He has quoted that and the matter is over.

(Interruptions)*

MR. CHAIRMAN : Please sit down, I have called him.

(Interruptions)*

MAJOR GENERAL BHUVAN CHANDRA KHANDURI, AVSM (GARHWAL) : Mr. Chairman, you have ordered not to record speech of Shri Vijay Goel.

Now, I would like to ask you that whether Shri Laluji's speech will go on record or not?

MR. CHAIRMAN : No one's speech will go on record.

*(Interruptions)**

MR. CHAIRMAN : Why you have stood up. I have said, your speech will not go on as well as his also.

[English]

Whatever it may be, I said nothing will go on record. I have already said it.

*(Interruptions)**

SHRI VIJAY GOEL (Chandni Chowk) : I have spoken with your permission. You may expunge my two last lines.

MR. CHAIRMAN : It will not go on record since I have said that it will not go on record. Mr. Sode Ramaiah! your name has been proposed by Smt. Geeta Mukherjee but you have not mentioned the language in which you will speak and because of it arrangement for interpretation could not be made...*(Interruptions)*

MR. CHAIRMAN : Interpreter is there, you can speak in your own language.

**SHRI SODE RAMAIAH (Bhadrachalam) : Mr. Chairman, Sir, it is more than 50 years since we achieved our independence, many of the problems of the Scheduled Castes and Tribes remain unattended. I take this opportunity to mention some of those problems and expect that at least now the Government would attend to those problems. Sir, I too belong to the Scheduled Tribes community and hence well aware of the problems faced by them. There are many problems. Among them the problems related to housing, drinking water supply, health and education and roads are quite acute.

The most important problem is that of the problem of housing. Sir, houses are being constructed under Indira Awas Yojana. Yet, unfortunately many of these houses are not being allotted to those who belong to Scheduled Castes and Tribes, the most neglected sections of our society. And what is more important, is the fact that only Members of Legislative Assembly are eligible for the allotment but not the Members of Parliament. Sir, we are elected members of this august House. We too belong to the same communities. Yet we are being deprived of the housing facility under this scheme, just because we happen to be Members of Parliament. Sir, I appeal

* Not Recorded.

** Translation of the speech originally delivered in Telugu.

to the Government to extend this facility even to the Members of Parliament. More and more houses should be allotted to the people belonging to the SC and ST communities.

There is one scheme under operation to provide drinking water facility to all named after late Shri Rajiv Gandhi. A special survey should be conducted, villages which suffer from acute drinking water scarcity should be identified and all such villages should be covered under the scheme. People in such problem villages should be saved from acute water scarcity.

Efforts are on to provide more and more educational opportunities to everyone in the country. Yet, there are many villages in the country even to this day which do not have schools. Schools should be established in every village in the country and especially in those areas where SC and ST communities live predominantly. Every possible facility should be provided to boys and girls belonging to SC and ST communities so that they can pursue their education without any hindrance or difficulty. Hostels should be established in every village.

Sir, ours is an agricultural country and the farmer is the backbone of our economy. There are many farmers belonging to SC and ST communities especially in backward and tribal regions. All the facilities needed for agriculture should be provided to them. The farmers in the country need better irrigation facilities, loan facilities, quality seeds, etc. for producing more grain. The Government should attend to their needs immediately.

There should at least be one hospital or primary health centre for every two or three villages. Each village in the country should have a health worker who can take care of the needs related to health of the villagers. The health worker should every day contact villagers and should know their problems.

Tribal Development Corporations are functioning in the tribal areas. These corporations should be asked to serve the interests of only tribal people. At present they are not attending to the problems related to tribals exclusively. These organisations were established to develop tribal areas in the country and hence they should exclusively attend to the problems of tribal people. Necessary steps should be taken in this direction. Sir, thousands of educated young men and women belonging to Scheduled Tribes are still unemployed. Steps should be taken to provide employment to them immediately. If the Government fails to provide them jobs, at least they should be provided unemployment doles. Tendu leaf is available abundantly in tribal areas. But the tribal

[Shri Sode Ramaiah]

people are not in a position to exploit this resource as there are no beedi factories in these areas. Hence the Government should take steps to set up beedi factories in these regions so that thousands of people in the tribal areas can be provided employment. It helps in creating more jobs. Unemployment among these people can be wiped out this way.

19.16 hrs.

[MR. SPEAKER *in the Chair*]

ANNOUNCEMENT BY THE SPEAKER

Re: Sitting of Lok Sabha

[*English*]

MR. SPEAKER : Shri Sode Ramaiah, please take your seat for a minute. Shri Madan Lal Khurana wants to say something. You can continue later.

[*Translation*]

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : Mr. Speaker, Sir, keeping in view the sentiments of the House, the leader of opposition and leader of Congress met the Prime Minister. He has given a message that if you and the House desires so, the House could be extended up to the day after tomorrow, we have no objection to it.

[*English*]

PROF. P.J. KURIEN (Mavelikara) : The earlier decision was that the Jain Commission Report should be discussed for two days. At about 4 P.M., the consensus of the House was taken. More or less, everybody has agreed to the extension of the House for one day. I thank Shri Madan Lal Khurana for agreeing to that...(*Interruptions*)

[*Translation*]

SHRI MULAYAM SINGH YADAV (Sambhal) : Extend it but signatures will be put once in a fifteen days...(*Interruptions*)

SHRI VIJAY GOEL (Chandni Chowk) : You have not stated the reasons for extending the House.

[*English*]

SHRI N.N. KRISHNADAS (Palakkai) : Sir we are not agreeing to that...(*Interruptions*) On the 6th, we are observing the Hiroshima Day, which is a very important programme, all over the country. We want to participate in that programme. So, we are not agreeing to that decision...(*Interruptions*)

SHRI N.K. PREMCHANDRAN (Quilon) : Sir, let the Jain Commission Report be discussed on 17th and 18th of August.

MR. SPEAKER : No.

[*Translation*]

SHRI LALU PRASAD (Madhepura) : Mr. Speaker, there is no dispute over Rajiv Gandhi assassination case and that it should be discussed and we agree with this...(*Interruptions*) that extend it for one more day. Extend it but keep it in mind that we will for one day only and it will be counted equivalent to fifteen days. Do not make it mandatory to sign every day...(*Interruptions*)

[*English*]

MR. SPEAKER : So, the sense of the House is that the sitting of the House should be extended up to 6th, Shri Sode Ramaiah, now you continue.

19.18 hrs.

DISCUSSION UNDER RULE 193

Problems of SCs and STs - Contd.

SHRI SODE RAMAIAH : Sir, the women belonging to Scheduled Castes and Tribes are being subjected to atrocities day in and day out. There is no security whatsoever either for their lives or for their properties. Attacks on their lives, rapes and molestations have become the order of the day. The Central and State Governments should take this matter very seriously and take necessary steps to prevent atrocities on these women. The strictest possible measures should be taken to improve the law and order situation and see that these helpless women are no more subjected to such atrocities in future.

Every Scheduled Caste and Scheduled Tribe family should be given 5 acres of cultivable land in order to wipe out widespread poverty among these sections of the society.

Under the present Act of 1/70, there is no provision for allotment of plots to SCs and STs for building their own houses. The Act should be

amended so as to provide for allotment of plots to Scheduled Castes and Tribes as well.

Sir, I conclude my speech thanking you for the opportunity provided to me to speak.

[Translation]

SHRI KISHAN LAL DILER (Hathras) : Mr. Speaker, Sir, I am thankful to the hon. Member, Shri Ram Vilas Paswanji that he has under Rule 193 drawn the attention of the House towards atrocities being committed on Scheduled Castes. Because there is paucity of time, therefore I will not repeat what the others have already said and want to put own views before the House.

Sir, even today atrocities are being committed on Harijans and it has been discussed in this House, which is not a new thing. The history is witness to it that former Governments also failed to curb the crimes being committed on these people and atrocities continued. Some hon. Members have stated that atrocities on these people are decreasing and the number of harassment incidents is also decreasing. The incidents of harassments taken place now a days are less these days. Even then a number of hon. Members have alleged the present Government which is not correct. I want to request the Central Government through you to put a curb on these atrocities so that our friends who are alleging the Government, may prove wrong. This Government is not anti-Harijan. Another allegation is that this Government is in a mood to end reservations. I would like to convey to them that this Government has no such intention. At the time of framing the constitution a provision was made to bring the oppressed and backward people in the main stream of the country's development. Some how or other. Today, we are seeing something contrary. The fact is that no attention is paid on these oppressed people. We discuss upon the issue of reservation also in the House. However, in case justice is not meted out with these people, definitely clashes will flare up some day and the country will have to face the worst aspects of casteism. This is not proper to keep on making allegations against each other. We should stand united. I requested all the hon. Members to work for upliftment of the Harijans, rise above party politics and eradicate casteism from this country.

Today, the greatest problem is of the Safai Karamcharies' to whom no one has, till date, paid any attention.

Sir, the labourers who toil day in and day out, are not getting their wages in time. I am not talking of one State but of entire India. I have found at so

many places that these labourers are not being paid their wages for 10 to 12 months together. You may simply wonder, how a labourer who does not get his wages in time these days when the prices are so high can find for himself, and take care of his children when they do not get enough cloth to wear and bread to eat, they are left to the only recourse of strikes and agitation.

Sir, through you, I would like to request the Government of India to order all the States to ensure payment of wages of the "Safai Karamcharies" in time. If the Government of India cannot do so I demand that they should be declared State employees so that they may get their salaries in time. Their condition has become highly pitiable. They cannot provide education and good clothes to their children. After they get retired, they have to run pillar to post for their provident funds, gratuity etc. These aspects must be taken care of.

Sir, there is a need to pay attention towards the backward and weaker section of the society. Some hon. Members here have talked about atrocities and I on my part had put forward my request in this regard. I request the Government to put a curb on these atrocities. Let proper care for scholarships for their children and their gratuity etc. be taken of. The poor in the village are unable to get money properly. The benefits of schemes like Indira Awas Yojana or other facilities provided by the Government does not reach to these people. Those who are able to grease palms get their money but the rest of the poor are simply deprived of these concessions and they are always deep down in loans up to neck. Therefore, let there be such arrangements so that money may reach the poor properly and he may get full benefits.

Sir, when Mayawati was a Chief Minister, she had tried to effect Harijan Act. The same was drawn by Shri Kalyan Singh with a plea that proper action shall be taken after investigations. Hon. Paswanji has put forth some ideas. I agree to the idea of help to come from the Government and with these words, I thank you very much.

[English]

SHRI S.S. PALANIMANICKAM (Thanjavur) : Mr. Speaker, Sir, it is my bounden duty to take part in this discussion. Even before the introduction of PCR Act and SCST Act, we have brought about a great improvement in the standard of the Schedule Castes and the Scheduled Tribes in Tamil Nadu.

The problems of the SCs and STs can be eradicated in two ways. One is to prevent atrocities by law and the other is to encourage them to join all the other sections through social change.

[Shri S.S. Palanimanickam]

We are proud to say that the father of the Dravidian movement in Tamil Nadu, Periyar E.V. Ramaswamy Naicker came out of the Congress during the freedom struggle only because of the reason that in an *ashram* run by the higher caste people, there was separation in respect of the Harijan people in the dining hall. He came out of the Congress and formed the Dravidar Kazhagam. In those days, the SCs and STs were not allowed to walk freely in the streets...*(Interruptions)* Senior Members can also listen while juniors speak.

PROF. SAIFUDDIN SOZ (Baramulla) : Senior Members should listen to the speeches of the junior Members...*(Interruptions)*

SHRI S.S. PALANIMANICKAM : In the State of Tamil Nadu, the Scheduled Caste and Scheduled Tribe people were not allowed to walk in the streets. The cobblers who manufacture chappals were not allowed to wear chappals when they walked in the streets where people belonging to the higher castes lived. The people who constructed the temple were not allowed to enter the temples once a *pooja* was performed in the newly constructed temple. They were not allowed to carry umbrellas while walking under the hot sun. They were not allowed to ride bicycles. These were the things that were changed by teaching self-respect and rationalism during the past fifty years.

In Tamil Nadu, we are introducing social changes through platform, speeches, conducting dramas and even through cinemas we are propagating social change. We are introducing a change in the minds of the Scheduled Caste people. We are also bringing a change in the approach of the upper caste people towards the Scheduled Castes and Scheduled Tribes. Those who are involved in the self-respect movement are trying to develop the minds of the people to accept the SCs and the STs as brothers and sisters. In the days when there was the Tamil culture, there was no caste or race. In the name of God and religion, dharmas and Vedas, we were separated.

One way is to encourage the people belonging to the Scheduled Castes and Scheduled Tribes to come forward. We should encourage them and provide education. Education is the only wealth that cannot be stolen. In Tamil Nadu, after the degree level, education is provided free for the Scheduled Castes and Scheduled Tribes. We have developed training facilities for them with a hostel. In the hostel, a good library is set up. In order to enable them to know the world affairs, we are installing TV sets in the hostel. At the same time, to enable them to

prepare for the IAS and the IPS examinations, we are forming coaching centres with all amenities. By providing for better education for the Scheduled Castes and the Scheduled Tribes, we have removed the differences between the upper castes and the Scheduled Castes and Scheduled Tribes.

Lakhs and lakhs of people are living without the basic amenities like housing and drinking water. They are living in others' properties. The Tamil Nadu Government is providing house *pattas* to lakhs of people. My colleagues from Andhra Pradesh has said that housing scheme is not properly utilized. In our State we are constructing concrete houses for the people. In 1974, Babu Jagjivan Ram visited our State. At that time, he opened a housing colony. He appreciated the then Chief Minister who is also the present Chief Minister, Dr. Kalaingar. He said that this is the model State and a welfare State. He appreciated the scheme which provided houses rent-free houses. In the year of Golden Jubilee of our Independence, our Government has decided to provide basic amenities like drinking water, link roads etc. by the end of this year.

The economic status of the SCs/STs should be improved, then only would they be able to face the oppression and suppression of the higher caste people. In the private entrepreneurship, nationalised banks should provide eighty per cent of the loan and twenty per cent can be got from State Adi Dravida Board. One thousand youths who are the residents of the nearby sugar mills get stipends for purchasing lorries. The only condition that is imposed is that they should have driving licences.

In Tamil Nadu, in every Assembly Constituency, the Government is providing *Samathuvapuram* where all the basic amenities are provided. Out of 100 houses, 40 houses are provided for SCs/STs, 25 houses are provided for Most Backward Classes, 25 houses are provided for Backward Classes, and 10 houses are provided for others...*(Interruptions)*

Shri Ram Vilas Paswan has said that the State of Tamil Nadu has provided for 69 per cent reservation. So, I am also speaking on the same lines. The mindset of the people should change if we want to abolish the caste system. So, our Government is encouraging the inter-caste marriages. For such marriages, we are providing Rs. 20,000/- and also preference in employment.

Recently, during the interview for appointment of teachers, we found that there are not sufficient SC/ST candidates. So, the Government started separate training classes for fifty SC/ST students in each and every college.

After completing the training course, they are called for interview and then, they are appointed as teachers.

MR. SPEAKER : You have already taken ten minutes. Please conclude.

SHRI S.S. PALANIMANICKAM : My learned friends have told that in so many States, they had not filled up the quota of SCs/STs. But in our State, we had passed a law to the effect that the quota of SCs/STs should not be filled up by other candidates.

My other colleague some time back said that there are some incidents involving SCs/STs happened in Tamil Nadu. Yes, I accept that. There was an incident two years ago, where one Cabinet Minister of the Centre was sent out of the aircraft by the Chief Minister.

(Interruptions)

MR. SPEAKER : Please take your seat. Shrimati Satwinder Kaur Dhaliwal.

(Interruptions)

MR. SPEAKER : This will not go record.

*(Interruptions)**

SHRI S.S. PALANIMANICKAM : I thank you for the opportunity given.

[Translation]

SHRIMATI SATWINDER KAUR DHALIWAL (Ropar) : Mr. Speaker, Sir, I would like to thank you for giving me a chance to participate in the debate on atrocities on Scheduled Castes and Scheduled Tribes under Rule 193.

This debate relates to the society which is being discarded for the centuries. For centuries they have been leading a life which is worse than beasts. History has witnessed the atrocities committed on them and how they were isolated from the rest of the society. This is a shame for democracy like ours and the Indians as well if even after 50 years of independence the issue pertaining to the atrocities being committed on them and their problems is taken up for debate in the House. They are not in a position to lead a good life. Newspapers daily highlight as to how atrocities are committed on these people. One is terminated just because he has named himself as Rana Pratap. If SHO takes a criminal out of a temple, he is killed by stone. Every party of this country, I won't name any particular party, has the only

objective as how to get more and more votes of these people. But nobody pays attention towards the problems of these people. That's why there is a feeling among the people of this class that they are being ignored. Our society, our politicians and our bureaucracy are responsible for such a state. It is necessary that we should understand the problems of these people and try to solve the same. Most of the cases of harassment or rape pertains to dalit women. Barring the State of Punjab, I refer to other States where these people are killed on large scale. The houses of dalits are set ablaze. They are leading a life which is of very low standard. Therefore, it is necessary that first of all we should strengthen their economic condition and provide them employment. Either we give them service or any such other job so that they can earn their bread and butter to lead a self-conceited life. Persons of this community in service are largely subjected to harassment also. They are not given due respect in service. They have to struggle or go to the courts to get their promotion. Even at the time of their promotions, their colleagues' attitude is not very respectful. Cases are taken to the courts whether they are related to promotions or to the appointment and when the decisions of the courts go against these people they are implemented immediately by the bureaucracy and when the decisions go in their favour such decisions are kept in abeyance. Thus bureaucracy is equally responsible for it. It is therefore necessary that bureaucracy should be made accountable for this.

It is need of the hour that the existing discrimination be removed and those people be made feel that they are not second class citizens. They are like other Indians. I belong to Punjab and if we go through the history, we will find that Guru Nanak Dev and Guru Govind Singh pledged to reform the society. Other social reformers like Raja Ram Mohan Roy and Swami Vivekanand also made praiseworthy contribution toward the upliftment of the dalits - but Guru Nanak Devji evolved the system of Langar to bring the people of the lowest level at par with others as there is no discrimination between rich and poor in Langar. All sit in a single line while eating food. We believe in the philosophy of 'Nam Japana Vand Chhakana Te Kirt Karni' which means remembering the name of God, Share your food with others and do your duties. Here the word Karani emphasises on the dignity of profession. Manual workers are always respected. Therefore, we cannot degrade anyone on the basis of his job whether he is a sweeper or engaged in some other job. Only this spirit can solve the problems of dalits and help them to lead a respectful life.

* Not Recorded.

[Shrimati Satwinder Kaur Dhaliwal]

After one and a half year we will enter the 21st century but our mentality of the 14th century has not changed. It was acceptable in those days because the society was not so modern and people were illiterate but today when the education is being spread on large scale, we have entered into nuclear age and staking tall claims but we are still stick to those old customs, it is shameful to us. Therefore, it is necessary that these atrocities should be prevented.

Otherthing is that laws have been made for reservation but they are not being implemented properly. The backlog in Centre and in the States can never be cleared. The Central Government should ascertain the backlog in different States and clear that. We can make them progress by offering them appointments and giving them promotions.

Secondly, we should change our mentality. We discuss this issue here without any result, it should not be happend. Many learned people come in the Parliament and give valuable suggestions during the discussion. Unless we implement them, the situation will not change. Therefore, there is a need to implement the good suggestions so that backward classes can make progress. Paswanji has told good things. I agree with him. All those things be implemented irrespective of party affiliation. We should cut across the party line while taking up the issues related to backwards and dalits. We can bring in reforms and if our society is strong, our country will strong itself. I have taught history as I have been professor of history. I have seen that the society was divided on the basis of occupations. History has many such examples that a person who had four sons. One of them became brahmin, the second one Vaishya, the third one Shudra and the fourth one Kshtriya. But, thereafter rigidity gradually prevailed and our society was divided on the basis of birth and caste which led us to the slavery in post-Gupta period. We remained slave for centuries. We struggled for many years to get relief this slavery and then we got Independence and if we want to uphold this Independence we must remain united. We cannot get this solidarity by isolating this section of the society which works for us round the clock. If they are with us, our unity will strengthen. Only then our country will make progress. With these words I conclude my speech. Thank you.

SHRI LALU PRASAD (Madhepura) : You can speak continuously as you belong to BJP. It is not so that we do not know you. You should speak on this issue as and when you get an opportunity, do not

succumb to their pressure. We are here to support you on this issue.

SHRIMATI SATWINDER KAUR DHALIWAL : You do not let anyone speak hence we do not get opportunity to speak.

SHRI MOTILAL VORA (Rajnandgaon) : Hon. Mr. Speaker, Sir, I am participating in the discussion initiated by Shri Ram Vilas Paswan and Shri P. Rajarethinam under Rule 193 regarding the problems of Scheduled Castes and Scheduled Tribes. As far as the problems of Scheduled Castes and Scheduled Tribes are concerned, we will have to take some steps to solve these problems so that it can be proved that we are really committed to solve these problems in a time bound manner. Every member is aware of the atrocities being committed continuously against these people. There is a need of introspection in regard to our ideology and mentality in this matter. What steps we are taking for the welfare of section which is not only rendering its service to the society but also cooperating and it has also extended its contribution in our freedom struggle. After independence Pandit Jawahar Lal Nehru had announced that all the citizens of the country will be equal and he followed it. When we are celebrating the 50th anniversary of our Independence and if we go through these figures I think that every one will be shocked. Why the recommendations made by the Union Government and State Government are not being implemented? Are we so weak? We reiterate that bureaucracy does not follow us. I am not in agreement with this to a large extent. The Government will function as per our wishes and the bureaucracy will have to function according to the Government. Recently, on 4.2.1998, National Commission for SCs and STs has submitted its report in two volumes to the hon. President of India, Shri Narayan Sahib. You just go through the report. In volume-I of the report, it has recommended that all the issues concerning to Central Government, Ministries of Central Government, PSUs should be settled regularly.

Mr. Speaker, Sir, the second volume related to the development of education in the States, especially the development of the tribals, security of jobs, promotions and atrocities on SCs and STs. Hon. Minister, the Commission has submitted its report in two volumes to the President of India and if you go through the said report, you will find what recommendations the Commission has made. Neither Union Government nor any State Government can dare not to function according to the recommendations made to the President of India. The Commission has submitted its report after visiting various States including Haryana, Punjab, Chandigarh, Himachal Pradesh, Karnataka, Tamil

Nadu, West Bengal, Maharashtra, Madhya Pradesh and Rajasthan. Please go through report if you can spare your precious time. There are astonishing figures in the report. The funds provided by the Union Government to the State Governments for the welfare of Scheduled Castes and Scheduled Tribes is grossly misused. Therefore, there is a need of close monitoring on the funds provided by the Union Government to the State Governments for welfare of SCs and STs.

Mr. Speaker, Sir, unfortunately whenever this subject is discussed in detail the point emerges that even today SCs and STs are being deprived of their concessions under a well-planned conspiracy. These concessions have been minimised. The Supreme Court in one of its decision has held that reservation will be provided in promotion also.

Thereafter Parliament made a law by making 77th amendment in the Constitution and under this law a provision has been made to give reservation in promotion but this benefit given by the Parliament was withdrawn through a Government Order. Mr. Speaker, Sir, the decision of the Supreme Court followed by discussion in the Parliament, Government order was issued which reads as follows :

[English]

1. The general category employees promoted much later than the SC/STs will regain seniority over SC/STs promoted much before them.
2. The vacancy based reservation was changed to post based roaster whereby all recruitment of SC/STs in class III and IV categories have almost stopped.

This is a horrifying report and the recommendations have not been taken into consideration.

3. The benefit of lower qualifying marks for evaluation during the departmental examination available to SC/STs were withdrawn resulting in blocking their departmental promotions.
4. Reservation in promotion was restricted to the lowest rung in class I category in keeping with the spirit of the 77th amendment.
5. The said recruitment drive introduced by late Rajiv Gandhi in 1989 to fill up the backlog in the vacancies of SC/STs was withdrawn. There is not one Secretary in Government of India belonging to SC/STs, though there are several posts lying vacant. In class I category of Government

services, the percentage of SC/STs is 13.06 per cent as against the desired level of 20.5 per cent.

All these things would have to be implemented in due course of time. These things have not been implemented. The decision taken by this august House has been kept abeyance. Who is responsible for this? Whose accountability has to be taken into consideration? Why is the Government so weak in taking a decision?

Sir, I am really pained to say that many instances of atrocities have been cited in reply to various questions. We have seen such cases happening in States like Rajasthan, Andhra Pradesh, Arunachal Pradesh and Bihar. I can quote a number of them.

20.00 hrs.

I have the figures for the years 1995, 1996, 1997 and even 1998. In the year 1995, in Andhra Pradesh, 1764 crimes were committed against the Scheduled Castes and the Scheduled Tribes. This figure is increasing every year. In the State of Rajasthan, the figure stands at 5197. In the year 1996, the figure has gone up to 6623. In the year 1997, it stand at 5694. I wish to illustrate that if we compare these figures, I am really very sorry to say, we will find that the recommendations have not been properly implemented. Take the case of gang rapes. In the Parliament also, this question was replied to. I am not mentioning the names of all the States. In the year 1995, the total figures is 478. In 1996, it has gone up to 550. In the year 1997, it is 670 and up to 1998 the gang rape cases are only hundred. I would say that it is not hundred as I do not know how far the number will go in the coming months.

My humble submission to the House is, we should take it very seriously. We should not just discuss it. We should search our hearts. If we go into our hearts, we will come to know that all these benefits which have been given to the Scheduled Castes and the Scheduled Tribes in the past years are to be properly implemented. The Government of India should take pains to implement it.

The measures to be taken in due course of time have been mentioned in the Report presented to the hon. President of India. I would like to know why these measures have not been taken. Who is responsible for it? The National Commission on Scheduled Castes and Scheduled Tribes has made a number of recommendations. My humble submission would be to take these recommendations very seriously. This matter should be discussed with all seriousness. When we narrate the figures,

[Shri Motilal Vora]

thousand figures will come in every year. That is not a glory. It is a bad omen. It gives a bad signal that in the country of Mahatma Gandhi, Gautam Buddha and Dr. Ram Manohar Lohia who always praised similarity,

[Translation]

It is high time to bring in equality which has been discussed a number of times. Dr. Baba Saheb Ambedkar repeatedly said a thing, we are going to neglect Baba Saheb? Do we want to settle all these things in this debate? All these things do not require debates. It is not a matter of discussion. I urge that all the recommendations of the Commission for SCs and STs be implemented properly only then we will be able to solve this problem. Otherwise all our debates will prove futile. Manekaji is continuously observing all these things. She has all the informations. There is no dearth of informations. I want that she should take an early action on this and all the GOs issued be cancelled.

*SHRI RUPCHAND MURMU (Jhargram) : Hon. Mr. Speaker, Sir, thank you for giving me an opportunity to participate in the discussion on SCs and STs. Many hon'ble members have discussed the problem of Scheduled Castes and Tribes in the discussion. They have been also pointed out the solutions to be adopted to tackle their problems. I feel Sir the problem of SCs and STs is a part of the comprehensive problem of our country. There is no doubt that the problems of SCs and STs are quite deep and widespread. But Sir, until and unless we solve the collective problems of our country, the problems of SCs and STs cannot be solved. All of us are aware of the situation prevailing in India. We had convened a special session of the House to commemorate the Golden Jubilee celebration of our independence. Most of us participated in the discussion held then. The attention was focused on the problems in its totality in the discussion. The main and foremost problem of India is poverty. Half the people in India live below the poverty line. Then the problem of illiteracy is all pervading. 60% people in the country are illiterate. The number of unemployed is 10 to 12 crores. The price of essential commodities has been sky rocketed. The wealth of country is concentrated only in the hands of 10 to 15% of the population. There is corruption in the high echelon of the society. There is scam, corruption spreading like cancer. Free access has been given to foreign investment to loot the economy of our

country. The unity and integrity of India have been threatened because of communalism and politics in the name of religion. Is it possible to get over all development of adivasis and Scheduled Castes and Tribes in this not so bright scenario? It may be possible to achieve some development partly. These adivasis have been deprived, oppressed and victim of atrocities since ages. What do we find everywhere? Whether it is economic, social, or in the field of education, these people have been victimised everywhere. These adivasis have been suppressed and oppressed and deprived by the British colonial lords, the capitalists and the landowners since ages. Their backbones have been totally fractured and broken. For strengthening their backbones we must provide some kind of stimuli so as to galvanize them. This can be achieved if the history of their revolution and struggle for independence is written with proper perception. They have struggled against the British, they have struggled against the zamindars. These facts must be highlighted honestly and sincerely. They have participated in Santhal Revolution, in Munda Revolution, Kole Struggle, Bhil Revolution and in Chuad struggle. They never surrendered before the British colonial rule. They refused to acknowledge their subjugation. Our country is free now. I must emphasise that the history of their struggle has never been written properly. We must rectify this lacuna and the history of the struggle for independence of the adivasis must be authenticated. We all know that the Centre has all constitutional rights for the over all development of the country. But what a sad state of affairs prevailing in the country. After independence those who came into power ruled the country for almost 45 years. In the 50 years of independence the country was ruled by a single party for almost 45 years. But I am sorry to say that the adivasis the SCs and STs have been suffering, paying the price for their improper policy. We would not have faced this situation had an appropriate policy been formulated and followed. Ours is an agricultural country. More than 70 to 75% people depend on agriculture. Those who were at the helm of affairs after independence, thought only for 10 to 15% of the population. They never bothered to think about these poor people. Had they done that, then this situation would not have arisen.

After independence, had they focussed their attention on land reform, then the real tiller of the soil would have been benefitted. I must say that had land reform been properly implemented and followed after independence the landless but the actual tiller would have owned the land they till. Moreover, had the leaders thought of providing proper irrigation facilities, high yielding seeds and financial

* Translation of the speech originally delivered in Bengali.

assistance to the poor tiller then the prevailing scenario in the country would have been totally different. These steps would have boosted our production. There would have been more man day in agriculture. These poor would have earned some money individually and thereby would have got the purchasing power. They could have purchased various essential commodities for their use and thus help in creating internal market. To fulfill their demand more factories and industries would have been set up opening avenues for employment. Thus the unemployed would have the chance to get employment. But it is a matter of regret, that the people in seat of power failed to do that so that is how a situation like this has been created due to the myopic vision and selfish approach of these leaders. Many speakers have mentioned about employment job and quota. Yes we have job reservation and we support this but how many people have been benefitted by the so called reservation in job?

MR. SPEAKER : Mr. Murmu, please wind up.

SHRI RUPCHAND MURMU : Sir please give me two minutes more. Sir if we can change the lot of 80 to 90% people, then only we can claim that we have achieved something. People then can have the fruits of job reservation. Our Left Front Government have implemented land reform in the State. Sir not only in West Bengal, land reform has been implemented in Kerala and Tripura also. Changes have come in the lives of the people there because of land reform. Many members have given statistics and number about atrocities committed on adivasis, SCs and STs. Sir I am proud to say that in West Bengal SCs and STs do not suffer atrocities by the so called upper cast. Lots of improvement have come among the poor. Their purchasing power has been increased. They now produce two to three types of crop in a single piece of land. So I want to say that if land reform is implemented in the whole country then it is possible to change the lives of these downtrodden people. I would like to know from the present Government of BJP about their policy of land reform. But the present Government never mention anything about land reform. There are leaders and members from various parties also who never utter anything about land reform. It is because of the fact that many Ministers and members from other parties own vast acres of land in their possession. So they are not in favour of land reform. Because if land reform is implemented they have to lose large chunks of land.

MR. SPEAKER : Mr. Murmu, please wind up now. Mr. Shanmugam.

SHRI RUPCHAND MURMU : Please Sir I shall complete within two minutes. As far as education is concerned the SCs and STs are lagging far behind.

[English]

SHRI BUTA SINGH : Sir, it is the convention of this House that whenever we sit beyond 8 o'clock, dinner is served in the Parliament. I do not know, how long will the discussion take place. May I know from the hon. Speaker, has there any arrangement been made for the meals or do we have to sit without meals for another two-three hours?

[Translation]

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, all the members of Parliament want to speak. It is the opinion of the House that they should get the opportunity to speak. Here, members of Parliament as well as the staff of secretariat is present. It was decided by you that the House will sit upto 9 p.m., it has always been the duty of the Ministry of Parliamentary Affairs to provide the dinner for all the members and staff when the House sits beyond eight o'clock. Buta Singhji wants to know whether this custom is being continued or not or it has been forgone in the name of the discussion on the SCs and STs. The remaining discussion will continue, but I want to know about it.

[English]

SHRI BUTA SINGH : Sir, you kindly let us know about the arrangements made for dinner.

MR. SPEAKER : Let me ascertain.

[Translation]

SHRI BUTA SINGH : Mr. Speaker, Sir, you have not told anything about dinner.

MR. SPEAKER : I shall tell about it also.

SHRI RUPCHAND MURMU : As far as education is concerned the advasis are lagging far behind. But one important issue I must mention. A large number of advasis comprises of Santhals. These Santhals are scattered all over West Bengal, Bihar and Orissa struggling for their existence and survival and education. If these Santhals are provided education through their mother tongue Santhali then they can improve a lot. So, I urge upon the Government to include Santhali language in the 8th Schedule of our Constitution. The advasis are fond of their culture. They have inherited a culture of high order and heritage. Their culture and heritage must

[Shri Rupchand Murmu]

be preserved. Then only we can do justice to them. With these words Sir once again I thank you for giving me an opportunity to speak on this important discussion.

*SHRI N.T. SHANMUGAM (Vellore) : Hon'ble Speaker, Sir, I thank you for the opportunity to speak in the discussion under rule 193 on the problem faced by the SCs and STs. I also thank the crusader of the people Dr. Ramadoss who has enabled me to speak in this august House now.

Let me at the outset thank Shri Ram Vilas Paswan to have initiated this discussion at this juncture.

Dr. Baba Saheb Ambedkar was like a 'morning star' in the lives of the SCs and STs. These downtrodden people were humiliated as untouchables down the ages. Dr. Ambedkar emerged as a great leader of the masses and awakened the sense of self-respect in the minds of these hapless people subjugated to mindless ill-treatment. He strongly advocated that the SCs and STs would be able to improve their position in the society only through political empowerment. It is only through his ceaseless endeavour these downtrodden people could get 8.3% reservation as early as in August, 1943. It is only because Dr. Ambedkar was involved in the framing of the Indian Constitution SCs and STs were able to get reservation in educational institutions, employment and also in the Legislative Assemblies and in Parliament.

In Tamil Nadu, a galaxy of leaders fought for the downtrodden people. An important leader among them was Thanthai Periyar. Now there is Dr. Ramadoss, people's leader and founder leader of our party Pattali Makkal Katchi who tread the path of those great leaders like Periyar. He is untiringly rendering his service to protect and to get the downtrodden people their rights.

As far as our leader is concerned he is a pioneer to ensure equal rights to the people from the oppressed classes like that of people from other castes and classes.

Our leader Dr. S. Ramadoss is the founder leader of our party Pattali Makkal Katchi which has provided for a kind of reservation in the party posts. Thiru Dalit Ezhilmalai hailing from the oppressed class has been made the General Secretary of our party.

Our leader ensured his victory from the Chidambaram Parliamentary constituency in the

* Translation of the speech originally delivered in Tamil.

recently concluded elections. Not only that, when it came to name somebody from our party to become a Union Minister he declared that our party's first preference would go only to a Dalit. Thereby he has made Dalit Ezhilmalai our Minister for Health in the Union Council of Ministers.

Our leader Dr. Ramadoss has also announced that the office of the Chief Minister of Tamil Nadu should be made a rotational one and a Dalit also must occupy the same. He has assured that our party when comes to power would make a Dalit the Chief Minister at the first instance.

Several places in India still have seclusion to exclude the SCs and STs in public places like tea shops. Separate glasses and tumblers are kept for these people. Even today they are barred from entering the precincts of temples. We find exclusive cremation grounds for the SC people. In Kodiankulam village, when the dead bodies of the downtrodden were prevented from taken through the streets, Dr. Ramadoss the protector of people's rights carried those bodies on his shoulders. What we have to learn from all these incidents is that we must strive to create a casteless society and put an end to these social hurdles and obstacles.

Even STs face several hardships. They do not get proper educational facilities. Adequate sanitation facilities have not been provided to them. Their habitations do not have proper road communication and link roads. Even if there are roads, bus transport facilities are not there. People who live as tribes in the hilly regions are still segregated from the city dwellers. Their conditions need to be improved. They must have roads in the mountainous regions. They should get schools and medical facilities. Those deprived people must have enhanced housing facilities and they must be provided with protected drinking water supply. Suitable employment opportunities should be created for them in the mountains and hills where they dwell. They must have better deal to ensure social justice.

. Let me thank you again as I conclude.

[Translation]

SHRI PRABHU DAYAL KATHERIA (Ferozabad) : Hon. Speaker, Sir, Ram Vilas Paswanji has initiated the discussion under rule 193 about atrocities being committed on the SCs and the STs. I think that all the members of SCs and STs in the House have expressed their feeling unanimously. These feelings express their diverse views. The members of this House should think deeply about this anguish.

This problem can not be solved merely by having discussions and framing laws. The constitution of India came into force on 26th January, 1950. Dr. Bhimrao Ambedkar was its architect. Amendments have been made in that constitution from that time to till date. But implementation of those amendments was not done properly.

Mr. Speaker, Sir, we think over it seriously. The people of the country have a sense of expectation from the members of this House. It will be a misfortune of the country if instead of doing anything for the welfare of the downtrodden and SCs and STs, only their plight is discussed here.

It is very ironical that we are harping on the same issue even when we are celebrating the fiftieth anniversary of our independence. The politician of the country have raised this issue many times and we are repeating the same thing. Atrocities have been committed on these downtrodden people. Since Mughal and British period, hence they are expressing their anguish before this House. I would like to tell the destiny makers of this country that the problems of these people can not be solve merely by enacting laws. A lot of discussion is taking place about social problems but mere discussion will not solve any problem; some effective steps have to be taken. It is said in respect of the present bureaucratic set up, if someone from the SC community joins the service, he is not considered in line with them. Where should they go? This is the present situation.

SHRI LALU PRASAD : Mr. Khurana, now the hunger is unbearable...(Interruptions)

SHRI BUTA SINGH : It has been the custom of the House that dinner is provided after 8 p.m. ...(Interruptions)

THE MINISTER FOR PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : Why do you always talk angrily...(Interruptions) For dinner, a notice is given four hours in advance. Now, it is not possible...(Interruptions)

SHRI PRABHU DAYAL KATHERIA : Mr. Speaker, Sir, the figures provided by hon. members of the House should be considered. The issue may be concerning to the State of Andhra Pradesh or Assam or Goa or Gujarat or Bihar, but according to the figures of 1994-95 only, 32,964 incidents of rape and murder took place during three years ...(Interruptions)

SHRI LALU PRASAD : It is your Government. What do you want to do now?...(Interruptions) Do you think that you are organising a corner meeting in Ghaziabad...(Interruptions)

SHRI PRABHU DAYAL KATHERIA : I am talking about fifty years. I am not talking about a particular party. I talked about the thinking and about the responsibilities of the destiny makers of the country. Governments come and go...(Interruptions) I shall sit down if the interruptions continue. Please listen to me. I have been sitting for five hours. It is a matter of concern. Please try to listen to me. I am not talking of figures. I am worried because the feelings of casteism and malice is spreading in the House. It does exist among us, the politician, but this is being spread in the administration also. If any Pandit is caught in the clutches of a SHO belonging to SC category, he will be tortured in every possible manner. This malice is spreading in the country. The country will break up and all the systems will rot by this evil.

Sir, the ex-Chief Minister of UP, Kumari Mayawati is not present in the House. I oppose her. People in the country do not have enough food and water. They earn their bread by making hard labour but crores of rupees were spent whether it was the status of Baba Saheb Ambedkar or the father of the nation, Mahatma Gandhi...(Interruptions) I want to tell you that a Dalit lady was made the Chief Minister of UP due to the mentality of BJP...(Interruptions)

SHRI BUTA SINGH : No one has done favour for her. It was because of mutual understanding. She had also handed over the reigns of Government to BJP and because of her, BJP came in power...(Interruptions)

SHRI PRABHU DAYAL KATHERIA : All the members have advocated the viewpoints of their parties. I can do the same thing...(Interruptions) You have also advocated your party's point of view...(Interruptions) Sir, I want so say one thing more. I would like to tell the people who are at the pinnacle of power that the currency note will get respect only if the change gets respect. If all the change is kept in a single pocket, it will tear the pocket. So, the Government should think about it. You have to understood the problems of the downtrodden and the sufferers. The country will disintegrate if their problems are not considered.

Sir, atrocities is the same whether it is committed in Tamil Nadu or Andhra Pradesh. Both the eyes of a woman were gouged out when she entered into a temple in Tamil Nadu...(Interruptions) Atrocities against women is a misfortune for the country. We should think about it. Atrocities against women are increasing day by day. Making rules or making some arrangements will not solve the problem. We have to think deeply about it. It is my suggestion that a separate meeting of the leaders of the House should

[Shri Prabhu Dayal Katheria]

be convened in which the ways and means to stop atrocities on the SCs should be discussed.

I thank you for giving me time to speak ...*(Interruptions)* We have to consider about this problem by cutting across the party line. Otherwise they will never forgive us. The responsibility of their development falls on our shoulders. With these words I conclude my speech.

*SHRI K. VENUGOPAL (Sriperumbudur) : Hon'ble Speaker, at the outset I would like to express my deep gratitude to Dr Puratchi Thalaivi Amma who lives in our hearts as the leader of all our families and also as the General Secretary to our party All India Anna Dravida Munnetra Kazhagam. It is all due to her that a political worker like me who hails from a common agriculturist's family is today a member of this august House to participate in this discussion. Let me again convey my heartfelt thank to her to have enabled me to be here in this august House.

I would like to begin my speech condemning the atrocities against the Adi Dravidas and Scheduled Tribes. Let me also thank the electorate of my Sriperumbuder constituency who have elected me at the instance of Dr Puratchi Thalaivi. I am pained to note that we have not provided even after so many years a better deal to the Scheduled Castes and Scheduled Tribes as contemplated by Baba Saheb Dr. Ambedkar.

Adi Dravidas (Scheduled Castes) and Scheduled Tribes constitute 30% of the Indian population. They must have their rightful share of place in the society. When Dr. Puratchi Thalaivi was the Chief Minister of Tamil Nadu, she had taken effective steps to provide 69% reservation to the socially and economically backward people that is the Scheduled Castes, Scheduled Tribes, backward classes. The intervention from the Supreme Court has come in the way of extending these benefits. We must strive to ensure that these benefits reach these needy oppressed masses.

During the period when Dr. Puratchi Thalaivi was the Chief Minister of Tamil Nadu, she had pursued the policy of providing adequate representation in the police force to the people form the oppressed sections of the society like the Adi Dravidas, Scheduled Tribes. She came out with an order providing exemption to the eligibility criteria by way of reducing the required height from 63 to 161 cms.

* Translation of the speech originally delivered in Tamil.

In Tamil Nadu, many transport corporations were named after several martyrs and Tyagis during her tenure. I am saddened to note that the present ruling party in Tamil Nadu wants to do away with this. Just because they wanted to remove the name of Tyagi Sundaralingam, a Scheduled Caste leader they have removed the names of leaders like Dr. Ambedkar, former Prime Minister Rajiv Gandhi, late leader Kamaraj, Perarignar Anna, Puratchi Thalaivar MGR etc. Karunanidhi's Government in Tamil Nadu has changed the name of a district which was named after Dr. Ambedkar. This is nothing but an atrocity against the Adi Dravidas.

I would like to point out that 30 members belonging to our alliance as blessed by our leader Dr Puratchi Thalaivi were able to emerge as victorious candidates only because the people of Tamil Nadu were fed up with the one and a half year old Karunanidhi regime. People are disenchanted with their anti-oppressed-class approach.

When we the oppressed and depressed sections of the society plan a rally to put forth our grievances, Karunanidhi Government selectively deny permission to take out processions or organise meetings.

Even a duly elected people's representative like me is taken to preventive custody thereby preventing us from resorting to democratic agitational methods. Such atrocities and hurdles against the Adi Dravidas committed by the Government of Tamil Nadu must be stopped. I urge upon the Union Government to intervene and ensure the rights of the downtrodden. The Centre may also ensure the overall growth and development of this hapless lot in the society.

I would like to bring to your notice that proper reservation facilities are not available in educational institutions to the Scheduled Caste people even after their residing in Pondicherry continuously for more than ten years. The Members of Parliament are provided with MPs Local Area Development Fund to the tune of Rs. 1 crore. In reserved constituencies where there are more number of SC people live, this fund must be raised to Rs. 4 crores. Adi Dravidas live more in number there. That is why those constituencies have been made reserved constituencies. In order to improve the lot of the SCs and the STs the fund needs to be raised.

The district administration and the revenue authorities in my constituency refuse to issue caste certificate to the Scheduled Tribe people. This prevents them from getting the governmental measures and schemes aimed at them. I impress upon the Union Government to intervene in this

matter and see that those people get the caste certificate.

Avadi Municipality (Town Panchayat) is in Tiruvellore District. I had appropriation Rs. 10 lakh from MPs Local Area Development Fund to facilitate laying of roads that will benefit SC, ST and backward class people. But Avadi Municipality had returned the money back to me after passing a resolution that they may not be able to lay roads with that money. I feel it is only the political animosity that has propelled the Chairman of the Municipality. This is a glaring example to prove my point that the present Government in Tamil Nadu is both anti-people and anti Dalits. I urge upon the Union Government to remove that Chairman for refusing to take up a project that would benefit the downtrodden.

Late Prime Minister Shri Rajiv Gandhi's Memorial is in my constituency. All the Adi Dravidas living in the Sriperumbudur Assembly constituency that form part of my Lok Sabha constituency have not been provided with house plot pattah all these years. Even after 50 years they have not been given any. In Poongachattiram area there are about 40 panchayats. The water from the common rainfed tank is still being used for drinking water purposes. In a place where we have Rajiv Gandhi Memorial, people use common open tank water for drinking and bathing purposes. We have appealed to both the district and State administration to attend to this drinking water problem. But no action has been taken as yet. I am pained to point out this apathy on the part of the authorities over there.

Late Prime Minister Rajiv Gandhi's Memorial should be declared as a place of tourist importance. This may help improving the places around Sriperumbudur.

Let me narrate an incident that took place in my constituency. On 10.11.97, a marriage was registered before the second Joint Sub-Registrar, Madras, to solemnise a love marriage between one Arul Devi, A Hindu Adi Dravida girl and one Panneer Selvam, a Hindu Pillai caste boy. Both of them belong to my constituency. After leading a family life for 5 months the boy left for his place to attend his brother's betrothal in April. He has not returned so far. The poor girl is now 4 months' pregnant. These girls from the Scheduled Caste face injustice. I urge upon the Prime Minister to take effective steps to wipe out the tears of the girls hailing from the oppressed and depressed sections of the society. He must come out with suitable measures to improve the living conditions of these people. Inter-Caste marriages should get both social and legal protection apart from encouragement.

I would urge upon the Government to set up a high powered Committee in every revenue district in the country to attend to the problems of the SCs and STs. I wholeheartedly thank Hon'ble Speaker for providing me with an opportunity to participate in the discussion in this august House. With these, I conclude.

[Translation]

SHRI RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Speaker, Sir, atrocities have been committed against the people of SCs and STs for the last thousands of years. We should ascertain the reasons behind these atrocities and stringent measures be taken to check them. Mr. Speaker, Sir, I have just come to know that discussion on this issue was also held earlier in this House this year. I do not say that atrocities have started after the BJP came into power but atrocities on dalits, tribals and SCs and STs have increased during this period. The reason being that the morale of perpetrators has gone up after BJP coming into power. Through newspapers we come to know that there has been an increase in atrocities being committed against dalits, tribals and SCs and STs. All sort of atrocities have been committed on them. They have been treated as low and untouchables which amounts to their mental exploitation. Besides, newspapers, we also come to know that they are beaten up and physically exploited. Their womenfolks are molested and raped.

India has large population, glorious history and rich natural resources, but even then, it is considered a backward country in the world. The main reason of it is that a country, where crores of people are oppressed and exploited, cannot keep pace with the progress being made by other countries of the world. Mr. Speaker, Sir, I would like to submit that even after fifty years, such incidents are taking place here. Though this country has produced so many great social reformers like Mahatma Buddha, Mahatam Fule, Dr. Ambedkar, Mahatma Gandhi, Dr. Ram Manohar Lohia and Rama Swami Nayakar, yet the atrocities have not been stopped instead these have gone up. So, all of us should find out away to resolve this problem so that atrocities being committed on the people belonging to dalits, tribals, SCs and STs can be checked. Though, laws have been made, measures have been taken and hon. Members have also expressed their views on the problem yet, these laws have not been implemented properly. The intention of the Government is not good. That is why these laws could not be implemented effectively. As per the laws they have been provided with the facility of reservation and such a provision has also been made in our constitution in this regard but the fact is

[Shri Raghuvansh Prasad Singh]

that it has not been implemented honestly. After analysing the facts it has come to light that the results are not satisfactory wherever these laws have been implemented. I would like to give an example of Bihar in this regard which was quoted by the Bihar Rastriya Janata Dal President, Shri Pitamber Paswan that Dr. Lohia had said that unless the morale of the poor was boosted, they could not attain self-confidence. Generally, society is divided into two classes i.e. poor and rich. In India, people suffer from two types of poverty. Some are suffering from psychological poverty while the others are suffering from economic poverty. Be it psychological or economical both the classes are poor. Marxism is not the only solution to get rid of it. Dr. Lohia had said that the doctrine of special opportunity should be adopted and reservation should be given according to it. There is no solution other than education to the problem of psychological poverty. In some of the public sector undertakings. There is no provision for reservation. A provision for reservation in educational sector including technical education, was made during the Chief Ministership of Shri Lalu Prasadji. Sometimes, entire opposition used to unite against Shri Lalu Prasadji on this issue, but the poor and oppressed people always supported him. Even today, they are supporting him. The reason behind it is that he has worked for upliftment of oppressed and weaker sections. Dr. Lohia used to say that the morale of such poor people should be boosted so that disparity could be removed. Unless the condition of the last person of the oppressed class is improved, they can not be uplifted. During the Chief Ministership of Shri Lalujji, instructions were issued to the District Collectors to provide opportunities to the people of SCs and STs and to give respect to them whenever they visited any office. This is the manner in which their problems used to be solved. Shri Lalujji gave them full respect. This is the only reason that when entire opposition was united crores of people of weaker sections and backward classes wholeheartedly supported Shri Lalujji.

The respect which has been given to the tribals and dalits in Bihar make them feel that now they have attained the independence in the real sense. The same respect should be given to dalits and tribals of whole country. They should be provided with equal rights and respect. Right from education, they should be provided with all other economic facilities. There should be reservation for them in jobs and promotions and ways should be found out for their progress. Similarly, there should be reservation

for them in Rajya Sabha and legislative councils. If reservation is there in Lok Sabha and legislative Assemblies, why it is not being provided in Rajya Sabha and legislative councils? For this purpose, the constitution should be amended and reservation be given in both political and service sectors. Reservation should be provided not on papers but in real terms. If new laws are required for that they should be enacted. As has been suggested by an hon. Member, special counts or summery trials should be constituted. Though, laws are there, yet atrocities are being committed against tribals, SCs and STs. Perpetrators should be dealt with severely so that they can not dare to commit any crime. Atrocities have been committing against them for a long time. Therefore, we will have to make them strong, boost their morale and for this purpose there should be an all round development of these people.

[English]

MR. SPEAKER : Shri Raghuvansh Prasad Singh, you must conclude now.

[Translation]

SHRI RAGHUVANSH PRASAD SINGH : Mr. Speaker, Sir, 39 per cent people of our country are landless. Even if their goat causes some damage to the crops they are tortured and if their women go to the fields to ease themselves, they are molested. I, therefore, would like to submit that the person who ploughs the fields, should be the owner. After fulfilling the dream of Dr. Ram Manohar Lohia, atrocities against the SCs and STs in the country can be stopped and India can attain number one position among other countries of the world.

[English]

MR. SPEAKER : Shri Raghuvansh Prasad Singh, you are one of the Panel Chairman. So, you have to obey orders of the Chair.

[Translation]

SHRI RAGHUVANSH PRASAD SINGH (Vaishali): Mr. Speaker, Sir, those people were considered lower who did physical labour while those people were considered higher who did nothing. While the people washing the same clothes are considered as lower. Those persons who do not any physical labour even to earn their livelihood are considered higher. In the same way, the labourers of farms, the weavers, the persons making roads and houses are considered lowest people. This is the reason behind the slavery of continued so many years. Unless the victimization

of the Scheduled Castes and the Scheduled Tribes ceases, this country can not make enough progress to compete with other countries of the world. It is essential to search for its solution.

I conclude with these words.

SHRI JOACHIM BAXLA (Alipurduars) : Mr. Speaker, Sir, first of all I would like to thank you for giving me an opportunity to speak in the important discussion initiated by Shri Ram Vilas Paswan.

[English]

SHRI BUTA SINGH (Jalore) : Sir, how many speakers are left?

MR. SPEAKER : There are six more speakers. It is because we have a number of parties. There are 41 parties in this House.

[Translation]

SHRI JOACHIM BAXLA : Our country is going to conclude the 50th anniversary of independence. Today, we remember those people who were the architects of our constitution. What were their dreams? It was their cannot concept that after gaining independence a constitution of our own would be made, a beautiful ground would be prepared for a society which will be based on equality. They felt that after independence the society was not based on equality. Some people were known as the Scheduled Castes and the Scheduled Tribes. If efforts were not made to uplift them, their concept of constitution based on equality of society would not be fulfilled.

Mr. Speaker, Sir, today we are discussing here the problems of the Scheduled Castes and the Scheduled Tribes. We should not confine this discussion only to their problems, I request the government to treat it as a national problem. We know that all those persons belonging to the tribes, the Scheduled Castes and the Scheduled Tribes, who work in tea plantation farms are backward, even if they protect the forests by living in the forests. But, today they are backward. We are making analysis even after 50 years of independence. During the discussions two days ago some Members of ruling party expressed it with pride that they had exploded the atom bomb. They think that they have done a great work, but I regret to say that if you really wish the rapid progress of the country it can not be achieved unless we change our mentality and way of thinking towards the Scheduled Castes and the Scheduled Tribes, unless we bring the backwards at par with other classes. So, I request you to pay

attention towards the backwards. The Govt. should pay attention towards the issue of reservation in jobs. The officers responsible for implementing it, should be requested to pay attention to the endeavour for implementing those provisions meant for the upliftment of the Scheduled Castes and the Scheduled Tribes. I request the government to pay attention towards tribals who work in tea-plantations of Assam and in fields and threshing places and who have migrated from Madhya Pradesh, Bihar, Ranchi or Orissa. The Tribals living in West Bengal get the status of tribals there, but in Assam the same people do not get the status of the Scheduled Tribes who earn crores of rupees for the tea planters and work in the farms. I request the House to give special and serious consideration on this subject so that they get the status of Scheduled Tribes and the opportunity to enter the main stream; good opportunities in jobs and in college admission so that they can progress.

Today, we see that the Scheduled Castes and Scheduled Tribes are being victimised at different places. I request the the Govt. that such type of victimization should be stopped and I believe that we shall progress in this direction if all the honourable Members cooperate. The present government of West Bengal provided land to the landless by implementing Bhumi Sanskar Law. It provided reservation for women in panchayats, Scheduled Caste or Scheduled Tribe women will be the Chair-persons in Zila Parishads. Women from Scheduled Caste or Scheduled Tribes will be pradhan at those places where those seats are vacant, like the West Bengal government we should also make progress in that direction.

With these words I conclude.

DR. SUSHIL INDORA (Sirsa) : Mr. Speaker, Sir, I would like to say a little about the ongoing discussion in the House. I will take up the matter from the days of independence of India. When India became independent, it was a matter of concern for our founding fathers and the architects of constitution that the progress of independent India was based on over all progress of all classes of society after undergoing slavery and exploitation by foreigners. At that time it was decided that the Dalits, backwards, and exploited people should be categorized, who were later on called as the Scheduled Castes and the Scheduled Tribes, and they were given some facilities, so that they can also lead an honourable life like other classes of society by rising above poverty, deprivation and inferiority. The reservation policy was implemented under that concept. But it is seen that the reservation policy is not yet implemented properly. Long

[Dr. Sushil Indora]

discussions took place on it. Some people opposed it. Some spoke in its favour. I only wish to state that only narrow minded people commit atrocities on the people of exploited society. You may call them feudal, communal or religious. Whenever such incidents took place, they were occurred with Scheduled Castes and Scheduled Tribes people were the first to suffer so that other people may take benefit. At times politician used them as a tool, and took their advantage.

Mr. Speaker Sir, I want to say something about atrocities i.e. a bridegroom of Scheduled Caste is not being allowed to ride a mare not allowing people to fetch water from the private tap or not allowing to enter a temple — such atrocities are a normal phenomena. But, gradually the Scheduled Castes and Scheduled Tribes have improved their lot a little after fifty years of independence. I am of the opinion that even to-day there are so many people and castes among the Scheduled Castes who are devoid of the benefits of reservation. There is a National Commission for the Scheduled Castes in which it is stated that barring a few Castes who had political backing, no one benefited from the reservation policy.

Mr. Speaker Sir, further I would like to say that they are losing their traditional work such as tannery. Today big industrialists have entered in it which is a sign of progress. Similarly big textile mills are running. Previously weavers who were Scheduled Castes and Scheduled Tribes used to make cloth. It was their traditional profession. But now big industrialists have also taken it from Scheduled Castes and Scheduled Tribes. How they would progress? Even after fifty years of independence the people of Scheduled Castes and Scheduled Tribes are backward. They do not know what are they doing.

Mr. Speaker Sir, I would like to request you that a commission comprising of people from all communities should be constituted alongwith the participation of the Scheduled Castes and Scheduled Tribes and all other Castes. Its branches should also be constituted at Tehsil and Block levels so that people can solve their problems through mutual cooperation and understanding.

21.00 hrs.

Let people make progress and cooperate with one another. Mr. Speaker Sir, I conclude with these words.

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker Sir, I would like to draw the attention of the

Government towards a very important issue. A discussion is going on a very important issue of public interest here since 3 P.M. and the subject is the weaker sections of this country and this discussion has been continuing for six hours. But, I am very sorry to say that Doordarshan has not reported anything about this issue in its national news relay of 8.30 P.M.

Mr. Speaker Sir, Doordarshan and All India Radio give a wide coverage to any minor incident of this House but it is a matter of great concern that though such an important subject is being discussed for the last six hours yet not news has come in Doordarshan's national news.

Mr. Speaker Sir, on the one hand no arrangement for dinner has been made here by the minister and on the other hand Doordarshan has black-listed the discussion on such an important subject. Honourable Minister of Parliamentary Affairs is present here, I would like to know from him the cause of not including such an important discussion in its news bulletions. I am happy to say that Members from all Parties maintained a standard in this discussion relating to the weaker section by rising above party politics and gave many constructive suggestions, but I could not understand why Doordarshan had not included it in its news.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI MADAN LAL KHURANA) : Mr. Speaker Sir, I would like to inform honourable Ram Vilas Paswanji that by realising the importance of this issue, the Government has extended the time of discussion for one more day so that more and more Members can take part in it. I welcome the suggestions given by honourable Members and congratulate them for applying their deep thoughts in this discussion.

Regarding Doordarshan, I want to clarify that your own Government had implemented the Ordinance which made Doordarshan and All India Radio autonomous...(Interruptions)

SHRI RAM VILAS PASWAN : What is the meaning of autonomous? I am hearing this thing from the beginning...(Interruptions)

SHRI MADAN LAL KHURANA : Mr. Speaker, Sir, it has always been the policy of this Government that information and broadcasting media should remain accountable to the Parliament. The Bill which was introduced earlier envisaged the accountability to the Parliament. But it was not passed in that form and Prasar Bharti Board was constituted by promulgating an ordinance during the period when

your party was in power, which is not accountable to the Parliament. Our Government, therefore, is trying to amend it and making it accountable to the Parliament by bringing the Bill which has been passed on Friday.

Mr. Speaker, Sir, Shri Ram Vilas Paswan has just now raised the matter regarding not giving coverage to this issue in the T.V. news. I will convey the feelings of Shri Paswanji and this august House to the Minister of Information and Broadcasting and request her to take up this matter...*(Interruptions)*

[English]

SHRI PRAKASH YASHWANT AMBEDKAR (Akola): The Parliament News for both the Houses is prepared by the respective Secretariats.

[Translation]

SHRI MADAN LAL KHURANA : Mr. Speaker, Sir, I have told that I will apprise the concerned Minister of the feelings of Shri Ram Vilas Paswan and request her to look into the matter...*(Interruptions)*

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, you are the speaker of this House and proceedings of it are conducted under your guidance. It is not proper to not go give its coverage in the T.V. news bulletin and to say that it is an autonomous body. I would like to ask the Hon'ble Minister whether the All India Institute of Medical Sciences and other educational institutes are not autonomous bodies? I would like to submit that the Hon'ble Minister may be directed by you to explain the reasons for not including the news about this discussion in the national news on T.V. and he should give a reply in this regard in this House tomorrow...*(Interruptions)*

[English]

MR. SPEAKER : What is this? Shri Khurana has already given the information.

[Translation]

SHRI RAMDAS ATHAWALE : Mr. Speaker, Sir, when such an important issue is being discussed in the House, it is not appropriate to not to give coverage to this discussion in the news bulletin of Doordarshan. Doordarshan is not a private property but it is a public property...*(Interruptions)*

SHRI RAM VILAS PASWAN : Mr. Speaker, Sir, the concerned Hon'ble Minister may be asked to reply in this regard tomorrow...*(Interruptions)*

[English]

MR. SPEAKER : Shri Paswan, you have already brought this to the notice of the hon. Minister and the hon. Minister has given a reply to it.

[Translation]

SHRI LALU PRASAD : Mr. Speaker, Sir, it is not good if news regarding such an important subject is not included in the news bulletin of Doordarshan ...*(Interruptions)*

[English]

MR. SPEAKER : Shri Khurana has already replied to it.

[Translation]

SHRI LALU PRASAD : I agree with the reply given by Shri Khuranaji. Representatives from the entire country are sitting here and discussion is being held on the problems being faced by Scheduled Castes and Scheduled Tribes. People of the entire country want to know as to what is going on in the Parliament. Parliament is the supreme and you are its custodian but it is my observation that the problems of weaker sections, Scheduled Castes and Scheduled Tribes are being suppressed in such a way...*(Interruptions)* It has given a wrong message...*(Interruptions)* It constitutes a breach of privilege to hush up a matter and suppress the news. We will bring a privilege motion if you ask for that. Any official of Doordarshan can not take precedence over Parliament. It is not proper to say that Doordarshan is autonomous. I request on that very day that the autonomy of Doordarshan may be withdrawn...*(Interruptions)*

[English]

MR. SPEAKER : Shri Lalu Prasad, please. It is already 9.05 P.M.

[Translation]

SHRI LALU PRASAD : As per your directions, I am sitting here but you are not allowing me to speak. The reason behind suppression of news will have to be explained to the country...*(Interruptions)* Please issue summons for bringing a privilege motion. Parliament has a right to put anybody behind bars. We are being depriving of our rights. The discussion being held in this House is not being broadcast. Please look into the matter. I will speak on this issue again tomorrow...*(Interruptions)*

[English]

SHRI RAM VILAS PASWAN : Sir, you please direct the Government. Tomorrow, the Government must explain the position. I am not asking about the Parliament News Bulletin. I am asking about the National News Bulletin.

[Translation]

MAJOR GENERAL BHUVAN CHANDRA KHANDURI, AVSM (Garhwal) : Hon'ble Minister has given reply to it...(Interruptions) You will give directions to bring it tomorrow or day after tomorrow...(Interruptions)

SHRI RAM VILAS PASWAN : The Hon'ble Minister has said that he will convey our feelings but I want that as the Minister for Parliamentary Affairs he should reply to it...(Interruptions)

[English]

MR. SPEAKER : Nothing will go on record except what Shrimati Reena Choudhary says.

(Interruptions)*

[Translation]

SHRI MADAN LAL KHURANA : This matter is being discussed in Parliament. I, therefore, will convey your feelings to the concerned Minister...(Interruptions)

SHRI RAMDAS ATHAWALE : Mr. Speaker, Sir, very important discussion is going on but efforts have been made to suppress it...(Interruptions)

SHRI RAM VILAS PASWAN : The Hon'ble Minister has said that he would convey our feelings to the concerned Minister but I would like to submit that concerned Minister should himself explain tomorrow in the House...(Interruptions)

[English]

MR. SPEAKER : The hon. Minister of Parliamentary Affairs has already replied that he will convey your feelings to the concerned Minister.

(Interruptions)

MR. SPEAKER : What is this? Please take your seats.

[Translation]

SHRIMATI REENA CHOUDHARY (Mohanlalgaon): Mr. Speaker, Sir, thank you for giving me an opportunity to raise my point. First of all, I would like to thank Shri Ram Vilas Paswan who has raised an important issue for discussion concerning the problems of Scheduled Castes and Scheduled Tribes for discussion...(Interruptions)

[English]

MR. SPEAKER : Shrimati Thakkar, please take your seat. Please allow Shrimati Reena Choudhary to speak.

(Interruptions)

SHRI R.S. GAVAI (Amaravati) : Sir, it comes under your purview. Please direct the Government...(Interruptions)

MR. SPEAKER : The hon. Minister of Parliamentary Affairs has already replied Now, please allow Shrimati Reena Choudhary to speak.

[Translation]

SHRIMATI REENA CHOUDHARY : Scheduled Castes and Scheduled Tribes have played an important role in the freedom struggle of our country. If we go through the history of freedom struggle, we will find that right from the brave woman, Uda Devi belonging to Scheduled Caste to Maharaja Bijli Pasi have played an important role in the freedom struggle but it is a matter of great sorrow that even after 50 years of Independence, the reality is that those people of dalit society who toil in the fields are not of the land owner. They are not the owner of the industry in which they work. The workers in a brick kiln are not the owner of the kiln. Their plight is that the person who makes cot, sleeps on earth. The dalits who make shoes, can not afford to wear them. Had they not been given reservation, their condition would not have improved to this extent. The exact number of incidents of atrocities being committed on dalits and people of socially weaker sections does not reach to us. Even newspapers and periodicals do not give the exact number of such incidents. Not only this, the Commission for Scheduled Castes does not get the correct figures in this regard. Baba Saheb Ambedkar had created awareness in his own way among dalits about these bitter truths of Indian social life.

Though, a lot of change has taken place through reservation yet even today there is a lack of the feeling of sympathy and friendship in the minds of the people of higher castes towards the dalits. They do not want to accept it. It has become a common practice to grab the lands of the people of Scheduled Castes and use them as property. People of higher

* Not Recorded.

castes take advantage of the facilities in the name of Scheduled Castes by cheating the authorities and keep them as bonded labour. There are several welfare schemes like financial assistance for the marriage of their wards and housing scheme etc. for the people of Scheduled Castes and Scheduled Tribes but the reality is that out of the financial assistance of rupees ten thousand given for the marriage of their daughter, they get only four or five thousand rupees. As regards the housing facility, in camera meetings are held with the authorities as to whom should be given accommodation and it is found that these people are getting the benefit of such schemes who are leading a prosperous life. People for whom these facilities are meant, are deprived of these. The amount which is given for the marriage purposes does not reach them actually.

I would like to quote an example. There was a Cabinet Minister in Uttar Pradesh. Several harijan colonies were demolished in her presence at Mahipalpur in Kanpur and she caused their devastation. That incident got wide publicity through newspapers. A dalit woman named Savitri at Mahmoodkheda of Malihabad, which is my Constituency, was raped and she was paraded nakedly. All these incidents prove that even after fifty years of Independence, our attitude has not been changed. It shows that we do not want the people belonging to Scheduled Castes and Scheduled Tribes to be uplifted. This is the only reason that for not achieving our goal in this regard. Even today, the people of Scheduled Castes and Scheduled Tribes are misbehaved in the name of untouchability. A dalit girl was thrown into burning fire in Mumbai. Most of cases of atrocities being committed on dalits are in Uttar Pradesh, Madhya Pradesh and Rajasthan. The atrocities committed on dalits during 1977 to 1985 include 33 per cent murder cases, 900 cases of serious injuries, 39 per cent rape cases and 71 per cent of cases of arsoning every year but only 75.8 per cent cases were registered. During the year 1990, 17737 incidents of atrocities on SCs and STs took place out of which only 3600 cases came to light and 82 per cent cases were not registered with the police. Out of these, guilty have been punished only in 22 cases. Even today people of Scheduled Castes and Scheduled Tribes have to face a lot of difficulties to get their certificates made in the cities like Delhi. I am sorry to say that atrocities on the people of Scheduled Castes and Scheduled Tribes are increasing since BJP in power in Uttar Pradesh. No Officer belonging to Scheduled Castes and Scheduled Tribes there, is holding any key post like D.M. or S.P. Even some officers of higher ranks are being harassed mentally. I receive letters from various institutions alongwith lists showing the way the people Scheduled Castes and Scheduled Tribes are being harassed mentally and physically. We are

Members of Parliament. But some MLAs are misbehaved by higher officers only because they belong to Scheduled Castes or Scheduled Tribes. We, Therefore, feel that they have changed their attitude towards us. It is a matter of shame for us when we say that we have made a lot of progress and if, even after holding such an important posts, people of these castes have to experience mental harassment from officers and others only because they belong to SCs and STs. We are also responsible for that. I accept this fact that if a person belonging to Scheduled Castes or Scheduled Tribes becomes an IAS or IPS, he sometimes refuses to recognise his parents.

The attitude of the people of Scheduled Castes and Scheduled Tribes is also responsible for this situation. It can be a good initiative if we change our attitude towards them and think about these people. Then only we can do something for their upliftment.

Thank you for giving me time to speak.

[English]

MR. SPEAKER : Now, the Minister will reply.

(Interruptions)

[Translation]

SHRI KANTILAL BHURIA (Jhabua) : Mr. Speaker, Sir, give me an opportunity to speak for two minutes. I also wish to speak at this issue, I am a tribal...(Interruptions)

PROF. JOGENDRA KAWADE (Chimur) : Mr. Speaker, Sir, you had said that everybody would be given a chance to speak...(Interruptions)

SHRI RAMDAS ATHAWALE : Mr. Speaker, Sir, please extend the time of House up to 11.00 P.M....(Interruptions)

SHRI JOGENDRA KAWADE : All Members sitting in the House should be given a chance to speak...(Interruptions)

[English]

MR. SPEAKER : How long should we continue like this? It is already fifteen past nine.

(Interruptions)

MR. SPEAKER : We have allotted only two hours. But we have already debated this issue for six hours.

(Interruptions)

MR. SPEAKER : How can I allow every Member to speak?

(Interruptions)

MR. SPEAKER : Hon. Members, please understand. The Chair cannot accommodate all the parties.

(Interruptions)

MR. SPEAKER : Prof. Kurien, without dinner how long should we continue like this?

(Interruptions)

[Translation]

SHRI RAM VILAS PASWAN : I have a suggestion. The House has been extended for two days i.e. tomorrow and day after tomorrow. You are right to say that now the time would be 9.30 P.M. and there is no arrangement for dinner. All Members and staff are disturbed. Please make arrangements to allow Members to speak tomorrow between 11.00 A.M. to 12.00 noon and Hon'ble Minister may reply by then...*(Interruptions)*

SHRI LALU PRASAD YADAV : Something will be repeated tomorrow also...*(Interruptions)*

SHRI JOGENDRA KAWADE : Mr. Speaker, Sir, I request you to give opportunity for two minutes to all members.

[Translation]

MR. SPEAKER : Please take your seat. A Member from your party has already spoken.

(Interruptions)

MR. SPEAKER : Shri Bwiswmuthiary, you have to take only two minutes.

(Interruptions)

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

(Interruptions)

DR. RAVI MALLU (Nagar Kurnool) : Hon. Speaker, Sir, we have been waiting here since morning without taking lunch and dinner only to participate in the discussion. You have promised that you will give chance to all the Members to ventilate their views. If you do not allow us, then we will walk out.

MR. SPEAKER : Dr. Ravi Mallu, please take your seat.

(Interruptions)

MR. SPEAKER : Shri Bwiswmuthiary, please finish it within two minutes.

(Interruptions)

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY (Kokrajhar) : Mr. Speaker, Sir, the Union Minister of State for the newly named Ministry of Social Justice and Empowerment and the learned hon. Members of this august House.

I am very thankful to the hon. Speaker for giving me the opportunity to speak on this very alarming and very important topic which related to atrocities, discrimination and exploitation of the Scheduled Caste and the Scheduled Tribe people of this country. I feel sorry that I am not being given enough time to speak on this issue.

[Translation]

I would also like to speak in Hindi too. It is very difficult to solve the sufferings and agonies of SCs and STs of India to speak in a short time. I would like to give a suggestion to solve their problems.

[English]

I do hope that the hon. Members of this august House including the Minister and the hon. Speaker would sympathise with me in the best interest of ensuring the rights and privileges of the downtrodden, the Scheduled Castes and the Scheduled Tribes people of this country.

Until and unless the Government of India changes its mind, and the outlook in planning and policy approach, neither the Government of India nor we, the people, will be able to change the fate of the millions of the downtrodden the Scheduled Caste and the Scheduled Tribe people. That is why, the change in approach towards policy both by the Government of India and by the nation should be a radical one.

That is why, I would like to appeal to the Government of India as well as to the learned Members of this august House to take note of the following facts and points with seriousness and sincerity. As corrective measure, I would like to suggest the following points.

Until and unless separate Statehood is accorded to the Tribal people living both in hills and plains and the Scheduled Caste people living in compact and contiguous areas, neither the Scheduled Caste nor the Scheduled Tribe people of this country would ever get any sort of justice from

the Government of India, whether it is the previous Govt. or the present one or maybe, even the future one.

That is why, separate Statehood should be granted to the tribal people in the deserving regions.

Here, I would like to mention certain things very specifically. The very genuine demand for Bodoland, the very genuine demand for Gorkhaland, the very genuine demand for Telengana and very genuine demand for Vidarbha should be considered by the Government of India without further any more delay. We want all the hon. Members of the House, cutting across party lines, to be united and be unanimous on this matter. There should be a separate Ministry to look after the tribal welfare, Tribal Development and tribal security. I would like to appeal to the Government of India to create a separate Ministry for Tribal Affairs to take care of Tribal Welfare, tribal Development and tribal security.

A separate National Commission for Scheduled Tribes to be set up by, bifurcating the existing National Commission for Scheduled Castes and Scheduled Tribes, should be created. Again, a separate National Scheduled Tribes Finance and Development Corporation should also be created. A separate National Planning Commission for Tribal Sub-plan Areas should also be created. There should not be any sort of imposition of family planning programme on the tribal people. Family planning programmes should not be imposed on the tribal people. There should be further relaxations in the case of Scheduled Tribes. The existing reservation quota for the Scheduled Tribes should be enhanced upto 15 per cent. In the case of Scheduled Castes also the percentage of reservation quto should be enhanced.

MR. SPEAKER : Please conclude.

SHRI SANSUMA KHUNGGUR BWISWMUTHIARY: There should be a single administrative unit...

MR. SPEAKER : This will not go on record. Please take your seat.

*(Interruptions)**

MR. SPEAKER : Dr. Ravi Mallu.

DR. RAVI MALLU (Nagar Kurnool) : Sir, the problems of Scheduled Castes and Scheduled Tribes form a very sensitive and important issue. I am thankful to you that you have given time not only to me but also to other hon. Members to discuss the problems pertaining to SCs and STs.

* Not Recorded.

Sir, we are celebrating 50 years of Independence. For a country which is independent to have a review of their development and welfare, fifty years is definitely a good period of time by which we must have reached our goal as regards development and welfare.

Sir, you know that when Dr. Ambedkar was presenting the Constitution to the Parliament, he told that if the Government in power would not be taking up developmental and welfare programmes for the Scheduled Castes and Scheduled Tribes, the very structure of democracy would be dismantled by the under-privileged people. He had cautioned that day that, whichever be the party in power, it should take care of the Scheduled Castes and Scheduled Tribes in the real spirit, as it is envisaged in the Constitution. What has happened today, after 50 years of Independence? The Constitution-makers had discussed the social and economic conditions in the Constituent Assembly. They found that there were some communities which were under-privileged and were not living in the centre of the villages. They were treated as untouchables. All these untouchable communities had been entered in the Constitution as Scheduled Castes and Scheduled Tribes. They were given some privileges and the Government was made to implement those privileges in favour of the under-privileged people so that the society as a whole will come up to the level where people can live happily. But what is happening today? After 50 years of Independence, if you go back to the villages, you may still find the caste system and untouchability prevailing there. If you go to the villages, you may find separate colonies for Scheduled Castes constructed under the Indira Awas Yojana of the Central Government or by the State Government housing schemes. That money is meant for housing purpose for the weaker sections. The evidence is that even today, they are constructing the houses one or two kilometres away from those of the general public. Everybody knows about it. But nobody is taking a serious note of it. If this social inequality and economic disparity continues, what will happen? The hon. Minister can go for a few minutes and see the atrocities committed on SCs and STs. The extremism, the naxalism, and the unrest in the country are mainly because of non-implementation of the reservation policy and the directions given in the Constitution in favour of the poor people, particularly, the underprivileged people.

You please see what has happened in Uttar Pradesh. Recently, I had read in a newspaper that in the highest body of the Judiciary, a Judge had conducted 'shudhi' just because a Judge belonging to the Scheduled Caste category sat on the chair of

[Dr. Ravi Mallu]

that Judge. Is it not shameful on the part of the Independent India after 50 years that in the highest body of the Judiciary, a 'shudhi' is being conducted? What message will go to the villagers? What message are we conveying to the castes, communities and religions in this country? Are we not just keeping this issue alive? If anybody has done this 'shudhi', action must be taken against that person under the rules. He should not be allowed to do like that.

Not only that, in Delhi, a Scheduled Caste lady wanted to go to a temple. She was not only not allowed to enter the temple but she was beaten by the BJP workers...*(Interruptions)* I am here to raise the problems of the people belonging to the Scheduled Castes suffering for the last many centuries. I cannot just go away from here. I have been elected to express my views. I have been elected not only by the Scheduled Caste people but also by others. You know these people have sent me to express my views in this august House so that some sort of action is taken to remedy the problems of these people and things are settled there. Otherwise, what is the fun of coming here? We would have been doing some other thing...*(Interruptions)*

MR. SPEAKER : Please conclude now.

DR. RAVI MALLU : Sir, I am speaking on behalf of a Congress Party...*(Interruptions)* Let me speak. This is a very important issue. In my State, about seven ladies belonging to Scheduled Castes were gangraped by some people when they went to collect leaves for their livelihood. Besides this, there were young people who wanted to work with self-respect and dignity, but their heads were shaved...*(Interruptions)* This type of things are happening in Andhra Pradesh. The Scheduled Caste people, who are supposed to enjoy the benefits of reservation, are fighting with each other. Unfortunately, some leaders of the political parties are trying to encourage one group against the other in that State. This is one of the major issues which is creating problems. All these things were discussed.

There are seven Office Memoranda issued by the Department of Personnel and Training which are going against the interests of the Scheduled Caste employees. I do not want to read them out. Shri R.S. Gawai has already mentioned about these Memoranda. Once again, I would request the hon. Minister through you to go through these Office Memoranda.

I wanted to tell you one more thing. Besides these things. I want the National Commission on

Scheduled Castes and Scheduled Tribes should be given a status at par with that of the Election Commission or the Human Rights Commission with full financial and administrative powers.

Secondly, the Associations of Scheduled Caste and Scheduled Tribe Employees, having a majority following in the public sector undertakings, banks, etc., should be recognised at par with the trade unions.

Reservation should be provided in all private and multinational companies, banks, institutions and various other organisations. Adequate provision for representation should be provided to the Scheduled Castes, Scheduled Tribes, and the Other Backward Classes in the Judiciary...*(Interruptions)*

MR. SPEAKER : Dr. Mallu, you already have taken about ten minutes now.

DR. RAVI MALLU : Reservation should be provided...*(Interruptions)* What do you want? Would you allow me to make my submissions or not?

Sir, reservatins should be provided for posts in the various Trade Unions. Workmen and Officers and Directors in the Board of Directors and PSUs and banks should be appointed on rotation basis by following the roster system as they may be after to protecting the interests of the Scheduled Caste and the Scheduled Tribe in these Organisations. People belonging to the Scheduled Caste and the Scheduled Tribe should be provided reservation in all walks of life according to the percentage of their population. An Act on reservation should be brought immediately and should be included in the Ninth Schedule of the Constitution.

MR. SPEAKER : The next speaker is Shri Punnu Lal Mohale.

DR. RAVI MALLU : Sir, just allow me for one more minute.

MR. SPEAKER : Dr. Mallu, please take your seat now.

(Interruptions)

[*Translation*]

SHRI PUNNU LAL MOHALE (Bilaspur) : Mr. Speaker, Sir, I would like to talk about scheduled castes and scheduled tribes. A special drive was launched to fill up the reserved vacancies, has now been stopped. It should be started again stringent action must be taken against the officers and personnels found guilty for not fulfilling the posts reserved for scheduled castes and scheduled tribes

deliberately. Preference is not given to them in promotion. Promotion is not being given even to those who are illegible for that. Though their matter is being put up in the meetings of DPC and CPC yet they are being deprived of promotion and the vacancies are filled up by the general candidates. A meeting of CPC was held to fill up the 28 vacancies in NTPC, Korba, Bilaspur, MP but no candidate from scheduled castes and scheduled tribes was promoted. For this purpose strict laws may be enacted. There should be a provision for imprisonment for three to six months for those found guilty in this respect and their dismissal. Equality may come in the country in this way otherwise they will keep looking on Constitution. 50 years have been passed since our Constitution was constituted but no action has been taken so far. It is a matter of concern.

Sir, whether it is Jawahar Rojgar Yojana or employment guarantee scheme or IRDP or any other scheme i.e. National rural scheme or slums abolition scheme, it may a private institution or any private organisation or university or a bank, candidates from scheduled castes and scheduled tribes are not recruited according to their percentage. I wish that preference should be given to them and for this purpose laws may be amended. At present Rs. 1000.00 is being given for the marriage of a girl. Can anybody arrange his daughter's marriage in such a pity amount? The rich people spent such amount on invitation cards only or on purchasing disposable plates etc. These people get Rs. 18,000 to build a house under Indira Avas Yojna. If we talk about urban areas, even a toilet can not be built in this amount. Those who build toilet, how would they survive. Would they build their houses in this manner. In such a meagre amount even wooden house can not be built, which is a matter of concern. We should apply the good ideas of our social customs for economic and social upliftment of the people, nothing can be achieved by making policies and speeches.

We have our social rituals and traditions but these things would not serve any purpose if we continued delivering only speeches and making it to be kept by the Members of the Parliament. While coming to this Parliament of India will serve our purpose if these people will act upon those points while going to their respective constituencies and make a promise to abide by the constitution and a promise for serving the country. There should be a monitoring agency to look after these schemes at district level. I would like to inform the Minister that I was a member of Madhya Pradesh Legislative Assembly last time. At that time I was a Chairman of the Committee on SCs and STs there. There is a system of monitoring whenever the question of

recruitment of SCs and STs arises, records are asked for but the administrative officers and the officials of the general administration over look this point. They do not sent the report to the Committee. How many posts are vacant there, how many persons are eligible for promotion and how many persons were called, whether they were appointed or not, they replied that those who were called were not found suitable and that is why they were not recruited. Administrative Officers submit their report to the Government.

Sir, all educated unemployed people get their names registered in the district Employment Offices. The names can be asked from the registration offices and they can be picked up for employment on merit basis. I would say that this matter should be taken seriously. Whether it is a case of murder or rape or any other kind of case, that should be taken into account seriously by the Government. Now, I conclude and give you thanks.

[English]

SHRI S. AJAYA KUMAR (Ottapalam) : I am thankful to the Chairman for allowing a discussion on the problems being faced by the Scheduled Castes and Scheduled Tribes though at the fag end of this Session. It is unfortunate to note that organised and vicious harassment of Dalits takes place in this land of Buddha and Mahatma Gandhi, even after 50 years of its Independence.

I am sure this august assembly must have many a time discussed this pertinent issue but there is no let up in the crimes against the downtrodden. As per the details provided by the Government, it has been stated that there have been more than 30,000 incidents of crimes in a single year against the Dalits. Numerous legislations, Acts and directives have come as per the directive of the National Commission on Scheduled Castes and Scheduled Tribes. Various State Governments have formed special courts to deal with the situation. It is unfortunate to note that most of these courts are in disarray and there is absolutely a crisis of confidence. I would not elaborate on these aspects but would concentrate on the specific and pertinent reasons for the virtual trauma of the Dalits.

The issue is many-fold, political, economic and social. Dr. Ambedkar had opined that 10 years was a good period for the assimilation of the Dalits in the mainstream. It has not happened even after five decades. Giving reservations to Dalits and empowering them are different issues. So far, we have concentrated only on reservation and some

[Shri S. Ajaya Kumar]

cosmetic reliefs. The ailment has not been diagnosed or treated for. A majority of Dalits are living in inhuman and unhygienic conditions without getting a helping hand. To be part of the financial discourse of the State, various schemes mooted for the Dalits have not simply taken off. They are formulated in Delhi and transmitted through insincere class of bureaucrats of politicians.

MR. SPEAKER : Please wind up.

SHRI S. AJAYA KUMAR : Sir, you gave me two minutes' time. I have spoken for just one minute.

They are transmitted through insincere class of bureaucrats or politicians who do not take note of the reality of the people for whom they are formulated.

There were many brilliant suggestions which were unheeded to in the past. Crores of hectares of land are with the landlords which are obviously lying uncultivated. Proper land reform measures could be implemented whereby excess land be given to the landless Dalits. I am very happy to say that my State Kerala is the first State in India which has introduced land reform measures way back in 1959. The Act completely eliminated landlordism in the State. Real tillers became the owners of the land. Leasing of land by the landlords was abolished. The reforms had far reaching effects on the social set up in the State. In 1959, in the Land Reforms Act, it was also provided that the excess land be distributed among the Scheduled Castes and the Scheduled Tribes in Kerala. The condition of the Scheduled Castes and the Scheduled Tribes was radically changed in the State...*(Interruptions)*

MR. SPEAKER : Now, the Minister may give the reply.

SHRI S. AJAYA KUMAR : They got a social status. If the Government wishes to improve the ...*(Interruptions)*

MR. SPEAKER : What is this going on? I do not know, why are you shouting everytime?

(Interruptions)

[Translation]

SHRI KANTILAL BHURIA (Jhabua) : Mr. Speaker, Sir, give me two minute...*(Interruptions)* give me only two minute. I have to speak about our society ...*(Interruptions)*

[English]

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : There are some tribes residing in Andaman and Nicobar islands...*(Interruptions)*

MR. SPEAKER : This will not go on record.

*(Interruptions)**

THE MINISTER OF STATE OF THE MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT (SHRIMATI MANEKA GANDHI) : I am grateful to the hon. Members for...*(Interruptions)* I cannot speak like that...*(Interruptions)*

MR. SPEAKER : Nothing will go on record.

*(Interruptions)**

SHRIMATI MANEKA GANDHI : You have already spoken. Sit down...*(Interruptions)*

MR. SPEAKER : No. Please take your seat. Mr. Minister.

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I cannot speak...*(Interruptions)*

MR. SPEAKER : Mr. Minister.

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I am grateful to the Members of the House for raising some very important issues...*(Interruptions)* I am really fed up. Please do not do this, Prof. Kurien...*(Interruptions)*

MR. SPEAKER : This is too much. What is this? How long we can continue the House like this?

(Interruptions)

MR. SPEAKER : Now, Mr. Minister.

SHRIMATI MANEKA GANDHI : They are not letting me to speak...*(Interruptions)*

MR. SPEAKER : Mr. Minister.

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I thank the hon. Members for raising some important issues...*(Interruptions)*

MR. SPEAKER : What is this? How long we can continue the House? It is already 10 o'clock. There should be some limit.

(Interruptions)

PROF. P.J. KURIEN : Let me submit that there is unanimity in this House as far as certain subjects are concerned...*(Interruptions)* Let me complete, Mr. Minister. Do not interrupt me...*(Interruptions)*

* Not Recorded.

SHRI N.K. PREMCHANDRAN (Quilon) : If the hon. Minister is not willing to reply, let the House be adjourned...(*Interruptions*)

PROF. P.J. KURIEN : No...(*Interruptions*) Let me submit that in this House there were some subjects where there was unanimity to the effect that all the hon. Members should be allowed to speak. The subject of Railways was one such subject.

We sat very, very late in the night. The Minister of Railways sat through the entire discussion. The problem of SCs and STs is the most important issue. Every Member is asking for two or three minutes' time only. After all, we have sat up to 10 o'clock, even if we are going to sit up to 11 o'clock in the case of the discussion regarding the problems of SCs and STs, they should be allowed. The hon. Minister should sit through the discussion. Every Member should be given two or three minutes' time only. I am requesting all the hon. Members that they should stick to three minutes only.

MR. SPEAKER : Prof. Kurien, how long you will continue the discussion in the House? Do you know how many Members are there? How can we accommodate all the Members?

PROF. P.J. KURIEN : Sir, you please give two or three minutes' time only.

MR. SPEAKER : There should be some limit for everything.

PROF. P.J. KURIEN : You ring the bell after three minutes.

SHRI SATYA PAL JAIN : You talk of three minutes but you take up 15 minutes.

PROF. P.J. KURIEN : Sir, please give two or three minutes' time. You can stop everybody after three minutes. Please allow, after all, they are our Members. We are already late. Let us take one more hour for the discussion regarding the problems of SCs and STs. Shri Ram Naik, since you were on this side also, you know the problem better.

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS, MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF PLANNING AND PROGRAMME IMPLEMENTATION (SHRI RAM NAIK) : Sir, the hon. Members' earnestness to speak is well appreciated. But when we discussed it, we decided that this subject should be given two hours' time. Now, right from three o'clock, we are nearing 10 o'clock. We have discussed this subject for seven hours, still, there are a few Members. It will be difficult to complete. Even when we know that the

discussion is only for two hours, we have given more time. But he is giving the example of Railway Budget and we sat throughout the night for that discussion.

There is one more aspect that I must bring it to your kind notice. Madam Minister is not keeping good health. In spite of that, she has been sitting here right from 12 o'clock. So, this difficulty should also be appreciated and now she should be allowed to give the reply...(*Interruptions*)

PROF. P.J. KURIEN : What did you do when you were on this side?...(*Interruptions*)

SHRI SHIVRAJ V. PATIL (Latur) : I think very good discussion has taken place in the House and there are some points which have been repeated by all of us. Even then, I think, having sat here for this much of time, if you give 15 or 20 minutes' time or half-an-hour more, the hon. Members would be satisfied. Maybe, the hon. Minister may also please cooperate because that will be the happy conclusion of this debate. If each hon. Member is given two or three minutes' time, we will feel very happy. I hope the Minister, the Minister for Parliamentary Affairs, and the Chair will oblige me.

SHRI RAM NAIK : If at all this can be honoured, I explained her difficulty...(*Interruptions*) What is this? ...(*Interruptions*) I am not telling you. I am telling the hon. Speaker. You go on speaking. Then, please allow her to lay her speech on the Table ...(*Interruptions*) You go on speaking. This is not the way of debating. You get up and go on shouting. This is not the way of debating. We are cooperating and just now you are going on shouting, shouting and shouting. This is not the way...(*Interruptions*)

MR. SPEAKER : Shri Premchandran, please sit down.

(*Interruptions*)

SHRI SATYA PAL JAIN : Do not shout like this. Please sit down...(*Interruptions*)

SHRI RAM NAIK : Prof. Kurien, I think you should be in a position to control your Members ...(*Interruptions*)

SHRI P.M. SAYEED (Lakshadweep) : This is not the way...(*Interruptions*)

PROF. P.J. KURIEN : You need not advise us. You are not the Speaker. Do not say like this ...(*Interruptions*)

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : If you do not want us to speak, then we will go away. Let the tribal people die...(*Interruptions*)

SHRI SATYA PAL JAIN : You should give the list of Members to the Speaker. Out of that, the Speaker may call...(*Interruptions*)

SHRI RAM NAIK : Only two hours had been given. But we do not mind their speaking.

Mr. Speaker, Sir, you may decide how many Members want to speak. If they are going to abide by a time limit of two minutes each we may agree.

PROF. P.J. KURIEN (Mavelikara) : We would have completed by now.

SHRI RAM NAIK : For the last 15 minutes you have been saying the same thing now...(*Interruptions*) This is not the way. We do not mind it. Let us fix up the time. By 10.15 p.m. It should be over.

[*Translation*]

SHRI RAM VILAS PASWAN (Hajipur) : Mr. Speaker, Sir, several Members have given notices under Rule 377. Please give instruction for laying them on the Table of the House.

MR. SPEAKER : Instruction will be given later on.

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : Mr. Speaker, Sir, I have been a Member of this House for last 21 years but had never I witnessed such a situation. When the Government is not ready to listen the Members belonging to remote areas.

I would like to tell you that there are six types of Adivasis in Andaman and Nicobar Islands which are aboriginal tribes. These are Shompen, Nicobari, Sentinali, Pungi, Jarwa and Andamani. Of these Jarwa, the aboriginal tribes are dying of hunger. Administration is not ready to provide them food, because the Anthropological Department has suggested that except banana and coconut food should not be given to them. They have to be given only unripened banana not the ripened one. But these people are not ready to eat the unripened banana after having been ripened. Once upon a time they were called hostile and now, they after travelling in the boats reached in the districts and beg for food but food is not provided to them. If such practice will continue one day, these races will extinct. I would like to put a demand that a team of MPs should be sent in those Islands who will observe the conditions of these tribes, exclusively the conditions of primitive aboriginals.

The second thing which I would like to say that the great Nicobar where the Shompen people live in adjacent to Indonesia Border. There is no medical

facilities for these people. However, doctors are there but they do not want to go these places. Staff is not there. Therefore a Parliamentary team from the Government side should visit these areas and study the plight of six tribes. This can help to improve their lot. They should be provided with food on an urgent basis otherwise the Jakha aboriginal tribe will become extinct.

One thing I would like to say is that an autonomous tribal council should be constituted for the tribals in accordance with the sixth schedule, there can be no second opinion about it. Another thing I have to say is that the SC's and ST's in our State are not so in another. For quite some time it is under discussion that they should be recognised in all States, but a decision on this is still awaited. We must reach a decision and if there is a constraint, all the parties should collectively find a way out, otherwise such things will continue. Lastly, I refer an incident that happened in Delhi yesterday, as reported in the newspapers. I do not talk on party basis, I have heard many persons, they speak of their respective parties, I do not go into that, but one thing I want to ask what we achieved in the 50 years of independence? We talk much but nothing worthwhile has happened over the last 50 years. Much has been done for some tribes in this country but much is needed to be done and for that a national programme should be formulated.

22.00 hrs.

Every national party and all people should pay a collective attention to it so that we could bring about some changes in the situation. I was talking about an incident happened in Delhi, in which the worker of a political party has beaten a Jatav, harijan woman and I ask what action has been taken on it. It being a union territory case, the Home Minister should give a statement as to what action he has taken on it, what he has done. More words would not do anything. We shall have to put before the House and the country our sincerity that we really mean to do it, we really want to eliminate untouchability, we really want to stop atrocities against the women of scheduled castes and scheduled tribes, we will have to give its proof. Mr. Speaker, Sir, I want to express my gratitude for you, you had become angry but lastly I was heard, for that I thank you.

SHRI ANAND MOHAN (Sheohar) : Mr. Speaker, Sir, thank you for giving me an opportunity to participate in this discussion. Someone has commented that hunger will result in mutual acrimony and deprivation. Today, more than 32 crore people

are facing starvation in this country but there is no provision for them in the budget. Most of them belong to scheduled castes and scheduled tribes regarding whom discussion is being held in this House today. I think that a useful discussion is being held in the House, because by doing so we are paying the real tribute to those who struggled during these fifty years of Independence for conferring equal status on the people of scheduled castes and scheduled tribes. I think that we have paid the real tribute through this discussion to the struggle of great persons like Mahatma Buddha, Mahatma Gandhi, Dr. Ram Manohar Lohia, Baba Saheb Ambedkar, Mahatma Phule and Periyar.

Mr. Speaker, Sir, today, our country is overjoyed because we have become atomic power. However, I would like to remind the leaders of the ruling party that unless we have our manpower, we can not become powerful by merely exploding atom bomb. A country cannot become powerful if crores of people are compelled to live in abject poverty. Therefore, I would like to say that our country can become strong only when the crores of poor of scheduled castes, scheduled tribes and backward classes become strong. National poet Dinkar said - Shanti Nahin Tab Tak Jab tak Na Sukhbhag Nagar Ka Sam Ho, Nahin Kisi Ko Bahut Adhik Ho Nahin Kiso Ko Kam Ho. I think that it is nothing more than an illusion to think of ourselves as a powerful nation till disparity exists in this country. Now several plans are being made for the welfare of these castes. Mr. Speaker, Sir, it is the achievement of fifty years' struggle that you have been elected as the Hon. Speaker of this House. Today, the President of the country as well as the Speaker of the supreme institution hail from this community. During your tenure, the plans being made by the Central Government for the welfare of these poor people need to be reviewed. Unless the people of scheduled castes and scheduled tribes get the benefits of these plans, the Independence will continue to be meaningless. We treat Dr. Ram Manohar Lohia as the real reformer of this country because he struggled very much to enunciate the doctrine of special opportunity. I would like to greet Shri V.P. Singh, who is not present in the House today. People like Shri Lalu Prasad Yadav, Shri Mulayam Singh Yadav, Shri Ram Vilas Paswan, Shri Prakash Ambedkar, Shri Kanshi Ram and Kumari Mayawati are continuing this struggle.

Mr. Speaker, Sir, I would like to submit that today, even after 50 years of Independence, dalit ladies are paraded naked and are deprived of their rights, which are enshrined in the Constitution. Therefore, this situation need to be reviewed and the guilty need to be dealt with severely.

Mr. Speaker, Sir, since there is paucity of time, I conclude now.

SHRI RAMDAS ATHAWALE (Mumbai North-Central) : Mr. Speaker, Sir, we want our rights not alms, we want equality not disparity, we want justice not injustice. We want education not confrontation. If the tribals and dalits of this country are deprived of their rights we will not allow them to function. If we are not allowed to raise our issues, then we will not allow your Government to function.

Mr. Speaker, Sir, so far as the problem of dalits is concerned, I would like to say that in ancient times, caste system was based on the occupation of the people. Even in the scriptures, it has been stated that Chaturvarnam Mayakritwa, Gurnakarm Vibhashah, but subsequently, it had come to be based on the castes. It created the main problem and today, the situation is that we have been compelled to discuss this issue in this august House. So far as the economic equality is concerned, I suggest that land may be distributed among those tribals and dalits who are landless and the unemployed be given employment. These people may be given their due rights.

Mr. Speaker, Sir, even today, dalits are not allowed to enter the temples. We should ponder over this evil and arrangements should be made so that they can easily enter the temples for offering prayers ...*(Interruptions)*

SHRI RAM VILAS PASWAN : Whether same struggle has to be waged to enter the temples as is required for becoming a Member of Parliament ...*(Interruptions)*

SHRI RAMDAS ATHAWALE : Mr. Speaker, Sir, in Ramayana, Balmiki wrote that we have been deprived of education, because they know that we are sharp and if we get education, we can immediately march forward. We have been forced to settle outside the villages because if we live inside the villagees then rubbing of shoulders is possible. But we ourselves do not want to touch them and we consider them to be the untouchables. Now your party is in power. Therefore, I submit to you that justice should be done to the poor, dalits and backward classes because we have many expectations from your Government. Efforts may be made to clear the backlog of the vacant posts reserved for dalits and reservation policy may be extended to the private companies also so that justice can be done to the people of this country. Discussion may be held for giving justice to the people of the country. I would like to submit that at least one Cabinet Minister may be appointed from

[Shri Ramdas Athawale]

the dalit community and Shrimati Maneka Gandhi may be given the rank of Cabinet Minister instead of State Minister. If it is not done, we will resort to agitation. If we want to fulfil the dream of Mahatma Gandhi then the Prime Minister of this country should be from the dalit community. The Government should also make efforts to fulfil this dream and I firmly believe that with your co-operation one day we will have the Prime Minister of this country from the dalit community. With these words, I conclude and I am grateful to you for giving me an opportunity to speak.

SHRI GYAN SINGH (Shahdol) : Mr. Speaker, Sir, today this House is discussing regarding providing facilities to tribal, Scheduled Castes and Scheduled Tribes families.

All the hon. Members have given their individual suggestions.

Hon. Mr. Speaker, Sir, what an irony it is. "tano se bandhe, dilon se dur, Prajatantra ka kaisa dastur". How long we will go on discussing it. I had like to make a submission here that such sorts of discriminations have crept in for want of sympathetic attitude. In post independence period various subsidies are given viz, subsidy on bullock carts, bullocks, construction of houses etc. but still the tribals are suffering. Whose fault is this? When we look into it we find that unless administration do not adopt a sympathetic attitude towards their problems, it cannot bring reformative changes in the lives of tribals. The machinery which has been entrusted the work of upliftment of this section is our Government and the Government officials, exploit the poor people. This system needs to be changed.

Hon. Minister is worried about the forests. I do not want to take much time as I know you are short of time. Officials of Forest Department are filing false cases against Tribals who have been farming on forest land, accused by lacs of those are compelled to attend the courts. I would request the hon. Minister that he should immediately issue orders to withdraw the cases against the tribals for tilling the forest land.

The second thing I wish to submit is to appreciate hon. Atal Bihari Vajpayee for he made a declaration in his election manifesto for providing free education to women upto graduation level.

At last I would like to say that dowry killings take place almost in every society. Women hang themselves to death. But in a tribal community no bride is compelled to commit suicide due to dowry. I would

like to request that these tribals should be honoured for having such a nice custom so as to inspire the upper castes in the country. Our tribal community is free from the evil of dowry rather we extend cooperation to brides party to get her married. Thankful for giving me a chance to speak.

SHRI BHASKAR RAO PATIL (Nanded) : Mr. Speaker, Sir, today I will not take much of your time. Today this House is discussing an important issue relating to SCs and STs. I would not like to repeat what was said by the Members spoke before me. But I would like to make my point in brief, I represent Nanded, a district in Maharashtra, which also touches the borders of Karnataka and Andhra Pradesh. Some of the Members spoke before me informed that the caste which is enlisted as SC in Andhra Pradesh, does not figure in the list of SCs in Maharashtra.

Among others, Shri Ram Vilas Paswan ji also expressed his views. I would like to mention that there are some castes which are not included in the list of SCs especially the Vadar community in Maharashtra which is a stone breaker community, which is very backward class but till date is not included in the list of SCs. I would like to make an appeal to the Government through the Chair that this list should be amended. In Maharashtra, especially in my constituency, there is Hatkar community which falls in the list of STs in other state, similarly there are Dhagar and Dhangarh castes in Maharashtra. In other State Dhangarh caste is included in the list of STs while it is not as categorised as STs in Maharashtra. Just now one of my friend mentioned that Dhodbi is a backward caste in Madhya Pradesh but it is not considered as a backward caste in Maharashtra. In my constituency there is a fishermen community (koli and bhod) which is not included in STs. This list needs to be amended. Similarly, one of my friends said that Kumhar is a backward caste in UP while Kumhar is not included in backward castes in Maharashtra. Even 'Nai' caste is also not included in such categories of castes.

I would like to request the Government through the Chair that this list should be amended. When we approach the State Government regarding this issue, we are told that this issue is dealt by the Central Government. This does not fall in the jurisdiction of the State Government. As Naik Saheb is well aware, there is a Bhoi community in Maharashtra, it is a fisherman community, they too are deprived of justice. You should enlist all these communities in the reserved category.

I conclude with these words and I am grateful to you for allowing me to speak. Thankful
...(Interruptions)

SHRI KANTILAL BHURIA (Jhabua) : Mr. Speaker, Sir, please give us a chance to speak...*(Interruptions)* Why we are not allowed to speak while everybody has been given a chance...*(Interruptions)* This is injustice with us...*(Interruptions)*

[English]

MR. SPEAKER : Shri Bhuria, please take your seat. How can we accommodate everybody?

(Interruptions)

MR. SPEAKER : Please take your seat. This is not good.

(Interruptions)

MR. SPEAKER : Shri Bhuria, this is too much.

(Interruptions)

[Translation]

SHRI KANTILAL BHURIA : We represent tribal areas...*(Interruptions)* Can we not take up issues concerning our community?...*(Interruptions)*

[English]

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I am grateful to the hon. Members for raising this very important issue...*(Interruptions)*

[Translation]

SHRI KANTILAL BHURIA : Mr. Speaker, Sir, we want your protection...*(Interruptions)* Children are paid Rs. 250 to 260 in the States but there, they are paying Rs. 115...*(Interruptions)* Such a large disparity...*(Interruptions)*

[English]

MR. SPEAKER : Shri Bhuria, this point has already been covered by some of the Members. Why are you repeating it?

(Interruptions)

[Translation]

SHRI KANTILAL BHURIA : There are so many crimes in the States...*(Interruptions)* Presently Assam, Himachal Pradesh, Tripura and Meghalaya are in sixth schedule, Madhya Pradesh Legislative Assembly has passed a proposal on this issue and has sent it to the Government of India. That should be implemented.

[English]

MR. SPEAKER : This is too much, Shri Bhuria. What is this? The Minister may please continue. Shri Bhuria, please take your seat. This is not good.

(Interruptions)

MR. SPEAKER : I may tell your leader that this is not good. What is this?

(Interruptions)

MR. SPEAKER : Prof. Kurien, what is this? Please ask your Member to sit down. What is this?

[Translation]

SHRI KANTILAL BHURIA : The Government of India has provided Rs. 19,000 crores for tribal welfare under tribal sub-plan out of which Rs. 1000 crores have been released till date during this year.

[English]

MR. SPEAKER : Mr. Minister, please continue your reply.

[Translation]

SHRI KANTILAL BHURIA : Rest of Rs. 18,000 crore should also be released otherwise how will the tribals make progress. You are pretending as if you are serving the tribals but in fact this Government is merely deceiving the tribals.

MR. SPEAKER : Shri Bhuria, please take your seat. What is this? You must know the procedure. Without knowing the procedure, you are speaking. Mr. Minister, please continue your reply.

SHRI K.H. MUNIYAPPA (Kolar) : Sir, please give me two minutes time.

MR. SPEAKER : Shri Muniyappa, please take your seat. This is not good. What is this? You are a senior Member.

(Interruptions)

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I am grateful to the hon. Members for raising some important issues pertaining to the Scheduled Castes and the Scheduled Tribes. I shall try to reply to them...*(Interruptions)*

MR. SPEAKER : Shri Muniyappa, I am not allowing you. Please take your seat. What is this?

(Interruptions)

MR. SPEAKER : This will not go on record.

(Interruptions)*

MR. SPEAKER : Mr. Minister, you may continue your reply.

SHRIMATI MANEKA GANDHI : Mr. Speaker, Sir, I am grateful to the hon. Members for raising some very important issues pertaining to the Scheduled Castes and the Scheduled Tribes. I shall try to reply to them.

Before I begin, I would like to state that we are in the process of extending invitations to the Members belonging to the Scheduled Castes and the Scheduled Tribes to come to a meeting at the Parliament House Annexe so that we can discuss about the problems and solutions in detail.

I have pleasure to state that the 30th Report of the erstwhile Commissioner for Scheduled Castes and Scheduled Tribes and the First and Second as well as the Special Reports submitted by the National Commission for Scheduled Castes and Scheduled Tribes (in January 1998) have been laid on the Table of Rajya Sabha on 27th July, 1998 and on the Table of Lok Sabha on 28th July, 1998 along with Action Taken Memoranda. Sir, we can take some credit for expediting laying of Report after I assumed the charge of Ministry of Social Justice and Empowerment. It may also be mentioned that after the setting up of National Commission for Scheduled Castes and Scheduled Tribes in 1992, it is for the first time that the Reports of the National Commission for Scheduled Castes and Scheduled Tribes have been laid on the Table of the House, six years later. I have already given notice to Lok Sabha and Rajya Sabha Secretariats for discussion.

The English version of the Third and Fourth Reports has been received. The Commission has been requested for the Hindi version also. Action for preparation of Action Taken Memoranda is underway.

22.24 hrs.

[SHRI P.M. SAYEED *in the Chair*]

The second issue pertains to atrocities on Scheduled Castes and Scheduled Tribes. Sir, I have firm belief that atrocities, whether increasing or decreasing are a matter of grave concern to all of us. Even a single case of inhuman treatment is a slur on the society. However, if we take the facts as they are, the incidence of atrocities has been declining in recent years.

The number of cases reported year-wise are as follows :-

1995	38,494
1996	36,413
1997	32,326

During January, 1998 to June, 1998 except for March, there has been a decline in the cases of murder, hurt and those reported under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

I may also inform the House that during 1995, the number of accused persons convicted was 3,393 and during 1996 their number was 5,514. Likewise, those arrested were 33,716 in 1995 and 32,152 in 1996. The pendency of cases in the Courts has been a concern for the Government and this Ministry has repeatedly been requesting State Governments to take steps to ensure expeditious disposal including the setting up of Exclusive Special Courts. Central assistance on a matching basis is provided to the States as and when proposals are sent by them. I may mention that 55 Exclusive Special Courts have been set up by six States in the country namely, Andhra Pradesh, Gujarat, Karnataka, Madhya Pradesh, Rajasthan and Tamil Nadu. It is hoped that other States will also send proposals for setting up Courts, exclusively for this purpose.

Central assistance is released to the State Governments on 50:50 basis and the Union Territory Administrations on 100 per cent basis to support measures undertaken by them for effective implementation of the Act which includes the provision of adequate facilities including legal aid, the appointment of officers for initiating or supervising prosecutions, setting up of Special Courts, relief and rehabilitation measures, conducting periodic survey and identification of atrocity prone areas and other related matters. During the Eighth Five Year Plan, as against the provision of Rs. 27.70 crore, a sum of Rs. 50.17 crore was released as Central assistance to the States and the Union Territories for the effective implementation of the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. During 1997-98, Rs. 16.47 crore were released to the States.

I may also like to touch upon, in brief, the incident of alleged atrocity on a Scheduled Caste woman of Bijnor District of Uttar Pradesh which was raised in his first speech by the hon. Member, Shri Ram Vilas Paswan. On 13th July, 1998, Shrimati Imarti Devi (SC) was beaten up and her clothes torn by Shrimati

* Not Recorded.

Om Vati (SC) and others (SC) in village Inayatpur of Bijnor District. A case has been registered vide No. 121/98 by P.S. Barhapur, District Bijnor. It has been informed that five accused persons have been arrested and sent to jail. Two police officials who did not pay serious attention have been transferred and an inquiry has been ordered against them. The victim has been paid so far Rs. 4,000/- towards relief. As the victim and the accused belong to Scheduled Caste community, it is not a case of atrocity under the Scheduled Castes and Scheduled Tribes (POA) Act. Under this Act, one of the accused at least has to be a non-Scheduled Caste or non-Scheduled Tribe.

A lot of hon. Members here have brought up similar cases. I would be happy to look into them if you could furnish details and we can see whether in each case action has been taken or not.

The third issue relates to socio-economic development of Scheduled Castes and Scheduled Tribes. The Ministry of Social Justice & Empowerment, and the State Governments have several programmes for the development of education, employment generation and their socio-economic development. Apart from this, Special Component Plan for Scheduled Castes and the Tribal Sub-Plan are the other strategies of focussed attention through which State Governments are required to set apart funds, out of their State budget equivalent to Scheduled Caste and Scheduled Tribe population in their respective States. I agree that some States have not been able to achieve the required percentages, but it has definitely increased. The Central Ministries were also required to apportion funds for the development of Scheduled Castes and Scheduled Tribes and success to some extent has been achieved by a few Central Ministries namely, the Ministry of Rural Areas and Employment. In so far as the schemes of the Ministry of Social Justice & Empowerment for Scheduled Castes are concerned, we have been able to utilise Rs. 2,908.65 crore during the Eighth Five Year Plan against the allocation of Rs. 2,323.30 crore.

The level of allocation has increased in 1998-99 to Rs. 785.93 crore from Rs. 405.98 crore in 1992-93. It is, therefore, evident that allocation for Scheduled Castes and the Scheduled Tribes has been increasing over the years.

Sir, ever since I have joined the Government in this Ministry, I have brought many innovations in the schemes. I would like to mention a few of them :

One, disability concerns have been included in all the schemes.

Two, under the Post-matric Scholarship Scheme, which is what you are asking about, scholarships are given to all Scheduled caste and Scheduled tribe students who meet the economic criteria for all post-matric recognised courses run by recognised institutions. In the first year of a Five Year Plan, the committed liability accumulated over the preceding five years is borne by the State Governments. However, due to non-availability of resources, North-Eastern States such as Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura were not able to provide for the committed liability and, therefore, remained devoid of Central Assistance under the Scheme. The Government have now exempted North-Eastern States from providing for committed liability will be borne by the Central Government and my Ministry. Further, in the past, if a parent has more than two boys, only two of them were eligible for scholarship under the scheme. Now, in my Ministry, all the boys are eligible for scholarship. All the girl children were eligible even before. With the recent amendment of the scheme, all the children whether male or female have become eligible.

Three, under the Boys' and Girls' hostel scheme, it has been decided to make a portion of the hostel barrier free so as to make it easily accessible to disabled students.

Four, the authorised share capital of the National Finance and Development Corporation for Scheduled Caste and Scheduled Tribe students has been raised from Rs. 300 crore to Rs. 1000 crore.

Five, the National Overseas Scholarship which was not operative during the last two years has been revived. Under the scheme, we award scholarships along with passage grant to 30 students belonging to Scheduled Caste, Scheduled Tribe, Nomadic and semi-nomadic communities etc. to pursue advanced studies in Science and Technology abroad.

[Translation]

SHRI KANTILAL BHURIA (Jhabua) : Will you increase the amount of scholarships?

SHRIMATI MANEKA GANDHI : Six, the Scheme for NGOs has been made broad-based. Previously, due to delay in receiving recommendations from the State Governments, most or many of the proposals could not be sanctioned in a timely manner. Now, a decision has been taken to entrust the work of inspection and evaluation to reputed institutions of the country. Scope of the Scheme has been widened to include issues relating to human rights.

[Shrimati Maneka Gandhi]

environment, legal aid, women's problems, creation of awareness, other client services etc.

Seven, among other initiatives taken for the welfare and development of Scheduled Tribes, I may mention a few of them which are meant exclusively for the development of Scheduled Tribes.

Eight, according to article 339(1) of the Constitution, the President may appoint a Commission every 10 years to review the programmes meant for Scheduled Tribes and Scheduled Areas. The last Commission was constituted in 1960 under the Chairmanship of Shri U.N. Dhebar. About 40 years have passed, but no such Commission was set up. This Government has already approved to set up an eleven-member Commission to review various programmes and policies for tribal development. There is a need to critically review the approach and strategy followed so far and to reorient the same to ensure overall concrete benefits to the tribals within a definite time frame for mainstreaming them and for ensuring better quality of life which is at least at par with the rest of the society.

Nine, there are some tribal groups who are leading an extremely precarious existence and some of them are on the verge of extinction. Seventy five such tribal groups have been identified as primitive tribal groups including some in the Andamans. I will come to that a little later. Existing development programmes have not been able to alleviate their condition. The present Government has decided to introduce a new Central Sector Scheme with hundred per cent Government of India funding for implementation of various programmes like health care, safe drinking water supply, training of Scheduled Castes, Scheduled Tribes, education facilities, total security in keeping with their socio-cultural conditions. The Budget provision for the current year is kept at rupees five crore to begin with.

Ten, this Government have decided to launch a new Central Sector Scheme during current financial year for the tribals who will be displaced from forest areas. The Budget provision for the current year has been kept at rupees twenty-five crore. This is a demand made by most of the Members of Parliament because it is felt that the tribals inside the forests are getting a raw deal. Therefore, we have decided to help them.

Now you had asked about post-matric scholarship. Towards the increase in scholarship

rates, all the States and the UTs are being consulted to ascertain their views. This is necessary because at the end of the Five Year Plan, the State Governments have to provide for the committed liability.

I would like to take up one by one, what some of you have stated. If I inadvertently, leave out some points, you will have to forgive me.

There have been a great number of people coming to my office or giving me letters, as my predecessor got the same, for reviving the SCs and STs List to add more people to it. For the first time, the modalities for finalising new proposals for inclusion of other communities in the list of SCs and STs are under consideration. Once these are finalised, the 1400 and odd requests that we have from the various Scheduled, Castes and Scheduled Tribes, will be processed.

The Reports for the National Commission for Safai Karamcharies for the year 1994-95 and 1995-96 have been circulated to all concerned Ministries and Departments of Government of India for taking suitable action and providing a Memorandum of Action Taken on the recommendations of the National Commission for Safai Karamcharies as far as they relate to issues dealt with by the Central and the Union Government under the provisions of the National Safai Karamcharies Commission Act. On receipt of these Memoranda from all concerned, the Ministry of Social Justice and Empowerment will prepare a composite Memorandum of Action taken which will be laid on the Table of both Houses of Parliament.

Now many of the hon. Members have talked about a particular caste being recognised in one State and not being recognised in the other. There is a very little that we can do about it which you may understand because many of you have been holding similar positions in Government. Under articles 341 and 342 of the Constitution of India, a particular community is specified as Scheduled for a State, or sometimes even part of a State. The Constitution does not provide for the scheduling of communities on an all-India basis. This has been confirmed in various Supreme Court rulings as well. If we have to change this, it will require change in the Constitution which we can talk about. Perhaps, if we can all agree, we can come forward with it.

Regarding Andamans, as was brought out, there are five tribes being recognised as endangered in our list. And a special scheme under the Central sector is going to be introduced during the current financial year to cover as I said, all the health

aspects, safe drinking water and economic development.

Now, we come to this problem of the DOPT which Shri Buta Singh had raised. I cannot possibly take the DOPT's services as mandate into the Ministry of Social Welfare for the simple reason that the DOPT covers all service conditions. There is no reservation in the Central Services for any other class. The reservation is for SCs, STs and OBCs only. The DOPT has been allocated the subject of reservation in services in view of the fact that this is their mandate. All the orders of the DOPT that you objected to, which were all brought out on 30.1.97, 2.7.97, 22.7.97 and 29.8.97 were issued after apprising the Cabinet of which Shri Ram Vilas Paswan was a member. This was much before my term. If you say, they are wrong now, I am afraid, I was not here and this Government was not here. They were taken during your Government's time...*(Interruptions)*

[Translation]

SHRI RAM VILAS PASWAN : I am not criticising you. This is not a matter of a particular Government. This thing I had said even when we were in power.

[Translation]

SHRIMATI MANEKA GANDHI : We will let them look into it now.

[Translation]

SHRI RAM VILAS PASWAN : I had suggested you to invite the Minister of DOPT and your nodal ministry, the Ministry of Welfare, alongwith the Members of Parliament belonging to SCs and STs and all other political parties. We can expect some improvements only when a consensus is reached after a discussion on the points prepared by us in this regard. No doubt, it was done as per the orders of the Supreme Court. But despite that, the Government is empowered to amend the constitution. I suggest that you please call a meeting.

SHRIMATI MANEKA GANDHI : It is a good idea. When we meet the MPs, we will ask the DOPT to be present.

Some Members had raised alleging some kind of conspiracy that the meeting of the Dr. Ambedkar Foundation has been put off. But this is not correct. The meeting of the General Body was fixed for the 10th of August but due to some unavoidable reasons, the meeting has been postponed. And the things that we would like to offer you, are still in the process of getting ready. The Chairperson, that

is, me, has fixed the new date for the 2nd of September, 1998, and it has been communicated to the Members. The Agenda are being sent to the Members for the General Body Meeting of the Foundation.

Before I complete, the last thing that I would like to say is that I have received an excellent suggestion from the Consultative Committee attached to this Ministry. I think, one Member is here but the others are not. They have said that we give a lot of money to the States, and we give a lot of money to the NGOs, to the Scheduled Castes and the Scheduled Tribes but most of the Members of Parliament are not aware of who is being given and what, and because of that, they are not in any position to tell us whether these are good or bad. They are also not in any position to find out whether their States are actually using the money or not specially, if they are in the Opposition in those States.

Therefore, we have taken a decision here that every three to four months, we will send a list to Members of Parliament of what has been released to their States, and what has been released to the NGOs, so that all of them can say whether this has been good, what has been left out so that they can take part in governance, no matter, where they are.

Thank you for giving me time.

SHRI MANORANJAN BHAKTA (Andaman and Nicobar Islands) : Can I seek one clarification? ...*(Interruptions)* My point is that in Andaman and Nicobar Islands, there is not Jarwa community which is known as hostile tribe. They are a wandering tribe. When they come to the villages, they attack there. They do not have any food to eat. They are hungry. I, therefore, request that the Government of India should immediately take steps to take care of them by providing them food...*(Interruptions)*

MR. CHAIRMAN : Hon. Members, please take your seats.

(Interruptions)

SHRI RAM VILAS PASWAN (Hajipur) : Sir, what about today's Matters under Rule 377?

MR. CHAIRMAN : That is what I am going to say.

(Interruptions)

MR. CHAIRMAN : Kindly take your seats for a minute. Before adjournment of the House, the House has to take up Matters under Rule 377. If the House agrees, the Matters under Rule 377 listed for today can be treated as laid on the Table of the House.

SEVERAL HON. MEMBERS : Yes, Sir. We all agree.

MR. CHAIRMAN : The Matters under Rule 377 listed for today are treated as laid on the Table of the House.

22.45 hrs.

MATTERS UNDER RULE 377*

- (i) **Need to ensure that letters written to Government Agencies by elected representatives should be attended promptly.**

[Translation]

SHRI GORDHANBHAI JADAVBHAI JAVIYA (Porbandar) : Sir, there is a standing order and also the convention that the letters of the MPs should be promptly replied to and necessary action thereon should be taken immediately but this is not being followed.

Letters of the MPs are not replied to is the general complaint of most of the MPs and not of only me. While such is the fate of the letters of the representatives of the people then what can we expect about the letters of the general public?

I have copies of many letters which were written two or three years back and are yet to be replied to. When officers in the concerned Department are questioned they say that thousands of letters of MPs like you are pending in the Department. Your turn will come after two or three years. When the turn will come after two or three years then the action will be taken further after two or three years.

Sir, when replying to a letter takes four or five years time then how can the purpose be served? In between the next elections will come or the House could be dissolved before the actual completion of its term as was seen on two-three occasions earlier and thereafter the beset Government can reverse the decisions of the previous Government. So, how can the things be got done? This is the condition of our country, our people, our Parliament and our bureaucrats. This should be streamlined. I urge through you that the Government should direct every Ministry and make rules and conventions that detailed replies are sent within a period of two or three months. There should be transparency and the officers should be entrusted upon with this duty, then only the bureaucracy will improve.

* Treated as laid on the Table of the House.

- (ii) **Need for laying of broadgauge Railway line between Bhavnagar and Tarapur in Gujarat.**

SHRI RATILAL KALIDAS VARMA (Dhandhuka) : Mr. Speaker, Sir, with your kind permission under rule 377 I want to draw the attention of the House and the hon. Minister of Railways to a matter of public interest which is pending for years in the Divisional Office of Western Railway in Gujarat. ~

At the time of amalgamation of the Bhavnagar Railway with the Saurashtra Railway and the Western Railway in 1947-48, the then Maharaja of Bhavnagar State Shri Krishna Kumar Singhji Gokil had earmarked a few crore rupees for "Bhavnagar Tarapur broadgauge railway line". Engineering and Traffic Survey of this railway line has also been undertaken. Former Minister of Railways had given an assurance some years back for this in the Rail Budget.

Demand for this railway line is being raised for years by the 'Saurashtra Chambers of Commerce', Railway Passengers Association and many other organisations of Bhavnagar. There had been agitations in the form of Dharna, Hunger strike, bandh etc. from the public several times.

Once this "Bhavnagar Tarapur broadgauge railway line" is laid then Bhavnagar as well as its neighbouring areas will be connected to the entire country and the area will develop. Bhavnagar will be directly linked to Porbandar, Jamnagar, Rajkot, Dwarka, Okha, etc. as broadgauge lines there already exist.

I have been raising this question for the last 10 years in and outside the Parliament. I had written many letters to the Ministers of Railways during the last ten years and sent many representations and also had several meetings, but the Ministry of Railways have not taken appropriate action on this.

I humbly request the Minister of Railways that the demand of "Bhavnagar Tarapur broadgauge railway line" be fulfilled as early as possible.

- (iii) **Need to restore trains between Guntakal-Hyderabad and Guntakal - Solapur route via Wadi.**

SHRI BASWARAJ PATIL SEDAM (Gulbarga) : The cancellation of 14 trains (up and down) between Guntakal-Hyderabad and Guntakal-Solapur route via Wadi, without doing any alternative arrangements has created chaos and problems for thousands of travellers every day to Bangalore, Mumbai, Hyderabad, etc.

I request the Government to call urgently a meeting of the MPs of this area, especially from Gulbarga district, to find out alternative arrangements for the convenience of travellers which comes under the Southern Railway and the Central Railway.

I hope that the Railway Ministry will give up top priority to the problem and do the needful in the interest of thousands of travellers of Gulbarga, Raichur and Bidar districts.

(iv) Need for a special drive to fill up backlog for SCs/STs in Government jobs.

[Translation]

SHRI PUNNU LAL MOHALE (Bilaspur) : Mr. Speaker, Sir, posts reserved for Scheduled Castes and Scheduled Tribes should be filled by way of a special drive and stern legal action should be taken against the officers, who deliberately disallow promotions to the officials of these categories. There should be provision of imprisonment of 3 to 6 months and the guilty should be dismissed from the service so that the rights of Scheduled Castes and Scheduled Tribes officers are protected.

(v) Need to accord approval and to provide sufficient funds for constructing parallel lanes to National Highway No. 4 in Khambatki Ghat in Maharashtra.

SHRI ABHAYSINH S. BHONSLE (Satara) : The condition of the existing two lanes stretch on National Highway No. 4 between Km. 773/0 to 781/0 in Khambatki Ghat is very bad. The traffic on this stretch has increased manifold i.e. about 150 per cent since 1994. The Maharashtra Government has approached the Ministry of Surface Transport for additional double lanes in the Ghat Section in 1994 and the same was approved by Ministry of Surface Transport *vide* No. RW/NH-12012/641/94W(MAH) dated 14.11.94, Sir, due to heavy traffic on this stretch, there is a traffic jam almost daily for about six to eight hours. Due to setting up of many industries in Kolhapur, Sangli and Satara, the people visiting these places frequently have to go through this stretch.

In addition, Mahabaleshwar, a hill station is also visited by tourists especially from Gujarat, Bombay and Pune. The people face difficulties due to frequent traffic jams. Some multi-nationals are planning to set up industries in Satara, Kolhapur districts but they are hesitant due to blockade of traffic.

In view of these circumstances, the State Government has submitted a proposal to Ministry of Surface Transport to construct additional two lane road with a tunnel including strengthening existing two lane stretch in Khambatki Ghat between km. 773/0 to 781/0 of National Highway No. 4. The Government of India have neither approved the project nor provided any funds to the State Government for this purpose.

Therefore, I request the Minister of Surface Transport to look into the matter and approve the aforesaid proposal of the State Government of Maharashtra and also provide necessary funds for this purpose at the earliest.

(vi) Need to issue necessary instructions to the financial institutions to provide credit facility to Sugarcane Growers' Cooperative Societies especially in Western Maharashtra.

SHRI SADASHIVRAO DADOBA MANDLIK (Kolhapur) : I want to draw your attention towards the difficulty being faced by Sugarcane Growers Cooperative Societies particularly in Western Maharashtra to whom letters of intent for establishment of new sugar industry have already been issued about two years ago. With a view to ensure that letters of intent do not remain unimplemented for a long time, a timeframe of three years for implementation of letters has been stipulated. Though the Government has provided preference to the sugarcane growers Cooperative Societies for grant of industrial licences for setting up of new sugar factories, this efforts is not being fruitified as RBI has issued instructions to NABARD for not entertaining the loan applications for setting up sugar industry including the cooperative societies without considering the particular case on merit. This step has discouraged the sugar entrepreneurs and they are facing much difficulty. In addition to this, IDBI, ICICI, IFCI are also not entertaining their applications for loan. Thus the letter of intent is not being implemented even where the sugar industry is viable and new sugar industry has full potential to repay the loan. While getting funds out of NCDC, the State Government is also not distributing the sum properly. There should be some mechanism to scrutinise the loan demand of particular sugar industry centrally and loan in cheque should be provided in the name of particular sugar industry.

I, therefore, request the Central Government that necessary instructions be issued to financial institutions including above ones to provide credit facility to Sugarcane Growers Cooperative Societies particularly in Western Maharashtra.

(vii) Need to establish Central Excise and Customs Commissionerate office at Nasik.

SHRI MADHAV RAO PATIL (Nasik) : I would like to draw the attention of Government to the problems being faced by tax payers of Nasik Parliamentary constituency due to lack of Commissionerate Office of Central Excise and Customs.

The revenue of Nasik was Rs. 481 crore in the year 1996-97 which was more than the existing Commissionerates i.e. Goa, Guntur whose revenue was just Rs. 266 crore and Rs. 451 crore respectively and even the bifurcated commissionerate's average revenue such as Ahmedabad, Kanpur and Calcutta was Rs. 459 crore, Rs. 414 crore and Rs. 434 crore respectively for the year 1997-98 whereas in case of Nasik it was Rs. 537 crore. Even then, Nasik has not been considered as the Central Excise Commissionerate Office at the time of issuing notification. The demand for establishing of Central Excise and Customs Commissionerate Office at Nasik is pending with Finance Ministry/Central Board of Excise and Customs for a period of 15 years. But the Government has not considered this demand while restructuring the department and implementing the scheme of smaller and compact commissionerates. The difficulties at Aurangabad are being faced by the assesses and also by the departmental staff as it is situated at a long distance of 200 km from Nasik. Therefore, I request the Government to establish a Central Excise and Customs Commissionerate Office at Nasik at the earliest.

(viii) Need to set up a heavy industry in Lalganj Parliamentary Constituency in U.P.

[Translation]

SHRI DAROGA PRASAD SAROJ (Lalganj) : Sir, there is no heavy industry in my Parliamentary Constituency, Lalganj in Uttar Pradesh nor there is any other industry for the economic development of this area. Due to which people migrate to other States to seek employment. The economic and social development of this area in Uttar Pradesh is lagging behind. For the development of this area small and cottage industries should be encouraged.

I urge to the Government that for the economic development and to remove the economic backwardness of this area some infrastructural and heavy industry should be established and entrepreneurs should be given relief in the taxes to establish small and cottage industries and industries should be established on the basis of available raw material.

(ix) Need to restore train services between Dindigul and Trichy via Karur.

[English]

SHRI C. SREENIVASAN (Dindigul) : Due to the construction work of metergauge line from my constituency, Dindigul to Trichy, more than ten trains have been cancelled in this sector. This has caused severe hardship to passengers and freight movement.

I, therefore, request the hon. Minister of Railways to restore the services of all these trains by diverting them from Dindigul to Trichy via Karur.

I, further request the hon. Minister of Railways to get the Madras-Trichy conversion project completed at least within next three months by more effective planning because for the past several months passengers waiting to reach southern districts of Tamil Nadu are seriously affected.

(x) Need to pay increased royalty to mineral producing States particularly to Bihar, Madhya Pradesh and Orissa in proportion to market value of these minerals.

[Translation]

PROF. AJIT KUMAR MEHTA (Samastipur) : Sir, the Centre is committed to strengthen the financial condition of the State Governments and to provide them more facilities. This has been given top priority in the National Agenda. I request that in order to enhance the financial resources of the backward States like Bihar, Madhya Pradesh and Orissa the rates of royalty of their mineral resources should be increased in proportion to market value of their minerals to keep its promise and arrears should be paid immediately so that the Bihar State can pay the dues to Rural Electrification Corporation for the speedy rural electrification in order to set up small industries so as to remove youths' unemployment.

(xi) Need to restructure Integrated Tribal Development Agency by involving people's representatives in it.

[English]

SHRI CHANDU LAL AJMEERA (Warangal) : Huge amount are allocated by the Central Government as well as the State Governments for tribal development. The works of laying roads, water supply, irrigation and communication facilities are

undertaken under the scheme. The Tribal Development Projects/Agencies are at present headed by the Collector of the area as Chairman and the Project Officer, who is an IAS officer as Vice-Chairman. Most of the IAS officers posted in the areas do not know the local language, although they are heading the projects. The tribals are not in a position to express their problems to the officers as they do not understand their languages. The officers do not like to speak to them. For this reason, the projects did not improve the standard of Tribals since Independence although much funds were spent. Hardly there is any area in nine Tribal Sub-Plan areas in Andhra Pradesh where improvement could be found. Moreover, funds for these projects are also not being utilised properly particularly in ITDA project in Warangal district of Andhra Pradesh.

I, therefore, submit through you, Sir, that present administrative ladder may be changed for successful implementation of Tribal Sub-Plan and a non-official MP/MLA or reputed public man must be nominated as Chairman of the project in public interest and to gain public confidence. The Tribal Development Project areas/sub Plan areas would be improved and development visibly only if these changes are made. Provision for auditing of expenditure for ITDA Project Areas should also be made. I hope the Government would take suitable action to restructure the administrative set-up of ITDA accordingly.

[Translation]

(xii) Need to provide better railway facilities in Sirsa and adjoining areas.

DR. SUSHIL INDORA (Sirsa) : Sir, Bhatinda - Delhi, Bhatinda - Bikaner and Bhatinda - Jaipur railway lines passing through my Parliamentary constituency Sirsa and the neighbouring district Hissar has many halts for the benefit of the people residing in remote areas but the Government have now decided to discontinue these halts. As a result, these poor villagers will alienate. Gajuwala, Khawarakalan, Jondhka etc. are among these halts. In addition to this, railway line which crosses the National Highway No. 10 passes through Sirsa and Dabwali, the major cities of my Parliamentary Constituency but there is no over bridge on this line. Due to which the level crossing gate is closed before the trains arrive and in a shortwhile traffic snarls are seen in the city resulting in a traffic jam in the city. Therefore, I urge to the Government that over bridges be constructed in these cities and proposed idea of closing down the halts be dropped so that the villagers of the remote areas are not isolated.

(xiii) Need to look into disappearance of M.V. Golden Harvest Ship bound for Jordan from Kandla Port, Gujarat.

[Translation]

SHRI RAMDAS ATHAWALE (Mumbai North-Central) : Sir, M.V. Golden Harvest ship was carrying 48,000 tonnes of Urea from Bhavnagar on 9th June, 1998. It had left from Kandla port in Gujarat. It is a matter of concern that the ship disappeared en route due to winds, rains and storm but the ship has not been traced so far. Eleven Indians were on board as its crew members. The Gujarat port coast guard has informed about the disappearance of the ship. I urge to you that factual position be informed whether the ship has actually sunk or it has been captured by Pakistan. But, in my opinion, its wreckage remains should have been recovered if it had sunk. The Government of India should give complete information in this regard.

(xiv) Need to devise urgent means to reduce emissions of greenhouse gases causing warming of global climate.

[English]

PROF. SAIFUDDIN SOZ (Baramulla) : It is an established fact that Carbon dioxide in the atmosphere is increasing day by day. It has also been established that first half of 1998 was the warmest on the Globe in the last 120 years. In the Indian sub-continent the average temperature for the month of May was substantially higher than normal. New Delhi recorded in May this year 46.5 degrees celsius which was the highest in 50 years. This kind of situation can result in rise of sea level, submerging of marine cities, melting of polar icecaps and the climate in future will get changed altogether. Human health and environment will be adversely affected. The Climate Scientists have cautioned that emissions of greenhouse gases from burning of fossil fuels is the cause of Global warming.

The Globe International, a prestigious international organisation of Environmentally-committed parliamentarians from more than 54 countries has been raising crucial questions for the international community and warning it of the disastrous effects of Global climate change. It has warned US and other industrialised countries, who continuously pollute the atmosphere, that they should feel the responsibility and devise urgent means to reduce emissions before it was late for these countries and rest of the world. The Globe's able

[Prof. Saifuddin Soz]

and knowledgeable leader (President) Tom Spencer, who is a distinguished and reputed parliamentarian, has rightly asked the Industrialised West to agree to negotiate legally binding equity protocol establishing the principle that the apportionment of global emission entitlements be deliberately converged to a point of equal per capita shares at a date to be agreed. He has stressed the need for a global solution to a global problem. Mr. Tom Spencer has raised a question for those who do not yet get alarmed on the global warming and asked them to explain why the monsoon is often late, the rivers are dry, or the floods are rising; why the forest is burning,

the cattle are drying, or in some countries, why there is surf in high street?

He has also emphasised that these are not Acts of God, but Acts of Man.

MR. SPEAKER : Now, the House stands adjourned to meet again tomorrow, the 5th August, 1998 at 11.00 a.m.

22.43 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August 5, 1998/
Shravana 14, 1920 (Saka).*
