

14.46 hrs.

JOINT COMMITTEE ON REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL—

MOTION FOR EXTENSION OF TIME FOR PRESENTATION OF THE REPORT.

[English]

SHRI PAWAN KUMAR BANSAL (Chandigarh) : Sir, I beg to move :

"That this House do extend up to the 20th August, 1993, the time for presentation of the report of the Joint Committee on the Bill further to amend the Representation of the People Act, 1951".

MR. DEPUTY SPEAKER : The question is :

"That this House do extend up to the 20th August, 1993, the time for presentation of the report of the Joint Committee on the Bill further to amend the Representation of the People Act, 1951".

*The motion was adopted.*

14.47 hrs.

BUSINESS ADVISORY COMMITTEE THIRTY-FIRST REPORT

[English]

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : Sir, I beg to move :

"That this House do agree with the Thirty-first Report of the Business Advisory Committee presented to the House on the 12th August, 1993".

MR. DEPUTY SPEAKER : The question is :

"That this House do agree with the Thirty-first Report of the Business Advisory Committee presented to the House on the 12th August, 1993".

*The motion was adopted.*

14.49 hrs.

NATIONAL COMMISSION FOR SAFAI KARAMCHARIS BILL—Contd.

[English]

MR. DEPUTY SPEAKER : The House will now take up further discussion on the National Commission for Safai Karamcharis Bill. Before I call Shri Mangalal Prem I want to make a request to the whips of the respective parties to kindly send the names of the speakers. Frequent sending of lists may disturb the entire system. I request for their cooperation. The time allotted for this is two hours.

THE MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (DEPARTMENT OF ELECTRONICS AND DEPARTMENT OF OCEAN DEVELOPMENT) AND THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM) : Sir, I have a request to make to this House. It is up to the House to consider it. I may request the House that as this is a very important Bill, we would be extremely obliged if the House considers whether it could pass the Bill today as the Government feels that if it could be passed today, may be, the other House also could be approached today itself and we could pass it in this week. Otherwise it will spill over to next week. We will be grateful if this proposal could be considered.

MR. DEPUTY SPEAKER : The hon. Minister has made a request. It is upto us to cooperate with him.

SHRI SYED SHAHABUDDIN (Kishanganj) : What is the reason for it ?

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur) : It is very difficult to pass this Bill today. The Private Members' Business is to start at 3.30 p.m. Even otherwise also, being Friday, it is not possible to sit late. This Bill should, therefore, be passed on Monday.

[English]

SHRI RANGARAJAN KUMARAMANGALAM : I can explain.

PROF. SUSANTA CHAKRABORTY (Howrah) : Sir, there is no need. The convention is that we sit upto 6 p.m. on a Friday. Today is Friday and the Private Members' work is to start at 3.30 p. m.

[Translation]

SHRI MOHAN SINGH (Deoria) : Had the hon. Minister tried since yesterday, this Bill could have been passed today. He is not interested himself. That is why, first 10 minutes were wasted in completing the quorum. Then Private Members' Business is going to start at 3.30 p.m. If the sitting of the House can be extended after 6 p. m. ....(Interruptions).

[English]

SHRI RANGARAJAN KUMARAMANGALAM : Sir, as far as the charge, that we are not interested is concerned, I would like to say that we are very much interested. The major reason is that this is a Bill on which there is no differences of opinion after all, in the House and I was hoping that if we could pass it today, then before the 15th of August we would have passed this Bill.

MR. DEPUTY-SPEAKER : The Business Advisory Committee also has felt it absolutely essential. I would read it. It says that the Committee further recommends that in order to provide sufficient time for the completion of urgent items of Government business, the House may sit

late from Friday, the 13th August, 1993, till the remaining period of this Session. This is for your kind information.

[Translation]

DR. LAXMINARAYAN PANDEYA : The discussion has just started. All the Members should be allowed to speak ... (Interruptions)

[English]

MR. DEPUTY SPEAKER : Now Shri Mangal Ram Premi.

[Translation]

SHRI MANGAL RAM PREMI (Bijnor) : Mr. Deputy Speaker, Sir, this Bill meant for backward classes has been brought hereafter 45 years. I thank you for giving me an opportunity to speak on it. The Government has been saying for the last two years that a Commission would be set up for this purpose but the Bill has been brought now after wasting two years. The Hon. Prime Minister had announced from the ramparts of the Red Fort. That a Commission would be set up for the 'Safai Karamchharis'. During the Budget Session, the Hon. President had stated in his speech before the Members of both the Houses that a Commission would be set up and some funds were fixed also, but it continued to increase and decrease. According to the Prime Minister, this amount was of Rs. 560 crores, but according to the hon. Minister it was Rs. 460 crores. Now the amount is being stated to be about Rs. 905 crores. A few days ago, I had raised this matter in the House and asked as to why it is not being declared. I had also said that an amount of Rs. 1200 crores should be earmarked for this purpose. There was a statement by the hon. Minister in the 'Navbharat Times' that about Rs. 60 crores had already been spent out of that amount. The hon. Finance Minister is sitting here. The Government frames policies but its intentions are not good. It has taken two years to bring this Bill and therefore, I do not want to hail the Gov-

ernment. Thanks are given when something new is done. This is our right about which the Government has brought a Bill here and we are fighting for our right. Had the hon. Minister been here, he would have answered as to on what item Rs. 60 crores have been spent. I had asked him about his statement as to where this amount of Rs. 60 crores have been spent. He said that toilets are being constructed. But no alternative employment was thought for those who are going to be rendered jobless. On my raising the issue again in the House, I am being told today that a Commission is being set up. The hon. Finance Minister is also sitting here. I would like to ask the hon. Minister as to how much of the amount has been left? I am not asking how much has been swindled away.

I have said it in the House earlier also and would like to ask again from the hon. Members and Ministers sitting here whether there is anybody who is not utilising the services of these people. They serve everyone, whether he is a Member of Parliament or an official. They are being deprived of their rights, but these people are sitting still with their eyes closed. This has been happening for the last 45 years. I am not talking about the period of 3 to 4 years. When the Janata Party was in Power. Now these parties come to power for 10 to 11 months only. But the Congress Party, by manipulation or otherwise is carrying on its Government. Its time has also come to an end. These people have been exploited during the Congress Party rule of 45 years. This will continue to happen. What was actually decided was that a Commission would be set up and centres would be opened at each district with the help of allocated funds and the affected persons would be given training about carpet weaving or running a dairy etc. The trained persons would be provided a loan of Rs. 50,000/- by the Government out of which Rs. 25,000/- will be waived off and the rest of the amount will be recovered with an interest of 4 per cent. I visited several districts and tried to find out even a single training centre, but there was none. These are running on paper only. The con-

cerned people are still working as scavengers. I would like to know as to how long the Government will continue to make such futile schemes?

15.00 hrs.

Are they going to face the same situation again? Shri Kanhaiya Lal was a Member of the Malkani Commission that was constituted in 1964. He pleaded for these people. But the rules recommended by the Commission were never implemented. In big cities like Delhi and Bombay, they get uniforms and other essential items, but in small cities they do not even get their salaries for 9 to 10 months. How these poor people are going to maintain themselves. They do not know as to in which bank their Provident Funds have been deposited. What is the account no. and when will they get it? They do not get this money for 9 to 10 years after their retirement from service. The situation in town areas and notified areas is even worse where these workers do not get their salaries for months together. Mr. Deputy Speaker, Sir, you can easily imagine how these people maintain their families? They are exploited in the field of education. The society exploits them as they live below the poverty line. They are even deprived of their rights of reservation. If an educated person is working as a safai Karmachari, he is not recruited even to the post of peon and if he has been shunted out of his job, there is no hearing. He is only meant for scavenging.

Mr. Deputy Speaker, Sir, now there is contract system, in which the contractor takes Rs. 100/- per day, but the worker gets Rs. 20/- only. There is no information about what the middleman is doing. Once, this example was given during the Budget session. In Shimla, one kg of apple costs Re. 1/- but the same apple costs Rs. 10/- per kg in Delhi. This means that the producer is getting only Re. 1/- whereas the middleman is taking Rs. 9/-. Similar is the situation of the worker working under a contractor. He is getting only Rs. 20/- whereas the contractor is taking the remaining Rs. 80/-. Is this not exploitation? Had the hon. Minister been

here, I would have asked him the definition of a Safai Karmachari. How the number of scavenger carrying night soil is only 5 lakhs Mr. Deputy Speaker, Sir, about 5 to 7 crore people are engaged in this job. They will also be called Safai Karmacharis whether it is a municipality, a town area a notified area, a district council or a school. All the scavengers will be called Safai Karamcharis.

Mr. Deputy Speaker, Sir, so far as carrying of night soil is concerned, in villages, they work in a single house. Several hon. Members of this House belong to villages and they are aware how these safai Karamcharis are made to work for the entire week in exchange of only 5 kgs of cereals and one loaf.

He does not exploit. But the Government has not paid any attention to that aspect. In this connection I would like to make a suggestion. If the Government wants to pay attention towards villages, let it engage these people there itself for cleanliness purposes so that they could get a good Government job and improve their standard. But the Government will not do that. They ruled for 45 years. Even today one employee discharges two duties. The Government has not paid any attention to it. It knows nothing but to exploit them. It does not want to solve the problems of the poor. The services of these people are utilised as Safai Karmachari as well as Cowkidars. They do scavenging work during day time and perform duty of Chowkidars during the night. Even their children do not go to school. They perform cleanliness job during the day. Thereafter, the B.D.O. asks them to fetch grass for his buffalo. If they refuse the B.D.O. threaten to suspend them. This is the condition of these people. This is how these people are exploited.

The Government has employed Safai Karmacharis in schools. They are being paid only Rs. 15. They get Rs. 20 or Rs. 25 per day in some junior High Schools. The Government should conduct a survey for this. The Commission should be given a chance to review their condition by

making an on-the-spot study in and outside the country.

Once I got a chance to go abroad. I used to be an M.P. from 1980 to 1984. I stayed in Syria for 6 days. I met Safai Karmacharis there. I talked to them and enquired about their duties. After six days I saw a Safai Karmachari on the road performing his duty. A person from Meerut used to work in the Embassy. He offered me meal at his residence. I accepted his invitation. At one O'clock in the night when he was coming to see me off in his car, I saw a truck standing on the way. Its tank was full of water and there was a pipe connected behind it. There were small holes in the pipe. Two persons with suits and boots and hats on their heads were standing there. They had brooms with long sticks in their hands. The tanker sprayed water on the road and it started flowing there. Butts of Cigarettes and bidis and garbage were washed away into the drain. After doing this, their job was over for the day. They have respect in the society. But in India, they remain busy through the day and in the evening they are abused by the clerks and other officers for not performing this or that work. They are threatened with suspension from service. The Safai Karmacharis are in distress. A girl alongwith an old woman used to come for cleaning to the guest house in which I stayed. She used to wash clothes and change bed-sheets. The entire arrangement was in their hands. When we returned at noon after stroll she used to take meals along with us. What an irony? Where our country has gone. There is no respect for the Safai Karmacharis in our society who serve all people in the society.

Do not send persons in the Commission who may ask the Minister as to what they have to do. Its chairman should be a competent man. He should be from this society. I wish that this Commission should be set up. But the members of the Commission should be honest and men of character... (Interruptions)

I have already requested for half-an-hour's time. So, please let me complete my time.

As regards reservation, the Balmiki community is lagging behind. The entire work of cleanliness is performed only by the people belonging to the Balmiki Community. The Balmikis perform cleanliness job in Madhya Pradesh, Gujarat, Uttar Pradesh, Punjab and Haryana. In other States also, these people perform this job but their caste names have been changed. We should not feel bad if people belonging to other Scheduled Castes have made progress with their hard work. Rather we should also make efforts to help these people make progress. I would like to request the Government as well as the House that 50 per cent reservation should be made for the people belonging to the Balmiki Community. It has been done in Punjab. As this society is lagging behind, 50 per cent reservation in education and employment should be made for them so that this community could consider itself as a part and parcel of the society. There is no doubt that these people have come to know about their rights in reservation. That is why they are making for 50 per cent reservation in their favour.

More atrocities are being committed on them in the States which are under President's Rule. The excesses of Police and officers on them are beyond tolerance. There are some issues which I would like to place before you. A Balmiki boy aged 17 years belonging to my district was kidnapped by his nephew. After 8 days, they gave his shirt to his family members. Three and a half months have passed. He was kidnapped in April but the Police has not registered any F.I.R. so far. When the matter was brought to my notice in writing, I approached the concerned S.P. I myself visited the Police Station and met the Inspector. With much reluctance they brought the kidnapper boy and his father and asked them about the kidnapped boy but they did divulge anything. He was an old man. The Minister of Home Affairs is leaving the House. He should

also listen to it. Because he is very quick taking action. He should take care of the people of poor Balmiki Community also. When I went there, the old man was brought and kept under Police custody for three days. Then they called for the people of victim's side and asked them to beat the old man as much as they can. The police people said that inspite of their best efforts, They have not been able to extract any information. The victim's side said that it would be an illegal act and they should immediately be put behind the bars for beating an old man with a stick. The accused were released in the evening. Then the kidnapped boy's father objected to releasing him without finding any clue of his son. I am repeating the words that the Station House Officer uttered on his complaint 'This 'Bhangi' is not in his senses; lash this mean fellow with 100 shoes; throw him out of the Police station. You might recall that last year the Prime Minister had uttered the word 'Bhangi' from the rampart of the Red Fort. There was a sharp reaction in the House. Then the Prime Minister expressed regrets. Today I would like to say that if the Inspector of that Police Station have uttered this word, the entire Police station should be suspended. So far no search has been made for the boy. Even the F.I.R. has not been registered.

Sir, there is also another case of this type. A person belonging to the Balmiki Community was attacked in his own house. It is a case in Guniyapur of Bijnor district. Three-four goondas entered his house to attack him. When he went to lodge the F.I.R. he was beaten. His daughter was pregnant. She made a request to spare them. But the F.I.R. was not written. The Medical report is available with us. You can see it. No arrest has been made although one month has passed. Then there is also a case of Chandpur also. The last incident occurred on 31st instant. The Police called a person 'Bhangi' and threw him out of the Police Station. On the 1st instant, a Thakur boy took a boy to the same police station.

The boy was put inside a chilly-bag and beaten to death. Because it was a matter relating to Balmiki community. That young boy was killed. (*Interruptions*)... There are many cases of this type. He lodged a report in writing. But nobody bothered about him. That boy was killed on the 1st instant and the case was not given any further hearing. After a lot of pressure postmortem of the dead body was undertaken and it was consigned to flames near the Ganga barrage. The dead body of the innocent boy was not handed over to his family members. There is also one more case of the same nature. It comes under Kheri Mayatpur of Police Station Giratpur. People tried to forcibly occupy a house belonging to a person of Balmiki community. I would like to ask as to why the Police-men are making the people of Balmiki community their targets. I lay these cases on the Table of the house and request you to go through these cases and get them enquired into.

AN HON. MEMBER : An inquiry should be conducted through a Parliamentary Committee.

SHRI MANGAL RAM PREMI : If not by the Parliamentary Committee then officials should be asked to inquire into the case and they should be sent from Delhi itself otherwise the local officials will hush up the case and nothing will come out. It is right that I have deviated from this issue, but it was also imperative to make a mention of it. Therefore, I request the Government to provide 50 per cent reservation for this particular class of the society. Besides, the proposed three years schedule for this Commission should be extended till the goal of economic development is not achieved for these people. Government declares public holidays every

now and then. But the Government have so far not declared a holiday on account of Valmiki birthday the man who wrote Ramayana long-long ago. If this holiday is not declared, then these people are ready to start an agitation. (*Interruptions*) We believe in doing service and one who does service becomes immortal. These people can certainly defeat others but cannot concede defeat. If they take a step forward then no force can compel them to withdraw it. They people are determined and of firm conviction. (*Interruptions*)

[*English*]

MR. DEPUTY SPEAKER : Please excuse me. Mr. Premi, you have taken more than half-an-hour. You have spoken for more than half-an-hour. You have to stick to the timing.

[*Translation*]

SHRI MANGAL RAM PREMI : I would like to mention one more point, Sir, as I have already stated that we have a Valmiki temple on Puchkuiyan road and in front of this temple garbage carrying trucks are parked. There is also a NDMC workshop under the temple. I demand that this workshop should be immediately shifted to some other place as this temple is not only a temple but is a centre to which the feelings of the crores of people are attached. Not only this, at the time of the Independence Mahatma Gandhi had gone on a hunger strike in that very temple. ... (*Interruptions*). A platform in the name of Mahatma ji is still there... Therefore, the Govt. should feel ashamed and remove this workshop from there. The heap of garbage should be removed from there, if it is not done then we are ready to launch an agitation over it.

Sir, I request that our demands should be given a serious thought and the Government should urgently declare appointment of a Commission so that the Commission may start its work for the welfare of these people and the funds meant for them should be distributed among them and details should be provided regarding Rs. 60 crores spent by them ... (Interruptions).

[English]

MR. DEPUTY SPEAKER : There are one or two hon. Members who wanted to speak and go. At 3.30 p.m., Shrimati Malini Bhattacharya wanted to go and before that, she wanted to speak for five minutes. Shri Chitta Basu also will not be available here on Monday and so he also wanted to speak. I want to accommodate those two hon. Members.

(Interruptions)

MR. DEPUTY SPEAKER : Now, the Congress party shall have to speak. Shri Buta Singh is not available. Shri Sultanpuri is here. Mr. Sultanpuri, if you oblige, Shrimati Malini Bhattacharya may speak and go. It is depending on you. If you oblige, she may speak.

(Interruptions)

MR. DEPUTY SPEAKER : This Bill will be taken up on Monday also; there is no need for any worry.

(Interruptions)

MR. DEPUTY SPEAKER : Shri Sultanpuri has yielded. Shrimati Malini Bhattacharyaji, would you like to speak now ?

SHRIMATI MALINI BHATTACHARAYA (Jadavpur) : Mr. Dy. Speaker, Sir, I thank you and also thank my colleagues for allowing me this opportunity. I will make a very brief submission. I will not go into making any emotional speech on what is indeed a very very emotional subject. It is indeed a matter of shame that

45 years have elapsed since we acquired independence.

The numerous Safai Karamcharis in our country have not yet acquired the basic independence which is connected with the dignity of human beings. This is indeed a matter of shame. But I do not want to dwell on that. I would rather dwell on the Bill itself.

I also think that basically there is a coincidence between the caste question and the class question that majority of the Safai Karamcharis belong to the so-called scheduled castes—the so-called lower castes. However, this is not invariably true as the statement of objects and reasons in this Bill declares. There are many Safai Karamcharis who do not belong to the scheduled castes at all. There are also such Safai Karamcharis which shows how the caste situation in our country has remained an instrument of oppression. At the same time, because of economic breakdown, because of economic situation, people, who do not belong to the scheduled castes, through economic necessity, are forced to take up this job.

15.26 hrs.

[SHRI SHARAD DIGHE in the Chair]

There are, I think, two sides of this Bill. We welcome the institution of a commission. We are glad to see that this is a time-bound commission expected to complete its work within four years. We do urge upon the Government that this time-limit should be maintained so that within four years, this whole process of rehabilitation of the Safai Karamcharis is completed. Of course, the two questions are connected—one of the rehabilitation of the Safai Karamcharis and the other of the institution of modern toilets where manual scavenging is not necessary. These two projects have to be taken side by side.

The third point that has to be brought into consideration is the question of providing alternative employment for the Safai Karamcharis. They are very badly paid. I agree with our colleague who has just spoken. Sometimes they are not even paid for their work. Yet when you take them out of their occupation, you have to supply some alternative employment opportunities for them.

I am very glad that the hon. Finance Minister is here today. Now we are finding that not only in the private sector but in the public sector itself there is a cut in jobs. There is a reduction of employment opportunities. Ten per cent of jobs are being guillotined by Government order. Under these circumstances, how is it possible for the Safai Karamcharis to be provided with alternative employment opportunities? This is a very specific question to which I would like to have an answer from the Minister. I would like to know whether within this time-span-four years-it would be possible to make a survey of the areas under which such Safai Karamcharis are working at the moment. The survey has to be completed.

Then, there are different ranges of economic conditions among the Safai Karamcharis themselves. So, that has to be taken into consideration. After that, suitable opportunities for alternative employment have to be found for them.

The Government is promising that it will do so. Under the present economic situation; under the kind of new economic policies which the Government has adopted, I want to have a very specific answer from the Minister as to how this is going to be achieved.

Finally, Sir, I would make one more point regarding the Bill itself. It has been said in the Statement of Objects and Reasons that the implementation of this scheme lies with the State Government. It is to be done through the Scheduled Castes Development Corporation set up by the State Governments. At the same time it is said

that since the scope of the National Commission for Scheduled Castes and Scheduled Tribes is restricted to Scheduled Castes and Scheduled Tribes etc., it is felt that a separate statutory National Commission needs to be established for monitoring the schemes. Of course, we hope that it is a statutory Commission that has a degree of autonomy; that it has been given a certain degree of monitoring power although it does not have any mandatory power. But, one question is not very clear to me as to what is to the relationship between this National Commission that is going to be instituted and the State Governments. I think that all the recommendations of the National Commission are going to be placed before the State Governments and that is all, but whether there is going to be any continuing coordination; whether there is any mechanism within this Commission for a continuing coordination between the State Governments, which are the implementing agencies of this scheme and the Central Government? This is a point which is not at all clear from the Bill. So, on this point I would like to be enlightened by the hon. Minister when he is replying to the debate; that is whether any such infrastructural coordination is to be made possible between the State Governments and the National Commission of Safai Karamcharis.

With these words I would only say that a most degrading custom, a most retrograde custom and a most shameful custom, which has substituted in this country for the last so many generations, I do not think it is any less degrading in our country to have the practice of 'anti' or dowry. These practices should be eradicated as soon as possible and the working of the Commission must be expedited for this purpose.