

12.29 hrs.

BUSINESS OF THE HOUSE

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SATYA PAL MALIK): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing Monday, the 27th August, 1990, will consist of:

- (1) Consideration of any item of Government Business carried over from today's Order Paper.
- (2) Discussion on the Resolutions seeking disapproval of the following Ordinances together with consideration and passing of Bills in replacement thereof:—
 - (a) The Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Amendment) Ordinance, 1990
 - (b) The Conservation of Foreign Exchange and Prevention of Smuggling Activities (Amendment) Ordinance, 1990
 - (c) The Indian Council of World Affairs Ordinance, 1990
- (3) Consideration and passing of the Cantonments (Amendment) Bill, 1990.

12.30 hrs.

RE. SITUATION ARISING OUT OF GOVERNMENT'S DECISION TO IMPLEMENT MANDAL COMMISSION'S RECOMMENDATIONS—
Contd.

[English]

MR. SPEAKER: I am coming to you, will you please take your seat?

(Interruptions)

MR. SPEAKER: Mr. Thomas, please go to your seat. I have allowed Shri Somnath Chatterjee.

(Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur): Every section of the House including the hon. Minister has agreed that this is a very important and serious matter. It was I believe the consensus and you also observed that this is a matter which should be discussed either under Calling Attention or under Rule 193. We wanted a discussion under Rule 193. But I find that the hon. Minister has intervened even before a discussion as contemplated has been held and he says this is the Government's view—I don't know. What are we saying? Earlier also we made our position clear that we are not *per se* against the Mandal Commission recommendations. But there are issues and matters which should be taken into consideration before the Government implements it or is able to implement it.

Therefore what was necessary was a discussion on a broader basis. All aspects of the matter should be taken into consideration. The hon. Minister should not take it as a matter of confrontation. There is no matter of confrontation on this issue. We are not against the poor people, we are not against the backward people. This is not a matter of confrontation. It is better that we have a consensus

[Sh. Somnath Chatterjee]

inside the House, in the political parties which will have its own reflections outside also.

Therefore what is essential? We request that there should be a proper discussion in a proper atmosphere and this House should make an appeal to the people of the country at large that they should not take to the path of any such agitation as disrupts the life of the people. In that context I request the Government not to take up an attitude which may give wrong signals—that the Government has such a closed mind, it is not open even to discussions and suggestions—even to those who are not against the Mandal Commission report as such.

As I said therefore I would earnestly request the Government to start a discussion. Political parties are willing to discuss it. Not that they are trying to have a pound of flesh from the Government in this case. Therefore whoever has any grievance in this country we are always advocating that there should be dialogues, negotiations and discussions. Why in this matter an attitude of confrontation should be taken? ... (Interruptions) ... We have had enough examples of arrogance, I am not going into that. I appeal to the Government not to take up an attitude of a closed mind, have an open mind and take the whole House with them. I would request to the Hon. Minister to take the whole House with him. Therefore start a discussion. I have not only my respect and affection for the Hon. Minister whose ability we all know, but we also want not to put any difficulties in the way of their functioning. Therefore that is our request and there should be a proper discussion and negotiation.

[Translation]

SHRI VASANT SATHE: Mr. Speaker, Sir, I would like to make a very humble submission to the House,

to you and to my friend Shri Ram Vilas Paswan in particular. This issue is assuming two angles to-day. No sensible person in this country can deny the fact that the people who have suffered injustice for thousands of years, on the basis of their accident of birth at the hands of this obscurantist social set-up should be given their due in this independent country. No sensible person can have any two opinions in this regard.....(Interruptions) There are no two opinions about the intention and will about the implementation of the Mandal Commission recommendations. This is a welcome objective.....(Interruptions)

MR. SPEAKER: Mr. Hari Kewal Prasad, please keep quiet.... (Interruptions)

SHRI VASANT SATHE: When we have decided on it, the children of the country are our own children and if they harbour any doubts and misunderstanding..... (Interruptions)

MR. SPEAKER: Ignore those who interrupt.

.....(Interruptions)

SHRI VASANT SATHE: Shri Ram Vilas ji, Shri Sharad Yadav and I have shared the same ideology throughout life. Then, if certain persons in out of sheer enthusiasm fuel the caste-war and the civil-war, this country will be ruined. We have not to take up such a role today. The students can be brought to the negotiating table and misgiving, if any, removed. We should make endeavours in the direction of fulfilling the objective of the Mandal Commission report on the one hand and on the other, see to it that no injustice is done to the student community. How do things take a bad shape?

The students wanted to meet the Prime Minister, but they were not

allowed to meet him. The Prime Minister is ready to undertake the 'Padyatra' of Punjab.

(Interruptions)

MR. SPEAKER: Are you sure that they were not allowed to meet him.....

(Interruptions)

SHRI VASANT SATHE: Those students were not allowed to approach the Prime Minister. (Interruptions) Even if some of the Members of the House feel that the students are wrong, then does it behave of the Government to order lathi-charge and use tear-gas on the students? Hundreds of the students are being severely beaten in front of the Rail Bhawan. What do we want to attain out of it? (Interruptions)

MR. SPEAKER: Now, please conclude.

SHRI VASANT SATHE: We must take this situation very seriously, levelling of allegation against each other and saying that you are responsible for this and so we shall not listen to you, will not help. I would request the Government to find some a way out to resolve this.....(Interruptions)

[English]

SHRI CHITTA BASU : Sir, I will be very brief. This is a very sensitive issue. We, all sections of the House, do want, do wish the unity of the people, particularly the unity among the downtrodden classes of our country. We are for the Mandal Commission's report. There is no difference of opinion. There might be some misunderstanding or some misgiving on the modalities of the

implementation of the report. Sir, many State Governments are also there. All parties are also there. What is the wrong if there is an all-party meeting to discuss threadbare the modalities of the implementation of the announcement made by the Government?

I would, therefore, implore upon all sections of the House and also the students who are engaged in agitation. By that kind of agitation, you cannot maintain the unity and integrity of the country. The situation, through which we are passing, needs the unity of the people as a whole and solidarity of the other sections of the people. Therefore, I would implore upon the Government that there should be that kind of discussion among all the parties and Chief Ministers of the States so that a consensus can be evolved for working out the modalities for the implementation of the Mandal Commission's report having regard to the situation within our country and outside the country. (Interruptions)

[Translation]

SHRI MADAN LAL KHURANA: Please talk to the people of Delhi. Seven days have passed and nobody is ready to have talks.

MR. SPEAKER: Shri Madhu Dandavate wants to speak. Shri Advani also wants to say something. You please take your seat.

(Interruptions)

[English]

PROF. SAIF-UD-DIN SOZ (Bara-mulla): Sir, I am on a point of order. Now that you are consulting major parties, it will not be correct not to consult the smaller parties. I may be a small-party man, but I have a point of view on this before Mr. Advani's speech for the second time. (Interruptions)

MR. SPEAKER: Please take your seat. (*Interruptions*) Nobody can ignore you, Mr. Soz. (*Interruptions*) Please take your seat.

PROF. SAIF-UD-DIN SOZ. I have done some exercise on this.

MR. SPEAKER: You will have a discussion. I have already told you.

(*Interruptions*)

SHRI SAMARENDRA KUNDU (Balasore): I am on a point of order. I request you to weigh the merit of my point of order. Once we stray our discussion, this sort of speech will come. It started with a remark of some hon. Members that some people are not allowing, some students are not allowing the MPs to come to Parliament. Now, we are discussing the merits of the Mandal Commission. (*Interruptions*) Kindly bear with me. Here, the hon. Members, Mr. Dinesh Singh, leader of the Congress Party, and Mr. Sathe, have said that there is an upheaval in the country and the country will be divided into two parts. (*Interruptions*) It has been said that economic factor be considered. But 95 per cent of the people are poor. (*Interruptions*) what do you want to suggest?

MR. SPEAKER: There is no point of order. Mr. Advani.

SHRI L. K. ADVANI: Mr. Speaker, Sir, I am sure that my young friend, Mr. Paswan, in his cooler moments, will regret the observations that he has made today because I would never expect it. (*Interruptions*) In one breath, he said that "this is supreme Parliament", and in the next breath, he said that "540 Members of this House do not make the country".

[*Translation*]

I was surprised to hear that 540 Members do not make the country. I

admit that the five hundred and forty Members do not make the country.

[*English*]

We are Members of Parliament. I am sure that none of us would ever claim that this is the country. But, at the same time, we do hold this is the highest forum in the country whose views should never be disregarded. Mr. Paswan, I am sure that this is not the Government's viewpoint. And the Government's viewpoint, when it comes, would not be a confrontationalist view of this kind and would not have assumed arrogance of being the country. If this House is not the country, then this Government is also not the country. I would like to point out one important fact.(*Interruptions*).....No one is the country. Sir, here in this particular case, a particular decision has been announced. It has not been put to the House for discussion for approval even in a normal manner, apart from approval by vote. It is not a bill which has been put before the House for consideration and passing. It is not a Constitutional Amendment which has been put before the House for its passing. And what is more important is that this minority Government was advised by both the supporting parties that while we are also in favour of implementing the Mandal Commission, we would like the economic criterion to be added to it. Therefore, you should not hasten with it. You should not be in a way of hurrying about it. Now, I am not going into the details because the discussion would come. But I would like to plead with this Government on both counts, namely, discussions with various groups in this House and discussions with the representatives of the people outside, whether pro-reservationists or anti-reservationists. Do not shut out dialogue with them. Do not take that stand that all that remains to be done by this House is to condemn them for agitating. This is not the right way in approaching this very sensitive and vital problem.

This is what I would like to submit. I am sure that this Government would take a different stand from the confrontational tone and tenor that was there in the Minister's statement earlier. *(Interruptions)*

[*Translation*]

SHRI TEJ NARAYAN SINGH (Buxaur): Only one side is given opportunity to speak.

MR. SPEAKER: Mr. Tej Narayan, please take your seat. We are not having a discussion this time, it will be done later. Please resume your seat.

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Mr. Speaker, Sir, through you I would like to say that Government has framed a policy on which divergent views have been expressed. In order to remove the misunderstanding, I shall try to put forth before all of you a balanced view, whether you like it or not, and request you to listen to me.

(Interruptions)

[*English*]

Let us not indulge in cheap gimmicks. We have to solve the problem. That is all. Let us solve the problem. *(Interruptions)*

SHRI VASANT SATHE: What is cheap gimmicks in this? *(Interruptions)*.

PROF. MADHU DANDAVATE: Mr. Sathe, I withdraw that word. *(Interruptions)*

MR. SPEAKER: Mr. Sathe, Mr. Dandavate says that he is withdrawing that word.

(Interruptions)

PROF. MADHU DANDAVATE: I will withdraw that word. Are you

satisfied now? If my comment has hurt you Mr. Sathe, I withdraw that word...*(Interruptions)* Listen to me.....*(Interruptions)*... Mr. Akbar, if my observation has hurt you, I withdraw my remark unqualifiedly.

(Interruptions)

MR. SPEAKER: He has withdrawn the word.

SHRI Y. S. RAJASEKHAR REDDY: (Cuddapah): Sir, he will have to apologise. *(Interruptions)*

PROF. MADHU DANDAVATE: If anything has hurt you, I give you my unqualified apology. Are you satisfied now?*(Interruptions)*... Dineshji, let me have my say. *(Interruptions)*

SHRI DINESH SINGH: Mr. Speaker, Sir, we have just heard an hon. Minister from the Government giving the Government's views—saying so—and now Shri Madhu Dandavate claims that he is going to give the Government views. We are willing to listen to the views of Shri Dandavate if they are his personal views. So far as the Government views are concerned, they have already been given by Shri Paswan. *(Interruptions)*.

PROF. MADHU DANDAVATE : If you are interested to see that the situation is diffused, please let us not go into the legalities...*(Interruptions)*.

SHRI KAMAL CHAUDHRY (Hoshiarpur): Are you editing Shri Paswan's views?.....*(Interruptions)*.

MR. SPEAKER: Let us hear Shri Dandavate.

[*Translation*]

Both of them are Cabinet Ministers. They have the liberty to give Government's view in their own way.

[English]

PROF. MADHU DANDAVATE: I do not want to impose myself. Even if one Member from the Opposition says that he does not want to listen, I would not speak.....(Interruptions).

SHRI KAMAL CHAUDHRY: Your views should not be censored.

[Translation]

PROF. MADHU DANDAVATE: Mr. Speaker, Sir, I want to clarify certain points in this House so that there may not be any misunderstanding in this regard. First of all, I would like to remind this House that during last many years in this very House, persons like me, my colleagues from B.J.P., Communist, Marxist Communist, D.M.K. and others... (Interruptions) Yes, I have mentioned the Congress also, and the people from the Congress Party have put forth their views about the Scheduled Castes and the Scheduled Tribes along with backward classes. Twice we have discussed the Mandal Commission Report in this House, the discussion on which was initiated once by me and another time by Mr. Paswan, but I think the House was never divided on the Mandal Commission issue. Even now, my endeavour will be that the House is not divided on social and national issues. But even then many a time it happens (Interruptions)...I want to say that, sometimes, due to certain misunderstandings, certain issues come up, agitations take place. First, we do not want to do anything which is against the Constitution. For the moment, forget the issue of Backward classes and recall whether agitations were not started in the country on the reservation for Scheduled Castes and Scheduled Tribes, due to the misunderstanding? Some of us remained in minority when the communal riots erupted in the country, and we do not mind dying in minority. Many a time, it happens that the views we put forth before the

society and the country are not acceptable to all due to some misunderstanding. But I am of the view, as all of the friends will agree, that if, due to some misunderstanding, an agitation takes place anywhere, we should try to remove that misunderstanding. Did we try for that? I want to tell you. Please give me some time. I want to mention about the Scheduled Castes as sometimes all the issues like economic, social, educational etc. come up together before us. I want to give an example. I had once stated before the Ambedkar Committee also that it was not the economic issue alone, all of us, either from the old Congress or from the Congress of today, or from the Oppositions, are committed... (Interruptions).

[English]

Just listen to me. I have my own way of putting things. (Interruptions) I am giving a parallel. When anyone of them speaks, I never interrupt. On analogy you can refer to any number of problems. Try to understand what I am trying to say... (Interruptions).

[Translation]

I would like to explain by giving an analogy because we are thinking of giving reservation to the backward classes. I am taking the issue of Harijans. When the question of reservation for SC/ST came up first at that time the Congress Party, which struggled for independence, all the opposition parties of that time and people belonging to the ruling party were all committed to the question of giving reservation to Scheduled Castes and Scheduled Tribes. But is it not true that on several occasions when the policy regarding reservation for Scheduled Castes was taken up, in many States, people raised their voice in protest against the same? We were all united on this issue and for this I thank you. I have no grudge against

you. We were all together and we all agreed that perhaps a misunderstanding has developed in the minds of a few youths.....(*Interruptions*).

[*English*]

MR. SPEAKER: You please sit down. Let us have the patience to hear the Minister.

(*Interruptions*)

SHRI SOMNATH CHATTERJEE: Sir, do they want a solution? They do not want a solution that is why they are creating trouble. We want to hear the Minister. (*Interruptions*).

[*Translation*]

PROF. MADHU DANDAVATE: Sir, at the outset, I had told you that by referring to Scheduled Castes and Tribes, I was trying to tell you that on the question of reservation a misunderstanding took place among youths several times and it lead to an agitation although we unanimously agreed to it. But at that time, our effort was to approach the students and make them understand that their stand on reservation was totally incorrect and also that prominent leaders like Ambedkar, though affluent, were members of the viceroy's council, their social origin was that of Scheduled Castes and thus they had to fight against social injustice. As such, I would like to tell my friends that the economic status has its own importance, but generally economic position of a person does not really matter; a person faces injustice on account of the social status of the family in which he was born. It is essential that this fact is brought to the notice of the youth.

Mr. Speaker, Sir, Advani Ji and Somnath Ji spoke on the economic issue. I would like to say something in this regard. When the Prime Minister clarified the position in relation

to Mandal Commission.....(*Interruptions*).

Why are you not listening? He spoke in Rajya Sabha as well as outside. What is your problem in listening? There may be problems in understanding. At least listen to what I am saying.

I wish to tell you that we have made our stand very clear several times and on many occasions, and at several places the Prime Minister has also done the same. He has said that when we do something for the backward classes, we discharge our responsibility enjoined upon us by the Constitution. They are all sensible people and have come through political agitation. Our demand for the implementation of Mandal Commission and our opinion regarding backward and Scheduled Caste is not our individual opinion. When we became the Members of Parliament, we took the oath that we would protect the Constitution of India. Have we forgotten that we have certain commitments under Article 340 of the Constitution of India. The words "backward classes commission" and "socially backward" are incorporated in it. The architects of the Constitution might have made a mention of the words "socially and educationally backward" after considering all *pros and cons*. They knew that there is poverty in the country, but there are other ways to tackle it and I agree with Shri Somnath and other colleagues and the Prime Minister have said that the backward classes are being offered 27 per cent of the one per cent Central Government jobs available in the entire country. It implies that out of the entire Central Government jobs available in the country, they will be offered barely 27 per cent out of that one per cent. And the youths are pained even when this much is given. First of all, there is a mention in the Constitution of social and educational backwardness because notwithstanding

[Prof. Madhu Dandavate] the economic conditions, if the social inheritance is different then the SC/ST or OBCs have to face the social injustice. Therefore, the architects of the Constitution have mentioned this in it. But many youths have formed an opinion that the implementation of the new Mandal Commission report will harm their interest; admissions in educational institutions will not be available to them, they will not get jobs, the people belonging to backward communities will get jobs on a large scale and the rest will remain jobless. You must remember that fifty two per cent of the jobs are meant for the general category and twenty seven per cent are being reserved for OBCs. Secondly, I want to reiterate what the Prime Minister has said several times that this is the policy of our Government too. He has said that we will not dilute the reservation that we want to give to the backward classes and [English] outside the periphery of the 27 per cent. Let us consider even the economic factors, the question of poverty. We have no difference with Somnathji; we have no difference with Advaniji; we have no difference with other Leftists or Rightists or even if there is a third category, we have no difference at all. We will assure you.

[Translation]

If this assurance is given that the Mandal Commission would not be diluted, the recommendations made by the Commission would not be diluted, then I do agree that in future we can think of reservation for others on economic and poverty basis. In the end, I wish to say only this. That it is our responsibility to fulfil the promises that we made to the people when we went to them for seeking their votes.

[English]

Sovereignty belongs to the people. He is right, sovereignty does not belong to the Government. Sovereignty

does not belong the State. Permit me to say this, without insult to the Parliament, Sovereignty does not belong the Parliament, sovereignty belongs to the people of India—80 crores of people.

[Translation]

When we had gone to the people, the backward classes, irrespective of the party, we had said that we would implement whatever has been written in Article 340 of the Constitution, we would implement the Mandal Commission report which had not been done so far. And now, it is our responsibility to do this and we shall not back out. But Advaniji, Khurana-ji, Somnathji and Satheji, fully agree with you. If there is any misunderstanding in the minds of the agitators, then it is our job to remove that misunderstanding because we are not merely Members of Parliament, we belong to a political movement, and we shall do this job. If you want to have a discussion on this issue, then I think, this Parliament of India is supreme and we, who are in favour of implementing the Mandal Commission report are not afraid of such a discussion because our responsibility is clear and our intentions are above board. So, if you want to have a discussion, do it but the Government would certainly make efforts to remove the misunderstanding, if any, in the minds of certain people. We shall do this job even at the cost of our lives. This much I can assure you. (Interruptions)

[English]

SHRI A. CHARLES (Trivandrum): Sir, I want to raise a point of order.

MR. SPEAKER: No point of order.

(Interruptions)

[Translation]

SHRI KAMAL CHAUDHRY:
(Hoshiarpur): Whatever is happen-
ing outside the Parliament House is
the doing of this Government.

[English]

PROF. SAIF-UD-DIN SOZ: Sir,
I am on a point of order.

MR. SPEAKER: What is your
point of order?

(Interruptions)

PROF. SAIF-UD-DIN SOZ: He
has allowed me to speak. (Interrup-
tions) I am on a point of order. Un-
fortunately, I am one of those in the
House who has studied the Mandal
Commission's Report. When Shri
Chandrajit Yadav and Shri Ram Vilas
Paswan were here in the Seventh Lok
Sabha, I joined them to seek imple-
mentation of this Report.

MR. SPEAKER: Thank you very
much.

PROF. SAIF-UD-DIN SOZ: So,
I have some knowledge. I want to
know, before I make very brief ob-
servations, under what rule the hon.
Minister made these remarks, and
what points they were trying to raise.
(Interruptions) Will you allow me 2
or 3 minutes?

MR. SPEAKER: Why don't you
come to the point of order?

PROF. SAIF-UD-DIN SOZ: The
point of order is: under what rule
were these people speaking, and under
what rule was I denied the right? The
Speaker has to allow me. (Interrup-
tions)

MR. SPEAKER: The Speaker
has permitted them. There is no point
of order.

Now I call upon the Prime Minister.

(Interruptions)

PROF. SAIF-UD-DIN SOZ: Sir,
before the Prime Minister speaks, you
must allow me 2 or 3 minutes. Other-
wise, I will walk out.

MR. SPEAKER: There is no
point of order. Now the Prime Mini-
ster.

(Interruptions)

PROF. SAIF-UD-DIN SOZ: What
is the reason for your ruling?

MR. SPEAKER: There is no
point of order.

(Interruptions)

MR. SPEAKER: Let us hear the
Prime Minister.

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13.06 hrs.

Statement(s)

STATEMENT BY PRIME
MINISTER

Setting up of National Security
Council (S.G.)

[English]

THE PRIME MINISTER (SHRI
VISHWANATH PRATAP SINGH):
The Government had announced their
intention to set up a National Security
Council to consider all aspects
of national security in a coordinated
and comprehensive manner. The
Council will take a holistic view
of national security issues in the
light of the external, economic,