

18.34 1/2 hrs.

**SPECIAL-TAX ON EMPLOYEES IN THE  
ORGANISED SECTOR BILL\***

[English]

SHRI K. RAMAMURTHY (Krishnagiri): I beg to move for leave to introduce a Bill to levy a special-tax on employees in the organised sector for the welfare of unemployed and employees in the unorganised sector.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to levy a special-tax on employees in the organised sector for the welfare of unemployed and employees in the unorganised sector."

*The motion was adopted*

SHRI K. RAMAMURTHY: I introduce the Bill.

18.35 hrs.

**CONSTITUTION (SCHEDULED TRIBES)  
ORDER (AMENDMENT) BILL\*****(Amendment of the Schedule)**

[Translation]

PROF. MAHADEO SHIVANKAR (Chimur): Mr. Chairman, Sir, I beg to move for leave to introduce a Bill further to amend the constitution (Scheduled Tribes) Order, 1950.

[English]

MR. CHAIRMAN: The question is:

"That the leave be granted to introduce a Bill further to amend the constitution (Scheduled Tribes) Order, 1950.

*The motion was adopted*

[Translation]

PROF. MAHADEO SHIVANKAR: Mr. Chairman, Sir, I introduce the Bill.

18.35 1/2 hrs.

**CONSTITUTION (AMENDMENT) BILL****(Amendment of Articles 341 and 342)**

[English]

MR. CHAIRMAN: By Shri Ram Lal Rahi now the House will take up further consideration of the following motion moved by Shri Ramlal Rahi on the 28th December, 1990, namely:-

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

Shri Ram Lal Rahi was on his legs.

[Translation]

SHRI RAM LAL RAHI (Misrikh): Mr. Chairman, Sir, I would like to express my views regarding the Bill further to amend Articles 341 and 342 of the Constitution moved in the House. In this context, I would like to submit that I have got with me the State-wise list of the members of the Scheduled Castes and Scheduled Tribes. I would like to give you the State-wise number of Scheduled Castes and Scheduled Tribes. In Andhra Pradesh there are 59 Scheduled Castes and 33 Scheduled Tribes and in

Assam the number of Scheduled Castes is 16 and the number of Scheduled Tribes is 14. In Bihar, there are 23 Scheduled Castes and 30 Scheduled Tribes and Gujarat has 30 Scheduled Castes and 29 Scheduled Tribes. Similarly, in Haryana the number of them is 37. There are 56 Scheduled Castes and 8 Scheduled Tribes in Himachal Pradesh. Similarly in other states also, there are people of both communities, and if I read out the complete list of every state, it will take a lot of time. What I mean to say is that there are in all 1643 Scheduled Castes and Scheduled Tribes in our country, out of which only 5 to 7 communities are such which are found in the neighbouring states also, otherwise these are found in the original state alone. Sir, if you go through the complete list, though it is prepared State-wise, you will find that there are certain states like Gujarat, Madhya Pradesh, Kerala where certain persons are classified as Scheduled Castes in a limited region only. If I go further into the details, I find that in Madhya Pradesh there are some people who have been classified as "Dhobi" but it has been mentioned in the list that the people of Dhobi caste are found only in Bhopal, Raisen and Sihore districts. The members of "Dhobi" caste are recognised as Members of Scheduled Caste, only in these districts and not in the rest of the State. The members of "Dhobi" caste are not recognised as members of Scheduled Caste in the entire state, even though they are the original residents of that State. Similarly, you will see that in Tamil Nadu there is a caste known as Ayyanwar. The People of this caste are recognised as scheduled caste only in districts of Kanya Kumari and Tirunelveli, and they are not recognised as scheduled castes in the rest of Tamil Nadu. Similarly, in Tamil Nadu State there are many other castes like Bakkalan, Kabra, Kuran, Mannau Pannayan, pathian and Khandan which are included in the list of scheduled castes. The castes that I have mentioned are considered as scheduled castes only within the limited area of the State, but if the same people migrate to other

districts or other parts of the same State, They do not get the facilities available otherwise to these people as scheduled castes and scheduled tribes. Similarly, you will see that in all the States and Union Territories, the list of these communities prepared separately whether district-wise or region-wise are covered under the lists of scheduled castes and scheduled tribes.

Sir, in this context, I would like to say that after 42 years of Independence, the people of the Scheduled Castes and Scheduled Tribes have got a chance at least to live freely in any corner of the country. They can now reside and settle anywhere in India and they are now residing and are doing their own job anywhere in India. Why had they to move to other places, is a different question. The reason behind their migration is that they don't get employment at their native places, so in search of job, they migrated to other places. Secondly, there have been people of exploiting nature, who started exploiting them at local level. In order to save themselves from such exploitation, these people migrated from one district to the other and settled there in search of jobs and since then they have been living there and they have settled there. These people have been living at these places for the last 20-25 years: They married there and their children were born there. Now, when they are sending their children to schools for education, they require help in the form of text books etc., and neither the State Government, nor the Central Government provides them the facilities admissible to the people belonging to the scheduled castes and tribes. If a boy completes his education and sends an application for a job, he won't get the facility of reservation in that State. Why is it so?

Sir, I, therefore, request the Government through you that the amendment moved by me may be accepted. In this Bill, I have mentioned two communities Pasi and Dhobi. These are such communities which live in

[Sh. Ram Lal Rahi]

almost all the divisions of all the states in India and they are doing their own jobs. I have mentioned communities like Khateek, Kori, Kanjad in the bill. These communities are living in almost all the regions of the country. Irrespective of the fact whether these people are employed in the service of some person or they are working as labourer or they are in the Government service or they have started their own business, they should be considered as members of scheduled castes everywhere. I would like to give you an example. Pasi, Kori, Dhobi, Khateek and Kanjad castes are included in the list of Uttar Pradesh, but not in the List of Andhra Pradesh. Similarly, Kori, Khateek and Kanjad castes are not included in Assam List. Likewise Dhobi, Kori and Kanjad Castes are not included in the list of Gujarat. In Haryana list Dhobi caste is not included, when every one is aware of the fact that there is no metropolitan city or any town in the country now-a-days where you won't find people of these castes. These people migrated from one place to the other in search of job and settled there and in a way became the original residents of that place. I, therefore, request the Government through you that the government should seriously consider the amendment brought by me, and make an amendment in the definition given in the Article 341 and 342 of the Constitution, and include all the scheduled castes and scheduled tribes and all such people, in all the states and all the divisions, under the list. I would like the Central Government to issue such a directive, and bring forward such an amendment so that all the scheduled castes and scheduled tribes are included in the list and a single national list should be published. This is also necessary. I am saying this because in states like Punjab, Kashmir and Assam problems of separatism, casteism or Bodos have arisen there is Khalistan problem in Punjab Similarly people of other castes, who have hitherto been ignored by

the Government, are developing separatist tendencies. I would like the people belonging to Scheduled castes and Scheduled Tribes to have faith in this country and that is possible only when the Government gives them their due.

There have been many discussions in the House regarding reservation in Government jobs. States have shown laxity in this matter and whenever an explanation was asked for, it was said that suitable candidates were not available. Even if at some point of time no suitable candidate is available in a state such candidates can be sought from other states where they are bound to be available. The need of the hour is to consider the issue of separatism from the broad perspective of unity and integrity of the country. For this purpose the Government should accord recognition not people belonging to Scheduled Castes and Scheduled Tribes so that they are not excluded from the developmental programmes of the Government. That is why I have brought this amendment. It is difficult to estimate the number of Scheduled Caste people who have settled in Uttar Pradesh, Rajasthan, Bihar and Madhya Pradesh. I have visited these states to speak to the people. The average person is employed as a daily wage worker in private industry and their children have got proper education. A committee was appointed to conduct a survey. When the topic of reservation was brought up it was found that there was nobody even to put up an application. When the names of the local Scheduled Caste and Scheduled Tribe people have not been included in the list, how can the reservation quota be filled? Regarding the constitution (Amendment) Bill brought by me, I request the Government to include the Scheduled Castes and Scheduled Tribes in the Central list so that they get an opportunity to come into the national mainstream. Not only this, they should also have the liberty to live anywhere in the country thus inculcating a sense of belonging to the country. It is with

these things in mind, I have brought this Bill. I request all hon. Members to whole-heartedly support this Bill. Only then can people belonging to the backward classes and weaker sections feel that the Government is doing something for them.

Sir, when Shri Ram Vilas Paswan was Minister of Welfare in the previous Government he had brought a Bill to include certain castes in the list of Scheduled Castes and Scheduled Tribes. That Bill included those castes which had become neo-Buddhists. Participating in that discussion he had said that conversion of religion does not change that social and economic status of a person. I am in agreement with him in this matter. In this context I would like to submit that the social and economic status of a washerman, potter or cobbler does not change if he moves from one place to another. Why is it that a person belonging to a Scheduled Caste or Scheduled Tribe is not recognised as such if he moves from one state to another? So in the national interest it is necessary that one Central list be prepared so that people belonging to Scheduled Castes and Scheduled Tribes get due facilities wherever they choose to settle. I shall not take much time as I must obey the order of Choudhary Sahab. So I have expressed my views with regard to this Bill. I have said that the castes which I have mainly touched upon in the Bill are not included in the Scheduled Caste and Scheduled Tribe list in many states. The castes that have been mentioned should be included in the list. I shall once again emphasize that hon. Choudhary Sahab should bring a more comprehensive Bill if my Bill is not acceptable so that all the castes included in the list of Scheduled Castes and Scheduled Tribes get national-level recognition in case they were from one state to another then they should get all those facilities available to the People belonging to which are these castes already settled there. with these words I conclude.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND MINISTER OF STATE IN THE MINISTRY OF WELFARE (SHRI RAMJI LAL SUMAN): Mr. Chairman, Sir, I think Shri Ram Lal Rahi has got some misunderstanding that the work relating to Scheduled Castes and Scheduled Tribes is dealt with by Agriculture Ministry because I he has been referring to Shri Devi Lal.

SHRI RAM LAL RAHI: I have been referring to Shri Devi Lal in his capacity of Deputy Prime Minister and not because he heads the Agriculture Ministry.

PROF. RASA SINGH RAWAT (Ajmer): Hon. Mr. Chairman Sir, I support the constitution (Amendment) Bill brought by Shri Ram Lal Rahi to introduce a proviso in Articles 341 and 342 of the constitution. This Amendment Bill has been brought because Scheduled Castes and Scheduled Tribes have been suffering from educational, economic and social depravity for centuries. It was with the intention of alleviating the suffering of these people that a provision for reservation was made in the Constitution and a list of Scheduled Castes and Scheduled Tribes was included in Articles 341 and 342 of the constitution.

Unfortunately, some places at only some of the Castes were included in the list of Scheduled Castes and Scheduled Tribes when the Constitution was being framed in 1947. Some of the better known castes were included but many of the lesser known sub-castes were not included belonging to such sub-castes are looked down upon treated as untouchables but are not included in the list of Scheduled Castes and Tribes the people of these castes are socially and economically backward but are denied the facilities due to them. According to a list of Scheduled Castes and Scheduled Tribes issued by Governors of various States if a person

[Sh. Prof. Rasa Singh Rawat]

belonging to a Scheduled caste goes to another State to look for employment he would be denied the facilities available to him in his home state if his caste is not included in the list of the state to which he migrates. Such people, who are educationally socially and economically backward, have to face a lot of problems.

I am sorry to say that the people who talk of upliftment of the backward classes are not present in the House. If they were truly sympathetic to the problems of the backward classes in their respective constituencies, they would have certainly put forward their views today...

19.00 hrs.

Even though I don't belong to a backward class, where ever I visit my constituency, people of the 'Bhand' caste complain that some groups belonging to their castes like 'Dholis', 'Nachaks' and 'Bhanus' have been included in the list but not 'Bhats' so I would like to say that the names lither to excluded should be included. Also, a person belonging to a Scheduled Caste or Scheduled Tribe should be eligible for similar facilities all over the country. They should not be deprived of facilities like bank loans or scholarships in whichever state they go to. On behalf of my party I want to submit that various Castes should be appended in the Constitution (Amendment) Bill brought by Shri Rahi.

I would like to cite an example related to Rajasthan. There is a caste called 'Meena' in Rajasthan and this caste has been included in the list of Scheduled Tribe. But people belonging to 'Meena' caste and living in Delhi, U.P. Madhya Pradesh or Maharashtra are not treated as Scheduled Tribe. Similarly people belonging to the 'Ravat Meepe' caste of Udaipur's adivasi area who are living here

have been included as a Scheduled Tribe. But people living in the 'Mekhara' area of Udaipur and in Ajmer and Pali are not treated as Scheduled Tribe. There for such anomalies should be removed and a list prepared in any state should be applicable all over the country. The purpose of reservation should be removal of untouchability and casteism from society. Swami Dayananda Saraswati and Swami Shradhanand raised the slogan of "Ajyeshta as and Aknishtas" meaning that nobody is of upper caste or lower caste in society. Sages in ancient times introduced a system of 'Varnashram' for the all-round development of mankind. Unfortunately, this system was not based on division of labour. When this division of labour took the form of classes it became a curse for society. There are 3600 castes and sub castes. Indian society. In conclusion I would say that this Amendment Bill should be passed and various anomalies should be removed.

SHRI YUVRAJ (Katihar): Sir, I support the Bill brought by Shri Rahi seeking amendments in Articles 341 and 342 of the constitution. There is no logic in one state classifying one caste as a Scheduled Caste and another State not doing so. Preparation of such lists calls for co-ordination between states. The castes which are educationally and economically backward should be included in the list of Scheduled Castes and Scheduled Tribes. Sir, as you know that reservation facility for SC/ST is not available to the fullest extent for lack of uniformity. In my state, there is one labour class called 'Chator' The people belonging this caste, speak Bengali, and have come from west Bengal and settled on the banks of the river from Rajmahal to Kishanganj in Bihar. Similarly, the 'Desiya-Poliya' people are a backward class whose status has been recognized in Bengal but not in Bihar. Similarly, there is no gazetted officer among the 'Muriyari' caste, which is a backward class, So I suggest that these neglected classes should be given special facilities.

Sir, according to Articles 341-342 of the Constitution the President can, in consultation with a State's Governor, issue a notification to include various castes and tribes in the list of SC/ST. Last month the Central Government issued directives to some states and Union Territories to include certain oppressed castes in the SC/ST list but 'Chator', 'Desia-Polia' and 'Muriyari' castes were left out. Recently the Minister of State in the Ministry of welfare visited Bihar. I don't know whether he is aware or not but there is a tribal sub-plan in Bihar which is run with Central assistance. This is a programme for tribal welfare but the Bihar Chief Minister summoned a meeting of his cabinet and diverted 3.5 crores of funds meant for this programme towards purchase of Maruti vehicles. The Regional Development commissioner Shri Suverno, who is of the rank of chief Secretary, said that the State Government had no authority to act as it did. This happened 20 days ago. Serious note should be taken of this and the state Government should be asked to explain its action.

Secondly, the castes which I have mentioned must get a better deal. Between 1951 to 1978, Presidential Ordinances have been issued 14 times in case of Scheduled Castes and 6 times in case of Scheduled Tribes regarding provision of facilities to these classes. A survey should be conducted in respect of the 'Chator', 'Desia-Polia' and 'Muriyari' castes so as to include them in the list of Scheduled Tribes at the earliest.

With these words. I support the Bill to amend Articles 341-342 of the Constitution.

[English]

DR. CHINTA MOHAN (Tirupati): Mr. Chairman Sir, my friend Mr. Ram Lal Rahi has brought forward this discussion on the amendment of the constitution. Article 341 of the Constitution is to give additional protection for certain groups in certain parts of the

country. He wanted to say that his main objective of bringing this Bill is to generalise everything. The thrust of Articles 341 and 342 of the Constitution and his objective does not tally at all. Shri Rahi should have brought forward amendments to some there Articles of the Constitution. I also do not know why this Bill was not sent for legal or constitutional opinion by the experts. The idea of Articles 341 and 342 of the Constitution is very specific and these Articles are intended to give additional protection to certain groups in some parts of the country. In the Statement of Objects and Reasons, the hon. Member has stated that Dhobis and Passis are recognised as Scheduled Castes and Scheduled Tribes in U.P. and Bihar States and, therefore, they should be brought in this list in other parts of the country also. When compared to Andhra Pradesh and Karnataka with other areas of north, a lot of difference is there. Among the Dhobis there are two types of Dhobis in Andhra Pradesh, the scheduled caste Dhobis and the forward class Dhobis. If that type of class is there among the Dhobis, I do not know how these amendments can bring additional support to all these Dhobis and Passis.

Then, in Karnataka, while Vaderas are recognised as scheduled castes, in Andhra Pradesh, they are recognised as backward classes. I have all sympathies for Dhobis and Vaderss in other parts of the country. But if you want to get them included in the Scheduled Castes, there are a number of other poor people in different parts of the country also. There are so many Brahmins who are below the poverty line. They also need sympathy and support from the Government. This Article 341 as also Article 342 do not help much for the Dhobis and Passis. Christians in Andhra Pradesh and different parts of the country also wanted to get themselves included in the Scheduled Castes. Recently, we had an amendment in the parliament to include neo-Buddhists also in this category. A number of people want

[Dr. Chinta Mohan]

recognition as scheduled Caste. It is a Pandora's Box. If you go on opening it under political or some other pressure, we will not be doing justice to the nation.

I, therefore, submit that Shri Rahi, instead of bringing amendment in this manner, should have brought an amendment seeking special protection for the Dhobis and other backward classes. These people should have been provided some other protection form the Government. I, think, Shri Rahi is totally confused in bringing forward this amendment. With these words, I conclude my submission.

[Translation]

SHRI PREM PRADEEP (Nawada): Mr. Chairman, Sir, first of all, I would like to express my thanks to Shri Ram Lal Rahi who has introduced Bill to make an amendment in the Articles 341 and 342 of the Constitution. Through this amendment seems to be a trivial one, but it is actually very effective.

It is a well known fact that in this country we can settle in any state and earn our livelihood. In our Constitution provision has been made for the scheduled castes and scheduled tribes. But I am unable to understand as to why a person considered to be of scheduled caste in Uttar Pradesh is not recognised a scheduled caste when he goes to Bengal to earn his livelihood. Which special change does occurs in him that he is excluded form the category of schedule castes. Harijans, scheduled castes and scheduled tribes are there throughout the country-in all the states including union territories. The point to be considered is as to what are the reasons that they are considered as scheduled castes and scheduled tribes in those particular states. This clearly reveals that they are socially backward, due to which they have been deprived of social justice,

and thus they have lagged behind economically and educationally. Keeping this fact in view, we will have to treat the people of these castes settled in other states also. Similar facilities which are provided to scheduled castes and scheduled tribes should be provided to them in other states also. I hail from Bihar. Majority of the scheduled caste people in Bihar are agricultural labourers. They migrate to Punjab and Haryana only because local landlords exploit them and very meagre wages are paid to them with which they cannot make their both ends meet. In Haryana and Punjab and even in Bengal, wages are a little better. But that does not mean that they are backward only in Bihar. By earning a little better wages in other States, the agricultural labourers have not become capitalists like Tatas, Birlas and Goenkas. Recently, riots took place between Jatavs and Jats in Uttar Pradesh. Jatavs are considered Harijans, while Jats are not included among Scheduled Castes. The point of dispute was whether a Jatav could ride the horse in a Barat or not. Jats consider themselves to be of upper caste and only they can pass through their villages on an elephant or a horse. Even after forty three years of independence, social system is the same even today. Backward and economically weaker sections which have not yet been recognised as scheduled castes will have to be taken into consideration. Their inclusion in the scheduled castes will lead to social justice and widening of opportunities for them. This would be a good step by any Government. Therefore, the Government should adopt a broad outlook and amend the articles 341 and 342 so that people of scheduled castes and scheduled tribes get a social security and they move ahead. In the constitution special reference has been made to the scheduled castes and scheduled tribes. As it has been pointed out that people of only those castes have their say and make progress whose leaders are influential whereas the people of those castes remain backward, whose leaders are not influential. Hence, leaders should not be involved in such matters. They should be provided due social status in the society. Unless this is

done, our efforts to show concern about them will be nothing more than shedding crocodile tears. The hon. Deputy Prime Minister is present here, and I hope that under his leadership same criteria will be adopted to prepare the list for all the States. Afterwards scheduled castes and scheduled tribes be included without any discrimination in any state. This is my last appeal to him. With these words I conclude.

SHRI THAN SINGH JATAV (Bayana):  
Mr. Chairman, Sir, I thank Shri Rahi for introducing the constitution (Amendment) Bill and also agree with what he has argued in favour of the inclusion of provision in that Bill. At the time of drafting of the constitution, Baba Saheb Ambedkar was asked as to what facilities would be provided to the socially and economically backward people. It was proposed that list of those who are socially and economically backward and also of those who are economically backward and also of those who are economically weak, but not socially backward should be prepared. In this manner, schedule were attached to the constitution and scheduled castes and scheduled tribes were identified. Besides, there are certain nomadic tribes which wander throughout the country, whereas some communities are called criminal tribes. All these tribes were enlisted in two lists, which was really astonishing. For instance, some castes in Ajmer in Rajasthan are considered scheduled castes, but in the other districts of the same state the same castes are not included in that list. In this manner, those communities which shift to some other part are not given any recognition as scheduled castes. In 1956 an amendment was made as a result of which Scheduled castes and Scheduled tribes were separated. Still there are a number of castes which are not considered as scheduled castes. I would like to cite an example. At places like Keshwrai Patan, Nainva, Mangron, Kota and Bundi, communities which earn their livelihood as Nat, Bhand, Bhungi, Dom and Kanjar are categorised as Bhaktan, Bhakt and Jogi, but their social condition is very bad, they are considered as

untouchables and they are not allowed to draw water from wells and enter the temples. They can sing or perform their dance only on the road in front of the temple. But as they are not enlisted in any list, they are deprived of social and economic benefits. Therefore, I would urge upon the Government to recognise the castes like Bhagat, Bhingin and Devdasi as scheduled castes, otherwise their children will also remain backward and will be deprived of the facilities. In regard to their economic condition I would like to submit that at the time of prayer in the temple cooked rice are spread on the floor, the people of koli caste who are considered to be people of scheduled caste are allowed to take those spread rice while the remaining cooked rice are given to Bhagat, Jogin and Devdasi. This shows that the financial condition of these people is very bad. They should be recognised as scheduled caste people and included in the list of scheduled castes. In Rajasthan Dhanak, Dhanuk and Dhanakya castes are considered as Scheduled Castes, whereas 'Dhanaka' caste is considered as scheduled tribe. People of Dhanuka Caste, though of scheduled caste, are not given any scheduled caste certificate even though their occupation is unclean. They do the hereditary work of mid-wives and nurses. Therefore, they should also be included in the list of scheduled castes.

Similarly, 'Kabadi' and 'Sapera' castes are considered as scheduled castes in Madhya Pradesh, but not in Rajasthan. Sapera roams everywhere. If he is considered to be a man of scheduled caste in one region and not in the other region, he will be deprived of the facilities which he deserves. People of 'Kabadi' caste are there in Rajasthan as well as in Madhya Pradesh. 'Guna' area of Madhya Pradesh adjoins the border of Rajasthan where Chhabra is situated. 'Kabadi' caste in that region has not been enlisted as the scheduled castes, due to which they are being denied the facilities. We support the amendment for this purpose. Mr. Chairman, Sir, the amendment proposed by Shri Ram Lal Rahi should be accepted and the proposal to include the proviso should also be approved.



THE DEPUTY PRIME MINISTER AND MINISTER OF AGRICULTURE AND TOURISM (SHRIDEVILAL): Mr. Chairman, Sir, our Minister Shri Ramji Lal Suman will reply to this question, but the amendment moved by Shri Ram Lal Rahi is justified. Not only it is justified, but I would like to bring it also under his notice that for the last three years, the Haryana Government is giving Rs. 1 to every child everyday whether belonging to Scheduled Castes, Scheduled Tribes or backward classes, for attending the school and if the child attends regularly his school for 6 months his parents are given Rs. 5000 for purchasing a plot. I mean to say that Jats are considered to be high in the society. But the real position is that there are 261 I.A.S. officers in Rajasthan, out of which 4 belong to Jat community, 3 belong to Gujars and 27 belong to Rajputs. From the upper categories, there are 67, Baniyas 46 Brahmins and 17 cultivators. They malign us by calling us A-J-G-R. In fact, we haven't coined the word A-J-G-R. We didn't mean to say this. "H" means Harijan and "M" means minority. "R" means Rajput, "G" means Gujar and "J" means Jat. These communities actually work in the villages and they should be provided the status of backward classes. I am giving the examples of U.P., Haryana and Rajasthan I.A.S. Cadre Haryana is the most politically forward State. There are 200 I.A.S., out of which 6 belong to jats, no Rajput, no Gujar and only 1 belongs to the Ahir community. Other backward castes do not count and from the upper castes, 51 belong to Baniyas, 46 to Khatris, 6 to Kayasthas and 16 to Brahmins. So, there are 129 officers from upper castes and only 15 belong to our communities. You can understand who is "AJGR" we or they. In U.P. there are 501 I.A.S. officers from those communities, who are known as ruling community in the State, there are only 3 Ahir 2 Jat and 48 Rajput I.A.S. officers. There are only 56 from the entire State. There are 4 other communities and 278 I.A.S. officers belong to these 4 communities. I mean to say that the backward classes should be brought forward. A list of the Scheduled Castes and Scheduled Tribes should be prepared in every State and they should be given all the

facilities as provided in the Constitution. Because I was particularly pointed out, so I rose to speak the truth. Our Minister Shri Ramji Lal Suman will reply to his question.

SHRI RAMJI LAL SUMAN: Mr. Chairman, Sir, I am grateful to Shri Ram Lal Rahi for presenting a very important suggestion before this House. It is not only today that this question is being discussed in this august House but it has been discussed in and outside the House earlier also. Some of our friends became very agitated on these questions which relate to the atrocities on harijans and the extending of lists of scheduled castes and scheduled tribes and so on. It does not mean much. This particular topic should have been confined to the Scheduled Castes and Scheduled Tribes only, because some of our friends belonging to these castes, do not get the facilities provided to these people, when they go to another State.

Mr. Chairman, Sir, it is true that every State in our country has its own social and geographical structure. Every state has a different social set-up, language, educational level and cultural activities. I think that these standards are kept in view while a list of Scheduled Castes and Scheduled Tribes is prepared in any State. It is also true as Shri Ram Lal Rahi and others said here that the people belonging to the Scheduled Castes and Scheduled Tribes remain unemployed and had to migrate from one place to another in search of livelihood. It is also a fact that even after 42 years of independence, there is social tension and people are still burnt. Our society is not ready to compromise with its feudalistic mentality even today. When social tension creates, these people have to migrate from there. The poverty situation of some States also force these people to migrate to those States where there are possibilities of employment and where situation is somewhat better. If people continue to migrate like this, the poverty stricken States will continue to be poor and I think this is not proper in view of the regional balance of our country. Shri Yuvraj also raised a lot of questions today. I have visited his constituency. Shri Yuvraj, there is a prescribed

procedure to include the Scheduled Castes and Scheduled Tribes in the list. The State Government forward the names of the communities. We direct them to clarify their point of view regarding those castes, then the Central Government takes positive action in this regard. That process is totally different. It is true that some castes have been left over. I would like to assure him that we have no intention of leaving out any caste. Instead the Government wants to include them in the list. So far as the question of providing protection and facilities to the scheduled castes and scheduled tribes by the Central Government is concerned, all the facilities available to Scheduled Castes and Scheduled Tribes are provided to all the officers belonging to 'A' and 'B' class services throughout the country and for 'C' and 'D' class services, figures, with regard to percentage of members of Scheduled Castes and Scheduled Tribes in various states are available with me and they are selected by the State Governments according to that percentage. So far as the question of centrally run educational institutions is concerned, people belonging to these castes get all the facilities. This is being done by the Central Government. I would like to mention here a case decided by the Supreme Court—Shri Chandra Shekhar Rao verses the head of the Institution Shri G.S. Medical College: This is a civil writ petition No. 989/89. The stand taken by the High Court in this regard was that a particular caste has different social conditions in different States, it will not be proper to include that particular caste or tribe in the list of Scheduled Castes and Scheduled Tribes for the entire Country. Despite all these things, we are making contacts with our Law Minister Shri Swamy as to what can be done on these issues. I fully understand the feelings of Shri Rahi. I associate my feelings with his feelings. Before becoming the Minister, I have said a lot of things on these issues and I am fully aware of my duty but whenever we will discuss these issues, we will take the decision keeping in view the suggestions given by Shri Rahi and others. I again thank Shri Rahi for calling the attention of this august House on this

issue and I request him to withdraw the motion.

SHRI RAM LAL RAHI: Mr. Chairman, Sir, first of all, I would like to express my thanks to the hon. Minister and especially to our Deputy Prime Minister who has welcomed this Bill as well as the spirit behind this Bill. As far as I know him, I can say that he tries his best to implement the idea which he supports. Hon. Sumanji in his reply has pointed out two things. One is about adding certain castes in the lists of the Scheduled Castes and the Scheduled Tribes, which had not been included earlier. I have no objection to it, because it is true that some castes, whose social and economic condition is as poor as that of the castes included in the lists of Scheduled Castes and Scheduled Tribes, have not been included in the said list. Rather I would be very glad if such castes after a thorough verification are included in this list. But Sir, my Amendment Bill is aimed at adding a simple proviso only in the Articles 341 and 342 of the Constitution. I do not understand as to how he has said that the social conditions of these castes vary from place to place. I admit myself that their condition vary from place to place. I do not say that it is not different, but at the same time this fact should not be overlooked that despite this difference from place to place, the social and economic condition of these castes is almost the same at all places in the country and on this very basis the lists of the Scheduled Castes and Scheduled Tribes have been prepared. So, I think that there should not be any difficulty in implementing the provisions regarding these castes at the nation level. A for example, if a person belonging to the Scheduled Castes or Tribe, residing in chamoli district of Uttar Pradesh goes to Kerala or Tamil Nadu or Andhra Pradesh or in Kachhar of Gujarat to settle there and adapting himself to the very atmosphere, food habits, dress and life style of the concerned place, will he be excluded from the list of Scheduled Castes or Scheduled Tribes on the basis of difference in various region? Will similarly one not be considered any longer a member of Sched-

[Sh. Ram Lal Rahi]

uled Castes if one hailing from Tamil Nadu, Kerala, Gujarat or Andhra Pradesh migrates to Kanpur or Lucknow?

SHRI RAMJILAL SUMAN: Rahiji, kindly yield for a minute. Let me say something. Leave aside the matter of other places for the time being and see the major difference of life style and food habits between the Scheduled Castes living in the Eastern U.P. from where you come and those living in the Western U.P. from where I come.

SHRI RAM LAL RAHI: If it is so, exclude them from the lists through an Amendment. But I do not see any such difference between them.

SHRI RAMJILAL SUMAN: The conditions of the Scheduled Castes living in these two regions differ from each other as much as my face and your face differ from each other.

SHRI RAM LAL RAHI: I do not agree with you. I have represented in the Uttar Pradesh Legislative Assembly also and have seen in each session that whenever any discussion regarding the social and economic upliftment of these castes was held in U.P. Assembly, the most of issues which were raised in the Assembly were related to the suppression of the Scheduled Castes living in the Western U.P. at the hands of the forward castes. Had their economic condition been strong in Western U.P., they, instead of being the victims of the suppression, might have faced their oppressor effectively. Why is their condition discussed in the Legislative Assembly, if it is strong one. Do not give such arguments and listen attentively to what I am saying.

The list of these castes has been prepared on one basis. And since the basis is same, so a Harijan will continue to be a Harijan only at every place wherever he goes for earning his livelihood—whether one goes from Uttar Pradesh to Kerala or from Kerala to Lucknow or Kanpur of Uttar Pradesh

or from Bihar to Punjab or Haryana or from Haryana or Punjab to Bombay or any other place of Maharashtra and so on. There will be no change in his social status. Hence preparation of a national list applicable throughout the country would in my opinion, provide justice to this class of people.

I had submitted to you that the issue which I have raised, makes a hint to an important point. If state-wise lists are done away with and lists are prepared on a national level, there would be rise of neo-consciousness and nationalism after ending all sorts of parochialism among the Scheduled Castes and Tribes.

Mr. Speaker, Sir, through you I would like to submit that after 42 years of independence, the Members of the Scheduled Castes and Tribes community, irrespective of their districts and provinces possess at least the right to go and to earn their livelihood in any part of the country. They also have rights to breathe in the open air like others. Though they might go to any part of the country, there is not any change in their social status and economic condition. Then the question arises as to why they should be debarred from getting the facilities at new places, which they used to avail of earlier at their original places? Would you not like to end the feeling of regionalism among them and to inculcate the spirit of nationalism and consciousness among them?

Sir, almost in every session of the Lok Sabha and that of the different Legislative Assemblies of the country, the issue of reservation of jobs for the members of Scheduled Caste and Scheduled Tribes does arise and it is often complained during the discussions that their jobs-quotas are lying vacant. If my proposal is accepted, such complaint would no longer exist, because their quotas will be completely filled up then.

Sir, thirdly I want to say in this context that they would find better opportunities to develop at the new places, as there they would be beyond the reach of their exploiters. It would be a step forward for their social

and economic emancipation. They would work hard at other places and they would try to educate their children. And thus, there would be a qualitative change in their lives. So this is the demand of the time that you should accept this Amendment. I do not know the reason of your insisting upon me to withdraw my Bill. I may withdraw it provided you assure me of doing some positive things in this regard. You have appreciated the spirit of this Bill and have said that you agree with its provisions. If you agree with the provisions of the Bill, you should assure us of bringing comprehensive Amendment Bill in this regard after discussing it in the council of Ministers. If you assure as such, I will withdraw this Bill.

SHRI RAMJI LAL SUMAN: I would like to submit that all of us are aware of the dignity of the courts. As I have already said that the Supreme Court has given its verdict on this issue. As far as our taking any step regarding this is concerned, we shall do it after we get the advice of the Ministry of Finance. I assure you that your suggestions and feelings would be kept in mind. You are my old colleague. We shall do all the best from our side if any positive result comes out through the discussion between us. I would like to assure you further that our Government is equally concerned for the welfare of the scheduled castes and scheduled tribes and we shall do all the possible things for them. Hence, I request you to withdraw your Bill.

SHRI RAM LAL RAHI: I think that the hon. Minister's assurance of protecting the interests of the weaker sections of the society, included in the concerned lists is in the interest of national welfare. As he has said that the High Court in its judgement has said that the High Court in its judgement has said that the varied conditions of different places have been considered in preparing those lists, in this context I would like to say that despite these varying conditions the said lists are based on the equal conditions. The High Court and the Supreme Court cannot ignore these facts. With the above words I withdraw this Bill.

[English]

MR. CHAIRMAN: Has the hon. Member leave of the House to withdraw his Bill?

SEVERAL HON. MEMBERS: Yes.

*The Bill was by leave, withdrawn*

19.49 hrs.

### ELECTROPATHY SYSTEM OF MEDICINE (RECOGNITION) BILL

By Shri Jagannath Singh

[English]

SHRI JAGANNATH SINGH (Sidhi): I beg to move:

"That the Bill to provide for the recognition of electropathy system of medicine and for matters connected therewith or incidental thereto, be taken into consideration."

[Translation]

Mr. Chairman, Sir, many years ago doctors' prospects seemed to be very dark but now with the advent of new system of medicine i.e. electropathy it appears to be very bright. Electropathy is a new system of medicine. In our country there are four systems of medicine namely Allopathy, Ayurvedic, Yunani and Homeopathy which have recognition at the national level. Allopathy system has come from foreign countries and is also known as Western Medical Science. Only Ayurved and Unani systems are our indigenous systems. But the Government of our country did not recognise these systems despite the demand made by thousands and lakhs of Ayurved doctors in this connection. First of all, the German Government recognised the Ayurvedic system in view of its properties. When our Government found that the system evolved in India has been recognised by the