

through tankers in the areas which are running short of drinking water.

11.35 hrs.

DISCUSSION UNDER RULE 193

[English]

Liberalisation of Orders improving Representation of Scheduled Castes and Scheduled Tribes in Central Government Posts/Services—Contd.

MR. SPEAKER: The House shall now take up further discussion under Rule 193 on the statement made by the Minister of State in the Ministry of Personnel, Public Grievances and Pensions in the House on the 19th April, 1989 regarding liberalisation of orders with a view to improving the representation of Scheduled Castes and Scheduled Tribes communities in Central Government Posts/Services, raised by Shri E. Ayyapu Reddy on 4th May, 1989. This discussion will go upto 2 P.M.

The House shall also take up discussion under Rule 193 under item no. 7 at 2 P.M.

The House shall also take up discussion under Rule 193 under item no. 8 at 4 P.M.

Shri Balkavi Bairagi.

[Translation]

SHRI BALKAVI BAIRAGI (Mandsaur): Mr. Speaker, Sir, I am grateful to you for giving me an opportunity to participate in the discussion under Rule 193 on scheduled castes and scheduled tribes in the House. As you are yourself a sanskrit scholar and might be familiar with the Vedas our ancient scriptures—I would like to draw your attention from the new view point. You may be aware that till the Vedic period, the Vedic literature makes no reference to two words.

The first is Harijan and the other is 'Shudra'. There is no reference even to untouchability. These words are unknown to Indian culture. I would draw the attention of the august House that these two words, 'Harijan and untouchability, are not be found either in the Indian culture or in our scriptures. These were added afterwards.

Our Vedic tradition, or literacy tradition is 5000 years old. It is a serious issue to have a discussion in Lok Sabha as to whether the Government should continue with reservation or not. In this context, first, I am grateful to Shri Rajiv Gandhi, who, while addressing rally at Lucknow, announced that the reservation facilities will continue till 2000 A.D. Mr. Speaker, Sir, you may be aware that it was Mahatma Gandhi who coined the word 'Harijan' for Hindi dictionary. One thing more, towards which I would like to draw the attention of the learned Member of this House is that Mahatma Gandhi had once remarked that "I wish to be born from the womb of a Harijan mother in my next birth, if at all I get next birth, I want to be born as a Harijan in my next birth" Mahatma Gandhi had uttered these words, while expressing his agony over the matter. It is our earnest duty to work for the development of Harijans and Adivasis and the Congress has taken this responsibility sincerely.

The Congress party is not doing anything new. While it was out of power, it was doing this thing through propagating ideology and arousing mass awakening and now in power, it is doing this through launching programme.

I don't swallow one thing over my throat. At times some of our colleagues say that reservation should be given on the basis of economic condition. I would like to submit them that how a community which has been suppressed on caste line for the last five thousand years is expected to be so developed within 40-42 years that it can be self-sufficient. Poverty can be one of the criteria, but the reservation policy in its present form should be continued till the standard of living of the suppressed communities also come at

[Sh Balkavi Bairagi]

par with the others. We have to bear the brunt of our ancestor's atrocities.

Mr. Speaker, Sir, I would like to submit with all its seriousness that I have seen those days, hon. Members of this House might not aware of it, that during the regime of Holkar in my State, under the law a harijan may build a temple, but cannot instal an idol in it. If he could dare to install the deity in the temple built by him, he was prosecuted and punished. I have seen this by my own eyes and members of Congress party had started movement against it and were jailed. What an irony it is that a well could be dug with the toil of a harijan, but he cannot use the water of that well. To such an extent, untouchability was practised in our country.

Mr. Speaker, Sir, we are discussing this issue in the House under your chairmanship and the leadership of Shri Rajiv Gandhi and trying to make the country understand the seriousness of this matter. I would like to submit that 15 and 7.5 per cent reservations have been provided for the scheduled castes and scheduled tribes respectively. This reservation of 22 1/2 per cent is fulfilled in D class jobs only, but in A, B & C classes, this quota is not fulfilled. I would like to thank Shri Chidambaram, Shri Rajiv Gandhi and his Government for the announcement to the effect that the reservations will not be allowed to be lapsed till all the reserved vacancies are not fulfilled. Those posts will remain vacant till qualified persons from these categories are appointed. This should be made clear in the country. I was surprised to hear yesterday that some of the Members of this House who call themselves as progressive, stated that this work in being done keeping elections in view. Sir if we do something for the welfare of farmers, the opposition says that we are doing it for the benefit of elections if we take any steps for the welfare of labourers, women, scheduled castes or scheduled tribes, the opposition links it with the elections.

SHRI SYED SHAHABUDDIN (Kishan-

ganj): Because for the last 4 years, you did nothing and now you have started speaking in the fifth year.

SHRI BALKAVI BAIRAGI: Sir, you as well as we are well aware of the fact that as the who are the persons talking in the fifth years. I would like to submit to my friend that I don't want to name anyone. All of you know that for the last 103 years, we have been fighting for it. Your life span is for five years only and you remain alive for quarter to five years only. In the last three months you cease to function. My friend, I don't want to start this discussion. I would only like to request that we don't link elections with scheduled castes, minorities or muslims. I would like to ask how the opposition people also got elected under the policy of reservation. In opposition also, there are members belonging to schedule castes or scheduled tribes or muslim communities. They also get elected under this reservation policy. You should mind it that if we have adopted strategy keeping elections in view, we would have done it otherwise. We would have created condition in which even 2-3 otherwise. We should have created condition in which even 2-3 members who are otherwise being seen here, have not come here. So, let it be not linked with the elections. We realise the agony of the people every minute, every time, every year and we bear with it. Mr. Speaker Sir, I would like to make a request to you. I would like to narrate my own experience to my friends belonging to scheduled castes and scheduled tribes that the behaviour of the officers, who get employment under reservation policy, with the people of their own community is quite disappointing. The police inspector belonging to SC/ST communities posted in my constituency committed more atrocities on the persons belonging to scheduled castes and I have to come for their rescue. A harijan give witness against another harijan. I am not saying that they should not make efforts to stop crimes. Excesses on anyone should be checked. But it is matter to be considered by them as what are their duties after getting promotions. Those who have become self-depend-

ent should provide opportunity to others to become so.

I would like to make yet another submission. May be, my this suggestion will be useful for you in future. I have no objection, if at present you take it as joke, but I would like to submit that many of my friends belonging to caste Hindu have got employment by showing themselves as scheduled castes and scheduled tribes. They have done a crime what punishments should be given to them. If you will accept my suggestion, the country will be very happy. Those who have taken employment on wrong certificates are forced to do the job of the caste of which they have produced the certificate for the period they remain in employment on the basis of forged certificate. Suppose, they have got the job by showing themselves as sweepers, they are a forced to work as sweepers. Then only they will understand the meaning of getting jobs by changing the caste.

My Speaker, Sir, earlier there was no caste or class fragmentation in our country. Castes were assigned on the basis of profession, but later on this system was distorted by the society and such a system was made in which, people of some particular caste were suppressed. We have to do the penance for it. If we can do something for their welfare by doing it, we should not hesitate. We should not do it as charity measure. I would like to make yet another submission. During Janta regime, some of the members who are making hue and cry now were in Congress Party then. We all know how that Government came into power, but now these people want to forget it and they are linking our steps with elections. Why should we take steps keeping elections in view.? In 1980, when the Congress Government came into power again, Shrimati Indira Gandhi extended the reservation for another ten years by bringing a Bill in the Lok Sabha, though elections were already over. What did these people do at that time? We brought the Bill after the elections were over and we have won the elections. We felt that we should set undone the wrong which was done during Janta Government. The Congress Party has

to bear the brunt of the right and wrong things done by the opposition. The Congress Party is the only responsible party in the country. You know that only a responsible person feel responsibility and accountability. No accountability is expected from an irresponsible person. I don't raise finger against the people, but I can certainly raise fingers against irresponsible parties. We run the democratic system through political parties. These are the persons who have not succeeded in organising a political party even two months before elections and if they are asked to tell about their leader, they say that they are still deciding. If asked about the venue of their meetings, they would say that the meetings are being held in Haryana House, now they do not refer to Karnataka House. Earlier it was held in Andhra House. What can you expect from those, who are unable to decide about their leader even six months before the elections or unable to adopt a symbol for their party. I would like to submit that Shri Rajiv Gandhi was our leader, he is our leader and he will be our leader in future also. I am saying it with full confidence. Let them tell the name of their leader, their party or their symbol. They have nothing to say and the whole country has to suffer.... (*Interruptions*). Those who have nothing to do, will link everything with elections. But the Congress Party has not done anything out of elections compulsion. It is our duty to fight the distortion in our system brought about after the Vedic civilization. We are the successors of Gandhiji, Nehruji and Indiraji. Shri Chidambaram will give the reply, I am only making submission I am proud that it was Shri Baba Saheb Ambedkar, who gave us the right to vote and who was one of the framers of the Constitution of the country. We all know the community to which he belonged. It is Shri Shankaranand with whose signature the voting right has been given to the youths of 18 years of age. We have done it. It has not been done through any other person. It has been done through a person who comes from the society for whose advancement we have been struggling the day in and day out. I would request that this reservation policy should be allowed to continue and reserved posts should be filled with the reserved cate-

[Sh. Balkavi Bairagi]

gory only, even though people of other categories are available. It will a violation of the Constitution, if you will break your commitment. Commitment is more valuable than life. We are committed and such people are often tested in the history. I would like to submit to all the hon. Members, political parties and the Government that it should not be linked with election and votes. I am happy that you have listened to me seriously and quietly.

[English]

SHRI SYED SHAHABUDDIN (Kishanganj): The reservation in public employment for the backward classes is a gift of the Constitution and has a national consensus behind it.

[Translation]

BALKAVI BAIRAGI: Elections were not held at the time when the Constitution was prepared. I am sorry.

[English]

SHRI SYED SHAHABUDDIN: The election came as a result of the Constitution

This principle of protective discrimination and affirmative action in favour of the backward sections of society has a specific object. The object is to raise the backward sections to the average level of the society in due course.

We have failed in this objective. We thought that ten years were adequate, we found it was not. And now we are finding that forty years were not adequate for the purpose. In this view of the matter, I do not accept the statement of the hon. Minister that the mandate of articles 14 and 26 has been fulfilled. The mandate of articles 14 and 16 is equality and not the persistence of inequality. The sub-sections which he has perhaps in mind, refer to affirmative action in order to produce a regime of equality. There-

fore, I would suggest that we should think how we can correct this national failure. In the meantime, there is absolutely no option for the country but to prolong the regime of reservation by another decade. This has again national support and that is why I feel that it should not be presented as a partisan question.

Having said this, I would like to make a plea to the Government that there is a demand all over the country for a revision of the lists of Scheduled Castes and Scheduled Tribes. The same tribes which are fragmented among different States, enjoy reservation in one State but do not enjoy reservation in the other. That applies also to the same caste groups. This anomaly must be removed. This contradiction must be removed. Therefore, I would suggest that the Government should come up with a comprehensive revision of the Scheduled Castes and Scheduled Tribes Order and should try to update the list.

Coming to the question before us, on the question of backlog, from a purely scientific point of view, without opposing the principle behind it, I have to ask certain questions. If the backlogs are to be accumulated indefinitely and the experience shows that the vacancies earmarked for reservation are not filled every year, then, the question is how far shall we go? After all, one fine year, eligible persons, qualified persons are not going to drop from heaven. Statistics also have a certain truth. Therefore, in the meantime, when we keep the places vacant indefinitely, particularly in relation not so much to the case of general administration but particularly in relation to what I call the technical posts, I think it is going to give rise to a certain injection of inefficiency in the system. For example, if a certain number of posts of medical doctors are kept vacant and the vacancies are accumulated over a period of time, then obviously the system of medical delivery, the system of medical service for the people is going to suffer from these constant vacancies. The amount of service that we wish to provide to the people, shall not be provided in the mean time. Therefore,

this indefinite accumulation will create its own problems. My own solution would have been that at least insofar as the technical posts are concerned, let us wait for two years, three years. The backlog can be carried forward. But after three years, at any given point of time, for not more than three years, the available quota of reservation should be accumulated. In the fourth year, the first year's quota should be generalised. Some such arrangement should be there so that the level of the vacancies of the proportion of the vacancies does not produce this condition of inefficiency in the services that I pointed out. (*Interruptions*).

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE OF THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): You are saying generalised. Are you saying these should be de-reserved?

SHRI SYED SHAHABUDDIN: After three years.

SHRI P. CHIDAMBARAM: No, we have banned reservation.

SHRI SYED SHAHABUDDIN: You must give the rationale. That is what I am saying. I am with you in principle and yet I may point out to you a certain difficulty and you should give a rational answer to that. The same thing applies to technical posts. We have certain facilities for technical training. Assuming that they are kept vacant, then it is an under-utilisation of the system that we have created at great national cost. Why should it be kept unutilised or under-utilised? Under-utilisation, amounts to national waste and, therefore, there also there has to be some rational answer to this question that if we create certain facilities for industrial or technical training or technological training at a high cost, every seat costs so much and the unit cost we have got to keep in mind while considering whether the persons with a minimum qualification, absolutely minimum qualification, are available or not available at a given point of time to fill up the reservation

quota. As far as promotion is concerned, I have been in public service and I think, from two angles, it has created problem. It has created a lot of heat-burning in the various bureaucratic systems and cadres where you find that somebody who was working under you suddenly jumps and becomes your boss and this gives rise to certain frictions and certain tensions in the society. Sir, I have a feeling that from another angle, it is not equitable that the same person, for example, who was admitted in medical college on the reservation quota should also enjoy a second facility or having entered the Government service under reservation quota should enjoy the facility of reservation a second time in his own life. After all he has been brought in line and he has been given marching orders and then he should not expect somebody to back him up at every level, at every post. Therefore, even in principle I see something unwise in reservation in promotion in giving the facility of benefit or reservation to the same individual more than once or twice in his own life-time. At every stage he gets support. Why? Once he has been brought to the level of the rest of his pens. he has got to march ahead in his own. Yes, I know the answer. The answer is that our backward friends, our reservation quota friends feel that the reporting system is not fair to them. The minister has introduced a scientific method, he has got to adopt a scientific method to see to it that the reporting system is fair to all concerned and is as objective as possible. That is the matter for the hon. Minister to look into.

Similarly, Sir, this brings another point. I find that the reservation benefit is being limited to a few families. For example, if a Harijan becomes an IAS officer, then why should his son be entitled to the benefit of reservation? I see no reason at all, absolutely no justice, no equity in this and it is not only unfair to the society, it is unfair to the other members of the Harijan community. I would like the benefit of the reservation to be as widely diffused in the society as possible. Let other families take advantage of it. Let another group of people take advantage of it from the same milieu, from the same sub-

[Sh. Syed Shahabuddin]

society. I would not mind. But I would certainly very much mind why the benefit of reservation should remain limited to the same family.

Sir, finally, I would plead at this point of time, very briefly, that some thought should be given to the question of universalisation of reservation. There are backward sections in every community. Are there backward Harijans? Are there backward Muslims? There are backward people in every community. Why can't we think of a system of universalisation of reservation but subject to a uniform economic criterion so that the benefit of reservation in any community applies only to the economically, socially and educationally backward sections of that group? With these words, I generally support the proposal of the Government. It is good as far as it goes, but it raises certain very basic questions and I would like the hon. Minister to apply his mind to the questions that I have raised. Thank you.

[Translation]

SHRI RAM RATAN RAM (Hajipur): Mr. Speaker, Sir, I would first like to thank Shri Chidambaram for his statement on the 19th April, 1989.

[English]

"regarding liberalisation of orders with a view to improving the representation of scheduled castes and scheduled tribes communities in Central Government Post/Services"

[Translation]

and I would like to submit with regard to the discussion taking place here in that connection that while keeping in view the contention of Shri Syed Shahabuddin and other hon. Members of the Opposition, that the Congress Government have provided considerable encouragement to the scheduled castes and scheduled tribes who have been sup-

pressed since ages and have for long carried the stigma of being outcastes. They have been encouraged socially, economically, educationally and also politically. In this connection, I would like to submit that the Congress party has been committed to the upliftment of these classes and from the very outset, provisions were made for their welfare in the constitution after it formed the Government of independent India. All possible radical measures have been taken during the last 40-42 years and of which reservation of posts and services in the Central Government constitutes a small part. This policy applies to the State Services as well. In this context, Shri Chidambaram deserves to be congratulated for his statement on behalf of the Government regarding the proposed liberalisation to be made shortly for the welfare of the scheduled castes and scheduled tribes.

12.01 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

But how far such liberalisation will take place in what we are anxious to know. I would like to submit that the position of the harijans have improved much during these 40 years of the Congress Rule. An harijans in not discriminated against in any public transport system, educational institution etc. He is not told to get off a train if he happens to be travelling by it or to leave a hotel or an educational institutions if he happens to be eating or studying there. Major social changes have been brought under the Congress Rule. The Congress Government deserves to be congratulated for it. So far as reservations are concerned, the subject under discussion at the moment, I would like to draw your attention to it. At the same time, I welcome the statement of Shri Chidambaram and urge upon him to make efforts to enhance the existing quota of reservation of 15 per cent in the case of scheduled castes and 7 1/2 per cent in the case of scheduled tribes in the Central Government services. This has been proposed in view of the increase in population. As such reservations are made on population basis, therefore, they should

be enhanced on account of increase in population which can be verified from the 1st census report. But it has also to be kept in mind as Shri Shahabuddin has suggested just now that one member of every backward family should be entitled to avail of reservation in the matter of appointments but the same should not apply in the case of promotions. I would have welcome his point of view had there been a change in the attitude of society. Unless there is a change in the attitudes of people occupying senior positions in the country and they realise that everyone is equal, the suggestions made by Shri Shahabuddin cannot be practicable. Because, despite the provision of reservation made in the constitution, a lot of heart-burning is created at the promotions level in the Central Services, although the situation is not the same at the time of fresh appointments and appointments are made in the reserved category as per rules. Whatever our friends in the Opposition have submitted is all right. But they have also said that political, economic and social backwardness should be made the criteria for reserving posts in the Government. The drawing up of the Scheduled Castes and Scheduled Tribes list has been made on the basis of social and economic backwardness. Perhaps they have forgotten to mention this point. In connection with the economic backwardness and facilities provided to them, I would like to submit that there are other classes of people as well who suffer from social and economic backwardness and are discriminated against but these facilities are not available to them. The practise of untouchability has been abolished by law, still we can observe in our villages that such attitudes have not been changed. In order to remove such attitudes, there should be a uniform law in the country. It should be applicable to each and every citizen of the country. and only then it can be a welcome step. I would like to draw the attention of Shri Chidambaram to the recent case pertaining to the upgradation of a Central Government post. The post of the Deputy Secretary was to be upgraded to that of a Director and accordingly suitable people were to be appointed in that position. A panel of only 15 candidates was drawn up because

the 16th candidate was a Scheduled Caste. That is why the panel was closed after the inclusion of the 15th person. Moreover, as there were no Scheduled Caste or Scheduled Tribe candidates among the first 15, so that panel consisted of 15 candidates who were to be promoted as Directors eventually and the 16th candidate was denied this post because he belonged to the scheduled caste. This sort of attitude must be removed. I would like to request Shri Chidambaram. that efforts should be made to enlarge the panel drawn up recently so that more names could be included. If the administrative authorities display such attitudes while drawing up the panel, it will not be possible for the officials of the Government to do justice to the Scheduled Castes and Scheduled Tribes. So far as promotions are concerned, I agree with Shri Shahabuddin on the point that there is a lot of heart-burning at the promotion level. When one finds that somebody who has been working under you, suddenly supercedes and becomes your boss, it obviously creates resentment. Therefore, it is proposed that the constitutional provision of reservation should be withdrawn and merit should be made the universal criteria. however, before doing away with it, do we not have ensure that we have an equal society? In view of the existing socio-economic disparities, this provision cannot be withdrawn and it will have to remain till inequalities prevail in our society. Until equality is guaranteed in the country, the reservation system shall have to continue. It can be changed only when due social awareness is created in this regard and the people are motivated to launch a mass struggle against the existing disparities in society.

The issue of backward classes has been raised. The Mandal Commission's recommendations have been mentioned in this connection but which are lying in cold storage at present. There are several groups among the backward classes who are worse off than even harijans. If reservations cannot be made for them in the political sphere, it should be made for them in the services and in admissions to different educational institutions. It is not proper to suggest that # a

[Sh. Ram Ratan Ram]

person belonging to these groups gets admission in the reserved quota, he shall not be eligible for similar privilege while applying for Government service. Until such privilege is guaranteed in the services, not a single harijan or adivasi will be recruited in the post of a doctor, engineer, I.A.S. or I.P.S. Keeping in view the existing attitudes of the society, if the Government taken steps in this direction, then we would know as to how far they are earnest in what they have said. The condition of harijans and adivasis is very different from the rest of the society. Some people have perverted attitude. It is not proper to speak of quality under such circumstances. And we will continue to hold this view until these depressed classes are uplifted from both the social and economic point of view. The people of this country would charge that disparities prevail in the country which ought to be removed and the Congress is committed to remove them. The hon. Members belonging to my party have said so rightly. The Opposition parties got the opportunity to set things right for three long years. But they did not make any efforts at any stage to take some measures for the welfare of the Scheduled Castes, Scheduled Tribes and other backward classes. The people expressed their faith in them but as soon as they came to power they forgot all about it and began mutual bickerings for portfolios with the result that they lost the confidence of the people why they had won. Now, the same people pose themselves as their well-wishers. This kind of double policy will not do. If issues pertaining to the people are to be raised, their welfare should be the primary concern and if you talk of politics and policies, then you should discuss them explicitly. Mere fruitless talking without having any definite policy will not do. So far as the question of liberalisation of reservation and its extension is concerned, the Government deserves to be congratulated. As regards the decision not to resort to de-reservation, and that dereservation will not take place until all reserved vacancies are filled is also praiseworthy. But at the same time, a Central Act should be enacted to provide a legal

safeguard against the violation of rules in this regard.

So far as the question of writing Confidential Reports is concerned, the hon. Ministers also used to write them earlier, which they may have forgotten now...(Interruptions)...I would like to submit in this matter that until C.R. entries are made with due strictness, there will be no fear in their mind. Until powers are given to the court to taken deterrent action in such cases, they will not be afraid of it. By merely giving them relaxation will not do. In spite of reservations which have been made for the Scheduled Castes and Scheduled Tribes, they have not been able to get rid of their apprehensions completely. It is a matter of satisfaction that liberalisation has been made in the qualifying marks for admissions etc. and the decision taken to stop dereservation in filling up vacancies of Technical nature where not many suitable candidates are available but I would like to draw your attention to the Civil Services and judiciary where the provision for reservation does not apply. If reservation does not exist at the level of the judiciary, how can we expect the weaker sections to get justice. Judiciary is in the hands of those very people who have not changed their attitudes and have exploited them and treated them unfairly. The scales of justice are in their hands with the result that cases remain pending for years and justice is not available to the weaker sections, of society. Therefore, it is essential to do something in this regard.

Alongwith it, I would like to make one or two points more. Although the issue of revision of lists is not related with the subject under discussion, still as it is connected with the welfare of the Scheduled Castes and Scheduled Tribes, I would like to raise it. There are many such eligible groups in the country who have not been included in the schedule and which should be done. The Kurmi tribe of Chotta Nagpur is one such example. This tribe was included in list till 1921 but which has since been withdraw. Their position should be restored so that they can get the opportunity to come up.

With these words, I thank you.

[English]

SHRID.B. PATIL (Kolaba): Mr. Deputy-Speaker, Sir, this is one of the rare occasions in which the Opposition is in a position to welcome the steps taken by the Government. I am glad that the Government had taken a decision to put a ban on dereservation.

While welcoming this step, I would request the Government to go to the root cause of the situation which has compelled the Government to take this decision. It is a common experience that though there are reservations earmarked for Scheduled Castes and Scheduled Tribes, some reservations are not being filled, some seats reserved for Scheduled Castes and Scheduled Tribes are not filled because of certain attitude of the appointing authorities, administrative authorities.

I want to quote from the report of the Commissioner for Scheduled Castes and Scheduled Tribes for 1986-87 in which a very important observation has been made on p.39:-

"One of the regrettable aspects of implementation of the policy of positive discrimination is that it is generally accepted in a formal way without much regard for the spirit behind it. The result is that even innocuous technical points can be used to deny the rightful due to members of the Scheduled Castes and Scheduled Tribes."

The Scheduled Caste and Scheduled Tribes people are denied the rightful place due to themselves. Why should it happen? This is happening, not particularly for the last 40 years but since reservation has been made in the Constitution. The backlog has been created only because the facilities which ought to have been made available to the Scheduled Castes and Scheduled Tribes in education are not being provided for. The present position is even though the ban on

dereservation is put here, how far and how long are we going to have ban on dereservation? The ban on dereservation creates a very bad feeling among the people. Instead of putting a ban on dereservation, I would urge the Government to see that there is no backlog at all in the Services. That means there will have to be special efforts on the part of the Government that whatever opportunities are made available to Scheduled Castes and Scheduled Tribes they should be made available in the initial stages only when recruitment is made.

This stage can be reached if only all educational facilities are provided to the Scheduled Castes and Scheduled Tribes.

Again I would refer to the report of the Commissioner for Scheduled Castes and Scheduled Tribes. It has been stated on p.483.

"On 1-1-87 the reservation of the Scheduled Tribes in the Services is:

Class I	2.5
Class III	1.92
Class III	4.23
Class IV	5.84".

As far as Scheduled Castes are concerned, even Class III are not fully represented. Class A and B and C are represented on a very low scale.

I would like to know from the hon. Minister within how much time the reservation that has been made for the Scheduled Tribes and Scheduled Castes would be fully met. Certain time-limit should be laid down. Until the time-limit is laid down, it will be going on like this and there will be ill-feeling among the people. People will say "Why are you denying that opportunity to them for whom there is no reservation?" But, taking into consideration that reservation has been made for the particular population, who have suffered since long not only hundreds of years

[Sh. D.B. Patil]

but thousands of years, we have nothing to grudge against them. On the contrary, we should welcome it.

It is stated that Government has, to a large extent, fulfilled the mandate of Article 16. I have quoted the representation of the Scheduled Tribes in the services. This indicates clearly that what the Government has said is not correct.

I would like to draw the attention of the Government to another point. Article 16 requires that special protection should be given to those who are educationally and socially backward. Scheduled Caste and Scheduled Tribe people are getting protection under the Constitution. This Article 16 Sub-clause (4) provides for protection to be given to the backward people. For that purpose, Kaka Kalelkar Commission was appointed, But the recommendations of that Commission were not implemented. Thereafter, the Mandal Commission was appointed. The Mandal Commission has stated that the other Backward Communities which are socially and educational backward constitute 52 per cent of the population. I would also request the Government that it must provide protection for the Scheduled Castes and Scheduled Tribes people who constitute 22 1/2 per cent of the population. The Mandal Commission has stated that the Backward Class constitute 52 per cent of the population. The Constitution has provided certain provisions for the socially and educationally backward people and those provisions should be implemented. Their interests should be protected. In this connection, I have to point out that though some special provisions have been provided under the Constitution, they are not being implemented. I would like to draw the attention of the Government that 52 per cent of the population has been denied the rights which it was entitled to. They are socially and educationally backward people. The Mandal Commission report has been submitted in the year 1980. Since then, while the then Prime Minister Smt. Indira Gandhi was there in

power, at least the matter was discussed in this House sometime for the purpose of implementation of those recommendations. Committees and Sub-Committees were appointed at the level of the Minister, at the level of the Secretary. But that was done at the time of Mrs. Indira Gandhi. But now under the Prime Ministership of Shri Rajiv Gandhi nothing has been said and discussed about the Mandal Commission's Report and recommendations. That Report has been kept in the cold storage. So, I would like to take this opportunity to urge upon the Government that while it is providing for special facilities for Scheduled Castes and Scheduled Tribes, it should see that those provisions are properly implemented. I would further request that the Mandal Commission Report should be taken into consideration and its recommendations should be accepted and implemented.

SHRI P.K. THUNGON (Arunachal West): Sir, I congratulate the hon. Minister for making the statement on 19th April, 1989, regarding liberalisation of orders with a view to improving the representation of Scheduled castes and Schedule Tribes Communities in Central Government Posts/Services.

Sir, at the outset, I would like to request the Government, through you, not to be deterred by certain sections of the people and certain forces which are against reservation for the downtrodden people belonging to Scheduled Castes and Scheduled Tribes Communities, for the uplift of socially and educationally backward people. This august House is aware that there are certain forces in our country to destabilise the unity and integrity of this country. There are forces which take advantage of all kinds of bickerings in our society and the slight difference not only to destabilise the Government but also to destabilise the whole country and thus knowingly or unknowingly they get themselves involved in such acts become tools of those people who cannot see India as a united, strong and progressive nation. Therefore, I urge upon the Government not to yield to those forces which are against the

interests of this country. Why I am saying this is, as you are aware, in Gujarat, there were processions and demonstrations against reservations. This is against the provisions of the Constitution. That is an anti-national act. That is anti-constitution. These are certain prognostications and signs where people are trying to thwart the Constitutional provisions to protect the interests of the Scheduled Castes and Scheduled Tribes people. These are the reasons why the ugly heads of destabilisation, ugly heads of rebellion, are rising in some tribal areas like Jharkhand and other places. Therefore, I would like to caution our friend Mr. Shahabuddin when he asks why a Scheduled Caste or Scheduled Tribe man should keep on getting repeated facilities in his own life. For thousands of years, such facilities were taken by certain communities in this country right from the Vedic period. Forty years is nothing in comparison to thousands of years. Therefore, I would like to urge on my learned friend Mr. Shahabuddin not to bring out such things which will stir up in the society where we have already enough problems.

India is a country where we have so many communities, so many languages and so many traditions. Some traditions are set up by the people themselves in course of time. But some traditions are settled through certain action of the Government. It may be a democratic Government or it may be a monarchical Government or whatever form of Government. Certain traditions are set up in the society through the actions of Government. This is why, our founding fathers of constitution also considered this problem and provided for this reservation.

I welcome the statement of the hon. prime Minister for extension of the constitutional provisions for the next ten years. I think, by this statement, our Prime Minister has given a hope to the down-trodden people of this country who were thinking they might miss this in the near future. Ten years of renewal of this constitutional provision is going to be completed by the end of this year. There are people in the opposition who, I think, suffer

from jaundice because one who suffers from jaundice sees everything yellow. About this statement of the Prime Minister also they have said that it is a political announcement. And when the Prime Minister has announced giving constitutional status to Panchayati-raj, that also they say is politically motivated. I would like to say that they keep on opposing just for the sake of opposition. The people of this country are not fools. They are not going to gain out of this. Therefore, I would request them at least to support the genuine cause of Scheduled Castes and Scheduled Tribes who have been suffering for thousands of years.

I have a few suggestions to make. About the reservation, I would like to suggest a time-bound programme. Whatever has not been filled up, should be filled up within a time-bound framework.

About the relaxation of percentage in selection, there is a provision of five per cent reduction for Scheduled Castes and Scheduled Tribes students in many cases. At times, it is interpreted as reduction of five marks, for example, at the time of admission to IITs or in medical colleges.

This should be 5% reduction. In that way we will be getting more number of SC and ST students.

Since I have no time, I will put my last point which is very important. We have been talking about the revision of the list of SC and ST. My friends have already said about this and I only want to add that for the last about seven years we have been talking about giving tribal status to the people of Ladakh; but the matter had not materialised so far.

I am told that a survey was conducted there and the statutory requirements have been fulfilled. Even after that, the Government has sent back again to the Government of Jammu and Kashmir for consultation. Once the statutory provisions are fulfilled, there is no need of waiting for their reply on consultation. Straightway the Government should declare Ladakhis as Scheduled

[Sh. P.K. Thungon]

Tribes. I am told that in 1983 the present Chief Minister, who was the Chief Minister at that time also, Dr. Farooq Abdullah, himself had written that all those communities who are residing in Ladakh should be declared as Scheduled Tribes because of the remoteness of the area and the problems of Ladakh. I request that this should be considered favourably.

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Deputy Speaker, Sir, I heartily support the debate regarding the reservation and promotion for the scheduled castes and scheduled tribes in Government services which is in progress in the House. I am doing this because my party has always been espousing the cause of the oppressed and the weaker sections.

We had the opportunity of listening to a number of points. The Government has even been congratulated. However, I would like to put a few questions. In the matter of reservations, even after 42 years the Government still expresses its inability on the plea that suitable persons are not available to fill the vacancies. But for class IV category they are always available. What is the percentage of the Scheduled Castes and the Scheduled Tribes in the class IV employees who have been appointed? A number of workers in class III category are educated. They are capable of being appointed as clerks, but they are doing the scavenging work. Yet the Government claims that every possible step is being taken for the upliftment of the weaker sections and the harijans. Who stops you from appointing them as clerks? You are only misleading the people.

The Government had misled the masses in 1971 also by its slogan of *garibi hatao*. This slogan was raised throughout the country but poverty was not eradicated. This is 1989 and not 1971. 18 years have passed and the child born in that year is today a youth of 18. He has understood your trick.

You make such statements only during the elections. Everyone knows that this is merely an election gimmick that the Government is doing something for the welfare of the harijans. How can justice be possible when the protector himself becomes the predator. The Government passed a number of laws viz., the Land Ceiling Act and proposed to distribute land among the poor and the weaker sections. Did the Government implement this honestly? Is it not an eye-wash? The Government cannot do anything against the erstwhile landlords because some of them are members of Parliament? I would like to ask as to who is responsible for the demolition of the 200 harijan houses in Bhagalpur on the 6th of this month. The hon. Minister of Home Affairs should conduct an enquiry in the Sunwarsa area. Everybody is agitating in the Sumkulha village but only the communist Party people are being arrested because they opposed this action. Where have all those people gone who used to advocate the cause of the harijans and adivasis and made tall claims. Rights can not be begged for, one has to fight for them. Therefore, the youth belonging to the weaker sections have blown the bugle of agitation for getting their rights and now the Government is facing problem. What steps has the Government taken for the welfare of the adivasis. Honestly, tell us who has got all their lands which they possessed even during the times of Britishers. Who is the landlord these days? It is your own people who are in possession of all the land and you can not raise your finger at them. you can only deceive people but this is not going to continue for long. Today if the adivasi youth is doing something or raising his voice the Government says that he is drifting away from the national mainstream. How long can he survive in this mainstream as a beast? I would like to ask whether we, the poor people are not human beings? What steps has the Government taken for their welfare in all these years? Had the Adivasis not changed their religion, they would not have got jobs in Government Offices. The adivasi men and women have got high posts after being converted as Christians. What has the Government done for them. I would like to

say that stop this deception. If the Government is keen in their welfare, only harijan and adivasis should be recruited in the class III vacancies so that they may at least get their rights. With their words, I conclude.

*SHRI HARIHAR SOREN (Keonjhar): I rise to speak a few words in support of the statement made by Shri Chidambaram, Hon'ble Minister of State in the Ministry of Personnel, Public Grievances and Pensions in the House on the 19th April, 1989 regarding liberalisation of orders with a view to improving the representation of Scheduled Castes and Scheduled Tribes Communities in Central Government Posts/Services. We have been discussing the statement made by the Minister for last two days. Many Hon'ble Members have expressed their views on the steps taken by the Government to protect the interest of Scheduled Castes and Scheduled Tribes by providing them reservation facilities. I would also like to express my views on that subject. At the outset, I would like to extend my thanks to Shri Chidambaram for making the statement in the House. Sir, the entire House is aware of the fact that the Scheduled Castes and Scheduled Tribes are lagging far behind other communities. The Scheduled Tribes are more backward than the Scheduled Castes communities. The reasons for their backwardness are known to everybody. The Members who preceded me have already pointed out the reasons of the backwardness of Scheduled Castes and Scheduled Tribes. I do not want to take much time of the House by repeating those points. As the time at my disposal is very short, I would only like to concentrate my speech on the statement made by the Minister. However, I would like to highlight certain problems of Scheduled Castes and Scheduled Tribes in the matter of employment. I would also like to give some suggestions to the Government in that regard and would like them to be implemented so that the Scheduled Tribe candidates will get due protection.

Sir, the Constitution of India has given certain rights and privileges to the Scheduled Caste and Scheduled Tribe. Certain

percentages of posts are being reserved for Scheduled Caste and Scheduled Tribe's in some category of services. According to the earlier practice the posts earmarked for Scheduled Castes and Scheduled Tribe candidates were being dereserved when suitable candidates were not available from among those communities. As you know, Scheduled Caste and Scheduled Tribe communities are backward. qualified candidates are always not available in these communities. As a result of that Scheduled Castes and Scheduled Tribe candidates do not turn up for interviews. In those cases the employers keep the post vacant for a certain period and then they fill up the vacancies by general candidates. But in many cases we find some thing different. The employers even fill up the vacancies by general candidates at the first interview itself when they find that Scheduled Castes and Scheduled Tribe candidates have not turned up. In some cases some employers even disqualify the Scheduled Castes and Scheduled Tribe candidates and inform the Government that the posts earmarked for Scheduled Caste and Scheduled Tribe candidates are being filled up by general candidates due to the non availability of suitable candidates from Scheduled Caste and Scheduled Tribe communities. However the situation will not remain like that after this announcement made by the Hon'ble Minister. The dereservation system is going to be banned. The posts earmarked for Scheduled Castes and Scheduled Tribe candidates will be kept in reserve. So, the Scheduled Castes and scheduled Tribe candidates will get justice. I would like to thank the Minister for making the statement in this regard. More and More number of Scheduled Caste and Scheduled Tribe candidates will now get employment. But, the problem will not be solved only by making the reservation. We will have to pay more attention on making them qualified and suitable for those jobs. For that, I would like to stress upon the point of providing education facilities to the Scheduled Caste and Scheduled Tribe students. Necessary assistance should be extended to them right from the primary school up to higher institutions so that they will be able to complete their

*Translation of the speech originally delivered in Oriya.

[Sh. Harihar Soren]

education. You know the environment in which Scheduled Caste and Scheduled Tribe students get education. It is not possible for them to continue their education in that environment. Therefore there is a need to provide adequate hostel facilities for them in schools, colleges and Universities. Sir, in his statement the Minister has said about improving representation of Scheduled Caste and Scheduled Tribe communities in the Central Governments posts/services. But, I would like to request the Minister for making provision of reservations for Scheduled Caste and Scheduled Tribe candidates in private sector too. If we do not raise the economic status of those communities, they cannot provide education to their children. Without proper education, how can they get the jobs reserved for them? Therefore, I would like to give a few suggestions as to how we can strengthen the economic condition of Scheduled Castes and Scheduled Tribes.

Sir, the Scheduled Caste and Scheduled Tribe communities mostly live in villages. Agriculture and small scale Industry are their main vocation. Some of them are small and marginal farmers. Rest work in the fields. They are employed as agricultural workers by the big landlords. The Government have adopted land reforms measures. But the landless Scheduled Caste and Scheduled Tribe workers could not get sufficient land. So, I urge upon the Government to provide more and more cultivable lands to Scheduled Castes and Scheduled Tribes so that they will be able to earn their livelihood from agriculture.

Sir, it is unfortunate that any step taken by the Government for the upliftment of Scheduled Caste and Scheduled Tribe is being politicised by the opposition. They have been linked with election. As a result of that the real development of Scheduled Castes and Scheduled Tribes are not being paid proper attention by the Government officials. Therefore I would like to appeal every section of the House that Scheduled Castes and Scheduled Tribes problems

should be kept free from politics. Sir, our Government has realised the genuine problem of Scheduled Caste and Scheduled Tribe communities. I thank the Government for making sincere efforts for the socio-economic development of these down trodden communities. I request to the Minister to continue the efforts made in that direction.

Lastly, I thank you very much for giving me the opportunity to speak and conclude my speech.

SHRI BAPULAL MALVIYA (Shajapur):
Mr. Deputy Speaker, Sir, a discussion is in progress regarding the reservation and promotion of Scheduled Castes and Scheduled Tribes in Government Services under Rule 193. My submission is that this should certainly be made. Chanakya had formulated two policies. One was called *Chanakya Niti* and the other was *Chanakya sutra*, i.e. administrative machinery. If the administrative machinery is good, the administration will also function smoothly. We observe that in the administrative machinery, while some people are quite good, others are not. There are some bureaucrats who weaken the administration. My suggestion is that the administration should find out the departments where reservation has not been done according to the laid down provisions or has not been fully done in respect of promotions. This will enable the Scheduled Caste and Scheduled Tribe candidates to be benefited. The Government has appointed an S.C. S.T. Commissioner and a Commission also. Their function is only to prepare the reports. For the fulfilment of reservation, at least one cell should be constituted in the Commission or in the Commissioner's office which should ensure whether the SC/ST reservation has been filled in every department or not. If it has not been filled, the department should be held responsible for it and action should be taken against them. It should be their responsibility to fulfil the purpose for which it has been constituted. I feel that if this is done, we can be successful in this field. I have observed that a pre-condition has been imposed for the Scheduled Caste and Scheduled Tribe candidates who take

admission in the coaching centres for appearing in the examinations for various posts of U.P.S.C. and I.A.S. and I.P.S. Only those candidates get admission to these coaching centres whose family income is less than Rs. one thousand. Today, even a petty peon in the Central Government earns Rs. 1500 per month. Similarly, a clerk earns between Rs. 2000 and Rs. 25000 per month. How can their children be admitted in these coaching centres? Therefore, my submission is that the Government should remove this restriction and arrange to give admission to the all children of S.C.S.Ts in these coaching centres. Then only will we get candidates from the harijan and adivasi categories in the required number for the Government services. At present due to the limit of Rs. one thousand, seats in those centres remain vacant and students in the required number are not available. The Government spends Rs. 3.5 crore on these centres and Rs. 2.66 crore otherwise also, but this expenditure simply goes waste. Therefore, my submission is that the Government should arrange to remove this limit of Rs. one thousand at the earliest.

Mr. Deputy Speaker, Sir, I have also observed that a backlog of reserved quota has been continuing in the State Bank of India since a long time. No special efforts are being made for filling them up. There is a backlog in every category. The posts which should have been filled by the harijans and adivasis are lying vacant. I am glad that keeping our request in view, the hon. Minister of Home Affairs has given directions for filling up this backlog. However, we find that it is being clearly ignored. The same is true of Jute Corporation of India. Not even a single post has been filled by the SC/ST candidates since 1973-74. My submission is that the Government should view this situation very seriously and find out the total number of employees/Officers in Jute Corporation of India and the percentage of SC/ST employees/Officers. If the Government asks for the list of all the Officers grade wise in the Corporation with name of posts, category-wise with name of posts, division-wise with name of posts for example, in the

marketing division with name of posts, in the finance division with name of posts, and in the personnel and administrative division with name of posts) and their year-wise break-up since 1973-74, it will become very clear since how long this backlog is continuing. The posts reserved for the harijan and adivasis are lying vacant. Although the hon. Minister give orders but it had no impact and instead they are being violated. My submission is that action should be taken against the person responsible for this, after holding investigation. We find that Congress is the only Party in our country which is busy in taking steps for the upliftment of the harijans and adivasis in the post-independent era. The intentions of our hon. Prime Minister and Ministers are very good and the ideology of the Congress leaders and other officials towards these people is also good. However, we find that such a feeling is missing in our bureaucrats. Therefore, my submission is that the Government should implement strictly its policy and make such an arrangement so that the backlog may be filled everywhere. There is resentment today because no attention is paid to filling the reserved vacancies.

SHRI V. TULSIRAM (Nagarkurnool):
Mr. Deputy Speaker, Sir, I feel that we are discussing an important matter in the House today, but the way it is being treated, is similar to what the Scheduled Castes face. Your direction is that one should conclude within 2-3 minutes and you start ringing the bell if someone takes longer. Will we get the similar treatment here also which we meet at other places? We are getting the same treatment here also (*Interruptions*) Why are you interrupting? Mr. Deputy Speaker, sir, my submission is that at least in the discussion we should get an opportunity to speak freely. Mr. Deputy Speaker, Sir, he has started speaking while I am yet to conclude. This is so important a subject. Here too, we are being treated as scheduled castes. You start ringing your bell after two minutes. What can any hon. Member speak within the allotted two minutes on such an important issue? Nothing substantial.

[English]

MR. DEPUTY-SPEAKER: There are 544 Members; if everybody wants to speak, how can you finish?

[Translation]

SHRI V. TULSIRAM: Please extend the time

[English]

SHRI PRATAP BHANU SHARMA (Vidisha): It is an important subject. Time can be extended so that every body can speak on this.

MR. DEPUTY-SPEAKER: Upto what time? If you are interested, we can sit after 6 O'clock to discuss this. Mr. Speaker has already announced that the other two discussions under Rule 193 will be taken up at 2 O'clock and 4 O'clock. We can sit beyond 6 O'clock and in that case all of you should be here.

SHRI V. TULSIRAM: As you like, Sir.

THE DEPUTY MINISTER IN THE MINISTRY OF SURFACE DEPARTMENT AND DEPUTY MINISTER IN THE MINISTRY OF PARLIAMENT AFFAIRS (SHRI P. NAMGYAL): If we can sit through lunch time and the reply can be finished by 2 O'clock, it is all right.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONAL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): I request that the lunch hour may be waived and you may call as many Members as possible as long as I am given 15 minutes to speak before 2 O'clock

SHRI P. NAMGYAL: I request that the Members may be bried so that we could cover as many members as possible. Reply can be at 1.45 p.m.

MR. SPEAKER: All right. We will skip over the lunch hour.

[Translation]

SHRI R.P. SUMAN (Akbarpur): Mr. Deputy Speaker, Sir, on such an important issue only half an hour was allotted yesterday. The other day also, only half an hour was allotted. Is this time sufficient for an important subject like this? Therefore, I also request for extension of time if need be.

SHRI V. TULSIRAM: Mr. Deputy Speaker, Sir, Shri Chidambaram is a young Minister and works very enthusiastically. I hope he will take special interest in it and will prove his worth. Though some hon. Members of his party speak otherwise, yet I do not think he and the other two hon. Ministers are in any way against the scheduled castes. This is the allegation of the hon. Members belonging to his own party but I do not agree with them.

SHRI P. NAMGYAL: You name those hon Members. Nobody from our party makes such allegations.

SHRI V. TULSIRAM: I hope, Shri Chidambaram will take interest in it and will use his expertise in achieving something tangible. So far as the reservation is concerned sometimes the candidates are called for interview but sometimes even interviews are not conducted for the posts notified as reserved. After interviews, sometimes the candidates are declared unsuitable but more often then not they show that the candidates are not available. A few words are written on the file purportedly for converting the reserved posts into the general posts. This thing is repeated three-four times as the officials authorised to write yes or no are the same. After this, the reserved posts are converted into general posts and the Scheduled Castes and Scheduled Tribes are deprived of the same. This is the reason why the Scheduled Castes and the Scheduled Tribes fail to get selected for the prestigious posts. A sort of ring is operating which manipulates right from the beginning.

Mr. Deputy Speaker, Sir, I request the hon. Minister to go into the depth of the issue because whatever I have said is factually correct. Do not take it lightly only because an hon. Member from the opposition is making such remarks. The hon. Members from the ruling party also make similar statements.

Mr. Deputy Speaker, Sir, the people who manage to get the certificate to the effect that they belong to the Scheduled Caste and Scheduled Tribes but are engaged in other jobs should be asked to perform the duties of sweeper. Similar views were expressed this morning by Shri Balkavi Bairagi also. Till a person does not get the Scheduled Caste certificate, he behaves like an S.C./S.T. but once he obtains the certificate, he behaves differently. Persons securing admission on the basis of the Scheduled Caste certificate behave normally with ill completion of education but afterwards start behaving like a person belonging to the upper class. This malpractice in issuing the certificates needs to be looked into.

So far as the question of economic condition is concerned, I would like to state that intellectuals can be found in every class. So, what is needed is the change of hearts as the poor are also found among the Brahmins and the Reddys and they are also devoid of the basic facilities. But they are comparatively lesser in number. If a person belonging to scheduled caste sitting among 10 persons discloses his caste affiliation, he has to face awkward situation. His situation can be compared with that of a deflated automobile tyre.

Here, I am reminded of an incident involving washing of idol ordered by the Brahmins somewhere in U.P. only because unveiling of the idol was done by Babu Jagjivan Ram. Such is the equation between the two and therefore, the situation needs to be remedied. The moment one discloses one's scheduled caste affiliation, one loses all credibility, though he may be intelligent, educated and rich. This evil must be eradicated from the society. Many such evils are prevalent in the society. The Scheduled

Castes are prevented from joining the senior posts. Last time also, I emphasised the need for doing something for the Scheduled Castes and the Scheduled Tribes, on the basis of their in the total population of the country. If a child commits mistake, his parents can be informed about it, but if the parents commit mistake, then whom to report? Just calculate the percentage of the SC and ST in the Union Cabinet. After my speech, one was appointed Governor and another was appointed a Minister. If such things are happening at the top, who is there to listen to their grievances? This matter should be seriously looked into. Hon. Minister, Shri Chidambaram is quite young and has a right kind of thinking. He must think over the issue seriously and inquire into the whole thing. With this, I also thank you, Mr. Deputy Speaker, for being a bit considerate.

[English]

SHRITARUNKANTIGHOSH (Barasat): Mr. Deputy Speaker, Sir, as this is a very important matter, I request you to give some time to the Members to express their views. As a matter of fact, to improve the lot of Scheduled Castes and Scheduled Tribes has been one of the main objectives of Mahatma Gandhi's campaign throughout his life. As envisaged in the Constitution, we have to uplift the most downtrodden people. If you go to a village, you will find the poorest of the poor and the most down-trodden people are the Scheduled castes and Scheduled Tribes people.

13.00 hrs.

Any measure to uplift their lot should have the support of the entire nation, irrespective of caste, creed, colour or any other thing. Sir, I would like to tell you that you should see that there are not only reservations but you must also see to it that they are able to compete on an equal footing with everybody. Particularly, I would like to tell Shri Chidambaram one point. It is not enough just to say that the Scheduled Caste and Scheduled Tribe candidates could not compete and hence the seats which were re-

[Sh. Tarun Kanti Gosh]

served for them could not be filled up from their ranks. This justification could have been true in 1948 or in 1950 but certainly not in 1990. After 40 years of Independence, it should have been our main effort to improve their standard and by this time we should have given them the necessary education and training so that they can compete with everybody on an equal footing. Not only mere reservation of seats, you should also see to it that they are given all the opportunities with regard to education, training and other matters. So that they can come up to our expectation.

I would like to tell you that the Scheduled Castes and the Scheduled Tribes have been used as a pawn in political matters. Many people shed crocodile tears for these people. But if we try to find out what their attitude really is, we will come to know that they are not really bothered about the welfare of these communities. We also find that the policy measures of the Government to improve their lot are not implemented down below. Therefore, this aspect must be looked into properly and promptly. As a matter of fact, in an independent and democratic country, right to work should be given to everybody. But till that time such a step is taken, reservations must continue. In addition, there must be training facilities for these candidates so that they can really go ahead in life. During the last ten years if you try to find out, you will see that seats reserved for Scheduled Caste and Scheduled Tribe candidates were not filled by those candidates on the plea that properly qualified boys were not available from those communities. This is no excuse at all. When these posts are not filled up by those candidates, you must conduct an inquiry as to why these are not filled up and why suitable candidates from these communities are not available. Acute unemployment and acute poverty are something which should not be tolerated in an independent and democratic country like India.

My request through you to the hon.

Minister is that he must take all possible measures to continue the policy of reservation till the time the Scheduled Caste and Scheduled Tribe communities come up and are made equal to all citizens of India.

[*Translation*]

CH. SUNDER SINGH (Phillaur): Mr. Deputy Speaker, Sir, I would like to express my views on the issue of Scheduled Castes and the Scheduled Tribes. The Scheduled Castes and the Scheduled Tribes have been oppressed for a long time. Babu Jagjivan Ram tried his best to uplift these sections. Dr. Ambedkar had said:

[*English*]

"I was born as a Hindu. but the blame was not mine."

[*Translation*]

A number of facilities and concessions are being given to the Scheduled Castes and the Scheduled Tribes by the Government. To those hon. Members who demand one thing or the other for the upliftment of these castes, I would like to tell that they have to fight this battle on their own.

[*English*]

No man can get his right by mere requests.

[*Translation*]

Once elected to this August House, nobody wants to do anything for the upliftment of these castes. For this, we have to wage a full scale war. The hon. Members may go to Punjab and find for themselves the number of officers appointed at my behest. Nobody has equalled me in this endeavour. However, the Government's Rule is very ineffective. Such administrative arrangements have been made by which officers have been transferred at random. The officers whom I had appointed have been posted in insignificant Departments. Those who were ap-

pointed there have been removed. The Government makes big promises but it only suppresses us wherever it is able to do so. When we are elected as M.Ps or are appointed as Ministers it becomes our responsibility to look into the tensions prevailing in those areas. How can the Government get any information in that regard? I would submit that the Government should state that the Ministers should tackle such situations. This is our own fault that we request them for petty considerations. I feel very angry at it since what can they extend to others when they are themselves hungry. I submit that right is taken and not given. I do not want to name anyone but I have seen and am even surprised to find that a number of Ministers are anti-harijan and anti-Congress. I had once even requested the Hon. Prime Minister to give party tickets to the people after due consideration because it gets difficult for me to defeat them. I secured defeat for two such candidates who were anti-harijan and anti-Congress. At that time I had asked people not to vote for them since they are incompetent although they have joined the Congress party. What is the fault of the Opposition Members who have rightly pointed out that people are facing problems. What is the harm in saying so? I feel that the poor and the harijans should themselves fight for their cause. Their representatives have been elected as Members, the Government has taken every possible step for their welfare and even the reservation provision has been extended. But now they say that it is all political which is quite right because this has been done so that the harijans remain in the mainstream what is wrong in it? This is quite right that it is political. Mahatma Gandhi had pointed out that if we isolate the harijans they can not survive. Therefore, such an arrangement was made which has proved to be effective. The Poona Pact was signed after this statement was made by Mahatma Gandhi and concessions were granted to them. Therefore, I feel that the three Members of the Opposition who have expressed their views have made quite appropriate submissions. We need not add anything. But this is what really happens. I would like to submit to the hon. Members that we will have to get all

the concessions. It is not possible that the Government will grant them to us as a silver platter.

Injustice is being done to the officials in Punjab. They have been posted at such places where they have no say. The position there is chaotic. Therefore I would request the hon. Home Minister to pay attention to Punjab since injustice is being committed to the harijans there.

With these words I conclude and thank you for having granted me time to speak.

SHRI R.P. SUMAN (Akabarpur). Mr. Deputy Speaker, Sir, I rise to support the statement of the hon. Minister of state in the Ministry of Personnel, Public Grievances and Pensions made on 19th April, 1989, regarding the liberalisation of orders with a view to improving the representation of Scheduled Castes and Scheduled Tribe communities in Central Government Posts/ Services.

In this August House, I would like to congratulate the Hon. Prime Minister as well for having made some important announcements recently by taking into consideration the sentiments of the crores of downtrodden and the conscious intelligentsia of the country. These announcements related to the extension of the constitutional provision of reservation for the another 10 years and the hon. Minister of State for Law also announced the decision of the Government to ban dere-servation of posts. Besides, while addressing the historic rally in Lucknow, the Hon. Prime Minister announced his decision to establish a university in the name of Dr. B.R. Ambedkar and thereafter laid its foundation stone. The Hon. Prime Minister deserves to be heartily congratulated for all these things. The reservation provision gets extended by another 10 years whenever the specified period comes to an end. However, when we make a review of the whole situation, it causes us a lot of distress to find that inspite of the passage of 41-42 years since independence the percentage of the reserved quota fulfilled is very low. Why have we not

[Ch. Sunder Singh]

been able to fulfil even 50 percent of the reserved quota in the Group A and Group B services so far? Only in respect of Class IV and Class III services, we have been able to make some progress. If we go through the figures of the Minister of Welfare, we will find that the percentage of the vacancies filled in the reserved category in different services is very inadequate and it is essential to take concrete steps in this direction. I would like to draw the attention of the hon. Minister of State towards the report presented by the Ministry of Personnel and on the basis of that report it can be said that between 1968 and 1988 though there has definitely been some increase in the percentage of the Scheduled Castes and Scheduled Tribes in Groups A, B, C and D but it is not adequate. At present in Group A service, we are 8.67 per cent, brought forward in the case of Group B, it is 11.10 per cent, in Group C it is 14 per cent and in Group D it is 19 per cent. On the basis of the figures it can be claimed that there has definitely been some improvement in the position but it is very unsatisfactory. We can observe that on one hand, reservations are being extended and on the other, there are certain forces in the country and I cannot understand as to what name to be given to them who have been questioning the Government's policy of extending the reservation policy. The people who are eligible for getting the reservation facilities are not able to enjoy them. If even after passage of 40 years, Groups A and B have been brought forward by only 50 per cent, how long will it take to fulfill the entire quota. Therefore, I would like to urge upon the Government that some such law should be enacted by which it can be ensured that the officers who are responsible for not filling up the reserved vacancies are penalised.

The Civil Rights Protection Act was framed recently. It has been provided in this Act that strict action will be taken against such an officer who out of discriminatory feelings and under the influence of untouchability, commits injustice to the people belonging to the Scheduled Caste and Sched-

uled Tribes in the matters of appointment, promotions confirmations and transfers. But I regret to say that when I raised this topic last year and demanded for the state-wise details of the number of people penalised under the Civil Rights Protection Act, it was stated that action has not been taken against anyone so far. I would like to know from the hon. Minister as to why in spite of the existence of the relevant law, action has not been taken against them? If such arrangements are not made, it will become imperative to extend the reservations for another 10 years and even then, the reserved quota will not be fulfilled. Today there is much resentment among the crores of downtrodden people and which is for ever increasing. Therefore, I would like to submit that it is the need of the hour to remove such resentment and in order to do so, the reservation provisions made in the constitution by its framers should be fulfilled. The Government has made constant efforts in this direction. We have got this opportunity today due to the efficient leadership of the Hon. Prime Minister and we shall have to take advantage of this opportunity and take rapid strides in order to fulfil the reserved quota.

I do not want to go into figures because it will take much of my time but I would definitely like to submit that there are certain things because of which such difficulties are created. The hon. Minister is present here, and in his presence, I would like to mention that a meeting of the members of Scheduled Castes and Scheduled Tribes was called by the Hon. Prime Minister in the Parliament Annex and many important announcements were made. We are very grateful to him. Under his instructions three committees were constituted consisting of 20 M.Ps belonging to these sections in each of them. The function of one committee was to look into the issue of reservation and to find out as to how to fulfil the quota. The function of the second committee was to make suggestions regarding the measures which laws be taken for checking the incidents of atrocities committed on the weaker sections and the function of the third committee was to offer suggestions regarding the socio-economic prob-

lems of these section of society. In the report of the Ministry of Welfare, it has been mentioned that all the three committees have submitted their reports. If there is no change in the present state of affairs, it will not do. It will not be possible to fulfil the reserved quota and remove the prevailing resentment

13.14 hrs.

[SHRI N. VENKATA RATNAM *in the Chair*]

Such legal provision should be made under which it will become obligatory for the Departmental to fill up all the reserved vacancies within a specified period and if they are not able to do so, necessary action should be taken against them. If such arrangements are not made, the quota will not be fulfilled

Now I would like to draw your attention towards two or three issues which were raised during the last session of the Parliament. When the Government was asked to appoint trained conductors in the Department of Transport in order to fill up the backlog of Scheduled Castes and Scheduled Tribes, the Government expressed their inability due to the lack of the availability of trained conductors. I may submit that about 500 trained persons belonging to scheduled castes and scheduled tribes are available who are unemployed and the Government have not been able to offer them any post. Sir, it is a matter of great regret that on one side, the Government say that trained conductors are not available while in reality a number of such candidates are unemployed.

Quota reserved for scheduled castes and scheduled tribes is not being filled even in Delhi. Out of the total 500 stenographers employed in Delhi Development Authority, only 34 belong to scheduled castes and scheduled tribes. Out of the total 150 executive engineers employed there, only 4 belong to these categories. It is totally unjustified. Sir, it is a matter of great shame that injustice is being done to them in Delhi itself.

Sir, on filing a suit by scheduled caste and scheduled tribe employees, the Supreme Court directed that time bound promotions should be given to the scheduled castes and scheduled tribes employees within 12-13 years and also stressed upon to implement the scheme within 4 months. This matter relates to the employees of P and T and the Ministry of Communication okayed it but the file is lying with the Ministry of Personnel. You can well imagine that how much resentment it can cause. Our Hon. Prime Minister and our Government have to bear the ultimate consequences of it.

I would like to submit that the Government will have to take action against those who work in arbitrary manner, only then they would perform their duty efficiently. You will have to enact such law. Of course, provisions, exist in our Constitution for the purpose but you will have to implement them and punish the guilty.

Look, what happens in banks. 17 officers in Bank of Baroda were transferred at a distance, of 500 miles and all of them belonged to scheduled castes and scheduled tribes. Why are they being discriminated. From whom should they expect justice if the management itself adopts unjustified attitude towards them and transfer them at a long distance outside Delhi. You should give a serious thought to the matter and take stringent measures to see that people belonging to these categories are not transferred outside Delhi.

It is said that a number of facilities and concessions are being provided to them. This is not true. These are the people who have been suppressed for thousands of years. It is not a special concession for them. The society will have to provide these facilities to them. The Government will have to provide these things so long as people of scheduled castes and scheduled tribes are exploited.

Without going into further details, I would urge upon the hon. Minister to enforce law in this regard so that atrocities are not commit-

[Sh. R.P. Suman]

ted on the people of scheduled castes and scheduled tribes, their entire quota of reservation is filled and no excesses are committed in the matters of confirmation and transfers. We are grateful to you for announcing the procedure to be adopted in their recruitment. But this is in case of appointments, while in 90-95 percent cases they do not get promotion. The announcement made by you, no doubt is commendable but similar procedure should be followed in the case of promotions also. The concessions in case of appointments only will not serve the purpose. Recruitment has been banned these days. Therefore, same rules should be followed in the case of promotions and there should not be let up in this regard.

As the cases were examined before de-reserving the posts earlier, same procedure should be adopted in this regard.

With these words, I thank the Hon. Prime Minister and the hon. Minister and conclude.

SHRI ARVIND NETAM (Kankar): Mr. Chairman, Sir, I welcome the Statement made by Shri Chidambaram on 19th April. The Announcement made by the hon. Minister about the reservation policy is a wise step.

According to the statistics of the Ministry and quoted by Shri Suman, even after the long duration of 40 years, quota reserved for only class IV employees has been filled up so far. Whereas the quota reserved for A.B.C. categories in scheduled castes and A to D categories in scheduled tribes, has still not been filled. It is due to this fact that the Hon. Prime Minister has taken this matter seriously and announced to stop de-reservation of posts. I think that its result would be favourable even after 40 years. Similarly, the suggestions given by Shri Suman that we should adopt the same policy in the matter of promotions also, is appropriate. In this manner, there will be improvement in term of percentage as well as in achieving our target.

Mr. Chairman, Sir, I would like to give some suggestions to the hon. Minister. First, I would submit that injustice is being done to employees belonging to scheduled castes and scheduled tribes and the number of cases filed in courts is increasing. I would like the Government to constitute a separate tribunal to hear and deal with the such grievances so that justice is done to them at the earliest and they can avail of the opportunities of getting promotion.

Secondly, I would like the Government to increase recruitment centres for providing employment. At present, the recruitment centres of public undertakings, Government establishments or Banks are either in State capitals or in big cities like Delhi, Bombay, Calcutta, Madras etc. I would like to mention the case of a tribal candidate in particular. It becomes extremely difficult for a person residing in Chanderpur to go to Bombay, or from Chiabasa to Patna, from Bastar to Bhopal, from Kolhapur to Bhubaneshwar or from Srikakulam to Hyderabad. It is very difficult for tribal people to visit distant areas for interview. Therefore, I would like the Government to increase the number of recruitment centres and separate recruitment centres should be set up for tribal areas. It would enable the Government to achieve the target, otherwise it is not possible.

We generally observe that on one hand, there are long ques of unemployed persons in Employment Exchanges while on the other hand, the vacancies meant even for class IV employees are not being filled. Even the Bank officials say that deserving candidates are not available. It means that there is some missing link. Therefore, I would suggest that a separate organisation under Central Government should be set up in every State which should prepare the list of candidates belonging to scheduled castes and scheduled tribes and feed the Government offices. There is no used of depending on Employment Exchanges of the States.

So far as fake certificates are concerned I would propose to set up a separate investigation agency to check this tendency. In

this regard, I would suggest that as Matric certificate is considered to be authentic as birth certificate another column for caste should also be added to it so that we may know that the candidate belongs to scheduled caste or scheduled tribe and thus this bungling would be checked. Because, generally, after obtaining B.A. and M.A. degrees, people try to obtain fake certificates in order to get employment. So I would like that the Government should make provision to add a separate column in Matric Certificate which should indicate that the candidate belongs to scheduled caste and scheduled tribe. It can prove to be the best method to check malpractice. Education standard also requires to be relaxed, particularly, in respect of remote areas. The liaison officers who have recently been recruited should be given intensive training. Their training has been just a formality. Even Government is not aware of many officers. The number of Pre-recruitment training centres should be increased and training should be made more intensive. More and more persons belonging to scheduled castes/scheduled tribes should be posted in Banks, undertakings, Human Resources Development and the department of policy making. SC/ST candidates should be appointed to the post of Director in Undertakings. The Government has taken no initiative in this regard so far.

Even the retired persons belonging to these categories are available and they can be posted. It would prove to be quite beneficial. If my suggestions are taken seriously, they would prove beneficial to provide employment to more and more people. With these words, I conclude and express my gratitude to you for giving me an opportunity to express my views.

SHRI PRATAP BHANU SHARMA (Vidisha): Mr. Chairman, Sir, I would like to express my views in support the important subject being discussed in the House today. Though you, Sir, I would like to congratulate our young Prime Minister Shri Rajiv Gandhi. He got the matter reviewed and understood the seriousness of the matter through the report submitted by the Commissioner of

scheduled castes and scheduled tribes that the provisions regarding Government jobs to the scheduled castes/scheduled tribes and weaker sections under section 335 and 16 (4) of the constitution are not being implemented. He has taken a firm decision to fulfill the constitutional obligations. He deserves to be congratulated for this. Shri Chidambaram should also be congratulate for he has taken an initiative and made a statement in the House on behalf of his Ministry in this regard. The aforesaid provisions of the constitution provide for 15% and 7 1/2% reservation in Government jobs for scheduled castes and scheduled tribes respectively. A detailed study should be made of the report submitted by the commissioner of scheduled castes and scheduled tribes to the President in November '88 and full efforts should be made to implement the recommendations made therein to fulfil the reservation quota which the Government has not been able to fill up so far. To provide social justice to the scheduled castes and scheduled tribes, a provision was included in the new 20 point programme of 1986 at the instance of the Prime Minister. The members of the opposition parties are saying that it has been done because of the elections. I would like to invite their attention to this fact that it is for the first time, after the new 20 point programme introduced by Shri Rajiv Gandhi in August 86, that the attention of the country is being drawn to the recommendations made by the commissioner of scheduled castes and scheduled tribes in his report.

Mr. Chairman, Sir, I would like to draw the attention of the hon. Minister of Home Affairs towards the recommendations made in the report. In chapter 8, attention of the Government has been drawn, particularly, towards the recommendations made regarding All India services. A reference has been made to 14 services pertaining to the Ministry of Defence, Energy and Technology. It has been stated in the Report that the number of the candidates belonging to scheduled castes and scheduled tribes selected against the prescribed quota was really negligible. The number of the centres fixed

[Sh. Pratap Bhanu Sharma]

for training was also inadequate. The information regarding the advertisements for the vacancies and the programmes for training was not made available to the candidates belonging to scheduled castes and scheduled tribes. This is the reason that the candidates in adequate number could not appear in the examination or join the training centres and their representation in the services has been less than one percent. At some places it has been only 0.2 per cent. In the ministries of technology, energy, water resources and surface transport, representation of scheduled castes and scheduled tribes in services is almost negligible. It is, therefore, necessary to pay attention in this regard. In Government jobs, they get employment on the post of clerks, they are not appointed on technical posts and on other higher posts, because they are not trained for technical posts. The Government should pay attention towards the posts lying vacant in industries or in public sector undertakings. Bureaucrats say that the vacancies reserved for the candidates belonging to scheduled castes and scheduled tribes are not filled up because of non availability of candidates belonging to these communities in adequate number. We should prepare a programme on the basis of the recommendations made by the commissioner in his Report so that we may give training to the candidates belonging to scheduled castes and tribes in advance to enable them to ensure their selection on the higher posts in fields of science and technology. This way, we may have the talented people and they may also have the opportunities to work in these fields. It is also not justified to draw such a limit that only those having an income of less than one thousand rupees will be allowed to join such training courses. The person serving on a lowest post gets Rs. 1000/- today. Therefore, slabs should be fixed in a way where the minimum should be one thousand rupees and after that it should be Rs. 1500 and more so that, besides training, candidates belonging to scheduled castes and scheduled tribes may also get the an opportunity to qualify in competitive examination. I would like to

congratulate the Hon. Prime Minister for the initiative he has taken in the matter of filling up the posts reserved for scheduled castes and scheduled tribes and would request him to issue instructions to the State Government also to take steps to fill up such posts which are lying vacant. But, the instructions given by the Government are not being followed by the industrial units and public sector undertakings. A detailed study should be made of the report of the commissioner for scheduled castes and scheduled tribes. Attention of the Government has been drawn various problems. The Ministry of Home Affairs and the Ministry of Welfare should issue directions to the State Chief Ministers to take steps to implement the recommendations made in the Report in order to follow the provisions made in the Constitutions to which the builders of the Nation Mahatma Gandhi, Pandit Jawahar Lal Nehru, Maulana Azad, Shrimati Indira Gandhi and today the young Prime Minister Shri Rajiv Gandhi have been committed. I am sure that through this discussion all the related departments, industries and the State Governments will get a message to clear their backlog regarding filling up the post, reserved for scheduled castes and scheduled tribes. This work should be completed by the year 1989-90. There should be no problem in that.

In the end, I would like to draw the attention of the House towards a burning issue. Why do we find this backlog at different places today? A villager goes back to his village after getting education in the city. Most of the people belonging to scheduled castes and scheduled tribes depend on agriculture and their economy is linked with the villages. Therefore, they go back to the villages after getting education in the cities. They do not get the information about new posts being created in the Government services. The Government should make arrangements to bridge this communication gap through radio, television and other publicity medias. A number of posts reserved for SC & ST are not filled up because of this communication gap and we do not get suitable candidates belonging to scheduled castes and scheduled tribes. Arrangement should

be made to that people living in rural areas may get full information in this regard. With these words, I would like to congratulate the hon. Minister of Home Affairs for the statement he has made in the House and thank him for providing us an opportunity to take part in the discussion which will make its impact throughout the country. I would also like to congratulate him for the initiative he has taken to implement the policies of Mahatma Gandhi.

SHRI BANWARI LAL BAIRWA (Tonk):

Mr. Chairman, Sir, I would like to thank you for the opportunity given to me to take part in this important discussion. We are living in four varanas system of society. At a time this system was founded, the authors of Vedas, our Rishi-Munis might not have imagined that this system will prove disastrous in future. No one had imagined at that time that the people will take merely touching as impious. The ancient system of four varanas encouraged caste system in our country. The evil effects of this system are very much discouraging. We have seen that the society has to suffer on this the account in the past also because 25 per cent population of the country has been given no work to do, there were no men as for them to earn their livelihood. They were the oppressed and the rejected people, they were made to suffer and were given menial jobs in the society. The society has been responsible for this all. How can they be held responsible for their miserable lot. This is the reasons of vast disparities existing in the society today. The country has been left to hear the consequences of the system.

Of late, a new era has dawned in the country and there is new awakening. Our Prime Minister has realised that the discrimination on the basis of caste and creed in the country has been an injustice to certain sections of the society and this has made the country to bear its consequences. He, therefore, has taken revolutionary steps to stop such a practice of discrimination. Our leaders have realised the need to ameliorate the lot of the section of society which has been oppressed and suppressed for centuries,

laws have been enacted for their welfare and various other steps have been taken by our Government in this regard. I would like to give one or two examples. The great thinker Dr. Baba Saheb Ambedkar and the great leader Babu Jagjivan Ram were born in the same neglected section of the society and they accomplished the jobs with full responsibility they were entrusted with. So I would like to submit that if we want to strengthen the country and want to have full cooperation of the people of scheduled castes and scheduled tribes, it is necessary to continue the reservation provisions in the Constitution.

Hon. Chairman, Sir, I would like to thank Hon'ble Shri Chidambaram for it. He has stated a very good thing about reservation. I feel that in this way he has given an expression to the desire of our Prime Minister in this House and he is quite clear in his mind and heart about it. The people of scheduled castes and scheduled tribes are the assets of the nation and they should be given a push in this way so that it may bring in a complete awakening in the society.

Sir, I would like to say that there is a class of educated people who are against the reservation policy. You have just observed in the house that one of our hon. Members was saying it that only one member of a family should be given the benefit or reservation and no other member of that family should be considered for the same. It is a sort of mental depravation. It should be done away with because the facility of reservation for only one person from a family, will not solve the problem of their poverty, backwardness and lower status in the society. Therefore, it is my submission that this should not happen that way. I will go to the extent of saying it that if it is at all possible, it should be extended further because with the provision of additional facilities for them, at least the family as a whole will get an opportunity to go ahead.

Sir, I would like to stress two points in respect of reservation. Whenever, provisions are made for reservations, trade unions and some other people come in its way and go to

[Sh. Banwari Lal Bairwa]

the courts to resist the move and when somebody has gone to court, a lot of difficulty is faced by the administration to decide as to how to go on with their work in a particular direction. Hence the Government should then cover it with reference to various institutions and particularly in respect of public undertakings where the Government move of providing reservation is stalled by the people and the very purpose of provision of reservation is defeated. Hence the Government should come out with a law which may not be challenged by the people in courts otherwise it will be very difficult for the poor and the Harijans to fight for their cause in the courts. It will be very difficult for them and they will never be able to get their rights. Similarly, you should see that the reservations provided by you are in fact implemented. Another thing to be seen is whether this provision of reservation is accepted by them. There is a system in all the departments, public undertakings and in banks that the demands of the employees of these organisations should be conceded. Even for this, the Government should come forward with requisite amendments in the trade union Act to get it granted to these sections of people because that is the only forum where they can raise their grievances in respect of the provisions of reservation. Similarly, it is my submission that in case the Government creates reserved posts and holds interviews for the same but later on says that no suitable candidate was available, the head of the department should be held responsible for the same. If a post against reserved vacancy is filled by General Category of candidate, a provision should be made that salaries of officers held responsible for such recruitments would be withheld. Only then reservation policy will be completely implemented. For this purpose, the Government should chalk out a time-bound programme. I would like to thank hon. Shri Chidambaram Sahib for his statement against de-reservation of vacancies. That is very good but along with it I would like to say that the Government should extend the provision of reservation in the matter of their promotions. In the end, I

extend my support again for what has been stated by the Hon. Minister.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Mr. Chairman, Sir, I am grateful to the hon. Members who have participated in this debate and proadly welcomed the statement made by me regarding two important decisions taken by Government in the matter of reservation for Scheduled Castes and Scheduled Tribes. I am sorry that more time could not be given to our Members, more Members could not be called upon to speak, because we are racing against time, there is a time constraint. At 2 O'clock we have to take up the debate on another important subject.

Sir, let me share with the hon. Members some data. I think it is important to understand this problem in its perspective. The Government is committed to the provisions of our Constitution. And our founding fathers, very wise men with great experience of life and history of this country, provided for reservations for Scheduled Castes and Scheduled Tribes in the Constitution. And shortly after the first Parliament was constituted, they did not hesitate, within months after the Constitution was adopted, to amend the Constitution by the First Amendment Act to provide for reservation for Scheduled Castes and Scheduled Tribes even in the matter of admission to educational institutions. I was just reading Pandit Jawaharlal Nehru's speech where he said:

"We claim not only a technical or constitutional authority to do this, but a moral authority to do this. We framed our Constitution, we found that in its interpretation some difficulties were placed in the way and we have no hesitation in amending the Constitution."

If that can be said for amending the Constitution, it can be said with greater force for formulating and implementing Government policies. I do not believe that there is any one in this country who can claim greater moral authority to speak for Scheduled Castes and Scheduled Tribes than those of us who are on this side in the Congress Party. For forty years we have implemented to the best of our ability our policy of reservation. Sir, we had mixed results. Let me give you the data as on two dates — 1.1.1968 and 1.1.1988. On 1.1.1968 the number of Scheduled Castes employees in Group 'A' was only 459 in the whole of the Government of India. Today it is 4,886, not satisfactory because it still accounts for only 8.67 per cent of employees in Group 'A' whereas it should be fifteen per cent. In Group 'B' on 1.1.68 we had 1,083 employees of Scheduled Castes, today we have 8,864 employees, a numerical increase of 7,781. Yet it is inadequate because it represents only 11.18 per cent. In Group 'C' on 1.1.68 we had 1,13,374 employees belonging to the Scheduled Castes, on 1.1.88 we had 3,09,041, a numerical increase of nearly two lakhs, and the percentage is slowly creeping up to the 15 per cent level, it is only 14.8 per cent. In Group 'D' which I never consider a good bench mark, we had on 1.1.68 2,11,115 employees, today we have increased it by another 10,000 the percentage of course is 19.88 per cent.

Sir, we are moving forward, in fact we are moving upward.

AN HON. MEMBER: You have not given figures for Scheduled Tribes.

SHRI P. CHIDAMBARAM: I would come to that. We are moving forward, we are moving upward, but the climb is very slow, the climb is painfully slow.

The hon. Member wanted figures for Scheduled Tribes. I will rapidly run through the figures. I shall give two figures the first figure is for 1.1.1968 and the second figure is for 1.1.1988. Accordingly,

Group 'A' .. 128 and 1,295
 Group 'B' .. 144 and 1,668
 Group 'C' .. 15,665 and 93,627
 Group 'D' .. 41558 and 67,869.

SHRI THAMPAN THOMAS (Mavelikara): Mr. Chidambaram, will you give percentage-wise figures for 1968 and 1988?

SHRI P. CHIDAMBARAM: I am giving it. You patiently wait. Unless I finish that answer how can I give answer to you? I have noted down. Let me finish.

SHRI THAMPAN THOMAS: Then the cat will be out of the bag.

SHRI P. CHIDAMBARAM: Sir, nothing will be out; in fact your charge will be proved wrong. The charge that you made that it is an election gimmick, I think, is a hopelessly unfair charge. It is a charge which is being made only because you sit on the opposition benches.

Sir, while the numerical increase in considerable, I said the goal has not yet been reached. Percentage increase increases are significant. In Group 'A' in Scheduled Castes the percentage increase between 1968 and 1988 is 964.5 per cent, in Group 'B' it is 718.5 per cent, in Group 'C' it is 172.6 per cent. Mr. Thampan Thomas wanted to know the percentage-wise figures for 1968 and 1988. I will give the Scheduled Caste figures.

SHRI THAMPAN THOMAS: I am trying to make you understand me. You give the pro-rata basis, i.e. the job opportunities available in 1968 and percentage for that and those in 1988 and percentage for that. Then only a comparative study can be made as to how much improvement is there.

SHRI P. CHIDAMBARAM: Sir, he cannot approach this with a pre-judged mind. He has made no effort to look up the figures before he made his speech. At least, he should wait after he made his speech and listen to the figures. These are all figures which are available and which are published.

[Sh. P. Chidambaram]

If he had taken the trouble of looking into these figures before he made his speech, I would have been greatly benefited.

Sir, on 1.1.1968, in Group 'A' we had only 2.11 per cent, today it is 8.67 per cent; in Group 'B' it was 3.11 per cent, today it is 11.18 per cent; in Group 'C' it was 9.22 per cent, today it is 14.80 per cent; and in Group 'D' excluding sweepers who are not counted for this purpose it was 18.32 per cent, now it is 19.88 per cent. The overall for all the groups it was 13.37 per cent, today it is 16.30 per cent. Yet I will be the first to admit that we are not happy with the slow climb towards our goal. Now, we looked into this matter. Why is this climb slow? I was convinced that one of the reasons why we are not reaching our goals is because of this whole theory of de-reservation.

Sir, a comment was made that his is only an academic exercise. I believe Mr. Ayyapu Reddy made this comment. that is not so. As on 1.1.1987, in Group 'A' we had in the year 1986, 752 vacancies, out of which only 461 were filled and 10 vacancies has lapsed after three years of de-reservation. In Group 'B' we had 842 vacancies out of which only 751 were filled and 25 have lapsed. In Group 'C', we had 22,409 vacancies. We filled them but 498 vacancies of previous years had lapsed. In Group 'D', we had 7,881 vacancies. We filled them but we had 307 vacancies of previous years which had lapsed. This de-reservation had become a handle, had become an instrument in the hands of people who had no commitment to the policy of reservation to find a way to deny benefits to Scheduled Castes and Scheduled Tribes.

13.54 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI AYYAPU REDDY (Kurnool): May I just know on what basis you are giving the facts and figures? Because I quoted from the

Union Public Service Commission Report That is the only available data from which I was able to quote.

SHRIP. CHIDAMBARAM: From UPSC Report you were quoting only in respect of Civil Service Examination. You were unfortunately confining your quotations to the figures of the Civil Service Examination. Civil Service examination is perhaps the only examination where Scheduled Castes and Scheduled Tribes are filled every year. It is because, we select only about 800 to 900 people in Group A services. We are not talking about Civil service examination alone. It is very easy to find 20 boys or girls for IAS, 15 boys or girls for IPS. But that is not an answer to the problem. What we are talking about is the board spectrum of recruitment, running from Group 'A' Group B, Group C and Group D throughout the Government of India. Unfortunately, your attention has been focussed on one page which deal with only the Civil Service examination.

I have got the figures for three years of this Government. I am sure the figures were worse earlier. I am giving you the total figures, total number of reservations lapsed during the period 1985, 1986 and 1987, which means, dereservations started much earlier. In Group A, Scheduled Castes 30 and Scheduled Tribes 46 which lapsed. In Group B, Scheduled Castes 50 and Scheduled Tribes 39. I do not accept this; at least, I understand this. In Group C, Scheduled Caste vacancies lapsed were 1817 and Scheduled Tribes 573. Coming to Group C, I neither accept it, nor do I understand it. In Group D, 446 Scheduled Caste vacancies lapsed and 315 Scheduled Tribe lapsed. Tell me what is the justification, what is the justification to say that in this country, you cannot find a suitable candidate to fill a Group C vacancy. I understand about an isolated vacancy in Group A, which calls for some special qualifications. You can perhaps get away with argument that I cannot find a Scheduled Caste or Scheduled Tribe candidate. I understand it, though I do not accept that argument. But for Groups C and D, I neither understand, nor do I accept it.

SHRI E. AYYAPU REDDY (Kurhost): By implication, you are attributing to your officers who are responsible for recruitment of these candidates.

SHRI P. CHIDAMBARAM: I am not saying anything by implication. I am saying about the system of which Mr. E. Ayyapu Reddy is a part and I am a part of which you are a part for a longer time than I have been. There is the in-built bias in the system against recruitment of Scheduled Castes and Scheduled Tribes. It may not be conscious. But it is sub-conscious. It is not only there in the Central Government services. It is there in the public sector enterprises; in banks it is there and more so in State Governments. Time has come to revolt against this kind of system which keeps out Scheduled Castes and Scheduled Tribes under one pretext or other. I am answering your question. You said, this is an exercise of academic irrelevance. I deny it. This is not an exercise of irrelevance. This is not an academic exercise. This is a burning problem. This is a serious problem, the problem about which we must feel ashamed. We must deal with it not by cosmetic changes, not by persuasion, not by appeal-well, all that is necessary, but we must change it, by changing the whole approach to the question of recruitment to the civil services. This is the reason why we announced that henceforth dereservation is banned. We recognise there may be some grave situation arising in Group A. we have reserved that right. That part is now centralised in the Ministry of Personnel for which the Prime Minister is the Cabinet Minister and we will not allow dereservations even in Group A, unless are absolutely satisfied that you cannot find a suitable Scheduled Caste or Scheduled Tribe candidate for that vacancy.

In Group D, Group C and Group B, let me make it very clear we do not accept the argument. We reject the argument that you cannot find suitable persons from Scheduled Castes and Scheduled Tribes to fill group B, Group C and Group D vacancies. We shall therefore, require every Department of the Government, we therefore, re-

quire every Ministry of the Government, every Secretary and every officer who is charged with recruitment to go out and find the Scheduled Caste and Scheduled Tribe candidates in whatever manner he wants to do consistent with the recruitment rules to fill these vacancies.

I wish to make one important announcement in this connection. The Government have decided to launch a special recruitment drive to fill the backlog of vacancies earmarked for Scheduled Castes and Scheduled Tribes.

14.00 hrs.

"The Prime Minister has directed that to the extent that these vacancies fall within the purview of the Government, the Ministries and Departments concerned will commence the special recruitment on the 1st of June, 1989 and complete the process within three months, i.e., 31st August, 1989. To the extent that the vacancies are to be filled through the UPSC, yesterday I wrote to the UPSC on the direction of the Prime Minister requesting the UPSC to make a special effort to fill the backlog of vacancies within the same period of three months from the 1st June, 1989 to 31st August, 1989."

I have had a meeting with the Chairman of the UPSC and he has kindly agreed to accelerate the recruitment processes so that Government's policy in this behalf will be fulfilled and achieved before 31st August, 1989.

"The filling of this backlog of vacancies would go a long way to satisfy the aspirations of the members belonging to the SC/ST communities."

A question was asked by Shri Shahabuddin and Dr. Rajhans how long we are going to persist in this policy. Our answer is very clear. We shall continue this policy as long as there is social discrimination and backwardness among SC/ST. We do not

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flinch from taking this decision. 40 years in the life of a nation is not a long period. 200 years after America became independent, they still have to have, what they call, affirmative action programmes for the blacks. What we call protective discrimination, special reservation for SC/ST in the matter of employment, will continue as long as Parliament and as long as Government feels that there is discrimination against SC/ST and they continue to suffer under discrimination and conditions of backwardness.

Mr. Tarun Kanti Ghosh and other Members asked about training. We have 96 part examination coaching centres. I have taken note of the comment made by some hon. Members that the income ceiling for entry into these coaching centres must be raised upwards. I shall convey this to the Minister of Welfare and see what can be done.

As far as coaching of such candidates is concerned, I have with me a letter from the Ministry of Welfare which says that the total number of SC/ST candidates who were given coaching during the years 1986 and 1987 for the various competitive examinations was 5,525 and 7,398 respectively. This is not enough. I have written to the Minister of Human Resource Development and I am trying to see more coaching centres are set up and more SC/ST candidates are admitted to these coaching centres.

A question was asked why not dereservation in promotion. We have examined this. There is no need for dereservation in promotion because promotion is from the feeder category. We have made strict rules about the zone of consideration and the multiple to be employed. We know who is in the zone of consideration and very few can really tinker or tamper with the zone of consideration. As long as we know that there are SC/ST candidates within the zone of consideration, no one can pretend that you do not have a qualified candidate and, therefore, propose dereservation. Today, the power of dereser-

vation in promotion vacancies is delegated to the Ministries and Departments. But, we are monitoring the situation. If we find that the delegation is being abused and if within three months period the backlog of vacancies is not filled, we may have to consider centralising this power in one Ministry. But, I do not think that will arise. The Prime Minister has given a very categorical direction and I am absolutely confident in my mind that within three months, the DPCs will be convened and all backlog of vacancies for SC/ST in promotion quota will be filled before 31st August, 1989.

Some one mentioned that we have not yet appointed Directors from SC/ST of public sector enterprises. I am very glad to inform the House that we have just started the process and some names are in the final stages of approval to appoint official and non-official directors on the Board of public sector enterprises from SC/ST.

Finally, I would like to say that a point was made about this that this is an Election gimmick. I believe only Mr. Thampan Thomas made the point. Since no one else made the point, I assume that everyone joins me in rejecting the point made by Mr. Thampan Thomas. But I wish to tell Mr. Thampan Thomas that the question of reservation for Scheduled Castes and Scheduled Tribes has been a question which has been agitating me ever since I joined the Ministry of Personnel on the 7th of October 1985. As far as banning de-reservation is concerned, after seeing the figures, in my own Ministry, I took the decision that we should propose to ban de-reservation on the 10th of June 1988 long before any one was thinking of election. A Cabinet note was submitted to the Prime Minister on the 22nd of August 1988. The Prime Minister indicated his approval on the 29th of September, 1988. We have constituted a Committee of Members of Parliament to look into the matter. They gave their report in December 1988. We finalised our views on the first of January 1989. The revised Cabinet note was sent to the Prime Minister in the end of January 1989 and the Prime Minister approved it in February 1989.

So, this can hardly be described as an election gimmick. We have seriously considered the matter and after careful deliberation and after taking into account the views of the hon. Members, we have taken this bold step to ban the de-reservation. It is something which was available to the previous Government but it is something which the previous Government did not do.

Finally, I would like to make one very important announcement.

SHRI THAMPAN THOMAS: Sir, I have raised another point and that is about the converted people and their fate. I would like to know from the hon. Minister as to what is his policy on that.

SHRI P. CHIDAMBARAM: Sir, Mr. Thomas, as a lawyer, knows the answer but yet he would like to get the answer from me. I have no objection in obliging him. It does not fall within the scope of this debate. There is a Constitutional bar. The Constitution only recognises the Scheduled Castes and Scheduled Tribes among the Hindus and among the Sikhs. That is the Constitutional provision. This point cannot be answered in the short span of time available to me. It is a larger question. The Constitution would have to be amended to provide for recognition of Scheduled Castes and Scheduled Tribes people among the people who are converted. It is very well known to Mr. Thomas. He should raise it at an appropriate time. I am sure the Government would give an appropriate answer.

Sir, finally I would like to make another important announcement. This is a major decision that we have taken with the approval of the Prime Minister. This again is a matter which caused me considerable concern and I have recorded my first note on this on the 14th of October 1986 when I found that the Scheduled Castes and Scheduled Tribes candidates were being adjusted against the Scheduled Caste and Scheduled Tribes quota in a particular manner and I felt that this was wrong. I know the practice followed in some States. I thought that the

practice followed in the Central government was not quite in conformity with what I thought was right. It has taken of course considerable time to persuade everyone to see the correctness of our reasoning. I am supported by recommendation No. 64 of the 25th Report of the Commissioner for Scheduled Castes and Scheduled Tribes and Recommendation No. 78 of the 26th Report of the Commissioner for Scheduled Castes and Scheduled Tribes. I must convey my thanks to the Prime Minister. This was brought to his notice and the anomaly was pointed out. He readily saw the point and said: "Yes, go ahead. There seems to have been an anomaly." Successive Ministers dealing with the subject had felt that this was a correct practice. But I took a different view. It has taken a long time to reach this position. But I am glad that I am able to announce the decision today. Hitherto in direct recruitment, an SC/ST candidate selected on his or her own merit, without any relaxed standard, was adjusted against a vacancy reserved for Scheduled Castes or Scheduled Tribes as the case may be. The remaining reserved vacancies were filled by duly selected SC/ST candidates in accordance with the scheme of reservation. A question was raised whether an SC/ST candidate, selected on his or her own merit, in competition with general candidates, should be adjusted against a reserved vacancy. In some States, such candidates are not adjusted against the reserved vacancies but are allowed to take their place in the order of merit along with the general candidates.

I am glad to inform the House that the Prime Minister has decided to modify the policy in this behalf. Hereafter, SC/ST candidates who are selected on merits without relaxed standards in competition with candidates belonging to the general category, will not be adjusted against the reserved vacancies. They will not be adjusted against the reserved vacancies. They will take their place in the merit list along with the general candidates. The vacancies reserved for SC/ST communities will be filled separately by selecting suitable candidates from the SC/ST communities in accordance with the scheme

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of reservation. This policy is intended to recognise that among SC/ST candidates there are candidates who are selected on their own merit and, hence, they should not preempt any of the vacancies reserved for the SC/ST communities. By this measure, it is expected that the number of candidates eventually selected will exceed the percentages of reservation. I am sure that the House will welcome this decision.

Finally, let me conclude by saying that we have lived for thousands of years with this scourge of discrimination against Scheduled Castes and Scheduled Tribes. Social discrimination against these groups of people continue in society today. It is our hope that one day all members of the Scheduled Castes and Scheduled Tribes will enjoy such equality in education, opportunity and advancement that we can definitively place behind us the sad and heart-rending story of centuries of discrimination. Till that day comes, we in the Government are pledged to protective discrimination and to affirmative action in favour of the Scheduled Castes and Scheduled Tribes. Thank you. (*Interruptions*)

SHRI B.D. PATIL (Kolaba): What about Mandal Commission.

SHRI P. CHIDAMBARAM: It is not the subject today.

DISCUSSION UNDER RULE 193

14.12 h. s.

ATROCITIES ON WOMEN

[*English*]

MR. DEPUTY SPEAKER: Now we shall take up discussion on the atrocities on women.

[*Translation*]

SHRI BALWANT SINGH RAMOOW-

ALIA (Sangrur): Mr. Deputy Speaker, Sir, I would like to draw attention of this House towards atrocities being committed on women.

[*English*]

Mr. Deputy Speaker, I do not find the Minister for Social Welfare here.

MR. DEPUTY-SPEAKER: The Home Minister will take note of it. And, Sheilaji is also here.

(*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE (SHRIMATI SHEILA DIKSHIT): I am the one on whom atrocities are committed.

SHRI P. CHIDAMBARAM: She represents women and I represent atrocities.

[*Translation*]

SHRI BALWANT SINGH RAMOOW-ALIA (Sangrur): Sister Sheilaji is such a nice lady that we cannot even think that the atrocities might be committed on her.

Mr. Deputy Speaker, Sir, I consider myself to be fortunate to have an opportunity to raise such a serious matter in the House. It is a matter of great regret that atrocities are committed upon women in a country where mother Sita is worshipped and they talk of paying highest regards to women in the Mahabharata and where there have been many great women in this country, there has been Rani Jhansi who took part in struggle for freedom and where such noble ladies were born, who brought in a complete and radical change in India. In such a country it is a matter of great shame and regret that such things happen here. India is a country where Guru Nanak Dev said in Guru Granth Sahib:—

"Eas Kyon Manda Akhiyai, Jis Jame Rajaan."