

[Shri Aziz Quereshi]

- (2) There is one historical and ancient temple of Lord Shiva in Virsinhpur, a city of cultural, historic and religious importance situated in Chitrakut Assembly segment under Satna Lok Sabha constituency in Madhya Pradesh. Thousands of devotees come from far and near places to have 'darshan' of the Lord Shiva, but it is a matter of regret that the Government has not done much for the development of this temple or that of Virsinhpur.

For the development of this historic and cultural city and also keeping in view the religious feelings of the people and to give an impetus to the tourism, the Central Government should direct the Madhya Pradesh Government to take necessary steps in this direction at the earliest so that the city of Virsinhpur becomes an ideal city. It should also be directed that arrangements should be made to provide all modern facilities including lodges etc. for the tourists and visitors to the city. The Central Government should also give special financial assistance to the State Government for this purpose.

[English]

Dr. Datta Samant (Bombay South Central) : I request you to include the following in the next week's business of the House.

A number of factories at Bombay, Thana, Belapur in Maharashtra are closed down by the employers without any labour demands or agitation. Similarly, a number of small factories are closed down and about fifty thousand labourers are unemployed. Their Gratuity and Provident Fund will not be paid. All these employers have not taken permission of Government while closing the units as per 25(O) of Industrial Disputes Act. But all these factories are closed because of non-payment of electric bills, thus stopping electric supply, non-payment of workmen's salaries, not bringing furnace oil, etc. The tendency to close down units in such a manner is increasing day by day and in the coming five years, this tendency to close down the units will increase. Many of these employers are taking all concessions of industries in other States and closing the old units in Maharashtra. Calico Chemicals of

Sarabhai Group, WG Forge, Shrinivas Cotton Mill, Solid Containers, Bombay Mallable, Amardye Chem, Bomay Potteries are some of the important units.

Apart from this, hundreds of other units employing more than hundred workmen have applied to Government for closing down units or retrenching the workmen and sooner or later, they are going to use the same course of non-payment of electric bills etc. Government should take strict measure against these employers and they should not be given loans or concessions while starting industries at any other place or state.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND TOURISM (SHRI H. K. L. BHAGAT) : Sir, the Hon. members have a right to suggest inclusion of any item of business and I should certainly bring this to the notice of the Business Advisory Committee. Here I would like to make a submission. It is only a submission for the Hon. Members to consider, A number of items have been suggested in this, which to my mind can be raised in other ways and the Hon. members might consider this. They know the ways, for example, they can raise these matters under Rule 377, Calling Attention, under general discussion and so on. As the time of the House is limited and the Business Advisory Committee is faced with many problems, I am just giving you a suggestion. They have the right to suggest. And I will bring forward certainly to the notice of the Business Advisory Committee.

12.05 hrs.

MOTION RE : THIRD AND FOURTH
REPORTS OF COMMISSION FOR
SCHEDULED CASTES AND
SCHEDULED TRIBES

— Contd.

[English]

MR. SPEAKER : Now, Item No. 19.

The House will take up further consideration of the Third and Fourth Reports of the Commission for Scheduled Castes and

Scheduled Tribes for the years 1980-81 and 1981-82. Now Minister will reply.

THE MINISTER OF STATE OF THE MINISTRY OF WELFARE (DR. RAJENDRA KUMARI BAIPAI) : Mr. Speaker, Sir, I am grateful to all the Hon. Members who have participated and shown keen interest in the debate which followed the report of the Scheduled Castes and Scheduled Tribes Commission. Some Hon. Members have given valuable suggestions and their observations are based on the practical knowledge in the field. And this feed-back will help my Ministry to formulate the work in future. The recommendations in the reports and the suggestions of the Hon. Members can be divided into four categories. That is (1) socio-economic development. Almost all the Members have dealt on this point. I think this is the main point.

Before, I proceed on to say something, I would like to say that one of the Hon. Member in the back benches had suggested yesterday that if we can make road within 3 months or 2 months, why we are not able to solve the reservation problems of Scheduled Castes and Scheduled Tribes. I will politely tell the Hon. Member that while we are dealing with Scheduled Castes and Scheduled Tribes problems, we are not dealing with bricks and muds. These are human problems and they are deep-rooted in our social customs. So the socio-economic problems are the main problems. These cannot be eradicated in two months or three months. We have to go on working for it and our Government is committed to eradicate all these exploitation which are standing in the way of development of S. C. and S. T. So I was saying that in the first category it is socio-economic development.

In the second category it is educational development. Most of the Members have also dealt on this subject.

In the third category comes crimes against Scheduled Castes and Scheduled Tribes.

Fourthly reservation in services.

And in between came the problem of Scheduled Castes Commissioner and Commission. Almost everybody had spoken on

this point also. As you know that Commission was constituted in July, 1978, during Janata party Government and was termed as high-powered commission. The report of that Commission was discussed in the House. That is the importance which was given to the Commission. But under article 338 of the Constitution only Commissioner is to be appointed to review from time to time about the implementation of the Scheduled Castes and Scheduled Tribe programmes and the observation of rights which is guaranteed there. So, it is only the Commissioner who has got the statutory powers not the Commission. But as Hon. Members have suggested from both the sides that Government should think how effectively this Commission can work and certainly it will look into it.

12.10 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

As far as socio-economic development of the SC & ST is concerned, since independence we are trying to work for it; and the government through different programmes is doing it. Now with the strategy of the special component plan and the special assistance programmes from the Centre to the States more emphasis is now being laid on these programmes. In the Sixth Five Year Plan, the target was that we should cover at least 50 per cent of the population. In the Seventh Five Year Plan, it is hoped that a large population will be covered by this and the impact of special component plan and the special assistance programmes from the Centre will be visible in blocks and in the villages also. Special component plan for the SC and tribal sub plan for the ST were the two plans which were started in the Sixth Plan and now we have completed them; and again we are continuing this scheme with more vigour, with extensive programme, and I hope that a vast majority of SC and ST are expected to cross the poverty line at the end of the Seventh Five Year Plan, because till now it is stated that more than 1.3 lakh SC families and 3.9 lakh ST families have already been economically assisted under various programmes during the Sixth Five Year Plan period. We hope that in the Seventh Five Year Plan it will be much more.

[Dr. Rajendra Kumari Bajpai]

Some members have raised a doubt about the implementation of these schemes. As we all come from the rural area, we know its working and government also wants that these programmes should be implemented. So, the State Governments have set up review committees at State level as well as at the district and taluqa level and their implementation programmes are reviewed periodically. In addition to this, there is a high level official committee under the Chief Secretary, Development Commissioner in these states, who take a periodical review. Monitoring is very important to see that our programme is implemented. The main concern is that whatever programmes we prepare should be implemented properly. The Central Government formulates policies, gives money and assists the State Governments, and it is now for the State Government to implement all our programmes. But the Central Government is in close touch with the State Governments at the district level. The District Collector being the Chief Coordinator of all development activities is the head of the review team and he takes monthly review meetings with the district head of the department. So, like that, monitoring and review is going on, but, still, I don't say that everything is fine or everything is right at the lower level. There is always a scope for improvement. There is always scope for improvement and we will try to improve the working of the Plan at the lower level.

We are also now trying to ensure that the approach to the component plan is also through special assistance. It is not that we create the infrastructure in the locality. The family is taken as a unit. The family is benefited under the programmes for eradication of poverty. So now we are taking the family and we will see in future, during the Seventh Five Year Plan that greater emphasis is laid on this. It is not that we have touched only one per cent, two per cent or four or five per cent of the people. But we will see that the scheduled Caste and Tribe families come up above the poverty line and that is how our programmes will work out.

Most of the Hon. Members have raised the question of land distribution. I agree with some of the points raised by the Hon.

Members that in some cases there are instances where implementation is not done or it is not done as it should have been done. I have the figures from the Rural Development Ministry, because this work is done by that Ministry. According to the information gathered by them up to July 1985, 13.53 lakh acres of surplus land has been distributed among 12.70 lakh beneficiaries belonging to the Scheduled Castes and out of this 5.95 lakh acres have been distributed among 5.27 lakh Scheduled Tribe beneficiaries. It will be seen that out of 13.53 lakh acres 12.70 lakh acres of land has been distributed already, till July 1985 and 5.95 lakh acres have been distributed among 5.27 lakh Scheduled Tribe beneficiaries.

Now, a question has been asked about the Patta, and possession of the land. In most of the cases clear instructions have been issued from the Government that they should be given patta and possession forthwith. In most of the cases it is done also. Now, the question is whether it is fertile land, or agricultural land or only some land just in name. It is for the district administration and for the State Government to look into all these things, and we will again instruct the State Governments to take special care about this aspect when the land is distributed to Scheduled Castes and Tribes, that they are not just lands that are thrown to them but they should be lands which can be utilised by them. As far as I know these surplus lands are demarcated by the Gram Sabhas, or the Gram Panchayats, or the Gram Mukhyas. As far as I know, they are all good lands, good for cultivation, and I have information from Uttar Pradesh and some of the other States that they are cultivable lands and that they are being cultivated. So there are some Scheduled Caste families who are doing agriculture on those lands which they got from the surplus land distributed to them. I understand that more land can be distributed to SC/STs. But some of the big landlords have gone to the courts and because of the pending litigation this distribution is delayed. Otherwise, there is every intention of the Government to distribute land to landless people.

We have been sending to State Governments guidelines from time to time about the appropriate measures which should be taken by them in distribution of lands to SC and STs and also to ensure that the

allottees of these lands are not dis-possessed. If there is any case of victimisation or committing of atrocities on SC and STs by the big landlords, then stringent measures should be taken against them and they should be dealt with severely.

Hon'ble Members have mentioned about the atrocities committed on SC and STs in Uttar Pradesh and Bihar. As you know, Scheduled Castes people from the most vulnerable section of our society especially in the villages. As I said, it is a socio-economic problem. As you know, Government has fixed minimum wages. If any SC man or poor labourer asks for a just wage, then the upper class or landed class people in the villages not only refuse to give him the just wage, but they threaten him also. This type of atrocity is there. We have to work for its eradication. It is the task of every social and political worker. This can be eradicated only when this type of awakening is there in the society. We have abolished untouchability under the Constitution. PCR is also there. But how many people go to the court and how many people come to give evidence? Even if some cases are registered or some people go to the court, after some time there is no evidence or due to lack of evidence, they are not prosecuted. Again the Scheduled Caste man is victimised. Since he has to live in the village he becomes the eye-sore of the high caste people.

As far as the problem of bonded labour is concerned, this is also related to the socio-economic condition of the Scheduled Castes. One of the Hon. Members was saying that people from Orissa have gone to Tehri Garhwal and they are living there as bonded labour. Since those people are poor people the contractor has taken them from Orissa to that place and is giving them low wages. They have entered into the contract with the contractor because they were not getting enough wage or employment in Orissa. From other areas also people go from one place to another for doing the work. But as you all know, Government is now seized of the problem of bonded labour. We have dealt with this problem in the Sixth Five Year Plan, and during the Seventh Plan also, those bonded labourers who will be freed from the bondage of contractors, will be rehabilitated. Enough

money has been kept in the plan for this purpose. Though this subject is dealt with by the Labour Ministry, but the identification of bonded labour, their liberation and their rehabilitation is done by the State Governments. I do agree that it is a shame for all of us that bonded labourers are still existing in our country though we have abolished the bonded labour system by law. The law does not permit it but these poor people are still exploited by the contractors because of their economic condition.

Some Hon. Members have raised the question of educational development of Scheduled Castes. I accept that the percentage of education among the Scheduled Castes is lower and among the Scheduled Tribes it is much lower. If we can give education to this class, then only there will be a real change in the society. During the Seventh Plan, efforts will be made to see that education is spread to Scheduled Castes and Scheduled Tribes population and more schools are opened for this purpose. Special coaching classes to enable them to successfully compete in medical, engineering and other competitive examinations are being conducted. There are coaching schools and coaching centres at so many places, but still we have to put more efforts to see that their quality is improved. One of the Hon. Members was just saying that nobody from these coaching centres has come out in the competitive examinations. So, we have to see to all these things.

So far as the post-metric scholarship is concerned, we have already revised the rate. The rates were last revised in July 1981 and the proposal to further revise the amount is under consideration. There are other schemes like the construction of girls' hostels, book banks and pre-matric scholarships for the children of parents engaged in occupations like scavenging, tanning and claying. These are being continued. Some of the Hon. Members have mentioned during discussion that till today scavenging is not removed and that night-soil is taken on the head by the sweepers. In this connection I may inform the House that my Ministry is going to take up this programme in a big way. We have to invest much more money on this and to see that this problem is removed completely. We will select cities and towns where we will

[Dr. Rajendra Kumari Bajpai]

concentrate and remove the problem of sweepers and scavengers completely. We will not do it in parts, because then the problem remains. If we take up the whole city, then there will be no scavenging or sweeper problem there. Then we can go on to second and third city and like that we can continue to remove this problem.

Our Government is fully aware of the problem of crimes committed against the Scheduled Castes and Scheduled Tribes. We have taken several positive steps and have issued guidelines to States so that it can be prevented. We have given guidelines to the State Governments that they have to take strong and corrective action in that regard. The Home Minister had already written to all the Chief Ministers about this and I also after assuming the charge of Welfare Ministry have written on 15th of November to all the Chief Ministers about this and have given guidelines for dealing the crimes with punitive, preventive and rehabilitative measures. We have also suggested to the States to appoint officers belonging to the Scheduled Castes and Scheduled Tribes in senior field posts like that of District Magistrates, Superintendents of Police, Sub-divisional Officers etc. in the districts which are sensitive from the point of view of crimes against the Scheduled Castes and Scheduled Tribes. We will also see that the guidelines are followed by the State Government.

We also took up with the State Governments the recommendations of the Commission for Scheduled Castes and Scheduled Tribes regarding enhanced rates of compensation to the Scheduled Caste and Scheduled Tribe victims of crimes. We have taken up with the State Governments to see that the people who are victims of atrocities, are given compensation at higher rates.

A large number of States have replied to the Centre that they have adopted this and they have enhanced the compensation. I have personally written to the State Chief Ministers stressing the need for strengthening the administration especially at the level of the senior administrative and police officers in the districts. I have also emphasised the need for proper training of officers which include imparting of skills and to persuade

these people to give up wrong attitudes. This attitude of mind is one of the most important things. Such people with wrong attitude are prone to commit such types of crimes on Harijans and Girijans. We have therefore to create an atmosphere in this country in the city as well as in the village areas, so that the whole attitude gets changed. They should all feel that these people ought not to be exploited. If we are successful in changing their attitude, then the whole approach will change and we will be able to prevent these types of crimes which are going on in some places against Harijans.

Then, some of the Hon. Members mentioned that the post of Commissioner for Scheduled Castes and Scheduled Tribes has been lying vacant for quite some time. It is true that it has been lying vacant for some time. But it has been due to certain practical difficulties. Now all these things have been sorted out. I am happy to tell you that the person concerned has been selected for the post and he will be joining soon.

As far as the question of reservation of seats is concerned, I can assure the honourable House that there is no intention on the part of the Government to dilute it. Whatever we have decided upon on our reservation policy is very clear. We want to stick to it. Whatever constitutional guarantees are provided to these communities, we want that reservation should be given to them and it should be strictly implemented also. In this respect, I was told that there may be some backlog but the Central Government, for the last 4 or 5 years, are doing their utmost to see that these reservation quotas are fulfilled and more or less this is fulfilled. This subject is dealt with by the Department of Personnel and Training. We will also be in touch with the Department and we will see that our commitment with regard to reservation is fulfilled. There is no question of Government not wanting to do it or Government avoiding to do it. The question is this : As you know, in the working of this scheme, in some of the States, some problems may arise. They take examination; nobody could come; they give them a second chance; all these problems are there. So the accumulated effect is that the backlog is there. We should try to improve the position. We are thinking about all these things. We are discussing all these things and trying to

improve these matters. I will keep in mind the concern shown by Hon. Members in the House.

[*Translation*]

SHRI R.P. SUMAN (Akbarpur) : What arrangements have you made to punish those officers who are showing indifference towards reservation and are not filling up the reserved posts and are showing carelessness in this regard ?

[*English*]

DR. RAJENDRA KUMARI BAJPAI : I cannot say it outright that some authorities are purposely doing it or not doing it. I cannot say. But if there is any specific case which is brought to our notice, we will certainly look into it.

I am grateful to all the Members who have shown great interest by participating in the discussion, for their valuable suggestions.

Now, as you know, the economic development of these Scheduled Tribes and Scheduled Castes, eradication of their poverty and bringing them above the poverty line is our main programme in the 20-point programme, and for that we have to work hard. We still have a long distance to cover. It is not that we have achieved everything, I am aware of all this and for that only we will work hard. And we want cooperation from all sections of the people, voluntary organisations and others, so that with the joint effort we can tackle this joint problem prevailing in our society. What I am saying is, to end all this social and economic discrimination for which the community suffers, we have to work very hard and at the same time other economic development and all such things will help in their betterment.

Once again, I thank all Members who have participated in the debate for their valuable observations.

PROF. N.G. RANGA (Guntur) : Mr. Deputy-Speaker, Sir, I have only one point to make and I will take only one minute.

Member after Member had insisted that the findings made and also the recommendations offered in these annual reports should be accompanied with a report as to the action taken by the Government of India, and I would like my Hon. friend, the Minister in charge of this to take special note of that and then see that hereafter in particular the report on the one side, the findings and the action taken by the Central Government on the other side are submitted in order to see that the State Governments share their duties towards these long neglected people who deserve protection from both the State Governments and the Central Government and they are adequately protected. As you all know, the Gandhi Peace Mission long time ago published a report in regard to bonded labour and they said that lakhs of them are still suffering from that bondage and there were official representatives both parliamentary as well as administrative, who were prepared to condemn the Peace Mission's Report and then question its accuracy. Now, we find that their report was more correct and these people's denials were absolutely incorrect. How could such things happen ? Therefore, in regard to every finding that the Commission makes and the recommendation that it offers, State by State we should have a report from year to year as to what is happening in these various States, which State is fulfilling its responsibilities, which State is lagging behind, to what extent and so on. Then we can leave it to the public opinion. They are dependent on public opinion as we are dependent here. Therefore, public opinion we can try to assert itself for the protection of these people. I have this suggestion that has been made not only by me, but by so many Members more or less unanimously would be taken very serious note of and is implemented.

(*Interruptions*)

[*Translation*]

SHRI R.P. SUMAN : Mr. Deputy Speaker, Sir, I want one clarification. Though the Government is taking keen interest in the matters of Harijans and Adivasis and is issuing instructions, but the officers are not implementing them. For this, the Hon. House had enacted the Civil Rights Protection Act. It was provided in that...

[English]

MR. DEPUTY SPEAKER : That is why, the Hon. Minister has written to the concerned State Government to carry on measures relating to these things. She has taken interest in it. She has already stated about that. She has already written the letter. She will follow it up.

[Translation]

SHRI R.P. SUMAN : No State Government is paying any heed to those orders. What action is being contemplated against the officers who are not implementing the orders ? This is happening in the matters of Harijans only, that is what is more disturbing.

[English]

MR. DEPUTY-SPEAKER : I have called the Hon. Minister of Labour. He is already on his legs.

DOCK WORKERS (SAFETY, HEALTH AND WELFARE) BILL

[English]

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI T. ANJIAH) : Mr. Deputy-Speaker, Sir, the Indian Dock Labourers Act, 1934, the Regulations framed thereunder, the Dock Workers' Regulation of Employment Act, 1948 and the schemes framed thereunder, at present, deal with the matters relating to the protection against accident of workers employed in loading and unloading of goods in ships and the safety, health and welfare of such workers. These also take care of the ILO Convention concerning protection against accidents to workers employed in loading and unloading of ships.

The 1934 Act applies to workers engaged on board the ship or along side the ship. This does not cover work done in any other area of the Ports and Docks. This also does not provide for measures for health and welfare of such workers. Further, the Act does not cover workers engaged on work which is incidental to loading and unloading opera-

tions, such as work in relation to preparation of ships for receipt of cargo, including transit sheds, warehouse, yards, sidings, workers engaged in chipping, painting or cleaning and the like. The 1948 Act takes care of safety of all dock workers other than those engaged in ships. The law also does not apply to minor ports. Over the last three decades, the cargo handling process have changed considerably. Mechanisation has come into operation in a big way. The nature of cargoes have changed. There are cargoes which are dangerous and toxic. There are oil tankers, heavy machinery, etc.

There is no proper system for reporting of accidents, conduct of enquiries, fixing of responsibilities, as there are ship owners, employees of ship owners who act as agents, and other principal employers. The powers of the Inspectors of Dock Safety are not adequate. They have to be given powers for prohibiting handling of cargo when the conditions in the work-place is dangerous to life, safety or health of dock workers.

In these circumstances, the Government had considered it necessary to bringing out a comprehensive legislation to cover all aspects of safety, health and welfare of dock workers. We have also taken care to provide for stringent penalties for violation of law. This law, when given effect to, will make enforcement easier, check the occupation risks involved in dock work and a proper machinery would be available for going into accidents in ports and docks.

The Hon. Members would no doubt appreciate that the Bill provides for welfare measures for the dock workers and is in the interest of the working class. With these words, I move the Bill for consideration and request that it may be passed.

I beg to move,

“That the Bill to provide for the safety, health and welfare of dock workers and for matters connected therewith, be taken into consideration.”

MR. DEPUTY-SPEAKER : Motion moved :