

pension merely on the basis of six months imprisonment. Many great persons who had sincerely and actively participated in the freedom movement may not have undergone imprisonment for exactly six months. However, the significance of their participation ought not to be ignored. The least that the Government can do for these great men and women who have sacrificed their youth, their professions, their possessions and their family life for the cause of the nation, is to make their last days a little easier by making pension more easily available to them. Whatever may be their term of imprisonment, whether it be a couple of days or a couple of years, it is their participation that deserves recognition and it is only fair and just to extend pension facilities to them irrespective of the period served by them. Hence pension rules may be appropriately altered to cover also those who had undergone imprisonment even for a couple of days.

Since the generation of freedom fighters is fast vanishing—they being well advanced in age—it is imperative that benefits should be made available to them without further delay.

(ix) **Need to declare Patna University as a Central University for rapid development of education in Bihar**

SHRI C. P. THAKUR (Patna) : Bihar lags behind in the field of education and is listed among the backward States educationally. It is the second largest State. Keeping in view the rapid developments in the field of education and the introduction of new education policy, it is imperative that one of the universities of Bihar is declared as Central University. Patna is one of the oldest universities and is centrally situated in the capital. It should, therefore, be declared as a Central university to accelerate the pace of education in Bihar.

12.35 hrs.

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

[English]

THE MINISTER OF STATE OF THE
 MINISTRY OF WELFARE (DR.

RAJENDRA KUMARI BAJPAI) : Sir, I beg to move the following :

“That this House do consider the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82, laid on the Table of the House on 10th August, 1984 and 23rd January, 1985, respectively.”

As the hon. Members of this House are aware, these Reports were laid on the Table of the House on 10-8-1984 and 23-1-1985 respectively, but no discussion took place at that time. So, now we are here to discuss them. The Commission has made 78 recommendations in their Third Report and 20 recommendations in their Fourth Report. These Reports may now be taken into consideration for discussion by the hon. Members. I am sure, we will be immensely benefited by the suggestions that the hon. Members would be putting forth with reference to the recommendations made in these two Reports.

As you are aware, our Government is committed to the eradication of poverty, and as the Scheduled Castes and the Scheduled Tribes population is at the lower rung of the economic condition of our country, therefore, the 20-Point Programme is there to accelerate the work so that the standard of living of these people is improved and poverty is eradicated from the country. But still we have to do a lot more. I will listen to the valuable suggestions of the hon. Members and then at the end of the debate, I will sum up the whole thing.

MR. DEPUTY SPEAKER : Motion moved :

“That this House do consider the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82 laid on the Table of the House on 10th August, 1984 and 23rd January, 1985, respectively.”

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Deputy Speaker, Sir,

[Shri Ramashray Prasad Singh]

the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes have been presented in this House for discussion. In this connection, I would like to say first of all that although this Commission was set up under an Act, yet it was Government's intention that the Office of the Commissioner for Scheduled Castes and Schedule Tribes might be merged with the Commission, but this has not been done so far. Secondly, there was also a proposal to give this Commission a statutory status, but it has also not been done so far. For this, we shall have to amend the Constitution. Only then it will be able to get a statutory status. Unless it is given that status, you will not be able to take action on the reports presented by it in the House.

The Commission has given certain suggestions in these reports which can prove very effective in bringing about economic and social upliftment of the Scheduled Castes and Scheduled Tribes. In addition, the Commission has been given certain other suggestions also. One of them relates to the inadequacy of staff in the Commission and that for efficient functioning of the Commission the staff strength should be increased. The Commission has also recommended the setting up of 23 regional offices. Action has not been taken on the above suggestion of the Commission so far. It should be implemented. Out of the offices set up by you, 12 regional offices are under the charge of Directors and 5 regional offices are under the charge of Deputy Directors. There are 214 employees in them. If you want to provide facilities to the people of these communities as recommended in this report, then you should implement this report fully.

One of the important functions of the Commission is to continue study of the social and economic conditions of the people belonging to the Scheduled Castes and Scheduled Tribes. Social development works relating to both these communities should be given topmost priority. The Commission is of the view that unless both these communities are made economically self-reliant, they cannot stand on their own feet and they cannot be freed from the shackles of poverty.

The Commission has also suggested that suggestions from both these communities may be called for while formulating any scheme for their welfare, but it is not being done. It should be made a rule to invite people of these communities and have their suggestions at the time of formulating or implementing any scheme meant for them. It should be given a practical shape.

Mr. Deputy Speaker, Sir, discussion has taken place here on many occasions in respect of these communities but we have not so far been able to achieve the objectives for which the Commission was set up. Now, the time has come to take steps to achieve these objectives.

In addition, I would like to say that the employees of both these communities should be allowed to send representations concerning appointments against reserved quota direct to the Commissioner for Scheduled Castes and Scheduled Tribes. For this purpose, prior permission of the department or Ministry concerned should not be made compulsory.

Thirdly, Sir, I would like to say that the employees of these communities should be given promotions in time. It is not being done at present. You have, however, provided for reservations for them in every field, but the reserved seats remain vacant on the pretext that suitable candidates are not available. If such a situation continues, how the reserved quota will be filled up? I, therefore, submit that you should provide special training to them. In the field of education, you say that you are not getting suitable candidates for appointment as teachers against the reserved quota, but it is not a fact. There are many educated persons who are working as domestic servants, because you are not able to provide them with jobs. Many posts are still lying vacant. All these things have been mentioned in the Commission's report and need careful consideration on the part of the Government.

Orders should be issued in compliance with the Commission's recommendation that the people of the Scheduled Castes and Scheduled Tribes should be allowed to apply directly for employment so that they may benefit and the posts that are

reserved for them and are lying vacant are immediately-filled up so that their social and economic status can be raised. Then they will find a respectable place in the society. Mere discussion on this report and sanctioning of funds is not enough. The recommendations contained in these reports should be implemented properly. I would conclude by saying that the Government should give serious thought to the recommendations of the Commission.

SHRI ARVIND NETAM (Kanker) : Mr. Deputy Speaker, Sir, the House is discussing the report of the Commission for Scheduled Castes and Scheduled Tribes after a very long time. I consider it merely a formality because in the past also the report of the Commission had been discussed many times in the House.

The Commission has in the very first chapter of the report expressed its inability in improving their lot in the absence of adequate powers. It can only give recommendations. The main problem is that no information is available as to what extent these recommendations are implemented. I would like the Government to state how many of these recommendations have been implemented and how many of them have been left out ?

The major emphasis during the Sixth Plan period, which has just ended, was on eradication of poverty and checking exploitation. More funds were allocated for this during the Sixth Plan as compared to the previous Plans. I think it was four times the allocation made during the Fifth Plan. In spite of this there was no marked improvement in the Harijan and Adivasi areas. Mere allocation funds or spending them is not enough. It should be seen whether the funds are being properly utilised or not.

The Central Government have been repeatedly saying that guidelines have been issued but I feel that it has a special responsibility towards the Harijan and Adivasi areas. I am of the opinion that the Central Government never care to know about their powers. There are certain provisions in Articles 46, 275 and 339 of the Fifth and Sixth Schedules of the Constitution

which give wide powers to the Central Government. If the Centre would depend entirely on the State Governments then the expectations of the Harijans and Adivasis from the Government can never be fulfilled.

I want to know how much time can the State Governments or the Chief Ministers spare for the Harijans or Adivasis ? They remain involved in politics from morning till evening in order to ensure that they remain in power for ever. Half of this time is spent in political manoeuvres. There is need to pay special attention to the problems of the Adivasis and Harijans. I feel the State Governments have very little time to spare for this and, therefore, it becomes a matter of special responsibility for the Central Government.

The Centre has wide powers under the Articles mentioned above by me. Though some States may object to it, but I feel that at least in the Congress (I) ruled States, these powers should be fully exercised. The type of positive results which were expected in the tribal areas of Central India have not been achieved so far. After all, what is the reason behind it ? The administration has not been able to win the confidence of the Adivasis and that is the reason behind the discontent among the tribals in the tribal areas. The Central Government will have to give a serious thought to it. I would suggest that some of those tribal areas which have been enlisted in the Fifth Schedule should be transferred to the Sixth Schedule. This would help in removing discontentment in the Adivasi areas and create trust and confidence in them. This can easily be done under Article 46 which confers full powers to the Central Government in this regard.

Article 339 empowers the Central Government to issue directions to the State Governments but this Article has not been made use of even once. Why is the Government hesitant to do so ? It is true that guidelines have been issued but still this Article 339 has not been enforced so far.

The Fourth Report relating to the year 1981-82 has made recommendations about

[Shri Arvind Netam]

the Component Plan. So far we have not come across any positive results of this Component Plan. The Report also suggests the setting up of agencies at the district level to exercise control over funds. It is a good step, but the major shortcoming is that the Central Government do not know whether the funds allocated to the State Governments were ever spent on that account or not. If the Centre will take effective measures in this regard, good results can follow.

I would like to refer to LAMPS operating in the tribal areas. Some time back the hon. Minister had stated that all the LAMPS were functioning properly. But we have visited many areas and felt that they are not functioning smoothly and therefore, this matter needs urgent attention. More than 50 per cent LAMPS in Madhya Pradesh do not have adequate funds. Their working should be streamlined to bring about improvements therein. I would like the hon. Minister to pay attention to this matter. With these words, I conclude my speech.

[English]

DR. P. VALLAL PERUMAN (Chidambaram) : Mr. Deputy Speaker, Sir, I am grateful to you for giving me this opportunity to participate in the Debate on the 3rd and 4th Reports of the Commission for Scheduled Castes and Scheduled Tribes for the years 1980-81 and 1981-82.

At the very outset, I would like to assert that the constitutional safeguards for the welfare and upliftment of Scheduled Castes and Scheduled Tribes have been diluted by the setting up of this Commission in 1978. This Commission came into being under the Resolution of the Ministry of Home Affairs in 1978. This resolution no doubt clarifies that the functioning of the Commission would not be lessening the authority of the Special Officer, *i.e.* the Commissioner for Scheduled Castes and Scheduled Tribes, appointed under article 338 of the Constitution. But the Constitutional authority of the Special Officer has been clipped by making him a member of this Commission, which has no Constitutional sanction. His constitutional authority is circumscribed by the work-frame or this

Commission, however high level it may be. You will agree with me that the Constitutional authority of the Special Officer has been undermined.

The other most regrettable aspect is that for some years now the post of the Special Officer is remaining vacant; similarly, the post of the Chairman of the Commission is also vacant for a few years now. Besides these two, the post of another member of the Commission is also vacant. Is this the way that the Constitutional safeguards of the Scheduled Castes and Scheduled Tribes are being subverted ?

Under article 341 of the Constitution, the Government is to notify the lists of Scheduled Castes and Scheduled Tribes. The Government of India appointed an advisory committee under the chairmanship of the then Secretary in the Ministry of Law in 1965 for revising the Scheduled Castes and Scheduled Tribes lists. On the basis of the report submitted by this Committee, an amending Bill was introduced in the Fourth Lok Sabha. This Bill was referred to a Joint Committee of both Houses of Parliament, which submitted its report in November, 1969. But with the dissolution of Fourth Lok Sabha, this Bill also lapsed. Again this question of revision of Scheduled Castes and Scheduled Tribes lists was taken up in 1978. The Scheduled Castes and Scheduled Tribes Orders (Amending) Bill, 1978 was referred again to a Joint Select Committee of both Houses of Parliament for drawing up comprehensive lists of Scheduled Castes and Scheduled Tribes after examining the lists contained in the Constitutional (Scheduled Castes) Order, 1950 and the Constitutional (Scheduled Tribes) Order, 1950. This Committee had to make a report to Parliament by the last day of the 1979 Budget Session but prior to that, the Committee ceased to exist with the dissolution of the Sixth Lok Sabha. This 1978 Bill also lapsed.

Till today the comprehensive revised lists of Scheduled Castes and Scheduled Tribes have not been prepared. No amending Bill was introduced in the Seventh Lok Sabha. The Eighth Lok Sabha has not yet witnessed such an amending Bill.

I will enumerate one or two examples to highlight the problems of Scheduled Castes

in the absence of such a comprehensive revised list. In Tamil Nadu, *vannan (dhobi)* is treated as Scheduled Caste in the Southern districts of Tamil Nadu. The Akhil Bharatiya Dhobi Federation has been demanding that *dhobis* should be treated as Scheduled Caste throughout the country, not only throughout Tamil Nadu. Similarly several thousands of Tamilians belonging to Scheduled Castes in Tamil Nadu are living in the capital city of Delhi. Their children do not get the educational concessions just because those Scheduled Castes are not treated as Scheduled Castes in the Union Territory of Delhi. Similarly, the Gujarat Government has been demanding that *mochi* community be included in the State list of Scheduled Castes in order to remove the anomaly of *mochi* being treated as Scheduled Castes only in two districts of Gujarat. Such anomalies are existing all over the country.

I take this opportunity to demand that the Government of India should bring forward immediately a suitable legislation for revision of the Scheduled Castes and Scheduled Tribes list to remove all the existing anomalies. The Commission has also made a similar recommendation in its 1980-81 report.

Before I go further, I demand that there should be no more delay in the appointment of Chairman of the Commission, the Special Officer and the Member. The Constitutional Amendment Bill should also be introduced for empowering the Commission with the Constitutional authority.

13.00 hrs.

I understand that recently the Government of India have ordered that the relaxation in qualifications given to the Scheduled Caste and Scheduled Tribe candidates at the time of recruitment be withdrawn. I am told that such a notification has been issued on 29th May this year. If this is so, then it will be a great disadvantage to the candidates belonging to the Scheduled Castes and Scheduled Tribes. I suggest that this order should be repealed without any delay in order to ensure that the candidates belonging to the Scheduled Castes and Scheduled Tribes get the necessary incentives and encouragement.

Probably because of their failure to fill up the reserved posts by SC/ST candidates, 36 Ministries/Departments of the Government did not furnish the required information to the Commission for its Annual Report for 1981-82. In 14 Ministries/Departments, Class I posts for Scheduled Caste officers were neither reserved nor filled up. It is revealing to find from this Report that in the Department of Agriculture and Cooperation, the Legislative Department, Department of Rehabilitation, Cabinet Secretariat, Department of Official Languages, Class II posts were neither reserved nor filled up. It is really regrettable that even for Class III posts there was no reservation of posts in these Ministries for Scheduled Castes. The picture is no different in the case of Scheduled Tribes as regards reservation and filling up of posts by Scheduled Tribe candidates.

The Staff Selection Commission had constituted a special examination cell in May 1980 for holding special examination with a view to clear the backlog of vacancies for Scheduled Castes and Scheduled Tribes in specific States and regions. Before the specified objective was achieved, this Cell was wound up on 28th February, 1982.

The recruitment of Scheduled Caste candidates in public sector enterprises of the Central Government and in public sector banks has not made any impact. This dismal picture is no different in the State administrations also.

Coming now to education, the literacy rate of females among the Scheduled Castes by the end of the Sixth Five-Year Plan was just five per cent; among the Scheduled Caste males it was 17 per cent. The percentage of literacy among the females and males of Scheduled Tribes is no different. It is pertinent to point out that the population of Scheduled Caste and Scheduled Tribes is about 25 per cent of the total population of the country. Even today the reservation of seats for Scheduled Tribes in technical institutions at Government of India level is just five per cent.

According to a study conducted by the Commission's Madras office in Salem, Tiruchirappalli and Thanjavur districts in Tamil Nadu, the Scheduled Caste labourers

[Dr. P. Vallal Peruman]

are not aware of the existence of the Minimum Wages Act. Many of the States have not brought their land ceiling laws according to the national guidelines. Naturally the distribution of surplus land to the landless agricultural labourers belonging to the Scheduled Castes has not made much headway. It is really astounding that many of the State Governments have not updated the land records in their States. Naturally the tenants and share-croppers, who are the backbone of agriculture, are not able to reap the benefits of developmental programmes meant for them.

I do appreciate that many State Governments have set up Scheduled Caste Development Corporations. But their work has not been monitored at all. There are no district level committee to monitor and review the progress of the activities of these Corporations.

Before I conclude, I would like to point out that there should be a separate Ministry at the Centre entrusted with the duty of formulating plans for the economic development of the Scheduled Castes and Scheduled Tribes and for overseeing the implementation of such programmes at the State level, particularly the schemes for which the Centre gives subsidy and grants. This Commission should be empowered under the Commission of Inquiry Act, 1952, and should be involved in the planning process for socio-economic development of the Scheduled Castes and Scheduled Tribes and in monitoring and evaluation of the progress and implementation of the schemes of development both in respect of the Centre and in respect of the States. As I stated in the beginning, this Commission should be given Constitutional status also.

In conclusion, I would demand implementation of the recommendations of the Mandal Commission for ensuring socio-economic progress of the backward classes in the country.

MR. DEPUTY SPEAKER : We adjourn for lunch and reassemble at 2.05 p.m.

13.05 hrs.

The Lok Sabha then adjourned for lunch till Five Minutes past Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Ten minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER *in the Chair*]

MOTION *Re* : THIRD AND FOURTH
REPORTS OF COMMISSION FOR
SCHEDULED CASTES AND
SCHEDULED TRIBES
—Contd.

[*English*]

MR. DEPUTY SPEAKER : Shri K. Ramachandra Reddy.

SHRI K. RAMACHANDRA REDDY (Hindupur) : To-day we have started the discussion on a very good subject. A report has been submitted as early as 1980 but the Government took 4 years to place the report on the Table of the House; that is, on 10-8-84 the report was placed and the report of 1981-82 was placed on the Table of the House only on 23-1-1985. This shows the amount of sympathy they are showing towards the Scheduled Castes and Scheduled Tribes. If really they had any sympathy towards the Scheduled Castes and Scheduled Tribes and if they wanted to improve their lot, they would have come forward with these reports pretty early and had discussion on them and obtained the views of the members and taken steps to improve the lot of these poor people who have been suppressed for ages and who have become down-trodden. But all these things they have not done. It shows that this Government is shedding only crocodile tears towards the Scheduled Castes and Scheduled Tribes and they are not at all interested in their well being.

Now, as far as poverty is concerned, this Government is trying to make a distinction between the poor people belonging to Scheduled Castes and Scheduled Tribes and poor people of the other castes. I request this Government that as far as poverty alleviation is concerned, they should not bring in castes. Wherever poverty is there, it is a sin on the society, it is a black mark on the Government and poverty has to be alleviated and some measures have to be taken to do away with poverty in whichever caste it is. Please do not make poverty a

caste-ridden one. Please see poverty which is there in all the castes is removed and the lot of the poor people improved in whatever manner and whatever way it should be done. Otherwise, if you just say that only the Scheduled Castes and Scheduled Tribes alone are to be improved, you are thereby creating a caste hatred among all these people.

Now, while the Constitution was framed, a guarantee was given for the Scheduled Castes and Scheduled Tribes with regard to reservations of seats in the Assemblies and in the Parliament or with regard to jobs or seats in schools and all those things. The time limit was 10 years. During ten years, the then Government hoped that they would be able to improve the lot of these poor and down-trodden people. But ten years were not sufficient. They were not able to do anything. Then they went on extending it. It has been extended four times. Even though this reservation has been there for 40 years, what is the improvement that has been seen or made with regard to the Scheduled Castes and Scheduled Tribes? Please evaluate it. In the beginning you thought you would be able to remove poverty among all the people within 10 years. You were not able to do it in 10 years. You have taken 40 years time, still you are not able to do it. It shows the failure of the Government that the Government is only showing lip sympathy and it is not doing much in action to remove poverty among these classes. How many years more do you want for removing poverty? In fact it is a blot on society. It has to be removed. How many years more do you want to remove this poverty? Will the Government be in a position to say that within 10 years or 20 years they will remove poverty wherever it be, whether it is among the Scheduled Castes or Scheduled Tribes or in other communities and they will be lifted above the poverty line? It is better that the Government comes forward with some proposal that they will be able to remove poverty.

Then the question of reservations might have to go at some stage or the other. Now this reservation is counter-productive. Some other castes also want them to be included in the Schedule for reservation. For example, the Sakalis, the washerman community are making a hue and cry. Some other communities in Andhra Pradesh like Bhoys and

Woddars are seeing the benefit accruing to the Scheduled Castes and Scheduled Tribes and they are coming forward with a hue and cry that they must also be included among the Scheduled Castes. I will say, 'You include them also'. Because when you see socially they may not be so bad as Scheduled Castes but as far as poverty is concerned and their economy is concerned, they are in no way better than the Scheduled Castes. If so, will the Government consider including these people also among the Scheduled Castes and give them reservation for a few years and see that their lot is also improved? Now, to remove poverty among these people, a number of schemes have been sanctioned like NREP, IRDP, and Scheduled Castes Special Components Scheme. Through these programmes, Government is spending crores and crores of rupees. But let the Government first assess how far these schemes have helped these people. They should first know whether these amounts have really been spent for the upliftment of the Scheduled Castes. For example, let us select 4 or 5 villages where these schemes have been implemented. Let us go to 4 or 5 Harijan villages and find out what improvements have been made in regarding to their living conditions and making available minimum facilities to them. Then only we will know how far these schemes have benefited them and how much benefits have percolated down to the level of these people. I understand that a large chunk of money allocated for this purpose has gone to the middlemen and the machinery charged with the implementation of these schemes. So, the benefit that is to accrue to the Scheduled Castes has not at all accrued. In the 1980-81 Report, on page 41 the Commissioner for Scheduled Castes and Scheduled Tribes has very mildly mentioned as—

“Our experience has shown that due to lack machinery, the benefits gone to the Scheduled Castes had not been according to the expectations.”

So, the Committee also opined that the benefits have not percolated down to the level of Scheduled Castes people. Now, I would like to know what the Government is doing with respect to these matters. Now, a stage has come where the lot of Scheduled Castes has to be improved. The present policy of the Government is to construct the

[Shri K. Ramachandra Reddy]

houses separately away from the places where the common people are living. This creates a sort of discrimination and they feel that because they are down-trodden they have to live away from the normal living place. Unless this kind of feeling is removed from their minds, they will not be able to join the main stream of nation building and also improve their lots.

Now, the present Government policy does not show any sign of national integration by way of providing houses to these people in those places where other communities live. If you construct houses for these people away from the towns and villages, you will only create an impression among the Scheduled Castes that they are the people who have to be kept away from the towns and villages and they are unfit to live along with other communities, I would therefore plead with the Government that hereafter whenever houses are constructed for the poor people, they should be constructed in the midst of dwelling places where other community people live so that you will be able to create a society and there is oneness among them. The Government's thinking should be to lift the economically backward people above the poverty line.

Now, Sir, the Government is constructing houses costing Rs. 500 or so for the Harijans. But these houses are not fit for living and they resemble like a pig-sty and they are not fit for human habitations. How can these people live in those houses ? Instead of constructing houses at a cost of Rs. 500 each for these poor people, if you construct houses at a cost of Rs. 5,000 or Rs. 10,000 each, they will not only be worth living but also last long. What is the use of constructing houses costing Rs. 500 or so which would last for four or five years only ? By building pucca houses for these people at a cost of Rs. 5,000 or Rs. 10,000, they will last for two or three decades and those houses will be fit for human habitation.

I would request the Government kindly to appoint a Committee to evaluate the schemes implemented like IRDP, NREP and Special Component Schemes for Scheduled Castes and Scheduled Tribes which have already been undertaken by the Government. They should also find out whether there has been any effect after these programmes have

been implemented. Has the benefit really gone to the poor and down-trodden ? The Commission should be appointed to find out where the bottleneck lies. For implementing such schemes, you need people with lot of dedication and sincerity. If dedicated and sincere officials are lacking in the Government machinery, then there is no use of sanctioning all these schemes for poor and down-trodden. That has to be improved. You must only use such officers who are dedicated, who are sympathetic to these people and want to improve the lot of such people. Only when they have dedication and sympathy, things will improve, not otherwise. I request the Government to evaluate whether the benefits are percolating to the lowest level and whether the measures are helping these poor people to come above the poverty line. If required, these schemes should be modified to see that they become really useful to them, and these people are brought above the poverty line.

There is no doubt that some minimum wages of Rs. 5 or Rs. 10 per day are fixed for these poor people, but is there any agency to see whether these poor people are really being paid minimum wages, or the upper class community are exploiting them ? Merely by passing a legislation, nothing is going to happen. A Member of Parliament who gets a daily allowance of Rs. 75 is not satisfied. He wants something more. Similarly, a person with a salary of Rs. 100 per day and Rs. 50 or Rs. 60 daily allowance is not satisfied. People belonging to the upper class who are earning hundreds of rupees per day are not satisfied. In that case, how do you expect the lot of these poor people to improve, when they are paid Rs. 5 or Rs. 10 per day and they work from 9 O'clock in the morning to 6 O'clock in the evening ? That situation has to be improved.

The dignity of labour has to be respected. This amount of Rs. 5 is nothing. You must increase the minimum wages. In you do that, the prices of essential commodities are also likely to rise. But you will be helping sixty crores of people at the cost of twenty crores of people. For the sake of these twenty crores people, do not try to put these poor to utter poverty for ever. Do something for these poor people.

I request the Government to implement all the suggestions mentioned in both the reports for the year 1980-81 and 1981-82.

[*Translation*]

SHRI ANADI CHARAN DAS (Jajpur) : Mr. Deputy Speaker, Sir, I would like to express my views while participating in the discussion on the reports of the Commission for Scheduled Castes and Scheduled Tribes. I have so many facts and figures with me that if I go into details I would run out of time. Therefore, I would give few suggestions so that the Government may act upon them and the Scheduled Castes and Tribes may benefit thereby.

Sir, the post of Commissioner and of other officers in the Commission have been lying vacant since 1981. If you do not fill up these vacancies, who will prepare the report in future ? The report does not indicate the action taken. So, I would suggest—

[*English*]

—that action taken report should be placed on the Table of the House, so that everybody knows what action has been taken by the Government.

[*Translation*]

If no action is taken then what is the use of writing voluminous reports and giving suggestions and making observations ? Our Parliamentary Committees are far better in this regard where at least some action is taken. It is always better to study a few subjects, because then, some action can be taken, whereas this report continues to gather dust as no action is taken thereon. I would, therefore, suggest that more officers should be appointed in the Commission and the Commission should be given more powers through legislation. There are about 6000 Central and State establishments in the country which come within the purview of reservation. We have been talking of the tribal welfare and development of Harijans, but the desired progress has not been achieved in this regard so far. If at all the reservation policy is to be withdrawn it should be done immediately

and if it is to be continued then it should be implemented vigorously. If the reservation policy is withdrawn it will not be in the national interest. An office memorandum issued by the Central Government states as follows :

[*English*]

“It has been decided that minimum educational standard, wherever prescribed in the recruitment rules, is to be treated as part of the educational qualification, and since there is no relaxation permitted in favour of Scheduled Castes and Scheduled Tribes with regard to educational qualification, no relaxation is consequently admissible in the matter of educational standards as well. For example, if graduation with 60% marks is specifically provided in the recruitment rules for a particular post, then all the candidates, including the candidates belonging to Scheduled Castes and Scheduled Tribes have to fulfil this eligibility condition in terms of non-relaxable educational qualification in order to be considered for appointment...”

[*Translation*]

This memorandum No. 36011/8/84-Est. (SCT) dated 29th May, 1985 was issued by the Department of Personnel and Training, Administrative Reforms and Public Grievances and Pensions. Agitations were launched in protest against this memorandum by Members of Parliament and the people outside. The then hon. Minister had assured that this memorandum would be withdrawn but it has not been withdrawn so far. We have been an advertisement wherein 50 per cent marks are required. Earlier when there was relaxation, they could not get the candidates. Wherefrom will they get the candidates now ? You can see that in no department reservation quota has been fulfilled. I have certain figures with me, I shall read them out.

[*English*]

The percentage of SC and ST in the Ministries as on 1-1-1983 is, Class I : 6.72 (SC), 1.41 (ST); and for Class II ;

[Shri Anadi Charan Das]

10.17 (SC) and 1.46 (ST). The percentage of SC and ST in public sector undertakings is Class I : 3.93 (SC) and 0.89 (ST); and for Class II : 5.38 (SC) and 1.60 (ST).

So, Sir, this is the position.

[*Translation*]

I have figures with me of every department. If I start reading out all these figures, it will take two to three hours. With those figures I could have told you about the backlog and why that could not be cleared. You have started various schemes but they are not proving beneficial. Last time I had asked a question as to how many people had been lifted above the poverty line during 35 years of planning as a result of the various programmes meant for the development of tribals. I had asked the hon. Minister to give names of 100 persons who had been lifted above the poverty line. The reply given by the hon. Minister was that he could not give any names because no economic survey had been made in this connection. This is the position. We are fully aware as to where the money being spent by the Government on welfare of these people goes and what is happening. The more our economic development takes place the more beneficial will it be for the country and the more will the country progress. To some extent they are benefited by these schemes but not to a large extent. If we lay emphasis upon two things, *i.e.* education and employment, then they will be benefited more. If you educate them then they will become aware of their rights and will be able to protect them. Then they would be able to get employment. This will lessen the generation gap. If these things are not done, the generation gap will go on widening gradually. It is still widening and it will widen further. There are many reasons for it. We know what our Government party and leaders want. They do their best and they have formulated various schemes. I do not say that nothing has been done so far because I have figures with me, but this much I would like to say that they have not benefited to the desired extent and percentage of beneficiaries is very low. Had the various schemes been implemented properly, they definitely would have benefited much. One reason is that the schemes we prepare are not implemented properly. Now

the question arises as to who implements these schemes because the Centre merely allocates the funds. It then becomes the responsibility of the State Governments to implement them. We know that many State Governments are not desirous of implementing them properly. They divert the funds given to them for the welfare of the Harijans and Adivasis to other schemes. This is known to everyone and there is no need to go into its details. Out of the subsidy you are giving today, 75 per cent is being pilfered. Who does this? The B. D. O. Bank officers or middlemen pilfer it. But there is no check on it from the Centre or from the States. There are no monitoring arrangements. That is why the programmes meant for their welfare are not implemented in time and consequently they do not get benefits and do not prosper. The figures regarding the amount being spent on different schemes meant for them are available with me and if I start reading them out, it will take a long time. I want that there should be monitoring by the Centre as well as the State so that the misuse of funds is checked and the funds are spent on the welfare schemes and the intended beneficiaries are benefited from them.

I also want to submit that today we have the same list of these castes which was prepared 35 years ago. There are several communities which should be included in this list and others which should be deleted from it. The criteria fixed for this purpose are required to be changed and new criteria adopted.

[*English*]

MR. DEPUTY SPEAKER : Shri U. H. Patel.

SHRI A. C. DAS : Please give me two more minutes, I will finish.

MR. DEPUTY SPEAKER : I have given you 15 minutes.

SHRI A. C. DAS : Sir, I took only 10 minutes.

MR. DEPUTY SPEAKER : Fifteen minutes you have taken. There are many other Members who want to speak, not only you. Everybody wants to speak. Everybody is interested. Everybody wants to make

important points. Only two minutes, I will give you. Please wind up, don't continue further. When this is decided by your party, what can I do ?

[Translation]

SHRI ANADI CHARAN DAS : The criteria should be that the names of such castes should be included in this list who are untouchables; secondly, whom barbers and washermen do not serve; and thirdly, in whose houses Brahmins do not perform religious rituals. It should also be necessary that they should be below the poverty line and living on the outskirts of the villages. In the changed circumstances, there is need to amend the list and on the above basis a new list should be prepared. We had a meeting with the Welfare Minister recently in which chairmen of Welfare Committees of the States were present. I came to know in that meeting that there are two castes—Lambari and Bhuvi.

[English]

They are not suffering from the stigma of untouchability—

[Translation]

—but they are taking all the advantages. Therefore, for the vulnerable groups, a special programme should be formulated. Though all these programmes are meant for them yet they are not sufficient. Therefore, more programmes should be started and more funds should be made available for them.

The stipend you are giving under educational facilities is totally inadequate. It is not sufficient to continue the studies. Therefore, the amount of stipend should be increased so that our children are benefited by these stipends. Similarly, under the women education programme also very little amount has been made available. More funds should be allocated for this purpose also.

Mr. Deputy Speaker, Sir, you have given very little time and it is not possible to submit all the points.

[English]

MR. DEPUTY SPEAKER : You give

the rest in writing to the Minister. He will consider them.

SHRI ANADI CHARAN DAS : Giving it in writing is different from speaking in Parliament. It is impossible to give in writing what we went to speak here. That is why at least some points have to be spoken.

MR. DEPUTY SPEAKER : The time available is limited. That is why I say this.

SHRI ANADI CHARAN DAS : Thank you very much.

[Translation]

SHRI U. H. PATEL (Bulsar) : Mr. Deputy Speaker, Sir, I want to express my views on the Reports of the Commission for Scheduled Castes and Scheduled Tribes presented in the House. Much has already been said by hon. Members who have already spoken. I want to draw the attention of the Government towards the serious situation that is going to arise in the future. It is a matter of regret that even after 38 years of independence, we have not been able to provide to the Harijans and Adivasis their constitutional rights. Our eyes should open on seeing the condition of the backward people. Sant Tulsidas has rightly said :

*Tulsi haye garib ki kabhi na khali jaye,
Muye dhor ke cham se loh bhasm
ho jaye.*

The hon. Members who spoke before me have given figures about filling up of the reservation quota in the Government jobs. I need not repeat them. But the situation is pitiable. We have not been able to fill up the reserved quota fixed for them even after 38 years. Why are the reserved seats not filled up ? Why is the Government not taking concrete steps ? Do the Government want that the Scheduled Caste and Scheduled Tribe people should start agitation ? Will something be done only then ? The reserved posts in the offices of different State Governments, Corporations and other local bodies have not been filled up. What have the Central Government done in this regard ? What steps have been taken by the Government ? If at all it has done anything, why has their plight not changed ?

[Shri U. H. Patel]

Mere talks or formulation of guidelines will not deliver the goods. The powers given by the Constitution to the Central Government will have to be used. For this, necessary orders will have to be issued. Why are the State Governments or other institutions not issuing orders for filling up the reserved posts ? I request the Central Government to prepare a time-bound programme for filling up the reserved posts and take up this work on warfooting.

I would like to draw the attention of the Government to another thing also. In a State like Gujarat, a few vocal people who can organise themselves force the Government to yield on one or the other pretext—sometimes about reservation and sometimes about admission in 11th class, whereas, on the other hand, injustice is being meted out to the Harijans and Adivasis in spite of their sizeable population. In spite of all this, the Government remains a silent spectator. Do the Government want that the Harijans and Adivasis should start agitation to get their rights ? We shall have to think about the future generation and the coming time just now. Now the Harijan and Adivasis youths are coming forward and they can think and do something. They have started thinking why have they to lead the life of animals. We shall have to think of certain measures to ameliorate the economic and social conditions of these backward people so that they are able to get employment with dignity. If they remain poor and miserable, what will be the effect of this on their minds ? And what will be the result if they start indulging in underirable activities ? We should take lessons from the world history.

Mr. Deputy Speaker, Sir, I may remind you that the Harijans and Adivasis have all along been supporting the Congress and have remained organised since the British days. Keeping in view their loyalty, we have done something for them. I do not say that we have done nothing for them. But still much remains to be done. The time is running out and if we are unable to do something at this amount, then it may be too late. That is why the late Smt. Indira Gandhi, feeling the pulse of the time and understanding the difficulties of the backward people, had started the 20-Point

Programme. That had given a ray of hope to the poor. They had started thinking that these programmes would help them in their upliftment and with this faith they had marched forward a little. It is regrettable that in spite of this programme being very good and sufficient funds having been made available for it, in the Fifth, Sixth and Seventh Five Year Plans, its benefits have not reached these backward people. The money does flow from Delhi to the States but the people living in distant villages, for whom all this money is sent, are hardly benefited. The money is swallowed in between. To my mind if anyone is responsible for it, it is the administration. We shall have to bring the administration on the right track. It should implement the Government policy fully. For that, we shall have to bring the necessary changes in the administration. There is a gap between the administration and the schemes, as a result of which the advantage of the money spent by the Government does not reach the people. In spite of our good intentions we are unable to provide the benefits of the schemes to the people. We shall have to find out and remove that shortcomings. This work can be done by good and efficient workers. Government have to see where such workers can be found. Shri Rajiv Gandhi wants to uplift the poor and the backward people. He wants to complete the works left incomplete by Shrimati Indira Gandhi. We shall have to give cooperation to him for that and make the administration vigilant and alert. This will have to be seen whether the orders and rules etc. issued by the Government are being implemented or not and whether the backward classes are getting their constitutional rights or not.

Mr. Deputy Speaker, Sir, the Government makes available necessary funds for enforcing the schemes. The Central Government themselves are implementing many schemes. The States are also allocated funds for their schemes. Whether the poor get the benefits of these schemes or not, this we have to see. Merely providing guidelines is not enough. The development of the Harijans and Adivasis is the responsibility of the Central Government. We cannot pass on this responsibility to others and remain silent spectators. If someone is

found guilty in this matter the Government should take strict action against him.

Sir, I want to submit an important point. Under the 20-point programme, a scheme has been started for constructing houses for the poor. Under this scheme, assistance to the tune of Rs. 4000 to Rs. 5000 is provided. There are areas where rainfall is between 70 to 80 inches. The houses which are constructed there collapse immediately. Within one or two years they get completely destroyed. The timber used in these houses is sub-standard. I request the Government to increase this amount. The poor for whom we are constructing houses should feel that the Government are doing something for them. One fourth of the revenue of the States and the Centre should be spent on these works. It will create a feeling of self-confidence among the poor that they are living a human life in independent India.

Mr. Deputy Speaker, Sir, I want to warn once again that if we did not heed these things and act vigilantly and expeditiously, the future generation will not forgive us. The time has come when the Central Government should become fully alert and vigilant.

[English]

MR. DEPUTY SPEAKER : Shri Baju Ban Riyan.

SHRI BAJU BAN RIYAN : I will speak in Bengali.

MR. DEPUTY SPEAKER : We will find out if the interpreter is available or not.

AN HON. MEMBER : He has already given a notice.

MR. DEPUTY SPEAKER : He has given notice that he would speak, but not the language. The interpreter will come in five minutes. Let us wait. I will call you after five minutes. Mr. Amar Roypradhan.

SHRI AMAR ROYPRADHAN (Cooch Bihar) : Mr. Deputy Speaker, once again, in this august House we are discussing this socio-economic problem. But I am sorry to say that the Government did not take any

positive steps according to the constitutional guidelines due to which the Scheduled Caste and Scheduled Tribe people are still neglected, and which I find from these reports, the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes also.

Sir, let me first come to the bonded labourers in Scheduled Castes and Tribes. Here, in the Fourth Report on page 12 it was mentioned that :

“It should be seen from the above table that in 1982 eleven States were indentified as those having bonded labourers.”

I am mentioning this for your information.

Here is a report of Mr. Agarwal. He is no less a person than a District Judge of Tehri Garhwal. This Mr. R. C. Agarwal visited a place called Joshiyara in Uttar Kasi district following the direction of the Supreme Court. Nearly one hundred labourers belonging to the Scheduled Caste community from Orissa are being kept in a cage which is 60 feet by 15 feet in dimensions. The water supply was muddy. Such food and water cannot be given to animals even :

“The labourers told me that they were paid Rs. 2 or Rs. 3 a week and some of them are paid only 50 paise for vegetables three times. The minimum wage is Rs. 16.65 a day. But since these people were paid about Rs. 600 in Orissa when they were lured with work to this UP region, much of what they get goes back to pay their original debt which may never be repaid.

They will have to spend their rest of lives in the tin cage of 60' × 15'.”

This is the condition of the SC and ST people. You are saying in the report that there is nothing. Would you enquire into it. It is in your own State UP. This is the fate of the SC and STs. You are not at all serious. You should come out with some scheme to rehabilitate these people particularly these bonded labourers. We are all ashamed of it. The entire nation should be ashamed of it that after 38 years

[Shri Amar Roypradhan]

of independence we are not able to provide even the minimum needs to the SC and STs, the down-trodden people of our country and those who are living below the poverty line, those who are living just like beggars.

DR. RAJENDRA KUMARI BAJPAI : They are not bonded labourers. They have come from Orissa.

SHRI AMAR ROYPRADHAN : It is there in the report. It is not the report of the opposition. It is not a report from any newspaper. It is a report from the District Judge. You should be** of it.

DR. RAJENDRA KUMARI BAJPAI : How can I be** of it when they are not bonded labourers ? I challenge it.

PROF. N. G. RANGA : You should confine yourself to the report.

SHRI AMAR ROYPRADHAN : It is in the report itself. It is mentioned here that nearly 100 bonded labourers belonging to Scheduled Tribe community from Orissa. If they are bonded labourers, they will not be treated as Scheduled Tribe people. How can you argue it ? I do not find any justification for that.

It was in almost all the daily newspapers with big headlines yesterday that Gujarat mob-claused over reservation again. Reservation and anti-reservation riot is going on in the country. It is a long standing demand not only from the opposition but even some of the Congress (I) Members have also raised it that let there be a separate Department to deal with the SC and ST people of the country. But it is an unfortunate thing for us that a few days ago the Cabinet was reshuffled and a new Department has been created—Department of Welfare for the Scheduled Castes and Scheduled Tribes though it was not mentioned. May I know who will deal with the atrocities part of it ? Would you be able to deal with that job ? Certainly not, It is with the Home Ministry itself. So, the problem of the SC and STs has been divided in many parts. Some parts will be dealt with by the Home Ministry, some by the Welfare

Ministry and some by some other Ministry. In this way, are you going to solve their problem ?

Let me come to the reservations. It shall deal with only one part of it which was raised by Shri A.C. Das and other Members from the other side. On page 88 of the Fourth Report of the Commission, they have given comparative figures of the progress of intake of Scheduled Castes and Scheduled Tribes. Here, the 20 nationalised banks, State Bank group (including its subsidiaries), Reserve Bank of India, Industrial Finance Corporation of India and everything have been clubbed together. But in the Third Report it was said that the percentage of Scheduled Castes and Scheduled Tribes in State Bank of India is very low. The figures given there are almost the same as compared to the last two years—Scheduled Caste officers 2.24 per cent to 2.35 per cent, clerks 13.3 per cent to 13.29 per cent; Scheduled Tribes officers 0.46 per cent to 0.47 per cent, clerks 2.66 per cent to 2.54 per cent. The figures in respect of Reserve Bank are : Scheduled Caste officers 4.11 per cent to 3.97 per cent—this has also come down. So, this is your reservation policy. Similarly, the figure for clerks has also come down from 11.6 per cent to 11.5 per cent. The figures for Scheduled Tribes are : Officers 0.78 per cent to 0.64 per cent and clerks 5.24 per cent to 5.25 per cent. Just to white-wash the figures they have clubbed together all the departments. And after some time, say in 1986 or in 1987 or in 1988, you will say that the percentage in respect of all the departments of the Finance is as follows. The percentage is being given according to their needs.

There are so many recommendations of the Commission. If you go through the recommendation No. 17 on page 118 of the Fourth Report, it is mentioned there :

“The Commission recommend that the Ministries/Departments, besides giving statistics on the progress of representation of Scheduled Castes and Scheduled Tribes in services during the year, should also highlight in their respective Annual Reports, the other measures adopted by them such as

creation of special cells, inspections of rosters conducted by the Liaison Officers..."

In fact, the rosters are not being maintained. The Congress Government's attitude is quite different from the view that has been expressed in this Report. Even in the banking services and even in other financial institutions, the rosters are not being maintained. I challenge it. And you can also challenge me if I am wrong. It was asked by one of the hon. Members of this august House whether the rosters were being followed properly or not as far as the reservation for Scheduled Castes and Scheduled Tribes in the nationalised banks was concerned. The answer given to that was that the rosters were not being properly followed in the banking services. This is a Constitutional guarantee given to the Scheduled Castes and Scheduled Tribes people that they will get a reservation in the services, but the Government is not following that guarantee given by the Constitution. It was admitted by hon. Minister of State for Finance of the Government of India, Mr. Janardhana Poojary in his letter No. 10/82/84-SCT (B)/1069-F dated 15th March 1985 addressed to Shri Banwarilal Bairwa. I quote :

"I have had the matter looked into. The bank has reported that it is following all the instructions on reservation policy issued by the Government of India. So far as the applicability of brochure on reservations for SC/ST in the services of nationalised banks is concerned, it may be stated that any provision contained in the brochure is applicable to public sector banks/financial institutions only when the same is extended by the Government under the specific orders."

Within these 38 years, or even within these 15 years after the banks were nationalised in 1971, you did not get a single minute's time to give proper orders to the banks to take the Scheduled Castes and Scheduled Tribes people in the services according to the brochure. You did not do that. You simply violated the Constitution. You may

15.00 hrs.

say that you have sympathy for the scheduled caste and scheduled tribe people, but I may point out that in saying so you do nothing

but shed crocodile tears, because you have not followed even the Constitutional rights and guarantees provided to them.

Lastly I would like to point out one more thing. Doordarshan has become an effective media in our country. On 3rd November, 1985, film 'PAAR' starred by Nassiruddin Shah and Shabana Azmi and directed by Gautam Ghosh was screened over Doordarshan. I hope madam you have seen that film. It was so much censored that the salient portions where it was announced that they were the Scheduled Castes, Harijans and Cobblers of Bihar who had been forced to leave their home and hearth and fled away to Calcutta were struck out. It was a shame on all of us. This film was shown at the Festival of India inaugural ceremony at Paris which was inaugurated by our Prime Minister himself. At that time it was all right. The Director of this film, Shri Gautam Ghosh simply said to the Press reporters that he was sorry. It was simply a rape of the PAAR film. It is a shameful act when you decide that in India when it is screened it should not be shown in such a manner showing that they are scheduled castes, Harijans and Mochi. This shows your attitude against the Scheduled Castes and Tribes. With this attitude you cannot do any good to the down-trodden Scheduled Caste and Scheduled Tribe people.

MR. DEPUTY SPEAKER : The word which you used in the beginning about the Minister is expunged. That is an unparliamentary word.

SHRI AMAR ROYPRADHAN : Why ? Is it expunged while referring to the film PAAR ?

MR. DEPUTY SPEAKER : No. Only when in the beginning you said about the Minister, that is expunged.

SHRI UTTAM RATHOD (Hingoli) : I am happy that the Third and Fourth Scheduled Castes and Scheduled Tribes Commission Reports are being discussed today. We have seen that for the development of the tribals, the ITDP programme has been started. It was expected then that the Centre as well as the States would finance it, but today, when we study the report we find that the State Governments

[Shri Uttam Rathod]

do not share anything as far as the tribal development is concerned. Most of the amount that is given to the States by the Centre is spent on establishment. I would like you to find out how much amount is spent by them on establishment and how much is utilised for the upliftment of the tribals.

Secondly there are advisory committees at the State level, but it has been seen that these advisory committees do not meet with the result the Governor also at times fails to send periodical report on the development of those areas to the Central Government. I would like the hon. Minister to take note of this and see that regular reports are sent by the Governor. Periodical evaluation of these schemes, whether they are component plan for the Scheduled Castes or the ITDP, is essential. That would indicate how far the States have gone in implementing these schemes.

I would cite one example in this connection. I witnessed on the floor of this House when the then hon. Member, Shri Giridhar Gumango, asked the Home Minister how many tribals benefited by these schemes. The papers that he had showed 23 lakhs but the reply that was given by the Minister was 41 lakhs. The same person now the Minister. He asked the State Minister which was correct—whether the paper which he had or the reply that was given by the Minister. The Minister was dumb founded. She could not reply. Ultimately the Home Minister, her senior colleague, had to come to her rescue.

Different tribes are at different levels of development. The Baighas of Madhya Pradesh are at the bottom levels of development. If you go to Madhya Pradesh you will find their levels of development. Nothing tangible has been done for them.

If you go to Maharashtra you will find the Gonds, the Pradhans and the Andhs at slightly higher levels of development. They are looked after properly. But what about the Kolams? They are neglected. Only recently the Maharashtra Government has started some programmes for them. I request the hon. Minister to take cognisance of it. **There were 1500 questions by Shri Gomanga**

on tribal development during his tenure. I want the Minister to take interest in these matters.

Then, I will come to another point now. There are tribes which are constitutionally recognised. There are also tribes which are community-recognised. You must have heard of the ex-criminal tribes and nomadic tribes. They have been completely neglected. In 1871, the then British Government passed an Act. It was called 'Criminal Tribes Act'. When it was implemented, some of them were put in settlements. Wherever they wanted to go out, they had to report to the Police Patil that they have come to such and such place; whenever they move out or come in, they have to report. In 1950, we de-notified them by passing an Act of Parliament. But we did nothing for them. It was only after the 'Area Restriction Act' was lifted that some of these tribes (the de-notified tribes and the nomadic tribes) got some benefit. Some of these people were included in the list of ST in Tamil Nadu, Andhra Pradesh and some other areas. In some other areas they were treated as Scheduled Castes. But the rest of the population in other States were left out where they were in majority. This is what has happened. We should do something for these de-notified tribes and the nomadic tribes. At least now when we are embarking upon the 7th 5-year Plan, we should do something for them.

Sir, there is no population census of these people. We are having the census of tigers roaming about in the jungles. But we do not have the census of these de-notified tribes and the nomadic tribes. I asked the Home Minister last time that these persons should be enumerated; but my request was declined. Nothing was done. I do not know why it cannot be done. You have time to rehabilitate the criminals. But you do not have the time and the money to do something for these ex-criminal tribes and the nomadic tribes.

Sir, is it not a fact that the Government announced on the Floor of the House that the SC and ST lists are being revised and some more communities are being added which have some social stigma and tribal characteristics, why they have not done it? **May I know why this is being delayed?**

I want to ask them : Is there any logical reason behind it ? If not, please do something for them. Otherwise they will be left out of the national mainstream. By inducting these tribes (de-notified and nomadic tribes) in the SC and ST list, you will be giving them political privileges.

If you do not want to give these privileges to them, then, you create a new category, an Intermediate category—which will get the benefits of education, economic schemes and services, which will enable them to be brought into the mainstream of national life and by giving suitable jobs to them. We have denied this thing all these 38 years. Sir, when Uttambhai spoke just now, a man from SC, he was actually in tears. He said, for the last 38 years nothing much has been done. What about those denotified and nomadic tribes ? So far nothing has been done. The Mandal Commission was appointed, the Kakakalelkar Commission was appointed, but no action was taken. The Mandal Commission said that the ex-criminal tribes and the nomadic tribes should go into the tribal list. But no action was taken on it. The very Report was presented to this House without the Action Taken Report. Even today no action has been taken. Is the Government afraid of the backward classes ? Is the Government afraid of any agitation like the one in Gujarat ? These agitations are started by the upper classes to gain political power, we all know it. But you want to use it against us and keep us deprived of the benefits. That is bad, that we shall not tolerate.

Sir, I want this Government to have a census from all States of the ex-criminal tribes and the nomadic tribes. I want the Government to give these communities the benefits that are due, as they are educationally, socially and economically backward. You must introduce some programme which will give them economic benefits, which will give them education, which will also give them Government jobs. I want to know why Kakakalelkar Commission was shelved and why no action has been taken on the Mandal Commission Report. You want the States to implement it. What about your central jobs ? You have more personnel, you have Railways, Posts and so many other Departments. Why do you hesitate to take these people into Services ? But you have been delaying and

you are not taking cognizance even of Scheduled Castes and Scheduled Tribes people properly. Don't leave the job to incompetent people if you really want to do something for these denotified and nomadic tribes.

Lastly, these denotified tribes have a separate culture. According to the definition, these tribes have a separate and distinct culture and dialect. They live in a group, they live in forest. You go to any area, you will find them scattered all over the state but in pockets, Why can't you do something for them ? Mr. Gomango was responsible for the tribal sub-plan and Mr. Makwana was responsible to a great extent for the component plan. I want them to do something for the down-trodden, who cannot get any jobs. We are giving them living wages. They are still in bonded labour. Can you show me a single man from the upper class community who is living as a bonded labour ? Hon. Agnivesh wanted to go to U.N.O. His Passport was supposed to be impounded. Let Agnivesh tell us if there is anybody from the upper class who is a bonded labour. You will find bonded labour only from the Scheduled Castes and Scheduled Tribes, also denotified and nomadic tribes. So, Sir, please do something for these people so that they could also enjoy the benefits of freedom and equality of which we speak.

[*Translation*]

SHRI GANGA RAM (Firozabad) : Sir, the Third and Fourth Reports of the Commission for Scheduled Castes and Scheduled Tribes have been laid on the Table of the House. I support the recommendations contained in the Reports and request the Government that concrete steps should be taken to implement these recommendations.

Sir, as per the census of 1981, the population of the country is 70 crores. Out of it the number of people belonging to the Scheduled Castes is about 12 crores and the number of people belonging to the Scheduled Tribes is about 7 crores. The total population of these castes is 19 crores who are called the people belonging to the weaker section. The magnitude of the problem can be judged from the fact that

[Shri Ganga Ram]

their population constitutes a big chunk of our total population. The Commission had made various recommendations in their reports. I would like to give some suggestions in this regard.

Sir, this Commission was constituted on 22nd July, 1978 under the Resolution of the Home Ministry. So, it has not got any statutory powers as has been stated in the reports. There is a provision of appointment of a Special Officer under which the Commissioner of the Scheduled Castes and the Scheduled Tribes is appointed. It is regrettable that this post of Commissioner for the Scheduled Castes and Scheduled Tribes has been lying vacant since 23rd November 1981. I do not know what are the difficulties before the Government in filling up the post. I have drawn the attention of the Government to this matter in several meetings but this post has not been filled up till today. This post has great importance in the sense that the Government had made provision that the problems of the Scheduled Castes and the Scheduled Tribes people the cases of injustices done to the officers and employees belonging to these communities and their economic as well as educational problems, would be investigated by the Commissioner and the Government had to take action on those recommendations. But today the position is that people are sending complaints to the Members of Parliament who are the representatives of the people. Our workload has thus increased considerably. I had told the hon. Minister in the last meeting that this post should be filled up immediately. This thing has been reiterated by several hon. Members now as well. My suggestion is that prompt action should be taken in this matter.

Besides this, there are two agencies, namely Commissioner for the Scheduled Castes and the Scheduled Tribes and the Commission for the welfare of Scheduled Castes and Scheduled Tribes. I have a suggestion that this dual system should be dispensed with. It would be far better if the 'Commission' is retained by amending Article 338(2). In this way, more people will be accommodated in it and more suggestions will be received and this will prove to be more effective.

Sir, besides this, my friends have raised the issue of reservation. The position is not so satisfactory but I do not think it proper to blame the Government. Government have done their level best to set things right. With the result in class I posts, 6.25 per cent quota has been filled up. Probably, the same percentage of quota has been filled up in the case of class II posts. 7 per cent quota has been filled up in the case of class III posts and cent per cent reserved quota has been filled up in the case of class IV posts. But this does not mean that the Government should not take further action in regard to the reservation. Government should pay attention towards filling up this quota. I would like to raise a point here. Voice is being raised against reservation in the entire country. Hatred and malice are being spread. Government should but it down with a heavy hand, whether it be Gujarat or any other State. A comprehensive analysis has appeared in this regard on page 40 of *Bhoo Bharati*. I would request the Government to go through it and take action on the suggestions made therein.

Sir, a big hue and cry is raised particularly in the matter of promotions in the reserved quota. I am not able to understand why the Government are not clarifying the position in this regard. Our Prime Minister and the Home Minister have time and again categorically stated that the provision regarding reservations for the Scheduled Castes and the Scheduled Tribes will not be done away with, even then there is doubt among the people on this issue. In U. P. an M. L. A. from Faizabad is bringing forward a Private Member's Bill. It has been published in the Gazette also. This has created apprehension among the people belonging to the Scheduled Castes and the Scheduled Tribes. They are inquiring from us whether reservations are being done away with. I had a talk with the Chief Minister of Uttar Pradesh in this connection. I would request the hon. Minister to make a categorical statement to the effect that the question of withdrawing reservation for the Scheduled Castes and the Scheduled Tribes does not arise. This will end all confusion in the matter. Just now an hon. friend has said that the Personnel Department of the Government of

India had issued an office memorandum. I had also seen it. Through this memorandum, relaxation of five per cent granted in direct recruitment in some cadres has been withdrawn. The then Minister of State had also promised that the memorandum would be withdrawn. But nothing has been done. I would request the hon. Minister to issue orders for amending the memorandum, so that the earlier position is restored. The position in regard to reservation cannot be improved unless the number of pre-training centres is increased. There is a pre-training centre in Uttar Pradesh for I.A.S. and P.C.S. aspirants. None of them after getting training in these centres has qualified the I.A.S., Central Services or P.C.S. examinations. The machinery for the implementation of the policy of the Government should be streamlined. Then only concrete results will be achieved.

In regard to education, I had said in the last meeting that the income limit of the guardians should be refixed for giving stipends. At present the limit is Rs. 750 and Rs. 1,000. I would request the Government that taking into consideration the price rise, this amount should be doubled so that the children of other guardians may not be deprived of these facilities. Similar action should be taken in regard to the stipend. It should be increased by least one and a half times. The Government of India have given adequate financial assistance to the State Governments to run schools on *ashram* pattern. The number of such schools should be increased and they should be given more financial help so that they could be developed properly.

As mentioned in both these reports, the position in regard to the allotment of land is still the same. The people have not got possession at many places. Strict orders should be issued in this regard. Only one and a half or half bigha land has been allotted. This is causing great hardship to the people. Government also faces difficulty as a result of this. Government want to help these people through their integrated scheme or through I.R.D.P. Unless this is checked, there is no hope of achieving concrete results in spite of their being given agricultural inputs and other help. Corporations have been set up for the Scheduled Castes and the Scheduled Tribes, but they

are also ineffective. The Government should pay attention towards them also.

In the end, I would say something about the atrocities being perpetrated on the Harijans. Figures have been given in the fourth report which depict their condition. By going through the reports, it seems that the incidence of atrocities on the Harijans has been increasing in this country. The House as well as the Government are greatly concerned about it. Government is doing whatever it can do in this respect. In a number of states, police cells have been created to check atrocities on the Harijans, but they submit their reports after conducting inquiry and there the matter ends. When I was a Minister in the Uttar Pradesh Government, I had told many a time and I again request here that this organisation should be given the same powers as are vested in the CBI. This organisation should investigate all cases whether they pertain to civil Protection Acts or to incidents of atrocities. They should file challans in the courts also. Then only some concrete result could be achieved.

I would say something about their social development. It has been mentioned in the report at several places that, to this end, there is need to extend maximum help to the social organisations so that publicity takes place in a satisfactory manner and these people can move about freely in the society. In the milieu prevailing before 1938, some social reformers, some leaders had understanding of the plight of these poor people and they created a base for obliterating the hatred, malice and illwill prevailing against these people. Today, there is dire need of such organisations which could protect the interests of these people and remove the hatred, malice and illwill which are prevailing against them. With these words, I support the recommendations made in both the reports.

SHRI MANVENDRA SINGH (Mathura) : Sir, the history of India bears it out that all religions and communities have always been respected and recognised here. This year Congress Party is holding centenary celebrations and this has been the history of our party also. We can say in this House with great pride that the contribution made by Dr. Ambedkar in framing

[Shri Manvendra Singh]

the Constitution is a matter of pride for us. It is appreciated everywhere. If we recall the days of Bapuji, we shall come to know that during those days also Congress Party always tried to see that the backward classes, the Scheduled Castes and the Scheduled tribes got equal rights. They should be given respect and status of equality. They should be lifted above the poverty line. Today, Congress Party and its Government are following that very tradition.

As we all know we have given them equal representation at political level also and certain constituencies have been reserved for them from where only the people belonging to the Scheduled Castes and the Scheduled Tribes or backward classes can contest election. It shows our concern for them. So far as their development and uplift are concerned, our Government are making constant efforts in this respect. I would like to give some suggestions in this regard.

Government have formulated many programmes for the welfare of these people, in every district of the country. For example provision has been made to allot land to the landless people belonging to be backward classes, the Scheduled Castes and the Scheduled Tribes. Housing facilities have been provided to them. Cottage and small scale industries have been set up for them. They have been given educational scholarships also. Reservation has been made for them in the services. They have been given due representation in services. Many schemes have been formulated for the uplift of the weaker sections. We appreciate all these steps taken by the Government, but we have also seen certain irregularities on the part of administration. Through you, I would like to draw the attention of the hon. Minister towards them. Complaints are being received from everywhere that the Harijans and adivasis are subjected to exploitation. They are being suppressed. I would like to say that strict ditections should be issued by the hon. Minister to check such incidents and to prevent exploitation of these people.

So far as industries and other trades are concerned, financial assistance is provided in the rural areas for purchasing hens, cows, buffaloes and other cattle. I request the hon.

Minister to abolish the system of middlemen. The hon. Minister should issue strict directives to the district administrations to put an end to the system of middlemen.

It has also been seen in many cases that landless people belonging to the backward classes, the Scheduled Castes and the Scheduled Tribes experience difficulties in the matter of allotment of land to them. With the interference by the people of higher castes in the matter, they are facing difficulties in getting possession of land. So far as the question of providing employment to them is concerned, I have seen that wards of the parents belonging to the backward classes, the Scheduled Castes and Scheduled Tribes, who have some status in the society, are able to get employment, but the wards of the parents living in the rural areas and belonging to these classes in the true sense are not able to get employment. I would, therefore, request the hon. Minister that the people of these communities should be given more and more jobs in the institutions and organisations where jobs can be given to them, so that they may get due representation.

In the end, I would like to point out that whenever the matter regarding allotment of land comes up, a feeling of mutual conflict arises between them and the people of the higher castes. This should be avoided. People of many communities live in this country like brothers. So, there should not be any feeling of mutual conflict. Allotment of land should be done in such a way that there may not be any feeling of mutual conflict.

In the recent past we happened to come across some such incidents of mutual conflicts between the people belonging to the backward classes, the Scheduled Tribes and the Harijans and the people of higher castes. Such conflicts should be avoided and they should be given land and jobs according to a certain fixed percentage in order to avoid any conflict. I would, therefore, like to submit again that they should be given reservation in all fields in such a way that they may be able to enjoy respect and they may not have any ill will; they may get representation with respect.

With these words, I conclude and thank you for giving me an opportunity to speak.

SHRI RAM BAHADUR SINGH (Chapra) : Sir, today I am happy that I have got an opportunity to participate in the discussion in the highest court of the people in this country on the reports of the Commission for Scheduled Castes and Scheduled Tribes. These people—Harijans and Girijans—belong to the lowest strata of the society. In our country 42 per cent people live below the poverty line today. Most of them are Harijans and Girijans. If I give the definition of the people living below the poverty line, you will be surprised at it. In Government papers there is some other definition, but as an example I would like to give the actual definition of the people living below the poverty line. Living below the poverty line means that a person has no house to live in *i.e.* he lives in the open, he is unable to make both ends meet and in case he falls sick, medicines are a far cry for him, and the family cannot afford cloth to cover even the dead body.

It is also heard that there is only one saree shared both by the mother and the daughter. If the mother is required to go out, she wears that saree and the daughter remains naked and stays back at home and if the daughter wears that saree the mother will have to remain without it. This situation prevails generally among the Harijans and Girijans. But the Government claims that in order to improve the condition of the Harijans, they have undertaken a big programme—I.R.D.P.; they are also being given subsidy and separate arrangements are being made to impart education to them. But I know that you have not been able to make as such efforts as were required. They are negligible. Moreover, the middlemen have taken benefit of these sporadic efforts. Grants have been given in the name of the poor, the Harijans and the Girijans and pumping sets have been given for them, but the middlemen have usurped all the amount of grants, etc. It appears that the so-called leaders of the society, officers and administrative personnel dominate the scene and their only aim is to pocket more and more money out of the funds provided by the Government for the welfare of the society, particularly the Harijans and the Girijans.

Sir, there is a reason behind it. The roots of everything lie in the earth whereas roots of corruption lie in the sky. If the

water in the Gangotri, the source of the River Ganga, is dirty, then you will not be able to get pure water anywhere in the plains. When Delhi has become polluted, then Patna, Calcutta, Madras and Bombay will also become polluted and when these cities become polluted, villages in Bihar, Bengal, Maharashtra and Tamil Nadu will also become polluted. Therefore, the persons responsible for this evil will have to be removed. The Centre from where evil crops up, will have to be cleaned and this operation of cleaning will have to be continued on a regular basis until these places become clean. So, all those people who are responsible for these evils will have to be removed.

In this country, while travelling in a motor car towards some village at night you will see in the light of that car that scores of women have only the barest minimum piece of cloth on their body. In this country there is no arrangement for latrines for women and you talk of introducing computer and colour T.V. here. You say that they will be educated through colour television. Who will be imparted education? You cannot impart education through colour T.V. to those Harijans and Girijans who have no food to eat. I, therefore, say that you have not made up your mind so far, unless you make up your mind to take steps for the welfare of Harijans and Girijans, you will not be able to do so. That is why I have said that you have neither made up your mind nor have thought about it so far. Why have you not given this Commission a statutory status so far? The reason for not doing so is that implementation of the suggestions given by the Commission will be mandatory and in that case you will have to adopt measures for the benefit of the Harijans and the Girijans. That is why you have not made determined efforts. Had you been sincere in your efforts you would have made a review of the situation because the benefits of the welfare measures adopted and the amount spent on these measures did not reach them. You have not made any review because everybody from top to bottom is involved in bungling. If you do so, the henchmen and other influential persons, on whose strength you are sitting here, will be put to trouble.

I would like that now since you have made up your mind to work for the welfare

[Shri Ram Bahadur Singh]

of the Harijans, the foremost thing is to provide statutory status to this Commission (*Interruptions*). Whatever has been done in the interest of the Harijans should be properly evaluated. I am not going to yield in spite of your remarks. Do not tease me like that. If I expose your black deeds here, you will be humiliated and will not be able to save your face. You have been elected on the strength of their votes and I represent that area. If I expose your misdeeds and brazen shamelessness which has reached the saturation point, you would not be able to show your face.

I would once again request you that if you want the welfare of the Harijans and the Girijans, the Commission should be given statutory status and whatever has been done for them should be evaluated. Those who are found guilty after the evaluation should be given deterrent punishment.

In the end, I would request to act upon my suggestions.

SHRI NARSINH MAKAWANA (Dhandhuka) : Sir, I would like to read out what has been laid down in Article 46 of the Constitution with regard to the Scheduled Castes and the Scheduled Tribes. It states :

“The State shall promote with special care the educational and economic interests of the weaker sections of the people and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”.

Government are continuously trying to comply with this in principle and much has been done in this direction but the desired results have not been achieved so far. The Harijans and Adivasis are living below the poverty line today. I would not waste the precious time of this august House by going into the details of their plight.

The Commission has made 78 recommendations in its Third Report and 20 in its Fourth Report. I am not aware of the Government's decision in this regard. I am sure that the hon. Minister who is in charge of this Ministry would take a decision on them after through consideration. Some of

the recommendations of the Commission are so important and urgent that early decision on them by the Government is desired.

There is a controversy in every State over the list of the Scheduled Castes and the Scheduled Tribes. In some States, there is need to enlist them and in others the list needs to be expanded. The controversy has been continuing for the last 5 to 7 years. Twice a Bill was introduced in this regard and twice it was referred to the Select Committee. Once it was during the Fourth Lok Sabha which was dissolved and there was no further progress and again the same thing happened when the Sixth Lok Sabha was dissolved, and the matter remains pending till today. There is confusion in every State over this matter, particularly in Gujarat where we are facing great difficulty. In Gujarat, even those who have never been treated as untouchables, for instance, the *mochis*, who used to live with the high caste people and were equally well-educated, too have been included in the list of the Scheduled Castes on the basis of the Court's verdict. Last year, they secured 12 seats out of 18 seats reserved for the Harijans in medical and engineering colleges.

When Shri Morarji was the Prime Minister in 1977, some people from Gujarat met him and he assured them that something would be done in this regard but nothing was done and he was voted out of power. Later on a Harijan delegation from Gujarat met Shrimati Indira Gandhi as well. She listened to them patiently and assured them that necessary changes would be made to end social injustice that was being done to them but unfortunately she is not amidst us today. Under these circumstances, I would like to remained the hon. Minister that he is shouldering a heavy responsibility and, therefore, his foremost duty should be to end the atrocities on the Harijans in Gujarat. The Commission's report indicates that there is marked difference in the facilities for the Scheduled Castes and the Tribes. I would like to read out the relevant portion from the report. It says :

“As provided under the Scheduled Caste and Scheduled Tribe Order (Amendment) Act, 1976, the areawise restriction has been removed and the ‘Mochi’ community of entire Gujarat

has been included in the Scheduled Caste list. Prior to this the 'Mochi' community was enlisted as Scheduled Caste only in Dong district and Umergam taluk of Bulsar district. The Gujarat Government had told the Centre that apart from the above mentioned areas, the 'Mochi' community had never suffered any social injustice in the rest of the State. On account of untouchability. The State Government had also indicated that the 'Mochi' community in the rest of the State was far better off than their counterparts living in Dong district and Umergam taluk and that the said Act would enable the former to avail those benefits which should be provided only to the latter. Therefore in the said Bill a need for *status quo* for the 'Mochi' community was felt that existed before the implementation of Scheduled Caste and Scheduled Tribe Order (Amendment) Act, 1976. Besides, the Bill proposed to correct other minor mistakes in the said Act.

The joint Select Committee of Parliament was entrusted with the task of preparing detailed lists of the Scheduled Castes and the Scheduled Tribes and conduct an inquiry and suggest necessary amendments in the lists specified in Constitution (Scheduled Castes) Order, 1950 and Constitution (Scheduled Tribes) Order, 1950. The Committee was to present its report by the last day of the Budget Session of 1979 but prior to that the Sixth Lok Sabha was dissolved and with that the said Committee was also dissolved and the Scheduled Castes and Scheduled Tribes Order (Amendment) Bill, 1978 also came to an end."

It further states :

"From the information gathered from different States and Union Territories it has come to the Commission's notice that only the Government of Gujarat sent a proposal to the Central Government in October 1977 demanding *status quo* for the 'Mochi' Community, i.e. restoration of the position which existed prior to the implementation of the Scheduled Castes and Scheduled Tribes

Order (Amendment) Act, 1976, which meant that 'Mochi' community was to be recognised as Scheduled Caste only in Dong district and Umergam taluk of Bulsar district and not throughout the State."

The Commission registered in its report the recommendations of the State Government and the demands of the Harijans. I would, therefore, bring to the hon. Minister's notice that his foremost duty is to rectify these lists and thereby end the confusion that is prevailing in the States in this regard.

Sir, there is no doubt that with the increase in the country's population the population of the Scheduled Castes and the Tribes has also increased, but the number of seats reserved for the Harijans and Adivasis in the Lok Sabha and State Assemblies has remained the same. I would, therefore, request you to increase their number in proportion to their population. If there is need to bring a Bill for this purpose, it should be done. I would like to bring to the hon. Minister's notice the recommendations of the Commission in this regard :

"The Commission is of the opinion that the standard of living of the Scheduled Castes and the Scheduled Tribes has not reached the desired level even after 32 year. of independence. Therefore, the Commission wants to reiterate the recommendation made in its first report regarding amendment of Article 334 of the Constitution in the following manner :

15.52 hrs.

[MR. SPEAKER *in the Chair*]

"The reservation of seats for the Scheduled Castes and the Scheduled Tribes in the Lok Sabha and State Assemblies will continue even after the expiry of 30 years since the commencement of the Constitution, provided it is reviewed after every ten years.' "

Sir, I would, therefore, request that there is need to increase the number of seats for

[Shri Narsinh Makwana]

the Harijans and Adivasis in proportion to the rise in their population.

I have to say one more thing with regard to land reform laws. Government have decided to distribute land among the Harijans and Adivasis. Under this law, the Government was to get 40 lakh acres of land but only 26 lakh acres of land was acquired and out of it only 18,40,000 acres of land was distributed. The Adivasis and the Harijans got only 9 lakh acres out of this. Government repeatedly says that everything is being done for the Harijans but in reality it is not so. I would, therefore, request the hon. Minister to take urgent steps in this direction. The pace of progress on the part of the Government is very slow. The work is going on at a slow pace. This needs to be expedited and for that the whole-hearted support of the House is also required.

Mr. Speaker, Sir, many schemes have been taken up to spread education among the Harijans and Adivasis but it is observed that they have been benefited by them. Had they been educated they would not have lagged. They are far behind the other people. Government should think on new lines in this regard. I would like to draw your attention to a particular instance. A movement is going on in Gujarat today. The Harijans and Adivasis have to face lot of difficulties when it comes to admission in medical and engineering colleges. They are told that they have not been admitted on the basis of merit and even if a Harijan or Adivasi boy is admitted on the basis of merit he is included in the reserved category. We, therefore, demand that those of them who secure admission on the basis of merit should be excluded from the reserved category and only thereafter the seats should be allocated. I would like to inform you that a Harijan boy has stood first in the Higher Secondary examination in Gujarat. It is a very big achievement. But when the question of admission in medical college came he was put in the reserved category. Meritorious students should be enlisted on the basis of merit and not in the reserved category even if they belong to it. Necessary provision should be made for this purpose. I would like to draw the attention of the House to what the Commission has said in this regard :

“Although a lot of effort have been made in the last 30 years but the educational development of the Scheduled Castes is lagging far behind in comparison with the other communities. In the census of 1971, the percentage of literacy among the Scheduled Castes has been recorded as 14.7 as against the all India average of literacy of 33.8 per cent. In some States the general level of literacy among the Scheduled Castes is far less than the all-India level of literacy of Scheduled Castes. There are some communities where not a single person is literate. The position of women in the matter of education is even worse. The percentage of literacy among women belonging to the Scheduled Castes is 6.44 per cent whereas it is 22.25 per cent among other women. In many districts of the country the percentage of literacy among women belonging to the Scheduled Castes is per cent—going down to even 0.2 per cent.”

The Commission has this to say in regard to their education. I would also like to draw the attention of the House to what the Commission has further stated :

“The Sub-working Group has stated : ‘Adequate progress in regard to bringing the Member of the Scheduled Castes an par with the other people in the field of education is not possible until they are equipped with knowledge and skill at par with those people with whom they are trying to achieve equality socially.’ ”

MR. SPEAKER : Please conclude. You have taken a lot of time.

SHRI NARSINH MAKWANA : Mr. Speaker, Sir, the Commission has further stated :

“Unless the students belonging to the Scheduled Castes do not become sufficient competent to sit in competitive examinations with students of the other sections of society on the basis of their own capability, they will not be able to become part of the mainstream of the society. In other words, unless the students belonging to the Scheduled

Castes are brought at par with the students belonging to non-Scheduled Castes, there will remain danger of their being victims of vicious circle of backwardness."

[English]

MR. SPEAKER : That is all now.

[Translation]

SHRI NARSINH MAKWANA : I am only half way yet.

MR. SPEAKER : It is enough; no more.

16.00 hrs.

MOTION RE : SUPREME COURT'S
JUDGEMENT IN INDIAN EXPRESS
BUILDING CASE AGAINST
SHRI JAGMOHAN

[English]

MR. SPEAKER : Now we take up Prof. Madhu Dandavate's Motion.

PROF. MADHU DANDAVATE
(Rajapur) : Mr. Speaker, Sir, I beg to move :

"Having regard to the observations made in the judgement of the Supreme Court in the Indian Express Building case against the then Lt. Governor of Delhi, Shri Jagmohan, this House recommends that Shri Jagmohan be removed from his office of Governor of Jammu and Kashmir."

The strong structures that have been passed by the Supreme Court against the former Lt. Governor Jagmohan actually make it necessary that we should consider, while raising this debate, not merely the legal import of this problem, but the democratic conventions observed in this country as a part and parcel of our democratic experiment that was blessed and inspired by the first Prime Minister of the country, the late Pandit Jawaharlal Nehru.

Whenever there were adverse judicial or quasi-judicial pronouncements against persons in high office or persons holding important portfolios at the Centre or the State level, you will always find that true to the democratic conventions in this country, either the concerned persons had tendered their resignations, or the Prime Minister had directed them to tender their resignations. I would like to recall some aspects of the past :

Shri T.T. Krishnamachari who was holding an important portfolio at the Centre, when certain pronouncements were made against him in the LIC enquiry, tendered his resignation. You may recall Pratap Singh Kairon, the former Punjab Chief Minister. He resigned within minutes after reading in the Press, the findings of the Das Commission against his irregularities. Then, the former President of India earlier the Chief Minister of Andhra Pradesh, viz. Sanjiva Reddy resigned when the court passed strictures against him in the Kurnool Transport case. Then we have the famous A.R. Antulay, the then Chief Minister of Maharashtra.

SOME HON. MEMBERS : Not notorious ?

PROF. MADHU DANDAVATE : I will leave the adjectives to you. In the case of Mr. A.R. Antulay, the Chief Minister of Maharashtra when he was involved in a case in which it was alleged that the distribution of cement and other commodities had taken place to extract money to be passed on to certain Trusts, when basic findings were against him, the Prime Minister directed that he should step down; and accordingly, he also resigned.

I had the privilege and honour, with your permission, to move a similar substantive Motion in this very House against the former Governor of Andhra Pradesh, Shri Ram Lal. No doubt my substantive Motion was rejected. But you may recall that in my concluding remarks I had said : 'By your commanding majority, you may defeat my Motion; but rest assured, the traditions that have been laid down by the former Prime Minister Pandit Nehru in this country still cannot be uprooted very easily; and the time will come when the def. and