

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill to amend the National Commission for Women Act, 1990."

*The motion was adopted*

SHRI CHITTA BASU : I introduce the Bill.

15.33½ hrs.

**EDUCATION BANK OF INDIA BILL\***

[English]

SHRI CHITTA BASU (Barasat) : I beg to move for leave to introduce a Bill to provide for the setting up of a Bank for the purpose of advancing loans to the students for pursuing higher studies.

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill to provide for the setting up of a Bank for the purpose of advancing loans to the students for pursuing higher studies."

*The motion was adopted.*

SHRI CHITTA BASU : I introduce the Bill.

15.34 hrs.

**CONSTITUTION (AMENDMENT) BILL\***  
(Amendment of article 164)

[English]

SHRI CHITTA BASU (Barasat) : I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

*The motion was adopted.*

SHRI CHITTA BASU : I introduce the Bill.

15.34½ hrs.

**SAFAI KARAMCHARI INSURANCE SCHEME  
BILL\***

[Translation]

SHRI MANGAL RAM PREMI (Bijnor) : Mr. Chairman Sir, I beg to move for leave to introduce a Bill to provide for comprehensive and compulsory insurance of Safai Karamcharis against any mishap connected with their work to give them economic protection, safeguard their interests and for matters connected therewith.

[English]

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill to provide for comprehensive and compulsory insurance of

Safai Karamcharis against any mishap connected with their work to give them economic protection, safeguard their interests and for matters connected therewith."

*The motion was adopted.*

[Translation]

SHRI MANGAL RAM PREMI : I beg to introduce the Bill.

15.35 hrs.

**NATIONAL COMMISSION FOR SAFAI  
KARAMCHARIS (AMENDMENT) BILL\***

(Amendment of Section 1 etc.)

[Translation]

SHRI MANGAL RAM PREMI (Bijnor) : Mr. Chairman Sir, I beg to move for leave to introduce a Bill to amend the National Commission for Safai Karamcharis Act, 1993.

[English]

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill to amend the National Commission for Safai Karamcharis Act, 1993."

*The motion was adopted.*

[Translation]

SHRI MANGAL RAM PREMI : Mr. Chairman, Sir, I beg to introduce the Bill.

15.36 hrs.

**CONSTITUTION (AMENDMENT) BILL\***  
(Insertion of new articles 330A and 330B, etc.)

[English]

MR. CHAIRMAN : Now, further consideration of the following motion moved by Shri K.P. Reddaiah Yadav on the 19th May, 1995 namely :

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

Shri Devendra Prasad Yadav — not here.  
Shri Ramashray Prasad Singh.

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Chairman, Sir, a provision for reservation in the Lok Sabha and Legislative Assemblies is for other backward classes has been proposed in it. Today, I am reiterating the point as to why the need for reservation arose? It was due to the negligence on the part of ruling party and as a result thereof such a resolution had to be moved today.

Our country became a democratic Republic in the year 1952 and an election system was introduced. Had the people who were elected to Legislative Assemblies and the Lok Sabha worked sincerely for reservation to these people, perhaps this situation would not have arisen. Though it is not proper to talk about caste system again and again but what was the number of high caste people at that time. When their number declined the reservation was felt necessary. Had we adopted the politics of quality rather than quantity, then this situation would not have surfaced but we did not do so and today how many people are there belonging to our caste. That is why the reservation has been felt necessary. If it had been the matter of quality in the Lok Sabha and Legislative Assembly, then I do not think that reservation would have been needed. But reservation is definitely needed today. You may provide them reservation or not, but they are sensible enough that they are fighting for it. There is no doubt that they are asking for their rights through reservation, yet people want reservation on legal basis. Today, they have made-up their mind that they have to get reservation. The whole blame is on the ruling party because they are the people who are responsible for it. You have been doing it only and no other work while in power.

We support this Bill because we feel that there is a need to bring this kind of Bill. What is in it? We talk about backwards and forwards. If we come in the Lok Sabha or Legislative Assembly on the basis of reservation, we will definitely raise the issues concerning to poor people, we will fight for poor who elect us. But today, what is happening? It is not the fact that sons of labourers have not been elected to this House. They too have got elected to this House and they are in the ruling party also but when the Government itself adopted anti-labour policy they had to support that and did not oppose it because every Government works according to a policy and they used to support the Government's policy.

This Government says that it is the saviour of the poor and it has helped the poor a lot. Mr. Chairman, Sir, you must be remembering that in 1971, when Mrs. Gandhi was the Prime Minister, she had given a slogan "Garibi Hatao" and we have seen with our eyes the photograph of Mrs. Gandhi in the huts of the poor. People had voted her to power very enthusiastically and result was very good and she started a good work in 1971. Though she had started it in 1969 only, we would not hesitate in praising the work done by her. She nationalised banks and abolished privy purses. After the nationalisation of banks, their benefits reached the villages also and loans were given to those persons who did not have land even. But the power that was working with her exercised pressure on her and she backed out and backcracked. When she came back into power. She started saying that she did not have a magic stick which would remove poverty. Shrimati Indira Gandhi was forced to follow the policy of the Congress party only. I feel that there is a need for reservation and backward people will get their rights only when reservation facilities are give to them. We understand that the Government should accept this fact and

it should not oppose it. What the Government will state in its reply is for the Government to think but there is no problem for the Government in accepting it. When there is reservation in every thing, what is the problem in extending it for this? I conclude my speech with these words only.

SHRI KRISHNA DUTT SULTANPURI (Shimla) : I am grateful to hon. Shri K.P. Reddaiya Yadavji for moving a very important motion. So far as the question of our country is concerned, ever since our country got independence, we have provided the reservation facilities with 15 per cent quota for Scheduled Castes and 7 per cent for Scheduled Tribes in the Government Services in order to provide them opportunities to make progress. A quota has been fixed in Legislative Assemblies and Parliament also but this kind of quota has not been provided in the Rajya Sabha. If we see the strength of these castes in the Rajya Sabha, then we will find that their strength is negligible there.

When the issue of giving reservation to backward classes came up, our Government brought a Bill in the House for providing reservation to them in the services which we all passed unanimously.

Now a provision of 50 per cent reservation has been made for backward classes through that Bill. I understand that a provision of reservation in the Legislative Assemblies should also be made for backward classes because their economic condition is very poor in villages. Earlier they were not even in a position to provide education to their children but seats were reserved for them by the Government which all the parties have extended their support to us. Some people look upon it from political point of view but I do not want to go into that because the main objective behind the motion which is before us, is to bring poor and backward classes into the mainstream of the country.

There are some shortcomings in the list of the backward castes. The Government of India has also prepared a list of scheduled tribes. Since, I come elected from the rural area and participate in many discussions, when I say anything it is noted in a general way and implementation of that is not done. I want to say categorically that there is an area of Uttar Pradesh in my neighbouring area, which borders my parliamentary constituency, on the one side in Dehradun area and on the other side is Tehri Garhwal area. The people from both the places have got relationship with each other in our area. They come under the category of tribes but they are not being recognised as tribes in Himachal Pradesh. There are several such places in our area like Dodra qwar, Rohdu, Pawanta Sahib and Shilai and Rajgarh in Sirmaur district, where many castes are not recognised on Tribes, whereas these castes have been included in the list of scheduled tribes in Uttar Pradesh and their many relatives stay in our area. They have formed a Hati Society which has started on agitation these days to get them included in the list of scheduled tribes.

Whenever a survey is conducted in this regard the Surveyors never visit the areas on high altitude and gather the information regarding those areas and the population thereof from the people living in the places which are easily accessible to them and note that. Since there is a big problem in hilly snow bound areas, therefore they are not given correct information and the statistics are not authentic.

Mr. Chairman Sir, I understand that Hon. Kesriji and Thangka Baluji have done a good job that they have made a provision of reservation for backward classes. The first stage has been completed and now the second stage should be started. According to the figures presented here, the population of backward castes, scheduled castes and scheduled tribes and minorities is 80 per cent in the country. The Christians have also been provided reservation in our country. Two members are nominated to the Lok Sabha irrespective of whether it is the Government of the Congress or the other party. So I say that what has been meted out to backward people till now should be kept under consideration and whether it is Legislative Assembly or Panchayat or district Council, reservation facilities should be provided in all these places.

Females have been given 30 per cent reservation. The Government of India has published the list of backward classes but there are so many castes which have not been included in it but that does not mean that our Government has not made full efforts in this direction. Our Government has taken such steps in this direction which no other Government has ever taken.

Mr. Chairman, Sir, just now my friend has rightly pointed out that this work was started by Indiraji and we too have not left it and continued it. Banks were nationalised and required facilities were provided to them. Banks are achieving the targets fixed for them. But our country cannot make progress with the prevalent way of functioning which these people are trying to adopt. There are so many drivers for steering this country. They all are trying to lead this country in different directions and as a result of it, we are back to square one.

Mr. Chairman, Sir, we daily see that Members make hue and cry in this House but maintained silence over the issue of backwards. But I feel that Congress does not do so. We do not quarrel within ourselves and formulate policies for the welfare of poor people of this country. Leaders of our party have run the Government for full five years term. Your party could not even complete a full tenure even when they won 1/3rd of the total seats of Lok Sabha. The reason for it is that people of our country know that except Congress no other party can work at grass-root level in villages.

Mr. Chairman, Sir, communists have a different path, i.e. socialism; Bhartiya Janata Party has adopted a path of constructing temples; and the other parties have different ideologies. Thus I do not know where these parties of different ideologies intend to take this country. Congress party worked hard for eliminating hunger, getting freedom and serving this country. But these people blame Congress

for each and every work. Congress is blamed for all the incidents that take place in any state irrespective of the fact that it is ruled by BJP or Shiv Sena. We all know that our country can make progress only under the leadership of Congress and Shri P.V. Narsimha Rao.

Mr. Chairman, Sir, earlier we had shortage of funds and the country was becoming poorer day-by-day. But today we have huge reserves of foreign currency. Members of other political parties will be disturbed if something is said in favour of Congress party, but we listen to them carefully and peacefully when complaints are made against Congress Party. We have come here to serve the people of the country. We have to look into the actual problems of backwards. People belonging to scheduled castes have become rich today I am also a scheduled caste. Some people of this community have become rich enough but we have to see that the poor are being served or not? Whether we have any provision to continue the present quota of reservation? Whether the reservation for same category should be continued further? Earlier reservation was provided in a joint manner and there was no question of casteism. Congress has not given any slogan of casteism in by-laws and constitution of the party, it has been mentioned clearly that Mohammdans, harijans and person belonging to any other community could be elected President. Britishers were also faithful to Congress Party. This country would not have made progress under the leadership of Congress if such an atmosphere would have been in the party. Our leaders like Mahatma Gandhiji, Pt. Jawahar Lal Nehru, Rajiv Gandhi and Indiraji sacrificed their lives for the country. These sacrifices show us the path of progress.

As regards reservation policy and bringing socialism, all the steps have been taken up by Congress party. There is no doubt in it that backwards who have been deprived of these facilities infact deserve them. I thank Shri Reddaiah Yadav for moving this resolution. This Resolution aims at filling up the reserve quota of vacancies in Parliament and Legislative Assemblies. I would like to say that it should also be filled up in Panchayats and district councils. This resolution should be withdrawn if the Government gives assurance to review the matter. I mean to say that our voice, and voice of this House should reach in all parts of the country. The backlog in vacancies of SC/ST in Government services, legislative assemblies, Parliament, in judiciary, session courts and Supreme Court should be cleared. Reserve quota should be completed and a time bound programme should be chalked out for the purpose.

Mr. Chairman, Sir, this country can make progress only if it works under timebound programme. We should not make mockery of law and system, as is being done these days. Mayavatiiji would do such odd things. She has given several slogans. She said that 'Takari and tarazu, unko maro jute char.' During an interview when some journalist mentioned this, she refused that at once. She said that she gets Rs. 1 lakh for criticising Mahatma Gandhi whereas earlier she used to get only Rs. 5,000. I think that there are certain politicians who encourage the activities aimed at

creating disturbance in the country on instigation by others. It should not happen. It is a serious matter. Mahatma Gandhi strived hard for progress and prosperity of people of our country including harijans and adivasies but today he is being criticised by politicians in power. I don't know how these people would run our country.

It is wrong if someone tries to create disturbance among the people of this country. I am happy that this Resolution has been brought here. Sir, the people, living in hill areas, like Aarakot or in regions above Dehradun, who wish to be included in the list for Scheduled Castes and Scheduled Tribes, should be given a chance if you intend to give correct shape to this Resolution. Khanduriji comes from this region. I would like to say that my district mentioned earlier in my speech should be declared a tribal dominated area and besides, backwards should be given full protection.

16.00 hrs.

Backlog in banks and railways should be cleared. We would be able to promote the backwards of this country by these means. I hope that the Government would pay attention towards it. Congress Party always thinks for the welfare of poor. With these words, I conclude.

SHRI MANJAY LAL (Samastipur) : Mr. Chairman, Sir, I thank Shri Reddiah Yadav for bringing this Bill. This issue was raised since long and all the Members agree with it. India is a country of villages and a large number of people belonging to backward classes live in villages. The country could make progress through the progress of villages only. I feel that villages are not developed properly because backwards are not given due representation in the Parliament. Today TATA has become the biggest industrialists in the field of iron. Big industrialists have entered the field of agriculture. I feel that backward class people should be given reservation in Legislative Assembly, Parliament, Rajya Sabha and Legislative Councils. Lot of people belonging to backward classes could win elections if reservation for them is made for Parliament.

The constitution of India was adopted in 1950. There was a provision of reservation for SCs/STs in Governmental Services but not for backward classes. Later on provision of reservation for backward classes was made. It is good because it is never too late. Earlier there was no provision of reservation for backward classes in Panchayats but later on an act was enacted and people of backward classes were given reservation.

This Private Members Bill should be accepted for providing reservation in Assembly and Parliament because it will lead to the real independence. Man would be rich or poor in two ways – one is poor economically and the second poor at heart. The people of backward classes are poor in both the ways. Their moral can be boost by electing them to Legislative Assembly and the Parliament. The other people also..... (Interruptions) The people of backward classes would themselves find out the means of wealth after they become morale-wise strong. People eat anything from

anywhere when they are hungry in the same way the people belonging to backward classes would become economically strong when their morale would be high. It will make the country prosperous. As Mahatma Gandhi had said, prosperity of India could be a reality only with the prosperity of villages, fields, foodgrain storage, factories and industries in the country. They would be able to earn money, wealth and respect when they would be elected to Legislative Assemblies and Parliament. At the time of freedom struggle we use to recite this couplet for poor :

"Elahi Din Bhi Ayega, Jab Apana Raj Dekhenge,  
Vah Apani Hi Hami Hogi, Vah Apana Aasman Hoga."

They would be able to prove their entity in the administration if they are elected to Legislative Assemblies or Parliament.

With these words I thank you and conclude.

SHRI ANADI CHARAN DAS (Jajpur) : Mr. Chairman, Sir, the arrangement for providing reservation to people belonging to backward classes had been made after a great deal of struggle. But still it is not proper. According to the orders of the Supreme Court the reservation should not exceed to 50 per cent. Who is this Supreme Court. In the constitution of India, it has not been mentioned anywhere that reservation should be made upto 50 per cent only. It reveals that actual rule and administration is in the hands of a few people. They can manipulate everything in their own interest.

Today why there is a demand for reservation. At the time of framing the Constitution of India, our leaders made provision for providing benefits to adivasis and harijans. These days people object to the word 'harijans'. You can call them 'Anarya'. The words 'Scheduled Castes' and 'Scheduled Tribes' have been used for them in English language. After coming of 'Aryans' in this country we became 'Anaryans' i.e. Adivasis, Grand and Dravid people. They were real Indians. Several systems have been adopted during the last many thousand years. Later on our country became a republic. At the time of framing of the constitution, efforts were made to make provision for ensuring benefits to adivasies and harijans. The constitution also have such provisions for the people backward classes, but it was not done. A long struggle was taken up for it. The holy man, Shri V.P. Singh started this struggle. It was just a beginning but it could not be done because it was started in a haste and people objected to the manner in which it was taken up. Even in the State people did not support it for implementation.

Now again the issue is with the Congress Government. It is good that this Government is making arrangements for it. There are some shortcomings in this law. So far it has not been stipulated in it that benefit of reservation would be provided throughout the service. But it would be done if any such claim is made by someone in future.

There is casteism prevalent in our country. Those who talk of abolishing casteism actually prop up it. Had their intentions been bonafide, the nation would not have lagged

so behind. The countries, where there is no casteism, has advanced far ahead of us and today, we borrow/import everything from them, be it education or technology. We have not been able to match their advancement in any field. Reservation has been provided in jobs but it has not been implemented fully. Who formulate the laws? If we ponder over it, we will come to know that they leave scope for lacunae in these laws.

We fight among ourselves. There are some people who make us to fight among ourselves and reap maximum benefit out of it. Those are the very people who want their men to adorn higher positions.

The system also changes with the passage of time. In 1971, a word socialism was inserted in the preamble of the Constitution. But, in the capitalistic system, we are still living like slaves. In the capitalistic system, exploitation takes place on a large scale. It is difficult to change this system. Before independence, farmers used to be exploited by landlords but now the exploitation is prevalent in employment. Earlier there was a saying :

Vanijye Vaste Laxmi, Tadnam Krishikarmani  
Tadam Rajkarmai Vidya Navechah Navechah

Now, the "Rajkarma" (Government affairs) has taken foremost place followed by agriculture, studies and business. These people send their confidants in every institution, be it the Supreme Court or the Parliament. These are in majority everywhere. We have spent Rs. 86,000 crore under I.R.D.P. to uplift the people living below poverty line. When I was the Chairman of the Scheduled Castes and Scheduled Tribes Welfare Committee, I had observed that the poor people are still poor and they have not been uplifted during the last 25 years.

[English]

Who have crossed the poverty-line after getting this assistance? Can anybody show me the result? I have seen that in my constituency there are about twelve lakh people. I have got many villages in my constituency. Even in my village, which is a very small village, I have seen that nobody has crossed the poverty-line though we have spend about Rs. 68,000 crore — both by the Centre and the States.

[Translation]

I have got the data with me even now. Why did not they cross the poverty line? The main reason for this is that exploitation is rampant. This particular group of people live in cities, run the Parliament and enact the laws. They go on constructing one house after another and then are called big people. They acquire all the luxuries here itself. On the other hand, village people engage themselves in agriculture. They get up early in the morning and first of all, feed their cattle. After that, the menfolk leave for work and food is cooked for them at home. Thereafter wood and vegetables are collected. It is followed by milking cows, boiling milk, taking care of paddy and finally, seeing the arrangements in cowshed. They go to bed after doing work throughout the day. In the next morning, the whole members of family engage themselves in work as usual. It seems as if there is not life at all because they go on

working. Even after doing so much work, they do not make progress. Surprisingly, they produce for others but remain themselves poor.

Mr. Chairman, Sir, as you are aware, 95 per cent Scheduled Caste people are landless since the advent of Aryans. They have now started progressing slowly with the arousal of awareness among them. Some of them have become literate. On account of it, they have started making claims for their rights. With the creation of four five States like Nagaland and Mizoram, the condition of people has improved in these areas. Now the economic policy and the laws are of their own. In a way, passport like permit is required to visit those States. In the North-East, people have fought for their rights but they feel today that though they have made the land productive yet the exploiters reach there too and make them live in poor conditions. It is happening because of the prevailing system. The laws are enacted in the Assembly or in Parliament. In the Panchayati Raj, there is a provision of devolution of power. Directive Principles of State Policy being implemented slowly but much is still to be done in this regard. A law has been enacted for devolution of power but some States do not implement it. Many things have been written in the law but these have not been implemented fully so far. Had there been a provision of pension, employment to educated youth and non-discriminatory society, something would have been done for the betterment of the poor. But the things are contrary. They are claiming their right but it is being denied to them. It is said that they have no right to ask for their share.

We should implement the provisions mentioned in the Constitution, particularly under the chapter "Directive Principles of State Policy". The fact is that the one who works hard does not get anything in return. These people are poor even today. These people have to face hunger. They die due to starvation when a Government, is voted out of power, the political people say that the poor remain hungry but when they come back to power, they do not admit this fact, I have myself seen them dying of starvation. Some changes have been witnessed in the recent past but still selfish people grab the shares of the poor. My submission is that they should get their share. Now, they have come to know that there is a way to march forward. There are limited job opportunities for them. I have seen in villages that these people are still far behind. There are 38 benefits for them but they are enjoying 35 benefits only. They can avail more benefits. Therefore, I want to say that they should get full benefits so that they can make progress.

16.22 hrs.

[SHRIMATI SANTOSH CHOWDHARY in the Chair]

Madam, my submission is that there is a provision in the Government service that after the death of the husband, his wife gets his pension. The poor should also get similar benefits. The farmers and other people engaged in other works like milking, contribute a lot to the country but they are not provided adequate facilities. Today they are raising

their demands and have started their fight for their cause. The Jharkhand issue is a clear example of this fight. Similar agitations are being launched in other areas. Certain States are making good progress while in other States, the progress is very slow. Had there been no discrimination, it would not have happened. Today everyone thinks about the welfare of his community. The Bill brought in this House is the subject of discussion. My submission is that you should also think about these people. We constitute 40 per cent of the population, whereas they constitute the remaining part. The people who are in power and those who enact the laws, dominate and their decision is binding to all. There is party system prevalent in our country. The day is not far off when the educated youth will realise that they are being denied their rights and they will come on the street to fight for their rights. Anything may happen after that and only the time will tell. There was a time when backward people fought for their rights and they got a little. My submission is that there should be reservation for them in Parliament and State Assemblies. Reservation facility has been provided in Panchayat. However, there is no reservation for the OBCs. Women have been covered under reservation. My submission is that the backward class people should get reservation as per their population. It has been said that reservation will not be more than 50 per cent. Those who constitute 85 per cent of the population, have been given 50 per cent reservation, whereas those who constitute remaining 15 per cent of the population also enjoy 50 per cent reservation. In this way, even if 15 per cent population get full employment opportunities the vacancies will remain there. There is a 'Kayastha' youth in my constituency, who said that there was not problem of employment in his area because even after giving employment to all, the vacancies do exist. Therefore, it should be proportionatory. Why there should be more than 50 per cent reservation, when it is not mentioned in the Constitution? The Supreme Court has given such a decision because there are also the capitalists and higher caste people holding high positions. However, we are bound to accept this decision. Can not we change it in Parliament? They have the right to analyse and interpret but not to snatch the right of one and give it to another. What sort of justice is it that the minority population is given more share and the majority population is given less share? It is because we live in a country where capitalistic system still prevails and exploitation is rampant.

Therefore, my submission is that such a law should be enacted which will provide reservation in Assemblies, Parliament, Municipalities and other institutions which are elected bodies. I do feel that this Bill has become very lengthy. There was no need at all to write all this. Therefore, if this Bill is not upto the mark, then the Government should reconsider it. It should be redrafted with the cooperation of all and those people should be given their rights. Now there is awareness among educated people and they are prepared to ask for their rights... (*Interruptions*)

At present, this fight for rights is in its initial stage. It cannot be predicted what shape it will take in future. Now the poor will not sit silent. The struggle is imminent ...

(*Interruptions*).. Recently, in West Bengal some work has been done for the uplift of the poor through land reforms. I am appreciating their efforts. I have written :

[*English*]

When I was the Chairman, I have given commendation for what actually they are doing.

[*Translation*]

I have given commendation. I do not care what others say.

[*English*]

I have written in that Report and you can go and see that in the Parliament Library.

[*Translation*]

I gave them commendation because they belonged to Congress. But, there were some Congressmen who did not allow to do it. Due to land reforms the poor have made a little progress. Today the Government has made available them land, water and seeds. Now they are engaged in cultivation and producing foodgrains. Simultaneously, they are continuing their fight for their rights. The fight between the rich and poor for rights is everywhere. But if this is prevalent there in a republic country then the word "Republic" becomes meaningless. Republic means, everybody should get his rights. The Poor should get food, medicine, house, education and pension. If someone is a carpenter, he cannot live on wood alone. Similarly, if someone does paper work he cannot live on paper,. Even a lunatic lives on food. The poor produce foodgrains. The land may belong to anyone but the toiling lot belong to tribals, scheduled castes and the backward class. These are the people who construct houses. What has the Government given to them? They do not get pension, house etc. Who constructed these roads and these mills? These people have contribution in all aspects of life but they do not have the right on these things. Their representatives reach here to make claims for their rights where legislations are enacted. They say that they will definitely want to see their brother here.

Who are these big capitalists who exploit them. Earlier, in our village, when a guest used to come, people served him coconut or lemon juice but today, they serve him coca-cola or fanta. So this is how our people are being exploited. Advertisements are being telecast in a very alluring style. They charge ten rupees for a single potato merely for having given it such a beautiful shape as may allure children and propell them to insist on buying it. It is simply exploitation. Would we be able to exploit in such a manner?

The present regime covers the field of science and technology. Will not this science and technology reach villages? Will not the people living below the poverty line ever be able to earn Rs. 100-150 more and increase their production by applying technology? Here, people write accounts and prefer to undertake such works as fetch more profit. They refuse unremunerative works, and will say they have no connection with such works, while all are

Government officials and collectors who allot shares. They are asked to do their level best. I had made suggestion that the farmers having small chunks of land, should be provided more facilities so that they produce more, are able to get their children well educated, provide good cloths and medicines to them and lead a good life.

Today, science and technique have made available a lot of things but all of them are confined to books only. It is said that the poor would be benefited with these facilities but the persons entrusted with this job refuse to do that. They say that they have no share and therefore, why should they do that. The Government has made reservation policy but, infact, needy persons are not reaping its benefit. Forests, minerals and all other resources are available in the tribal area.

SHRI SRIKANTA JENA (Cuttack) : Bailadila mine is also there.

SHRI ANADI CHARAN DAS : Today, all properties whether it is land, house or any vehicle are private. Privatisation of some of the properties is not a big achievement—whether it is of Bailadila or of any other property. I have seen in the Estimate Committee that heavy loss is being incurred almost everywhere.

[English]

Who has taken thousands of crores of rupees?

[Translation]

Today, banks are running into loss, public undertakings as well also running into loss. In these banks and undertakings money of the poor people is being squandered. The Government has retrenched the employees from these undertakings but the clever people have built their houses with money earned by them. Why the Government does not check it? The Government used to get a revenue of Rs. 50 lakh by way of property tax from Bombay and Calcutta. In 1971, when I was elected as an M.P. the Government was getting a revenue of Rs.3 lakhs from my constituency. Which has today increased to Rs. 50 crores.

The authorities pressurise us to get the things written according to their wish. Even they prepared to forge facts on the paper. On the other hand, we are also pressurised by the people in the villages. We are the representatives of the people. The people in the villages complain that we have done nothing for their welfare. In this proposed Bill we are talking of the participation of the backward communities whether they are poor tribals, Harijans or other backward classes. Their participation should be ensured. I remember, once Indiraji had said that

[English]

The opportunities that are available in this country should be properly distributed.

[Translation]

Due to her statement only, the term "socialist" were added to our constitution in 1971.

A person who has links with the higher authorities, get an opportunity but the persons actually entitled to it are being deprived of it. Now they are educated and they have come forward. No one can stop them. It is high time that we should try to change the mentality of the people after observing of all the circumstances. Congress is the only Party which can ensure their participation. In 1977, Janata Party had formed its Government. It rules only for two and half year. Later, it could rule only for one and a half year.

We say 'Rama Ram' for mutual salutation.

You will feel surprised when know what is Rama. Only 115-16 persons have come with the sentiment. Whether these people can manage this country? (*Interruptions*) I support the Bill they have put forward. I have been given an opportunity. Therefore, I will definitely speak on this Bill. Congress should decide whether they will be given due participation or not. And if yes, what should be done to ensure that. They should enact legislation by coming in Legislative Assembly or in Parliament. If they are not present, legislation cannot be enacted.

Once, I wrote a letter to the hon. Prime Minister requesting him that due representation of scheduled castes, scheduled tribes and other backward classes should be ensured within our party in youth Congress and all other organisation on our part. If a legislation is enacted in this regard, there will be no dispute over the issue whether a person is Bania or Yadav. I have tried my level best for that. I, alone cannot do it. No one supports me. I have to stick to the Party lines also.

MR. CHAIRMAN : You are expressing good views but the time is about to be over. There are a number of speakers.

SHRI ANADI CHARAN DAS : You did not ring the bell. Therefore, I thought that I have been given time to speak further.

MR. CHAIRMAN : There are number of speakers. You conclude soon.

SHRI ANADI CHARAN DAS : I will conclude very soon. This is a very good Bill but inadequate one. Shri Thangka Baluji who is sitting here, should bring a good drafted Bill. Only Congress will have to bring this Bill. It claims that it is always with the poor they are their saviour. If it actually safeguards the interests of the poor people, than it will have to bring this Bill. Some new persons joining Congress Party create discrimination. They do politics in the name of casteism. But the old identity of Congress is that.

[English]

Congress is the saviour of the poor, downtrodden harijans and backward people.

[Translation]

This Bill has been brought to restore its identity. The Government should agree with it and if they thinks it insufficient, then get it properly drafted. The Government

should in consultation with us and bring as well drafted Bill. If this Bill is enacted in the form of a legislation, it will be very beneficial to the country. Therefore, I support this Bill.

SHRI RAM KRIPAL YADAV (Patna) : Mr. Chairman, Sir, I thank you for giving me an opportunity to speak on such an important Bill. At the same time, I would also like to thank Shri K.P. Reddaiah Yadav for presenting this Bill in the House. I share the concern expressed by Reddaiah Saheb through this Bill that the backward people constitute 85 per cent of the total population of the country. Instead of merely making law, they should be given proper participation. All the members present in this House are well aware of as well as concerned about the condition of the people of poor classes, backward castes and scheduled tribes. Even after 48 years of Independence, people of the poor classes, weaker sections, backward and minorities, scheduled castes and scheduled tribes in our country have not get relief and proper participation so far to the extent to which these should have been given to them. We should think over it.

Our freedom fighters and leaders had sacrificed their lives for making this country free. They had dreamt that when country attains freedom, the poor would be given due representation in each and every field; they will progress, their poverty will be removed and there will be no unemployment. But today we all can see their plight. These are the people who produce foodgrains for the entire country, who toil in the fields and devote their whole life in building this country. I would like to know whether the members of ruling Party are worried at all about them. Do they want their development and removal of their weaknesses. I think that the sacrifices given by our forefathers for freedom of this country, their feeling towards the poor, people of minority communities, scheduled castes and scheduled tribes have gone futile. Their dream has not proved to be true.

Our forefathers had entrusted our leaders with the power with an expectation that one day democracy would descend upon our country, there will be our own constitution under which the poor would be given several rights and opportunities for their development. The people of backward, downtrodden and weaker sections would make development. But today, we feel that they are not being given due representation at any level in jobs, in education or anywhere else. They have not been given due representation even in power. If the intention of law-makers is not bonafide and 85 per cent people of this country are still being neglected, then certainly, this country cannot make progress.

Mr. Chairman, today an atmosphere of turmoil is being created. Development cannot take place in such an atmosphere. Therefore, today it is necessary to become liberal and to return the property to people whose property had been usurped earlier. The people of poor classes have come forward to build the nation. We, the people who are sitting in the Parliament, who are building grant buildings, should also think towards the welfare of the children of those who are working in fields. Today, they are not able

to make both ends meet, they are like homeless, wanderers sleeping under open sky. They are born on footpath or in Jhophries and after somehow or other leading their lives they die there only.

Mr. Chairman, the people who have been ruling this country are not doing their duty honestly. Therefore, the work for welfare of the workers, 85 per cent population of this country, has not been done to the required extent. Therefore, Mr. Chairman, we should be liberal enough today. Definitely, nothing has been thought about those who were actually required to be considered and today, their condition is very pitiable.

Mr. Chairman, today, there should be a debate on reservation in Lok Sabha, Legislative Assemblies and Legislative Councils. Nobody will object to it but simultaneously, reservation should be provided in schools also. Today, one of my friend was telling that due representation has not been given as per reservation, policy, to those people who form majority of population and who have been included among the Scheduled Castes and Scheduled Tribes. Therefore, my submission is that these people should be given opportunities in education according to reservation alongwith increase of reservation in politics. They cannot make progress until they are given reservation in health, engineering and other technical institutions. Today, the condition of the people of poor classes, who are illiterate and working in fields, is that their children are doing their traditional job. Their economic condition cannot improve until they are made educated and trained properly to change their traditional job.

Mr. Chairman, children of the poor people like potter, blacksmith and carpenter are doing their traditional work as their forefathers used to do. Therefore, the Government should make arrangements to get these children educated. Because they cannot get their share in power until they are educated. And no law can be made until they get their share in power. They cannot make progress until any law is enacted for their welfare. Therefore, the first requirement is to make their children literate.

Mr. Chairman, reservation has been implemented for Scheduled Castes and Scheduled Tribes. I would like to know as to whether they have got its benefit. Of course, they have not got that. The reason for that is that the intention of law makers and those who implemented reservation, was not good. Therefore, injustice was committed to them. Therefore, reservation should be provided in every field to the people of Scheduled Castes, Scheduled Tribes and other backward classes. Only then their participation in power can be ensured in real terms and social justice can also be meted out to them.

Mr. Chairman, my submission is that the Government should have a clear intention and there is no need to shed crocodile tears. It is said that all this has been done by the Congress Party. If it is true and their intention was clear, then why reservation has not been given to them even after making provisions in our constitution? Why a majority of people has not been able to reap the benefit of reservation,



why are they so backward? They are not lacking in brilliance. They have been deliberately denied power as a part of a conspiracy.

They thought that if these people were educated, then who will till their fields, plough their lands, pull rikshaw and clean utensils for them? Who will do the scavenging work? These poor people were kept at a distance from power under a well-hatched conspiracy. Hinderances were created in the way of educating them and in their progress. Today, an intelligent educated person belonging to the backward class who qualifies a competitive examination is deliberately dropped because he belongs to a rural area and his caste is not known. He is removed under a conspiracy. The Government shall have to include them in the selection board of UPSC. Then alone can justice be done to them. The Government's intention is malafide. They shall make their intention bonafide. The 85 per cent poor people of this country will no more endure it. The country will be thrown into anarchy if they are not allowed to share power in real sense. There is still time for the people in power to avert this anarchy. Hence, I request them not to ignore these 85 per cent people and give them their due rights.

The people who should have been masters today are rendered subservient and those who should have been subservient have become the masters. A democratic set up calls for the rule of the majority but under deceit and dissuasion their rights have been snatched from them. Therefore, I warn you to rise to the occasion and clean you intentions, give them their rights or the stability of the country will be in peril. Reservation should be given to them in educational and technical institutions where there is no reservation for them. They should positively be given equal share in the power they have earned if the Government is the well wisher of the backward people and wants to make them progress. I do not say that for a longtime ...

MR. CHAIRMAN : The time of discussion on it was 16.58 hours. That time is elapsing now. The time can be enhanced if the House agrees.

SHRI NAWAL KISHORE RAI (Sitamarhi) : Mr. Chairgman, Sir, more hon. Members would like to speak on it. You may extend its time.

MR. CHAIRMAN : It may be extended by one hour.

SHRI NAWAL KISHORE RAI : It is a very important issue. The time may be extended by two hours.

MR. CHAIRMAN : All right, it has been extended by two hours.

SHRI RAM KRIPAL YADAV : Mr. Chairman, Sir, I was saying that if we are talking about it with all sincerity, then the people who have not been allowed to share power so far should positively get their due share. If all the hon. Members sitting on this side or that side of the House are unanimous, then the Government should definitely bring forward such a legislation through which we can undertake all round development of the backward classes who have been lagging behind so far and also ensure their participation. Therefore, I say that the intention of the proposal brought

forward by Shri Yadav is crystal clear and there is no need to lay special emphasis on it because their number is quite large. There is an awakening amongst the backward classes today. They have come to realise their rights. Therefore, their people will definitely be elected if they enjoy 85 percent majority but there is the need to hit at the system. In view of the intention of our colleagues in power to undertake the development of the poor and ensure their participation in real terms, there is need to provide them reservation in those areas in future.

17.00 hrs.

They claim that they have enforced reservation in accordance with the recommendations of the Mandal Commission. It would not have been enforced had Shri V.P.Singh not raised this issue during his premiership. An unrest was discernable when it was enforced throughout the country but now the people of India have come to recognise and were able to differentiate between their friends and foes. Now there is no need of windowdressing because the poor people of the whole country have awakened now. Now, they cannot suppress the power of the poor and any endeavour in this direction will be disastrous for one and all. I urge you to acquiesce in before it is too late and give them their due share. Chalking out policies alone would not do but it should be supported by a bonafide intention as well. Now these days are gone when one who earned did not eat. Now, one who earns will eat and one who plunders will go. Those who associate themselves with the feelings of the oppressed, the poor and the down-trodden should help them to give their share in power, the opportunity to progress in the real sense of the word.

Both the hon. Ministers belong to the backward classes. I urge you to bring forward this legislation with an open heart and give the poor people of the country their due rights by fully enforcing reservation.

With these words, Mr. Chairman, Sir, I thank you and also Shri Reddaiah Yadavji.

SHRI RAMDEW RAM (Palamau) : Mr. Chairman, Sir, why should there be reservation for backward classes today? Even after about 50 years of independence, reservation is being demanded. Isn't it quite astonishing? This demand would not have been raised if all were treated equally. As our scriptures reveal:

"Akashaat Patitam Toyam,  
Yathagachhati Sagram  
Sarvdev Poojanaam Pratigachhat".

There would have been no need to bring this Bill here today had all of us given equal deliberation to it, but the party in power drunk with power, oppressed the poor. The imbalance is the reason behind the birth of militancy throughout the country. We all, the poor as well as the rich, will pray to militancy if equal treatment is not given to all. The aim behind choosing and killing the V.I.Ps is to create a gulf between the rich and the poor. In Bihar, people shut their doors at dusk today...(Interruptions) The militancy is

on the rise because of the inequality between the rich and the poor. There would have been no militants and we would not have been affected by it if there was a sense of equality in our hearts. I may tell you that one day the militants snatched 22 rifles from the locals of Dadha village by breaking into their houses at 5.00 a.m. and nobody could even raise an alarm. What is the reason behind it? Today, we demand reservation for backward classes. The situation would not have been like it is today if the issue of reservation was properly deliberated at that time. Therefore, I would like to say that the Government should pay attention to it.

We fully support the Bill moved by Reddaiah Sahib we should be ready to incur losses tomorrow if we do not give the reservation of equality.

While supporting the provisions of the Bill, I would like to urge that all of us should ponder over it fully and support and pass this Bill.

With these words, I conclude.

SHRI NAWAL KISHORE RAI: Mr. Chairman, Sir, at the outset I would like to thank you for giving me an opportunity to speak. I would also like to thank Shri K.P.Reddaiah Sahib for bringing forward this Constitution amendment.

This issue is being debated for much time now. Then, with the opinion of the House you have extend the time. It is an important issue which deserves a comprehensive discussion. A principle of special opportunity was envisaged in the Constitution itself. At that time reservation was provided for the Scheduled Castes and Scheduled Tribes in the Government services, Legislative Assemblies and Lok Sabha but the reservation for other backward classes whose population is 52 per cent, was not provided.

While speaking just now, Shri A.C. Das was repeatedly referring to the party in power. Through you, I would like to say that after achieving independence in 1947, the Constituent Assembly propounded the principle of social justice and also that of special opportunity in the Constitution. According to that reservation should have been provided for other backward classes at all levels like it was provided for the backward, the downtrodden, the tribals, the Scheduled Castes and the Scheduled Tribes but there was a conspiracy so that a particular class may hold the reins of power of independent India for a long period. For purpose, the other backward classes and other constituents of the backward people, the Scheduled Castes and Scheduled Tribes were divided into two classes and given reservation. They were told that the other backward classes are different from the backward classes. By making this division, they prolonged their own rule and let me be clear about it that reservation was not honestly provided even for the Scheduled Castes and Scheduled Tribes.

I would like to ask the hon. Minister whether the backlog of the reservation for Scheduled Castes and Scheduled Tribes has been filled even after 47 years of independence? Have their problems of atrocities been solved?

With the formation of National Front Government in 1989, the issues related to backward classes, Dalits, tribals and other backward classes came up on the agenda.

The statue of Baba Saheb Ambedkar was installed in the Central Hall during the term of the Government formed under the leadership of Hon. Shri Vishwanath Pratap Singh. After that, a new awakening arose among the people of backward classes, Scheduled Castes and Scheduled Tribes. In the wake of this awakening, recommendations of Mandal Commission were implemented. Today, we are discussing the same issue. All parties, be it BJP, Left Front, National Front or Congress, talk of reservation here and advocate the policy of special opportunities to SCs, STs and backward classes. In spite of this, we have not succeeded in clearing the backlog of vacancies reserved for dalits, SCs and STs. Therefore, it manifests that the intention of those who have been in power for 47 years, was mala-fide. They frame the policy, talk of giving reservation to backward classes and doing social justice to them as well as providing 22 per cent reservation to SCs and STs in the Government Services. But, even 8 to 10 per cent reservation has not been provided in these 47 years. This is a glaring example of their mala-fide intention. They adopt reservation under compulsion or under the pressure of 85 per cent people but they do not implement it from the core of their heart. That is why, they have not been able to implement it fully.

Mr. Chairman, Sir, through you, I want to know from the Hon. Minister as to by what time the backlog of SCs and STs will be cleared. The backlog has not been cleared yet despite assurances given by hon. Shri Kesri and the Minister of State. On the other hand, the reservation to backward classes in Lok Sabha, Rajya Sabha, State Legislative Assemblies and State Legislative Councils is also being talked about. I thank the hon. Member, Shri K.P. Reddaiah Yadav. However, I may mention here that the decisions taken earlier for the welfare of backward classes were not implemented sincerely. The policy was framed by the National Front Government but it could not last long. Today, the Congress Party is in power. The Supreme Court had also upheld 27 per cent reservation and when the time for implementing it came up, it was implemented then by Shri V.P. Singh. In Union Public Service Commission, a person belonging to SC and ST has been made Chairman after strenuous efforts, but not a single member is appointed from dalit or OBCs. There is a core committee and also other Selection Committees for taking interviews. These Committees as well as the Secretariat of UPSC are represented by those people who do not come within the ambit of social justice and special opportunity. That is why, dishonesty prevails there. Shri Ram Kripal has rightly said that the results are spoiled once the candidate is asked about his caste. Will the hon. Minister declare here that the reservation to other backward classes under Mandal Commission's recommendations will be given in the UPSC. Secretariat, its competitive exams and selection committees? Then only can these classes of people get justice..

17.16 hrs.

[SHRI P.C. CHACKO in the Chair]

Mr. Chairman, Sir, if the intention of the Government is bonafide, I would like to say that the hon. Minister should ensure implementation of the recommendations of Mandal Commission. Further, he should also see that 27 per cent reservation is provided at the time of admission to Medical Colleges, educational institutions, technical and non-technical institutions engineering colleges and other vocational institutions. If the hon. Minister makes an announcement to this effect today itself, we would be convinced that the Government is sincere in implementing the policy of special opportunity and equality.

We all talk of reservation to backward classes and to uplift them. 22.5 per cent reservation has been given to SCs and STs in Government services and 27 per cent to other backward classes people. On the one hand the Government talks of providing reservation to dalits and backward classes but, on the other hand, it is reducing job opportunities through globalization. Thus, the Government is hatching conspiracy to deprive them of reservation facility. On the pressure from the IMF and the World Bank, the policy of liberalisation, new industrial policy and new economic policy have been adopted. Under these policies, Multi-National companies are being invited to India. However, there is no provision of reservation in these companies. When the entire work will be got done through Multi-National Companies, there will be no reservation facility in these companies. It is claimed that the Government believes in the principle of special opportunity and social justice and that is why it has given reservation. However, I want to say that the poor do not get their due. Therefore, I would like to submit, through you, that if the intention of the Government is bona-fide, then hon. Welfare Minister, who is sitting here at the moment, should announce that the Government will amend the constitution and make a constitutional provision for reservation in all Multinational Companies and private sectors companies. He should decide it today. Only then we will be convinced that the intention of the Government is clear and it has sympathy with the poor. I would like to say that private sector too should be brought within the ambit of reservation.

IRDP has been launched for the upliftment those people who are living below the poverty line and eighty six thousand crore rupees have been spent on it. Among the poor include people belonging to SCs and STs and OBCs. Will the hon. Minister get a survey conducted about the utility of these funds? The documents show that the poor have been brought above poverty line but poverty is still prevalent there. This fact is also needed to be looked into. Today, our population has crossed 85 crores. Among them, 85 per cent are the poor. The provision of special opportunity and social justice is there in the constitution. It is under this provision that SCs, STs, and OBCs have been given reservation. Efforts should be made to implement reservation fully. Non-implementation of reservation should be made cognizable offence. The backlog should be

cleared. The hon. Supreme Court has enforced 50 per cent limit of reservation. The population of OBCs is fifty two per cent of total population but the reservation limit has been restricted to 50 per cent only. An amendment should be carried out to do away with 50 per cent ceiling. It can be done by including reservation in the Ninth Schedule. Twenty two per cent reservation is being given to SCs and STs, whose population has increased upto 25 per cent on the basis of the census of 1991. The hon. Minister should also make an announcement to increase reservation for the SCs and STs upto 25 per cent. A Constitution Amendment Bill should be brought here to do away with the ceiling and increase the limit in proportion to the population of OBCs.

Sir, the intention behind bringing in social justice by implementing reservation is not bona-fide. That is why, backlog remains uncleared. While expressing my concern over this, I would also like to say, through you, that financial conditions of religious minorities—be they Muslims, Christians or any other regional Community—are very poor. In view of this, the facility of reservation should also be provided them by removing the ceiling. The Government should also provide reservation facilities to the poor people of higher castes. Hon. Shri V.P. Singh, heading the National Front Government at the Centre, had decided that reservation facilities would be provided to the poor among higher castes as well. I would like them to be included in the list of the beneficiaries of reservation by removing the ceiling. The Bill moved by Shri K.P. Reddaiah Yadav is very good. It is because of the Bill that we have got an opportunity to discuss this issue. Therefore, I also thank him for this and would say that the reservation facility has been given to other backward classes, dalits and adivasis under Municipality Act and Panchayati Raj Act in Bihar. This is what I demand. As far as the question of bringing in a Bill for reservation in Lok Sabha, Legislative Assembly, Rajya Sabha and Legislative Council is concerned, I support it. Now the awareness among people have grown. People have woken up. The poor have progressed. The backward people manage to get elected to Lok Sabha and Rajya Sabha, but other backward people too should be given preference nomination and categorical membership in the Rajya Sabha and State Legislative Councils. While supporting it, I would like the hon. Minister to give an assurance regarding implementation of reservation facility in all committees of U.P.S.C. He should announce today itself that 27 per cent reservation in technical and non-technical institutions, as recommended by Mandal Commission will also be given and simultaneously, the Government would make efforts to bring an amendment to provide reservation facilities in private companies and MNC's.

With these words, I conclude.

SHRI NITISH KUMAR (Barh) : Mr. Chairman, Sir, I support the Amendment Bill introduced by Shri K.P. Reddaiah Yadav and thank him for introducing this Constitution Amendment Bill after putting in hard labour and deep consideration. I suppose that the Government, giving regard to the feelings of the hon. Members, will take necessary steps since the Bill is getting support from all the parties in the House.

Mr. Chairman, Sir, basic provision of reservation for backward classes in the Lok Sabha, Rajya Sabha, Legislative Assemblies and Councils has been made in this Bill. So far as Lok Sabha and Legislative Assemblies are concerned, there is a provision of reservation for scheduled castes and scheduled tribes in them at present. The mention has been made in the Bill that reservation should be provided for other Backward classes in Lok Sabha and Legislative Assemblies in proportion to their population and in Rajya Sabha and Legislative Councils. The Upper Houses of which states do not have as yet provision of reservation for Scheduled Castes and Scheduled Tribes alongwith the other Backward Classes should be made in proportion to their population. It is the aim and objective of this Bill, therefore the Bill caters to the need of the hour. A few years back when the Mandal Commission had recommended reservation for the people belonging to the other Backward Classes in the Government Services, much hue and cry was made opposing its implementation, a serious dispute started, agitations for and against it were launched and violent incidents took place. But even when the Supreme Court delivered the verdict in 1992 that the steps taken by V.P. Singh Government was just and proper, the opposition of reservation did not fully stop but the verdict certainly put a lock on the mouth of the persons opposing without any purpose or who did not want to let the ambitions of Backward Classes fulfilled. Even today the conspiracy is being hatched to postpone it by hook or crook. That's why the Government is not admitting the questions relating to it at once. Mr. Chairman, Sir, you might be remembering that we had raised this question in the House time and again. For the provision of reservation for the other Backward classes in Union Public Service Commission, we have been raising this issue for the last one and half years constantly urging that they should be given relaxation in upper age limit and their number of opportunities should be increased. Agitation had been going on in support of it even outside the House. The Government, after a long time, has been compelled to accept the recommendations. Conspiracy is still under way. Multidimensional discussions in this regard, were held some days back. Even today, two-types of discussion, on reservation is going on in the country. Firstly, as per the verdict of the Supreme Court, the limit of reservation has been fixed at fifty per cent, as a result disputes and different types of difficulties have surfaced in many states have arisen. It is being demanded that fifty per cent limit fixed for reservation should be done away with and the Constitution be amended if the need be so. Even after such a long gap and assurance given time and again, no such amendment has been introduced. It is antagonist forces which have not accepted reservation policy. Therefore, their policy is to avoid a problem so far as possible and when the situation goes out of control, it is said that the situation is being observed every moment.

The hon. State Minister is sitting with us. Personally he wants to implement it and he is committed to the principle of social justice. I would like him not to think that the Bill

has been introduced by a Private Member. By Chance, the hon. Member who has introduced this Bill, is in the Congress Party at present. He may have been elected on the ticket of some other party but now he has joined the Congress Party. Many a time, he advocates for Congress Party. He attacks the policies of the opposition. But this Bill has been supported by all the parties. Therefore, keeping in view the sentiments of Members, please accept it. It will be a historical step.

Seventy second and seventy third Constitution Amendment Bills were passed giving constitutional status to Panchayats which provided that the Legislative Assemblies, if the need be, can implement the reservation policy for Other Backward Classes. The provisions of reservation for SCs/STs and women were also made in Panchayat Raj Institutions and Municipal Corporations. The issue of reservation for Other Backward Classes was left to the State Legislative Assemblies. Many states are gradually implementing the provision of reservation for Other Backward Classes, by amending the Constitution of the State. The need of the hour is to amend the Constitution and deprive the State Legislative Assemblies of their freedom of implementing the reservation according to their sweet will. The provision of reservation should also be made for Other Backward Classes in Panchayat Raj Institutions, the State Legislative Assemblies and the Lok Sabha. This Bill does not mention such points. Women should also be brought under the purview of reservation. The number of women in State Legislative Assemblies, Lok Sabha and Rajya Sabha can be counted on fingers while their population in the country is almost equal to that of men. They should also get their right. It will be an ideal state of affairs if the provision of reservation is made for women in every field of the society, be it politics, Parliament, Judiciary, Executive, educational Institutions or commercial institutions. They should enjoy equal rights everywhere. But it will take some time to accord this status to women and we should make all possible efforts to give it a concrete shape. Just like one third seats have been reserved for women in Panchayat Raj Institutions in the same way, one third seats should be reserved for them in every sphere of the society and this reservation should be horizontal instead of vertical in every sphere. Suppose 27 per cent reservation for OBCs has been recommended by Mandal Commission, one third of it should be reserved for women. One third of the remaining fifty per cent and one third of the total reservation made for Scheduled Castes and Scheduled Tribes should be made for women. They need not be provided with vertical reservation. Giving them horizontal reservation will facilitate their entry in every field.

It is discussed today that a sizeable number of women representatives should be there in Lok Sabha, Rajya Sabha as well as in Legislative Assemblies but wherever the election of Panchayat Raj Institutions has been held, a large number of women have come forward in social and political life. The provision of reservation, like Panchayat Raj, should also be made here and keeping in view the demand of the society, in its full dimension, the Bill should be accepted and

the provision of reservation, as has been mentioned, should be made in it.

Reddaiah Sahab has introduced this Bill seeking incorporation of certain sections and sub-sections in the constitution. With the introduction of this Bill, we have not only got an opportunity to discuss the Bill, but also a good opportunity to discuss the principal of social justice, the principle of reservation and the implementation of it. I would like to thank him for this.

Some hon. Members have expressed their opinion on reservation in educational institutions. I would also like to add some points to it. Unless the provision of reservation is made in the educational institutions for them, they cannot be enabled to join various services.

Therefore, they should get reservation in educational institutions. Their education has started very late since there was no tradition of getting education in this class. They started getting education after independence only when the provision of reservation was made for them. They should also get coaching, last they should lag behind in this age of competition. Therefore, for imparting them coaching facility, new coaching colleges should be opened.

I was just mentioning implementation. It has to face a lot of difficulties. Some days before the commencement of this session, I was at Patna. I met with some youths hailing from Backward Classes. They briefed me about the reservation in Banking Recruitment Board, Patna. The recommendations of Mandal Commission have been implemented in Government institutions as well as in Public Sector Undertakings. Murtiji will go into the question as to why the principle of reservation has not been implemented, or why it has not been provided as per the limit fixed. I have received this complaint. If you like to know, I will send it to the Welfare Minister and the Minister of State in the Ministry of Finance. But I must mention the injustice meted out to them at every step. A circular was issued but it is not being complied with. They have to face difficulty in issuing certificate.

This happens everywhere that even the people of Scheduled Castes are denied of such certificate. People approach us and make complaint that they are not being issued certificates from the blocks. I told them that was their right and that they did not depend on anybody's mercy and that they should give legal notice to the officer concerned for non-issuance of the caste certificate. The recommendations of Mandal Commission are very clear in this regard. On first complaint, I wrote to the Welfare Minister and he issued a clear-cut circular stating that the enlisted castes were entitled to it and thus they should be provided with certificates.

Today, the persons belonging to the Backward Classes do not get certificates or come across with a lot of difficulties in getting certificate because the certificate issuing authorities at the lowest level hatch conspiracy or pretends that they did not have the circular. I would like to request you to send the list of castes recommended by Mandal

Commission for the purpose of reservation to Block Development Officers (B.D.O.) D.Ms and Commissioners once again, since they are the issuing authority. Perhaps, you are not aware of the injustice done to them. They have to face many difficulties. They do not get the benefits of reservation even in the Banking Recruitment Board, I have just mentioned. They are deprived of even the 72 per cent reservation provided by the Government. Whenever I get any such complaint, I bring it to your notice and would continue to do so.

Further, with the implementation of Mandal Commission recommendation, the Backward Classes too have been classified at some places into two and at other places into three categories. Now the need of the hour is that the most backwards among the backward people should also be classified, and they should be given priority in Backward Classes lest they should become more backward. If any candidate is not available in any particular Backward Classes, it should be filled up by taking a candidate from the other Backward Classes but it should be initiated by Central Government. The benefit of reservation should also reach to the most backwards.

A matter is pending with the Government for a long time. People belonging to Backward Classes are demanding every where for their enlistment as SCs/STs for which Government has constituted a commission. People of many castes demand that considering their profession and other criteria they are eligible to be included in the list of Scheduled Castes and Scheduled Tribes. There has been long time persistent demand in this regard: Last year the country envisaged a great upheaval when some people, to get themselves included in Scheduled Tribes, marched in a procession which had to face a savage police firing. The whole country reached to that firing incident. Such a case is pending since 1968 and the issue surfaced again in 1987-88 and then it was recommended from all quarters that such and such caste should be enlisted either as Scheduled Caste or as Scheduled Tribe. The Government's assurance to introduce a Bill in this regard is still pending. Tati caste in Bihar has been struggling for reservation for a long time. This caste has been recommended to be included in the list of Scheduled Caste. Tati, Bunkar, Tatwe are one and the same castes. Perhaps belonging to Pam caste have been included in the list but the persons belonging to Tati caste have not been included in the list so far. All these castes are, by and large, of the same nature and have the same characteristics, therefore, all of them should get the benefit of reservation and they should be included in the list of Scheduled Caste. When I was getting ready to come here, Shri Kusheshwar Das, the President of Bihar Bunkar Samaj came to meet me and handed over a petition to me. He has already given me several petitions of this type. He stated that if his caste is not included in the list, he will have no option, but to resort to self-immolation. I would like to appeal the Government not to make further delay in inclusion of those caste which are to be included either in the list of the Scheduled Castes or that of the Scheduled Tribes since this issue is pending for a long time. You have

already received the required recommendations from the State Governments then what is the difficulty in including these castes in the list? If any Bill is required for this purpose, please introduce that Bill. If you include new castes in the list of Scheduled Castes and Scheduled Tribes, their number will increase. Today, they have been given reservation in proportion to their population.

Mr. Chairman, Sir, we would request you to take a decision this year at the earliest to identify castes for inclusion in the Scheduled Castes and Scheduled Tribes List. Keeping in view the consequent increase in their numbers the constitution should be amended accordingly to enhance the reservation limit from the present level of 50 per cent. Therefore, it is my request to do away with the 50 per cent limit by bringing a comprehensive Bill for the just and integrated upliftment of the society.

Mr. Chairman, Sir, with the introduction of this Bill by Shri Reddaiah Ji. I got opportunity to express my views. For this I thank Shri Yadav and you. I strongly support this Bill and request you to accept it. It would be a immense achievement.

SHRI SURYA NARAYAN YADAV (Sahasara): Mr. Chairman, Sir, I am grateful to Shri R.P.Reddaiahji for introducing this Bill, which was being demanded for a long time.

[English]

MR. CHAIRMAN : Suryanarayanji, will you please take your seat just for a minute? The Minister of State for Home Affairs wants to make a statement. So, you can continue your speech after that. I am permitting the hon. Minister to make the statement.

17.47 hrs.

#### STATEMENT BY MINISTER

##### Escape of LTTE Cadres from the Vellore Special Camp, Tamil Nadu

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): Mr. Chairman, Sir, Members are aware about the escape of 43 LTTE inmates on 14/15 August, 1995 from the Special Camp at Tippu Mahal in Vellore. The State Government has confirmed the incident and have also informed us of the various follow up measures taken by them subsequent to the incident.

According to the information received from the State Government, Chief Minister, Tamil Nadu, has ordered a judicial enquiry into the incident by a High Court Judge of the Madras High Court. A red alert has been sounded all over Tamil Nadu, Special Police parties have been constituted to launch a massive manhunt all over the State to apprehend the escapees. Road checks/vehicle checks have been undertaken. In pursuance of these steps, 11 persons, who had escaped have been captured by the State

Police of whom 2 persons, however, committed suicide by swallowing cyanide. I got an information just before I came to the House that one more person has been arrested. So, out of 43, 12 have been arrested. The ten persons who have been captured alive by the State Police are being interrogated. The State Government has announced a reward of Rs.10,000/- to any person providing information leading to the arrest of the remaining escapees. The Superintendent of Police, North Arcot Ambedkar District and the Camp Commandant and others concerned with the security of the Special Camp have been placed under suspension, pending disciplinary action. A fact-finding team consisting of senior State Government officials has been sent to Vellore to make an on-the spot enquiry into the circumstances leading to the escape of LTTE cadres.

Even as these steps have been taken by the State Government following the incident, the Central Government has indeed been concerned over the incidents of escape of LTTE cadres and their militant activities. Over the last three years, 8 incidents of escapes involving LTTE cadres have been reported from Tamil Nadu. These incidents include two incidents of jail breaks. These incidents included escape of 42 person out of which 21 were traced and one was killed in a bomb explosion when cornered by the police. Repetition of such incidents have a grave security threat to the country and hence special vigilance is indeed called for on the part of the State Government to prevent recurrence of such incidents. The Central Government has been constantly in touch with Tamil Nadu and other State Government on the strengthening of intelligence aspect of the functioning of the State Police; effecting better and actionable sharing of intelligence; besides providing adequate financial and other assistance to modernise the police forces. In as far as Tamil Nadu is concerned, with the object of curbing the activities of LTTE, the Central Government has been assisting the State Government by way of providing Central Para Military Forces and augmented financial assistance for modernisation of State Police etc. Recurrence of incidents such as at Vellore however calls for comprehensive review of the law and order and security related infrastructure by the State Government and posting of such officers as are competent and sensitized to security aspects in sensitive positions. The State Government have informed that they are alive to the gravity of the matter and are taking due action.

Yesterday, during discussions, one of the Hon'ble Members had mentioned that the State Government of Tamil Nadu had sent a proposal for delegation of powers under section 3(2) (g) of the Foreigners' Act to the State Government. It is true that such a proposal was received from the State Government in December 1995. The proposal was examined by the Ministry of Home Affairs in consultative with the legal experts. It was viewed that the powers under section 3(2) (g) of the Foreigners' Act were conferred only on the Central Government which can exercise the same after it has formed the option on its part for issuing special orders as may be considered expedient to give effect to the provisions of the Act. According to