to move for leave to introduce a Bill further to amend the Sugar Development Fund Act, 1982.

/ MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Sugar Development Fund Act, 1982."

The motion was adopted.

SHRI UTTAMRAO DEORAO PATIL: I introduce the Bill.

15.34 hrs.

PREVENTION OF FEMALE INFANTICIDE BILL*

[English]

SHRI MOHAN SINGH (Deoria): I beg to move for leave to introduce a Bill to prevent female infanticide.

MR. DEPUTY SPEAKER: The question is:

"That leave be granted to introduce a Bill to prevent female infanticide."

The motion was adopted.

SHRI MOHAN SINGH: I introduce the Bill.

15.34 1/2 hrs.

CONSTITUTION (AMENDMENT) BILL

(Insertion of new articles 330A and 330B, etc.)—Contd.

[English]

MR. DEPUTY SPEAKER: We shall now take up Item no. 10— further consideration of the motion moved by Shri K.P. Reddaiah Yadav.

The time allotted for this is two hours. The time consumed is 14 minutes. One hour and 46 minutes are left now. Shri K.P. Reddaiah Yadav may continue his speech.

SHRI K.P. REDDAIAH YADAV (Machilipatnam): Mr. Deputy Speaker, Sir, in the last Session I had moved the BIII and I had started the discussion on the Constitution (Amendment) Bill, 1992 for providing reservation for the OBCs in Assemblies, Parliament, Council and Rajya Sabha.

Last time, I have placed before this House the reasons for demanding the reservation for the OBCs in the Parliament and Assemblies. While continuing the discussion on the same subject, I will bring to the kind notice of this House the fact as to why after 45 years of Independence the backward classes should be given reservation in the Assemblies and Parliament.

There are several reasons behind this. Whoever has ruled this country during the last forty-seven years, the people of this country have made them the custodians to protect their rights. to develop and distribute the wealth created horizontally, and to implement the Constitutional provisions without violation. They have utterly failed to discharge their duties. This is the reason why today we are demanding the participation of Other Backward Classes in the Assemblies and the Parliament. The Backward Classes and the Muslims are the main tools for creation of wealth in this country. But what has happened is that the wealth thus created during these forty-seven years. has been cornered in a few hands. How it has been cornered is because the custodians of the Constitution. that is, the Assemblies and the Parliament, have violated the Constitutional provisions.

15.36 hrs.

[SHRIMATI MALINI BHATTACHARYA in the Chair.]

The democratic system functions on four pillars-Legislature, Executive, Judiciary and Free Press. Dr. Ambedkar, Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel, while framing the Constitution, thought that these four pillars will function according to the functions assigned to them, but they have failed. Dr. Ambedkar had also visualised that the Opposition and the ruling party will discharge their duties perfectly, in accordance with the Constitutional expectations. But during these forty-seven years, they have joined hands. Unless the Opposition and the ruling party had joined hands, the wealth so created by millions and millions of Other Backward Classes could not be looted by just five percent individuals of this country. The Backward Classes cannot be so easily moulded according to their own wishes. They are not easily purchasable commodities like other urbanites. That is the reason why I say that the Backward Classes should enter into the Parliament and the Assemblies.

There are certain reasons for demanding this. I shall mention some of the reasons. In Russia, it is the mere

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corruptions and neglect of the basic necessities of the society which led to its disintegration. Now in India also we have been violating the Constitutional Provisions. We have also been forgetting the basic needs of the society. We have been creating so many tensions in the minds of the people by raising unnecessary issues like religion caste. etc. So, we have reached a situation where India also will be disintegrated into twenty-three States or forty States or even one hundred bits of small States. Therefore, to safeguard the interests of the country and to maintain the national integrity, we the Backward Classes and the Muslims, correctly should occupy seats in the Parliament and the Assemblies from where the law-making starts. This is the reason why I say that they should enter into the Parliament and the Assemblies. I challenge anybody who says that the front benches which have been ruling the country for the last forty-seven years, irrespective of their party affiliations, have not joined hands. If they have not joined, the wealth of the country would not have been cornered right from this land to Switzerland. How can it happen?

I want to narrate by giving two three instances as to how these four pillars have violated the Constitution. I mentioned about the connection between the ruling Party and the Opposition. That is one thing. The next is about caste orientation. It has been given to the Indian people that we will function according to the Party line. After some years of Shrimati Indira Gandhi's rule, now the Indian politics are aligning only on caste lines. Shri N.T. Rama Rao in Andhra Pradesh is supported by the most Leftist Party C.P.I. (M). Here the government of Shri P.V. Narasimha Rao is there. Shri Jyoti Basu from the most Leftist Party is supporting Shri Narasimha Rao in some cases. The people of this country should clearly understond that the Constitution is not functioning correctly according to the wishes of Dr. Ambedkar, Pandit Jawaharlal Nehru, Shrimati Indira Gandhi and Rajiv Gandhi. The need of the hour is that the representatives of the Muslims and backward classes who mainly dominate the rural India should occupy the seats in Parliament and Assemblies.

I want to mention about the bureaucracy. The bureaucrats have been given a role. They have got some privileges as per the provision of the Constitution. But what is happening in reality? Are they functioning according to the expectations? We are telling that by giving some small reservation to the Scheduled Castes and the backward classes and the Muslims everything is being given to these weaker sections. But it is not like that. Some bureaucrats working in this country own a factory, a farm house, an account in Switzerland and also have many other activities. Some of them have trade links and have import and export organisations. How is it possible? Is it not the privilege which the Constitution allows them one of the causes? The money involved is unlimited. Now many bureaucrats and politicians and anti-social elements are having farm houses worth Rs. 20 crore on the outskirts of this Delhi. How is it possible? Which constitutional provision allows them to have such farm houses worth Rs. 20 crore or Rs. 30 crore?

When the Central Government or the State Government did not have budgetary money they say : 'Increase on paise on excise duty and increase two paise on sales tax'. The sales tax will go to the State Government and the excise duty will go to the Central Government. You know that our annual Budget is nearly of Rs. 1,20,000 crore. Out of this Rs. 85,000 crore is directly being paid by the common men of this country. Thirty per cent comes from the common men who pay tax on cloth, sugar cigarettes and bidies which are all consumer items. The amout of Rs. 20,000 crore comes by way of income-tax. Therefore, we should understand that the budgetary contribution comes mainly from the Harijans. Muslims and other common men of this country. The amount of Rs. 20,000 crore comes by way of income-tax.

We should understand that the budgetary provision comes mainly from the Harijans, Muslims and other common men of this country. Even a rickshaw puller contributes to the Indian Budget and also to the State Budget. The contributors are the poor fellows of this country. A majority of the contributors are from the rural India who comprise 70 to 80 per cent of the population of this country.

The legislators and bureaucrats who go hand in hand with the cooperation of the judiciary are the owners of the money contributed by the poor people of this rural India.

That is the real fact about the functioning of this Government. Therefore, here we need persons who cannot be purchased by vested interests. The rural India should be represented adequately in the State Legislatures and the Parliament. That is the reason why I am demanding reservation for the Other Backward Classes according to the strength of their population in the country.

Madam, Chairman, the Kaka Kalelkar Commission recommended that the Census shoud have casts statistics. When these benches are occupied by the sons of the farmers and the population of rural India, then they will distribute patronages and privileges according to the proportionate numerical strength of each caste or the Backward Classes or Muslims etc. This is what Mahatma Gandhi expected. He had not expected that India should grow vertically. He wanted that India should grow horizontally. The wealth should not be distributed like it has been distributed among some people in Bombay,

Calcutta and Delhi. We have failed utterly to protect the constitutional provisions for the last 47 years and we have failed to protect the basic rights of the Backward Classes and the Muslims of this country. We have looted these two sections of our society.

In the case of Harijans also, a bureaucrat or a leader or a Minister might have been provided with all the facilities. But what is the position of the Harijans in rural India? Madam, if you do not mistake me, I can say that 90 per cent of Harijans live only on their daily wages. If one has to go to hospital for one month, then there is no money left with him for food. This is the position of Harijans and the labourers of this country. I agree that in India there are nearly 30 crore people whose life standards are at par with the life standards of the people of America, Canada and Great Britain. But what is the living condition of the remaining 60 crore people of India? Therefore, the need of the hour is that we have to protect the reservoirs like Nagarjuna Sagar, Bhakra Nangal etc., from where water is let out to the field canals. They will take care of the field canals. But we have to see as to how much water has to be iet out in the field canals.

The parliamentarians and the legislators of this country have forgotten their primary duty. The bureaucracy is unmindful of the unlimited wealth gathered by some people. Wealth in the hands of a businessman is good for any country, wealth in the hands of a farmer is good for any country and excess money in the hands of an industrialist is good for any country, but wealth in the hands of the bureaucrats or the politicians or the anti-social elements is detrimental to the well-being of the society in any country. The bureaucrats and the politicians, having acquired unlimited wealth, are criminalising the politics. This is the reason for the happenings which we are witnessing today, throughout the country. Without any check or regulations we have let our administration lose whereby the wealth of the country has been garnered by a few bureaucrats, vested interests, businessmen and politicians, not all.

Madam, today we are in danger; the democracy is in denger. Some of the political parties are now being manned and managed by the bureaucrats. It is a fact that every bureaucrat has got at least two MPs or two MLAs or one Minister in the state and at the Centre who are known to him. Therefore, the need of the hour is that the persons with rural background should be allowed to enter here. We have had great people like Shri Kamraj and Shri Devraj Urs who were not highly educated and they had given a clean administration in Madras and Karnataka. They were mainly responsible for the development of both the States industrially, economically and agriculturally. So, one need not to go to Oxford for higher education. He can have education here and need not have a command over language for ruling the country and for giving a clean and honest administration. Dr. Ambedkar had created four pillars and he has created unbreakable walls or separate compartments, namely, legislature, judiciary, exective and free press. Today, what has happened is that these walls have been demolished by the vested interests, the legislators and bureaucracy. Now, there are no checks over another. That is the reason why, today, the bureaucracy and the legislature have joined hands. There is no check; there is no accountability; and there is no control over one another. The judiciary has lost the supervisory or regulatory control because that wall had also been demolished by these two sections.

Out of the four compartments which I have mentioned just now, there is one 'free press'. Today, there is no 'free press' in india but only free journalists are there. They are the main contributors for the success and survival of democracy in India. The press is managed by vested interests. Every man who is running a press is being offered a Lok Sabha seat or a Rajya Sabha seat and he comes here for purchasing the bureaucracy, the legislature and the Ministers. This is the scenario in this country which is continuing for the last 10 years. That is why, we are unable to solve certain problems of this nation. We are just abusing each other. The Communist Party will point an accusing finger at the Congress Party and the Congress Party will poin an accusing finger at the BJP and the irony is that they are one and the same. They represent the same class. The voice of the back-benchers is not heard here. Where is the opportunity for the Members who come from rural India to raise the voice of the rural India and the difficulties being faced by their brothers and sisters? If anybody says that whatever I am saying is wrong, then why do not the people of rural India have sufficient drinking water, hospitals, communication and maternity centres? Major-General is given the required amount of money, I am sure that he will be able to give all the necessary facilities such as, drinking water, hospitals, educational facilities, etc. in one Five-Year Plan.

The front-benchers including Shri Chandra Jeet Yaday, purposely at the cost of 90 crore people of this country, are taking the time of the House everyday. It is a drama and not more than that, why are they not going and raising the red flag before the Minister's house or the leader's house? Sir, we have to fight with such Ministers. . Shri Chandra Jeet Yaday, you are the architect in bringing the Mandal Commission report and we have been participating in the movement for social justice. What I am telling is that the Left Parties and the Congress Party should discharge their duties according to the expectations of the Constitution by not joining in the get-together parties.

The people of this country should understand the drama being enacted here. When the money of 70 crore people is involved in scams, we are all keeping quiet and exchanging pleasantries. What is this? We have got a foreign debt of Rs. 12.00,000 crore and a swadeshi debt of another Rs. 2,00,000 crore. Where has all this money gone? We are all exchanging pleasantries. Are we responsible people? What happened to other countries? What does America think of itself? They have started giving warnings to us. What is this? Therefore, whatever may be our total debts, we have to clear them. We have to do it ourselves. Let us not fight by saying that the ruling party is different and the Opposition party is different. You may think otherwise about me; the leaders of this House may find fault with me because a person from rural area is talking about all these things. But the fact remains the same. You connot deny it and nobody has got the guts tho say that this is wrong. What I am saying is that if you want to solve the problems being faced by this country, then you must act according to the Constitutional provisions. · Please do not cheat the public.

Madam Chairperson, in most of the villages the participants in the offences are said to be either the backward classes or the Muslims, I know that and I accept that. In every police station in the country the backward class people are listed as the conspirators, but the real conspirators are the upper castes. They will never be booked. The word 'conspiracy' has been removed from the Oxford Dictionary. Why? The major thing is, please book all the ministers, all the bureaucracts and all the industrialists because they are the conspirators in most of the districts-not all-and the leaders also, including from the Communist Party and the BJP.

If we are accusing each other, we are not going to solve the problem. Let us understand the problem. So, in any police station you will find only the backward classes and the Scheduled Castes. But where are those conspirators who have robbed the country, who have cornered ther country? Why no case is registered against them? Who will give the answer for this? Will the American President or the Russian Premier give the answer for this? Who will give the answer? You made us criminals by robbing us, by robbing the wealth created by the hard work of this unfortunate lot of this country, that is, the Muslims and the backward classes. So, who will give the answer for this? You have created the Babri Masjid-Ramianmabhoomi issue just to divert the attention of millions of these people. You have created these things and nothing will come out of it. We have to do something against economic exploitation. भगवान तो सबका है मगर by raising the issues like Kashi Vishwanath or Babri Masjid, we are not going to feed the unfortunate lot of this country. We have to maintain the national integrity, we have to maintain the Constitution, the polity and the democratic system of this country. Therefore, we have to leave the other lapses. The country is passing through a very difficult economic and political situation and there is also economic exploitation. This Parliament has created Revenue Intelligence, the Police, the CBI and the Income-tax, but they were made to sleep. Why? Is it to allow these fellows to corner the wealth? The CBI is not functioning in this country. Therefore, the Muslims and the backward classes, not the urban Muslims or the urban backward classes, but those people who are living in rural India, should come and occupy this place so that they cannot be purchased by the vested interests, the bureaucracy and the Legislature.

16.00 hrs.

Already our hon. Prime Minister, with his foresight and with his experience, has brought and enacted the Panahayat Raj and Nagar Palika Bills in which the backward classes are given 30 per cent reservation and by his wisdom, he has implemented 27 per cent Mandal Commision reservation in Central jobs. We have to be very thankful to our hon. Prime Minister in this connection. Accordingly, the reservations in jobs in Nagar Palikas, municipalities and panchayats have already been given.

Therefore, the reservation in the Assembly, Lok Sabha and Raiva Sabha should also be extended to the OBCs.

The SCSTs have been given reservation in Government services and educational institutions under the Government of India right from 1950s. OBCs who are also socially and educationally backward like the SCSTs and who also constitute a part of the backward classes, as described in our Constitution, had been deprived of this reservation for a very long time. There is no difference between Scheduled Classes and backward Babasaheb Ambedkar has separated Scheduled Castes because of only one single reason, untouchability. Therefore, we have to give more attention to Scheduled Castes. That is why, he has separated it. That is why, all these constitute Other Backward Classes. Therefore, this is the reason why I have been demanding reservations for OBCs.

The country is progressing well. We have to catch up with the other advanced countries of the West. But there are artisan groups. Normally, most of the backward classes are artisan groups, i.e., dairy farm, toddy, cobblery, Kammari, Kummari and all that. But industrialisation has brought a change to the detriment of the OBCs because all these trades were cornered and being managed for the upper castes. Where is the place for these people? Let the Parliament tell. The Industry of weavers was taken away by the big industrialists of Bombay and nothing is left in the hands of the OBCs and Muslims. Muslims means Muslims of rural India. They are not left with any other daily wages. They have no daily work. They have lost their

self-respect also. If we allow the country to function like this, it will drift towards the worst.

Therefore, to maintain the integrity of the country, to maintain the sovereignty of the country and to distribute the wealth horizontally, we have to bring about a sea-change and the OBCs should be given their due share, according to their numerical number.

With these words, I thank you very much for having given me this opportunity and I request the other senior leaders of the other Parties also to demond the reservation for the OBCs in the Assemblies and Parliament.

SHRI CHANDRA JEET YADAV (Azamgarh): Madam Chairperson, I am glad that Shri K.P. Reddaiah Yadav, be moving this non-official Constitution (Amendment) Bill, has again brought before this august House a very major issue of national significance which has been debated several times in this House and still it is being debated in the whole country. I think that the principle of reservation. which is the most important step to reach the goal of social justice and which is also a very significant step for sharing power in the governance of the country, has been very often misunderstood in this country though the Founding Fathers of our Constitution did misunderstand it. They debated it at length. They were able to see the realities in Indian society in the historical background and also in the historical perspective. Therefore, they made provisions for reservation in the Constitution itself.

Madam some of the speeches made in the constituent Assembly were very much illuminating and were also very significant in the sense that we were laying down the foundation of our future political as will as administrative structure in our country. I went through one of the speeches. I never expected that Shri K.M. Munshi would so strongly support the issue of reservation. Really, I knew his views and I had a lot of differences with him on some of his views. Only yesterday I was reading his speech made in the Constituent Assembly. On the reservation issue, he said he very strongly supported reservation for those who are socially and educationally backward. He said that reservation provides two things : one, the status in the society because you are able to get certain position in the Administration and also in the Legislative Bodies and second, the power. You get some power once you are in the administrative machinery which governs the country. Therefore, he appealed to the Members of the Constituent Assembly, Particularly those who were opposing reservation, that they should not oppose the reservation principle. Pandit Jawaharlal Nahru. the first Prime Minister of our country and the architect of our social democracy as well as political democracy was very much upset when reservation was rejected by the highest court of the country. In 1950, it was rejected by the

Supreme Court. Hence, Pandit Jawaharlal Nehru was very much upset and he thought that this verdict of the Supreme Court had caused a great disappointment in the country and it would hinder building up an egalitarian society in the country. Therefore, I would like to remind you in this House that the first amendment to the Indian Constitution on the issue of reservation was moved by Pandit Jawaharlal Nehru removing those anomalies which were created by the Supreme Court Judgement. He said like this: "Those who are not adequately represented in the Government Services, if reservation is given to them. it will not violate the principles of equality; it will not go against our fundamental rights but that is a fundamental right itself." Therefore, the principle of reservation is basically a share in the power, is a strength in the participatory democracy. In the Indian society those who handicapped socially, economically educationally, it was s step to bring them upwards and provide them opportunity in the country. Therefore, in our Constitution one section of our society, the Scheduled Castes and the Scheduled Tribes, get two kinds of reservation : bne, in the Government services and another in the Legislative Bodies, that is, in the Assemblies and Lok Sabha. From my own experience, I must say that had there been no reservation for the Scheduled Castes and the Scheduled Tribes people in these Legislative Bodies.

There was no reservation even in Municipal Boards, in Corporations, in District Board, later on in Zila Parishads and now in Zila Panchayats. There was hardly any Scheduled Caste Member who would become even the Chairman of a block or that of a Municipal Board. It was impossible to get Scheduled Castes and Scheduled Tribes to these positions but with making reservations. Therefore, reservations became a national requirement in our society, in our conditions. Now many people did not accept the principle of reservation as an ideology, as a principle. They were opposed to it. Therefore, in spite of the previsions made in our Constitution for reservation, they were not honestly implemented. Even after almost fifty years of our Independence, even today the reservation for Scheduled Castes and Scheduled Tribes has not gone beyond eleven per cent when the provision has been made for 22.5 per cent reservation in Government service. Even the target of fifty per cent reservation has not been achieved in fifty years. This is the situation because at the top of the administration, the people who are at the helm of affairs are creating hindrances and they are finding ingenious methods to stop the implementation of it. At the same time representation of the backward classes in Government Services is only four percent. Now the guestion is whether we should have reservation for backward classes ... Assemblies and in the Lok Sabha. That is what the Amendment is seeking to achieve

I will say that this is a very serious proposal. I do not

that there is no merit. Merit used to be a great argument.

Today in my State, Uttar Pradesh, the number of

Scheduled Castes and Scheduled Tribes IAS officers is

125 The number of Backward Class IAS officers is less

than a dozen. But, I am glad that the Scheduled Castes

and Scheduled Tribes IAS officers are 125 in number.

Today the Chief Secretary of Uttar Pradesh belongs to Scheduled Caste. Many others are holding high positions in the State. Some of them are very brilliant officers. The argument that the reservation will diminish the merit and the standard will fall down is baseless.

I will say that there are hundred percent Reservations. In Nagaiand, Mizoram and Meghalaya where the tribal population is there, hundred per cent reservations are there in the Assembly and in the government services. Therefore, this plea is also not correct that it will imbalance

the whole thing.

Government Proposed 10 percent reservation for economically upper caste people also, But, the Supreme court rejected it. The Supreme Court rejected it very rightly because under the constitution there was no provision for economically backward. The provision is there only for socially and educationally backward class. But economically backwards also deserve some reservation. I have been pleading that the Constitution cannot give reservations to economically backward people in the upper caste unless you amend the Constitution in the light of the Supreme Court Judgement. So, reservation demand is growing. I am myself asking reservation for women. I am also pleading reservation for minorities, handicapped, children of freedom fighters and others. How can you distribute it within 50%? 27 percent is already reserved for backward classes and 22.5 percent is reserved for SC and ST. Therefore, there should be no limit of 50 percent. This limit must be removed. I request that the Government must in this session call a meeting. In the last Leaders' meeting this question was raised but it was postponed because of the fact that there was not much time and we wanted to take a decision on the promotion in the Government services for SC and ST

know whether they will help the backward classes or they will not help them or whether at this stage, when a new kind of consciousness is emerging among the backward classes, the Scheduled Castes and the weaker sections and whether this kind of a provision is going to help or going to create some kind of unnecessary confrontation or a lack of faith or not. That has to be very seriously considered. A beginning has been made for the first time in the independent India when we passed unanimously the Panchayati Raj Bill and made it an Act. And for the first time, in independent India, political reservations have been given to backward classes and to women. Therefore, in all panchayat systems whether it is gram sabha or district panchayat or the Municipal Board or the Corporation, the backward classes along with the Scheduled Castes and the Scheduled Tribes also have got the political reservation. This is accepted now in principle and it is a reality. Therefore, an important step has already been taken and the reservation has also been provided to women. I would have been happy if through this constitutional amendment, reservation is made for women. I am for it very strongly. Our women are at a very low level, at an insignificantly low level in our legislative bodies or even in our administration. I very strongly plead for it. This is a very good opportunity. I plead with the Government to give a serious thought to it as to how to give greater representation to our people in the Lok Sabha, in the Rajya Sabha, in other legislative bodies, in our administration and in many other institutions. That is one thing which needs a very serious consideration. I request that a serious consideration should be given to this.

Another problem with which I feel very upset is about the social justice. When I talk of social justice, I think, every individual who is denied social justice irrespective of caste, creed and language, has a right to get social justice.

In our country there are social classes, Scheduled Caste and Scheduled Tribe is a social class; backward class is a social class; minorities is a social class upper caste is a social class. These are not economic classes according to Marxian theory. These are the social classes in the Indian situation where we have a deep-rooted horrible caste system in our society. On the one hand, I fought for Mandal Commission twenty years continuously and on the other hand I used to say that other sections which are not represented in the administeration should be represented. For example minorities, especially I am talking of Muslim minorities. They constitute about 12.3 percent of our population. In the Government services their representation is less than 1.5 percent. Because they are a community, I am told that when Shri Mohan Singh moved the amendments, it was rejected on this basis that the Constitution does not recognise a communal reservation or on a minority basis; therefore, it is not

which was by the verdict of the Supreme Court being eliminated. So, the Government must call an all-party meeting, discuss this issue and bring a Constitution amendment for removing this 50 per cent limit, So that other classes can also get reservation. Among the backward classes there are the most backward people. The position of different communities which are very poor, which are economically and socially as bad as SC and ST their condition is pitiable. Therefore it should be seen that people from those comunities also get proper representation in the Government services.

In principle I very strongly support this Bill which needs a serous discussion and serious consideration. All other points which I have brought out also need serious consideration. With these words, in principle, I support the

[Translation]

SHRI MOHAN SINGH (Deoria): Mr. Chairman, Sir, our leader has elaborately expressed his concern and that too in an impressive manner. I do not want to repeat them. Reddaiahji has put me in a fix for a while by presenting this bill. I have been supporting the concept of special opportunities for other backward classes ever since the begining of my political career. I have been advocating for providing representation to backward communities in proportion to their population in services, legislative institutions and at all levels. I do know that the Constitution of India had given representation to Dalits in the Legislative instilutions just after the Constitution came into force. As a reesult, their quota is filled up in the Lok Sabha and Vidhan Sabha. Similarly, their quota has not been filled up in the state services except in the first and second grade of services despite such a long struggle and their population. All the political parties have resolved their commitment to this class. They supported further extension of 10 years provision but when the question of their representation in the legislative councils and Rajya Sabha comes up, they do not provide it in proportion to their population. I do know such leaders who are supporters of upliftment of Dalits and they are indeed supporters from the core of their heart but when the question of giving two seats to backwards in Rajya Sabha comes up, then they forget these dalits and backwards, so far as the question of giving them adequate representation in legislative Councils and Rajya Sabha is concerned, unless and untill we make such constitutional provisions, They are not going to provide the seats in the legislative council and Rajya Sabha. This is what I think.

So far as the question of Lok Sabha and Rajya Sabha is concerned, I am aware of situation prevailing in some states. Our friend Reddaiahjee praised Mr. Prime Minister

in the coures of his speech when he was moving this Bill. He is a new entrant to the party so he must show his loyalty to Mr. Prime Minister. But in my view Brahmanism is the only flickening hope for the Congress. So do not praise it. This was the political position in the entire north India. The Congress party was dominating. Not in one or two or three or five states but in the entire north India Congress was in power. Chief Ministers of the same community were in power at that time. This was the gift of the congress Party but now the situation has dramatically changed....(Interruptions)... First of all a movement to bring about social change was started in Tamil Nadu and in South India. A movement against superstition was also started there which has now ended. One particular caste had a feudal dominance in the poitics there which was changed by the Politicians by bringing about social change. This is now clearly evident on the political horizon. The same situation emerged among backward classes in the north India when awareness come among them from 1977 onwards and in today's date power slipped out from the hands of that particular community and went into the hands of backward and middle classes. A new economic and political change was brought about when politics passed into the hands of these castes doing manual work in 1977, then the economy of villages started slowly passing into their hands. We are now witnessing a new scenario of social and political change and we have also been witness to the situation when the people of upper classes or dominating classes won the elections by supressing the backward classes in the elections to the Gram Sabha, local self-Governments in 1952, 1957 and 1967. But now outcome of two to three recent elections demonstrates the fact that changes are now taking place at local level and lower level. Politics, agricultural management and agriculture itself is comming into the hands of communities which are engaged in manual labour. A new social and economic change is taking place at local level. So I want to say that when you write in your statement of objects and reasons that there backward classes form 60-62 percent of our total population then why not Dalit castes, Minority and backward castes could do politics collectively if we create awareness among them, just as we have seen in the elections of Bihar. We went there to oppose it also delivered speeches against it. I cannot resist accepting the fact from my personal experience that upper classes have been capturing boothes, as witnessed in the elections of 1972-1977 and 1973 and winning the elections by not allowing lower level people to win the elections but when these people felt that they too could exercise their franchise, then a new scenario that emerged in the political sphere of there classes, it has now become evident to me. So I want to urge upon Mr. Reddaiaah jee that there is a need to create awareness among there classes and when spirit to struggle is born.

then the 62 percent, whose cause you advocate, will be seen sitting in Vidhan Sabhas and Lok Sabha. Now you please try to see the composition of this Lok Sabha and that of constituent assembly. Please cook at the caste data what was the position in 1952 and now see figures as to how the composition of the Lok Sabha has changed. If you see there figures, then this would be come apparent. I have gone through the Bill and it appears that the population... at least the leadership that is going to be emerged from the lower level should not be constructed. With these words, I support what our leader has said on the floor of the House and with the hope that backwards would get special opportunity and they must get opportunity to come ahead.

PROF. RASA SINGH RAWAT (Ajmer): Madam Chairman, Shri K.P. Reddaiah ji has introduced a Private Member's (Constitution Amendment) Bill, 1993. In this context, I would like to ask a question from the party to which he belongs. That party has been in power in centre for most of the period. Does that party agree with the provisions of such reservation? Have they taken any such policy decision on the basis of which they have allowed their members to introduce such constitution Amendment Bill but the people of country are being kept in the dark about that decision? I request the hon. Minister that while giving statement on this Bill he should also give details of Government's Policy, so that a clear picture of this policy may come out before the people of country.

In this regard, I would like to say through you that the Bhartiya Janta Party has been staunch supporter of social equality, upliftment of downtrodden, redemption of Harijans and social harmonny and equality and making efforts to achieve these goals. Political will was not clear in regard to the recommendations of Mandal Commission which caused a turmoil all over the country. In such circumstances, Supreme Court gave its verdict on the issue considering all the aspects of the situation very seriously. It has been mentioned in the court's verdict that in our constitution provisions for providing reservation to Scheduled Castes and Scheduled Tribes as 15 percent and 7.5 percent respectively have been made on the basis of population. The population of Backward Classes is 52 percent as per the recommendations of the Mandal Commission but the Supreme Court has provided only 27 percent reservation for them in Government Services. Thereafter, issue of creamy layer was raised. In this regard, those members of backward classes should be considered first who are poorer in these categories. All this had been done and even after that Government and our party wanted to provide 10 percent reservation to the economically backward people whether they belonged to higher castes. Supreme Court has given its verdict but even after that it is said that BJP people talk about Uniform Civil Code. If we demand for Uniform

Civil Code for the integration of the country then it is alleged that our party does not want unity. It means that those members who are opposing Uniform Civil Code are not taking even Supreme Court's verdict in the right perspective and they are not worried about national interests. The same question can be asked to them. I. therefore, would like to express my views before this House that our party thinks of everybody's interests and welfare. Our party does not want reservation on the basis of religion only. We do not say that a person should be given reservation if he belongs to Muslim Community. All of us know that untouchability was in practice amon Hindus. When our constitution was being framed, the builders of our nation and Baba Saheb Ambedkar who is said to be maker of constitution, himself made provisions for reservation which was only for ten years, Thereafter, it was felt that the overall development of Scheduled Castes and Scheduled Tribes have not taken place. They are not getting appropriate representation in jobs or political field. As a result thereof, it was increased for next ten years and this practice has been still continuing.

Sir, after two years, our country will be celebrating golden jubilee of independence. In such a time we have a question before us as to whether the entire country, from Kashmir to Kanyakumari and Gujarat to Nagaland, Would be able to remain as a strong and prosperous country on the map of the world, with pride? It is said about our country that here a person is able to count the drops of heavy rains, particiles of sand of desert and stars in the sky but he is never able to narrate the tales of great personalities of India who have developed the culture of this country and tried to keep this country united Socially. Culturally, historically and politically upto now. It seems that a pandora box is being opened in regard to reservation. Mr. Reddaiah has introduced a Bill which is full of contradictions. He has stated that the total population of backward people is 85 percent. I would like to know from him as to whether population of backward people is really 85 percent? At least he should put up actual position. Scheduled Castes and Scheduled Tribes have been provided 15 percent and 7.5 percent reservation respectively. The Supreme Court has announced 27 percent reservation for backward people. We and the entire country also wants that our socienty should be strong, backward communities should not be exploited, there should be upliftment of downtrodden and all the people in the country should be given equal participation in the power. India should become a strong and properous country but today-

> "Sungachchhadhvam Samvadhvam, Sam Vo Manansijantam,

> Devabhagam Vathapurva, Sanjanana Upaste."

With this our approach is-

Niramaya.

Surve Bhadrani Pashyantu, Makashchiddukh Bhagbhavet."

If we would have thought about the interests of all and the people who had power in the centre would has make sincere effort for the upliftment of different classes of society, I think, it would not have been necessary to day to bring trus legislation. Those people who were in the power, exploited the Scheduled Castes considering them as their Vote Bank. Those who would have been given their share in power and Government services did not get that which should have been given to them. The middle class in our society, which calls itself backward class today was also exploited in the same way. Consequently, they developed a thought as to why they have not been given participation in the power?

Therefore, I would like to say through you that those people are responsible for this situation who have ruled this country for most of the time in 45 years, who have been policy maker and who have created such disparities in the society. We are supporter for whole and integrated humanism. We want development of all the communities in our society. We want all round development, then only we can make progress. Our society, nation is also like a body. If a thorn pierces into our foot then our mind does not think the thorn has pierced into our foot. It immediately orders our eyes to look and we take out the thorn. Then only our whole body feels relief. Similarly, the day when our leaders will feel that the country comes first and them all other things. Bharatmata and its culture comes first and when they will think that our nation should become supreme in the world then only everybody will certainly cooperate in building the nation; in providing equal status to all the people and equal participation in the power to all.

Today population of women is 50 percent in our country. I would like to know from this House whether women are getting their share according to their percentage? The percentage of women in our country is 50. Therefore, it is worth considering that where the talk of reservation, - Vote Bank etc. will lead us? Once a foreigner visited India. He travelled in the entire country and when he was about to leave this country, journalists asked him as to what he was his experiences in India. He replied that while travelling in India he met many persons and talked to them. The foreigner said that he asked only one question everyone in India as to who are they? Somebody said that he is "Gujarati, somebody said he is a Punjabi, a Harijan, someone said he is Assamese or some one said he is a Muslim. some one said he is a Hindu, Sikh or Buddhist but nobody said that he is an Indian. We need to ponder over this such a situation. All the people in the country including Mr. Reddaiah sincerely want that the country should make progress but it is very regretting that we want country's progress in parts. If we divide this country into parts, raise a wall of discrimination, and talk of reservation in the name of village-city, rich and poor, advanced-backward, higher castes-depressed and create agitation among society on these lines, then where this agitation will lead our country to? Today, if a person says after seeing his neighbour being ruined that his own house is safe, it is not good because he himself may be ruined in the same way any time. Therefore, he should help his neighbour. Today, all the political parties should come forward and discuss on this issue and they should do the things which are supreme in the national interest.

We should think over it keeping in view the verdict of Supreme Court and the objective of uniting the society. For us, politics and power are means and not ends. The development of nation is our goal. We should aim for maximum progress of the nation, protection and preservation of ancient culture, making the country self-dependent, alleviation of poverty and providing bread and butter and employment to the people. We all should think over it together. We should strive hard to bring about unity in diversity in our country and make India a rich country once again. I am of the view that collective contemplations will certainly bear fruit and prove beneficial to the country.

I would like to suggest the considering the entire society as one and keeping in view the verdict of Supreme Court we should work towards establishing a social order and creating a feeling of unity among people.

At the end, I would like to state that the Bill introduced by shri K.P. Reddaiah Yadav, is ambiguous. The figures given in the Bill are self-contradictory. All these points raised by me need serious consideration.

SHRI SANTOSH KUMAR GANGWAR (Bareilly) Madam Chairman, this Bill has been moved by an hon. Member belonging to Congress Party, In this regard, I would like to say that the Ruling Party is fully responsible for the deplorable condition of the country even after 345-47 years of independence. In fact, no problem can be solved unless the rootcause of it is identified. The question is in what manner, we wanted to run the country after independence? My hon. friend Shri Rasa Singh Rawat has spoken a lot in this regard. In fact, the society should have been given a right direction in the very beginning. However, this was not done and the result is that today several classes of the society feel neglected.

If we do not bring unity in the society, we will not be able to give the country a right direction. The attitude

of political parties towards society during the last 47 years is well known to all. They did not think of electing people belonging to Scheduled Caste, against general seats. How many persons belonging to Scheduled Caste and Backward Classes have been elected by them to Rajva Sabha and state Legislative Councils. If they do self-introspection they will lose their stand. There was a need of implementing uniform education system and evolving a common syllabus. The villages lacks basic facilities. Fifty percent of our villages have no primary schools. Will the Government be able to open primary schools in every village of the country in coming years? We should try to bring the people of this class in the national mainstream. However, it can not be done by moving an amendment alone. It should be considered collectively be all of us. If the Members of all parties rise-above caste and creed, only then the country may prosper. It is true that we have divided the country. Now when we have implemented reservation, we are concerned about filling up the backlog. We are not concerned about its proper implementation. We must have positive thinking in this regard. Only then people will feel that we want to do something for them. Elections are due after six months and if we move any Bill at this point of time and tell the voters that we are doing this in their interest, this may prove counter-productive. A message should go from this highest Forum that the country is united and we want to uplift the lower strata of the society.

Today, I was going througth a book, copies of which have been distributed among women members. It is stated therein that merely 52 per cent women are llterated. How will we be able to bring them in the mainstream? There is more illiteracy among the women and children of backward classes. How will we make them literate? We talk of reservation in the House but we will experience difficulties in future. I would like the Members of all political parties to think over it and after taking right decision, work in the right direction. We should also keep in mind that we do not crteate a rift in the society through it. If we think in this manner, the country will certainly get a right direction and the question of division will not arise. It is unfortunate that whenever politicians prepare a list of ministers of voters, it is based on castes. They never bother to know their qualities. Later, they say that they have given ticket to a person belonging to such and such caste and therefore, the people-should vote for him. However the question is as to what the Government is doing to uplift backward classes? People have adverse opinion about Bhartiya Janta Party but we never select our Members on the basis of caste. At the time of election to Rajya Sabha or Legislative Councils, we select Members in a way different from that of other parties. Other parties elect industrialists to Raiya Sabha but we elect such a person who can prove beneficial to the society. We

should also think as to what is our contribution to the society? What are we doing to uplift every class of the society? I, thank you for giving me an opportunity to speak.

SHRI KAMLA MISHRA MADHUKAR (Motihari) : Madam Chairman, I support the Bill presented by Shri Reddaiah Yadav. The Communist Movement, from the very beginning, has been struggling for casteless society. Today, the fight for social justice has reached its zenith. The Communist Movement never lagged behind in any state in the fight for social justice to all. By implementing it in Bihar, we have shown that we are also in the forefront for this cause. Shri Mohan Singh is not present here. He knows very well that in Bihar several leaders had predicted before elections, that Shri Laloo Yaday will suffer defeat and the movement launched by him will end in fiasco. Though Bhartiva Janta Party always talks of 'National Units' yet it actually undermines the unity. The need of the hour is to give top priority to social justice. Further, reservation quota in Legislative Assemblies, Lok Sabha and Rajya Sabha should be increased.

In principle, this Bill is good but it needs to be properly worked out. Barring BJP, all other parties are principally agreed to it. Their nationalism is only Hinduism and Brahmanism which is anti-muslim. It will not establish national unity and strengthen the country. Whenever India was in danger, Hindus, Muslims and Christians jointly countered it and they protected the self-respect of the nation. Indian culture is unique and pious like Ganga, Pandit Nehru had warned in the very beginning that attempts to disintergrate the country will never succeed. Here, every one enjoys equal right and the religious rights of every caste are given due respect. The Principle of secularism will succeed and be long lasting.

16.54 hrs.

[SHRI PETER G. MARBANIANG in the Chair]

Another important thing mentioned in the Bill is that rural people, be they muslims, backward people or others, are required to be uplifted. I support this point because today one caste enjoys upper hand but other castes like Yadavs, Kushvahas, Munias, Dhanuks, Koris and many other caste, are deprived of the facilities enjoyed by upper caste.

People are awakening and everyone is asking for his right. It should be worked out and then Constitution should be amended. Supreme Court has ruled that reservatioin should not exceed the limit of 50 percent. As I had said earlier, I am again saying with due regards to the Supreme Court that its decision is not the final one. The Constitution can be amended keeping in view the necessities of the society and the country. Through an amendment, the number of the seats in Lok Sabha and Legislative Assemblies can be raised in proportion to the number of the Backward Classes. What Reddaiah Sahib is saying, can not be possibe. It will have to be pondered over. Shri Chandra Jeet Yadav has rightly raised a national issue. All members and specially those political parties who support this Bill should ponder over it and a consensuous should be reached. Merely giving statement in the House will not serve any purpose. I am the Chairman of the Committee which oversees implementation of reservation in our district. In the meeting the collector says that reservation has not been completed as yet. The laws are enacted by the Government but the authorities do not implement them. That is why even today, the reservation quota for the Muslims. Harijans and the Dalits have not been filled up. Can the Government authentically say that it is being filled up? What do the data say? We will be thankfull to the Government if in the coming six months i.e. before elections, the reservation quota in jobs for the Muslims, Harijans, Christians, tribals and dalits is filled up. If the Government does so it will be a big achievement otherwise it will stand exposed. The Members sitting this side are dedicated and want that there should be all round development of the society. The backward and the poor have become a victims of Brahminism. The dalits, Scheduled Castes and other people are looked at with hatred. It is shameful on the part of those people who appeal in the name of 'Shastras' (scriptures). A few people in the society like the Brahmins Kayastha and Kshatriya have been given high status by such shastras as if they have come directly from heaven. The remaining 80-85 percent people ar dalits and the poor. These people have looked at the majority with hatred. They called the Muslims 'Jaun'. Whatever be the literal meaning of this word but it indicated a feeling of hatred. We should hate those people who in the name of 'Shastras' have devided the country and the society as well and today they want to maintain unity. On the one hand, they have devided the society, and on the there hands they say that the nation should be strong and united. The hon. Members of Bhartiya Janata Party will not be able to do anything good. People of our country have realised this fact. Major population of our country should get social, economic, educational and administrative justice. The truth is that awareness about social justice is catching up fast among the people.

[English]

Lenin said that Marxism is truthful because it is the truth. Because it is social truth it has to prevail. That will prevail, I hope.

17.00 hrs.

DR. K.V.R. CHOWDARY (Rajahmundry): Mr. Chairman, Sir, thank you very much for giving me this opportunity to speak on this Bill. I welcome the Bill

introduced by Mr. Reddian Yadav for reservation of seats to the backward classes in Parliamentary and Assembly Constituencies. The aim of our constitution, from the beginning, is to have casteless, creedless and a secular society. But after forty-eight years of Independence, we have not achieved anything. Still we are going in for more castes, more religions and so on. What has happened after forty-eight of years of Independence? The literacy rate among the Scheduled Castes is only 15 percent, whereas the general average is about 60 percent. Why? in spite of giving all the facilities to the Scheduled Tribes, they are still lagging behind. They are deprived of the benefits given by the Government.

Sir, what is happening is that the so-called rich and neo-rich people are taking advantage of their castes. But the backward classes people, the Scheduled Castes and the Scheduled Tribes are still deprived of education, employment, etc. That is why, the backward class people, the Scheduled Caste people and the Scheduled Tribe people should fight for their demands just like they fought for their own reservation. So, I welcome Mr. Reddiah Yadav's Bill.

In Andhra Pradesh, recently, the Panchayat and Nagar Palika elections were held. There, we reserved about 35 percent of the seats for the backward classes and 25 percent of the seats for the Scheduled Castes and Scheduled Tribes. We are very happy about it. The feudalists have been deprived of their command in those villages. We are very happy about it. Previoulsy, there used to be only one Sarpanch who used to rule of 30 or 35 years. Now, that has been broken because of this reservation and the lottery system followed for giving reservations. Now, the creamy layer among the backward classes, the Scheduled Castes and the Scheduled Tribes are taking advantage of it. The IAS Officer can send his ward to either Kodaikanal or Ooty or Dehradun or some such place, whereas other people who are working in the fieth are not able to compete with those officers. That is why the creamy layer should be avoided in reservations.

Now, I will come to reservations in Parliament and Assemblies. There also, neo-rich and rich people should not be given any reservation. That is why, I suggest that at least a total of 50 percent seats should be reserved either for the backward classes or Scheduled Castes or Scheduled Tribes and the remaining 50 per cent should be open for all castes, whether it is Scheduled Casts or Scheduled Tribe or foward caste or others. This is my suggestion.

With these few words. I welcome Shri Reddiah Yadav's Bill which should be adopted here.

SHRI SYED SHAHABUDDIN (Kishanganj): Mr.

Chairman, Sir, I rise to compliment Mr. Reddiah for the Bill he has presented to us and to support it in a spirit, though I will not go to the extent of saying that I stand by every word of it.

Sir, Mandalisation has taken the country by storm. It is an irreversible process of history. It cannot be turned back. As Mr. V.P. Singh has said, the Mandal satellite is in orbit. I think its radiations will continue to guide the destinies of the nation and promote the social processes that no one can stop from going further. Therefore, we are moving in a particular direction and that direction is determined by certain facts of our social situation. We are—in this great country of ours—not just a plural society, not just a composite society. We are a segmented society. We are a society in which historically many social groups coexist, most of the times peacefully and sometimes also at loggerheads with each other. But the fact remains that they are segmented. Each lives a life of its own, in a particular restricted sphere, in its own domain, There is a लक्ष्मण रेखा around each one of them. There are points of contact but if you look at the social pattern for example endogamy, for example social intercourse, for example fraternisation, you will find that excepting for a small crust at the top the rest of the society leads a highly segmented existence. The process of modernisation has brought, about a degree of homogenisation but that is not complete and that will take a long time to come about. And in fact if you look at the wide world today the process of homogenisation stands reversed today. In America where until a generation ago they spoke about the melting pot, today they have discorded the melting pot. The melting pot was a process towards homogenisation. They have adopted what has been called the mosaic theory in which every social element, every social group which is conscious of its identity, which is identifiable can have the right to preserve its identifiable existence. That is to say today we are at the threshold of what has been called the age of ethnicity. How one would describe ethnicity is a different matter but ethnicity depends on many factors. It depends on language, it depends on race, it depends on religion, it depends on geography, it depends on historical memories, it depends on culture, it depends on aescent and it depends on many factors. But the movement a social community becomes conscious of its identity, It becomes an ethnic force. As an ethinic force in the society, that generates its own momentum. And taday every ethnic entity in this wide world in the most of societies which are far homogenous homogenous than us class-wise. economically, educationally, culturally and linguistically, even is such societies such as the Western Europe, you find the new ethnic resurgence. That is a phenomenon that you cannot disregard. That is why in the whole world today you are speaking not only of 'Roti' but you are speaking of 'Samman' of 'Izzat' of power, of sharing, of participation. Therefore, in this great country of ours, if we wish our country to go forward, we will have to create a situation-whether we like it or not, whatever sacrifice it many entail of the part of some of the privileged classes in which every social group will feel a sense of participation, a sense of belonging, a sense of self-respect, a sense of sharing power and a sense of having a finger in the levers of power. It can make and unmake things.

[Translation]

We also have a say. He also listens us.

[English]

Today in our Samaj there are many social groups whom we have all enfranchised theoretically under the Constitution but we know how independently they exercise their franchise. They are becoming conscious of their power today. They cannot be suppressed any more; they cannot be led away any more and therefore their aspirations will have to be recognised, their rights will have to be preserved and that is why I said that Mandalisation has set the country on a track which is absolutely irreversible, whether we like it or not. Now Sir, we speak about reservation in public employment. Yes, that was one stage. I would say, it was a very preliminary stage. Reservation has many facets. Reservation is not equal to empowerment. Reservation is not equal to participation because the State, as you know, stands on a very wide foundation. It has a Legislature. It has an Executive. It has a Judiciary. It has its educational paraphernalia. It has its social and economic system. And there we have to seek equality and justice in everyone of these spheres. If we omit any particular sphere, then the goal of social justice is not reached it still remains to be achieved, and, therefore, we cannot be content with what we have done. We cannot rest on our oars. The society has to move forward willy-nilly and those of us who are thinking of it must see to it that it moves in the right direction, it moves with the least of friction, it moves with the maximum of co-operation, maximum of understanding, maximum of fraternisation and maximum of goodwill. But it has to move forward and nobody can stop that forward march.

I will have to make one more proposition. Threre is an interplay between society and law. Both are marching against each other. Sometimes the society is ahead and the law has to catch up with it—and Mr. Salve will appreciate it and sometimes, the law is ahead and the society has to come up to the level and approximate to the standards set by law. And that is the task of leadership. That is the task of a wide-awake society that our legal system which is the underpinning of the State, which is the

foundation on which the State stands must always be progressive in outlook. It must not be static. It cannot afford to be static. It has to be dynamic. It has to see which way the society is moving and it has to take the society forward in that particular direction. Therefore, in this race between society and law, I have a feeling that Mr. Reddaiah's Bill points out the way in which now the Constitution and the law must move forward. Having achieved the first victory, now the time has come for us to go forward and to bring about the process of Mandalisation and to introduce it in every walk of life.

I would like to give you one example. I have studied the pattern of the Legislature in Bihar from 1952 until 1995 and what did I find? Bihar, as you know, is a highly caste conscious society and we cannot wish it away. It is there. They are the higher castes. They are called Brahmins. Bhoomihars, Rajputs and they together, along with the Kayasthas form about 15 percent of the population. All right. In 1952, if we look at the composition of the Assembly, 65 percent of the Members belonged to these four goals but over a period of time, there is a natural process of evolution, Today, the numbers have come down. Today, I think, they are of the order of about 18 or 20 per cent. They are coming to the right level of proportion of representation.

We have given the share to the Scheduled Castes and the Scheduled Tribes-15 percent plus 7.5 percent. The Muslims constitute about 14 percent of the population of Bihar, maybe 15 per cent now-under the latest census it is 15 percent-and I find that their proportion in the Assembly has varied between 1952 and 1995 from about 5 percent to a maximum of 8.5 percent. Yes, they have accepted it. There was no consciousness. But today, the consciousness is emerging as to why. They should remain perpetually under represented, why my vote must count less than the vote of anybody else, why I must suffer partial but permanent and perennial disenfranchisement. This question is coming up.

I come to my friends, the backward classes who have made tremendous progress. But again there is a catch. The backward classes in Bihar, what I would call in the parlance of Manu Smriti, the Shudras, who were once looked down upon, who had no hand on the levers of power, who did not share authority constitute at least 52 percent, if not 60 percent of the population of Bihar and their proportion in 1952 was of the order of 15 per cent.

Today it has come up to about 50 per cent or a little more, may be 60 percent. But none of these group whether you speak of the Scheduled Castes or you speak of the Scheduled Tribes or you speak of the backward classes, they are artificial constitutional terms. As Shri Salve will appreciate the term 'Scheduled Castes and Scheduled Tribes' came into operation only under the Act of 1937. They are not natural entities, they are constitutional terms. They are a combination of social discrete groups. Each one of them is identifiable-some big, some small, some are a little higher, some are a little lower. And then, when you look deeper and make a deeper analysis, then what do you find?

I salute the memory of that great man Shri Karpoori Thakur who saw this coming-no other leader of India saw it coming-that among the backward classes there are variations and disparities and those variations also must be attended to. It is not enough to fight Brahminwad. It is not enough to bring down the eminence or predominance of the higher costs who have been ruling the roost for thousands of years. But you have to give justice to each one of these groups. So, he created what is called Annexure-I and Annexure-II.

What is the position now? I analysed that also and I found that within the backward class while what I 'higher backwards' · would call these over-represented, the lower backwards are not just under represented: they are not represented at all! Thirty per cent of the population of Bihar is what I would call 'lower backward'. Their percentage in the Legilature from 1952 untill 1995 has not exceeded three per cent! They are under-represented to the extent of 90 per cent. Is this justice? Or, is this injustice?

THE MINISTER OF POWER (SHRI N.K.P. SALVE): The hon. Member is making an excellent speech, It is not my intention to interrupt him. But since he is analysing the situation so magnificently there is a doubt in my mind. I will be grateful if he reflects upon that. Assuming for a moment, that this sort of a political consciousness has brought about social emancipation in the backward classes, that it is not the 'be-all-and end all', what about the real crux of life and the elimination of poverty? What about the growth, the economic growth of these very people?

SHRI SYED SHAHABUDDIN: I fully appreciate the point about economic emancipation. But the fact remains that in our society the distribution is always controlled by those who have the power in their hands. That will come. That is the end result. We want a society in which every human being shall live a life of dignity in which all the goods and resources and the services of the State shall be equitably available to all human beings...(Interruptions).

I cannot go on answering questions. You can ask your question later. Thereofe, I admit your point; and that is there. That is there in the mind of everyone. If I am only three percent in the legislature, while I am 30 percent in the population, what is happening to me? I am being deprived economically, I am being degraded socially, I am

being deprived educationally, my Tola will not have any school, my Tola will not be given electricity, I will not have access to irrigation and water, I will always remain the hewer of wood and drawer of water.

But when I have power, when I have 30 per cent power in the Panchayat, when I have 30 per cent power in the Assembly, then nobody can deprive me. Then I will get my share. I will get my share in everything, in goods, services and resources of the society and that is where social justice comes.

MR. CHAIRMAN : Shri Shahabuddin, the time allotted for the Bill is over. I think we have to extend it by one more hour.

SHRI SYED SHAHABUDDIN : This is a very important Bill.

 $\ensuremath{\mathsf{MR}}.$ CHAIRMAN : Do we extend the time by two hours?

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: All right. We extend the time by two hours.

SHRI SYED SHAHABUDDIN: I can give you one example. There are many examples. I purposely do not wish to comment upon the state of my community. But permit me to say one thing. I have analysed the representation of the Muslim community in every single Lok Sabha since 1952 and practically in every Assembly of the ten major States of the highest Muslim concentration. Ten States in India contain roughly 80-85 per cent of the Muslim population of the country and invariably, without a single exception, I have never seen Muslims being over-represented. They are always under-represented.

Today in Bihar we are 15 percent, but there are only 23 Muslim, MLAs who constitute only 7 percent, lesss than half of what we ought to be. Sir, please look at Maharashtra from which you come. Shri Salve comes from the most progressive State of India, the State which attracts the maximum foreign capital, which is industrially most advanced, which sets standards for the rest of the courtry. He may himself recall the number of Muslim MLAs in the Assembly and I will not name the Leader, a top Leader of the Congress Party, I asked once: 'Why is it that in your State there ar so few Muslim MLAs? And Shri Kesni goes on complaining: 'look, in my party there are not enough Muslims to talk about or to bring Muslims problems to our notice'. And that top leader I will not name him here-said : 'the Mrathas will not vote for Muslim candidates', I repeat what he said: 'the Marathas will not vote for Muslims candidates.' I repeat what he said: 'the Maraths will not vote for Muslim candidates.' So. Maulana

Azad, the topmost freedom fighter of India, had to seek a Muslim constituency in Rampur or in Mewat and Shahabuddin has to go and fight from Kishanganj, So, this is happening. This is the state of our society. We cannot ignore these facts of life.

So, if social justice is to have any meaning, then we take into account the social consciousness. Social consciousness brings out a sense of social security and equitable sharing of a State authority brings about narmony generates a sense of unity, adds to our integrity, makes us feel like one. But if I am sulking in my comer that the State is unfair to me, that the society is unjust to me, that whatever I do I will not get my share, that somebody will not vote for me, that the Party to which I devote my life will not give me ticket, then what will happen? This is happening and I will come to that point a little later.

Then this will create a certain mood, a certain anguish, a certain agony. It can lead to eruptions in the society and I want the country to avoid that eruption. I am sure that is what Shri Reddaish wants. He wants to avoid that eruption in the society. When there is a discrepancy between the distribution of power and the numbers in a composite society, in a fragmented society, you are bound to have an eruption some time or the other. You may try to do leepapoti for some time, you may try to cover it up by paper for some time, you may try to talk about the mantra of national unity for some time, you may talk aboaut the enemy standing at the door and the fifth column within for some time and keep up the sense of unity. But when the chips are down, then everybody will say; 'where is my roti, where is my izzat, where is my samman' and that is how a society really develops.

Therefore, let us be true to the Preamble of our Contitution. I do not quote the Preamble. The Preamble speaks about justice, equality and fratemity and that element of 'fratemity' has been missing so far. Nobody has talked about it.

On the question of Justice, we have been talking sometimes about social and economic justice. But we have failed to talk about political justice. Political justice does not mean just one-man- one-vote. That would be true if the society was absolutely homogenous. It does mean a proper representation of every social group that composes our society whether the group defines itself by caste or by race or by religion or by tribe or by region or whetever it is. To my mind, the Nepalis living in the North-East, Mr. Chairman, also deserve a share. The Bhutias living in some other parts of our country also deserve to have their share. They are distinct units. They have a sense of being identifiable, a sense of being I do not want to use the word 'community' sense

of being a group, and you cannot deny them group consciousness. Therefore, you would say this may lead to atomisation of India, this may lead to fragmentation of the polity, this may weaken us. I say, no. I reject these arguments. A sense of contentment, a sense of equality, a sense of brotherhood, a sense of justice, a sense of fraternisation can only strengthen the fabric of our society and everybody is satisfied that if I make the right effort, I shall get my due, that I will not be denied because my name is X, Y or Z, or because my name indicated that I belong to a particular caste or group. Then his whole heart, his whole spirit, his whole mind, his whole being, will be involved in nothing else but the welfare of the people of India, in the unity of the people of India because he knows one thing that if the country goes down we all go down, there is nothing to distribute, there is nothing to share, there is no power to share. Unless we are one in achieving that power and keeping that power, there will be nothing to be shared. Unless we are one in producing the electricity that we need, where is the power to be distributed-although it may not be done with the help of ENRON?

Now, how does our party system function? After all, our political system is based on the parties. I would challenge each one of you, whichever party you belong to. I have done it for my own party, and I have belonged to various parties in my fifteen years of political life. Just check the list of the candidated and you will find that in every party some group will be over-represented at the cost of all the others. I one party it will be the Brahmins, in some parties it will be the Jats, in some parties it will be the Rajputs, in some party it will be X or Y or Z. and those particular groups think that the party belongs to them. That is how politics runs in our country. After all, what is politics? Politics is the competition for the scarce resources and the political parties, are nothing more than instruments to achieve the purpose of a particular social group. I am sorry, here is my Communist friend. One of my realy criticism of the Communist Party-I hope, he will not mind-in Bihar is that for a long long time, the Communist Movement in Bihar was dominated by one exploiting class-the Bhoomihars. Nobody can stop it the others. The Bhoomihars could not stop it. Congress Party was dominated by Brahmins. Can they stop the non-Brahmins? Chandra Shekhar Ji's party was considered to be the party of the Rajputs. Can the Rajputs keep it on? Can the Janata Dal consider itself to be a party of the Rajputs? Can Lalloo Prasad Yadav close the doors of the party of the non-Yadavs? He cannot. It is coming. All I am saying is, do not stand in the way. Do not resist this process. This is a natural evolution. It is coming. Do not despise it. Do not throw dust at it. Do not try to give it a bad name and then try to hang it. Sees to it that every party which calls itself a national party and deserves to be called a national party,

distributesits tickets in a manner that it represents all sections of the society in an equitable, fair and just manner. I went to V.P. Singh one day and I said, start from the bottom. There are groups in Uttar Pradesh. There are social groups, defined social groups, which compose 0.25 per cent of the population. In a House of 425, they are entitled to one seat. They aspire to that one seat because now their children are getting educated. They are getting degrees, they are bacoming lawyers, they are becoming engineers and they are becoming civil servants, and they say, why should I not get one seat? I asked one group. They deserved two seats.

[Translation]

I asked, if there is anyone who could be given tickets? [English]

There is so and so lawyer in Khurja and there is so and so man sitting in Kanpur. Why can your party not give them the ticket? But no. You do not start at the bottom. You do not start the communities or the groups who, according to their population, would demand a very small share of ones, twos and therees; you start from the top, because the top rules. So, you start with the Brahmins, the Rajputs, the Bhumihars and other. And by the time you come to the lower end, nothing is left to distribute or little is left to distribute. And this is the mistake that most political parties are making. Parties must reconstitute themselves, must re-think their role in this composite polity of ours as the harbingers of social justice and not as the instruments of dominance of a particular class or a particular caste or a particular community or a particular social group. And then only India will go forward. Then only the Parties will play a national role.

So, the first thing is to check whom do you give the ticket. The second thing is to check who are they; do they have any place in their community or are they more window dressings, paper flowers for decoration in your drawing room.

[Translation]

We have also given ticket to the Muslim. Merely saying that we have given tickets to as many people will not reserve the purpose.

[English]

You look at Singapore. Or you look at Malaysia. They have been able to build a society which works, which functions by absolute justice among the three major communities of Malays, Chinese and Indians. They do not pick up the Indians or the Chinese by the pick of their hand-'we liked Mr. X and, therefore, he will represent the Chinese or he well represent the Indians.' No, he is the Indian representative in his own right; he is the Chinese

representative in his own right. Then only he will be able to satisfy his group who feel that: 'yes, we are represented in the power structure, that we are not just the hand maidens or somebody else and we are not simply being used and exploited'.

And the third thing is: in our system it is the first past the post. We do not have a proportional system. So you have to put them up from a place where they have a reasonable chance of winning. They will have some votes of their community and they should also have the votes of the Party. The votes of the Party and the group put together will put them past the pole if they are really sit to get votes and the party can transfer votes.

But none of these three factors are honestly followed by a single political party in our political system. Either you do not give them the proper number of condidates or you put them up from the wrong place where they are bound to lose or you put up the wrong people who do not represent their groups and do not represent the aspirations the wishes, the desires and the hopes of the community which they are supposed to represent.

This will not do. This will create disturbances in society. Therefore, a time will come when there will be a demand for proportional representation, universal reservation according to the population for every group-whether it is a question of public employment or whether it is a question of private employment of whether it is a question of legislative representation. You must divide the cake-divide the cake honestly. transparenly, publicly and in the open view of everybody. Then only everybody knows that justice is being done. And nobody should be given less than his share and nobody should be given more than his share either because if you give somebody more than his share that means he is definitely taking away something from somebody. As Proudhan said what is property but theft? If you accumulate property, what will happen? That is what Gandhiji said-God has created enough to meet every human beings needs and if somebody takes more than what he needs, then obviously he is taking from somebody else's share. This a social truth and this is not just a moral dictum.

I would agree with my friends here who have argued for education. I have always maintained on the floor of this House that if there is one crime which the successive Governments of India committed against the people of India, it was not to emplement the Directive Principle of providing universal elementary education upto the age of 14 years for every child of the country. Had we done that, then within the ten years that we had given to ourselves the position would have been different. We did not do so and today we use that as an alibi, as an excuse for

denying their share. I that fair? That is not fair. Therefore, one thing will not wait for the other.

By all means, let all those who ae planning our economy make more resources available for the purpose of education. Let an absolutely uniformly good quality education be available to all our children. In five years' time, in ten years' time we shall change the entire face of India. We shall not have to look for candidates either for the Assemblies or Parliament or for public jobs.

But you would not do that. That was the trick. And i would say one thing more. I hope I am not misunderstood if I say what is all that talk I hear suddenly about women's representation. There is much wider variation, much wider disparity in the level of education and political consciousness among the women of those classes who are at the bottom and those women who are at the top.

So, when reservation is coming in by one door the higher caster, who are well entrenched, are about to lose what they have. So, what they are trying to do is this. There is a famous saying in English which goes: "What you lose on the swing you gain on the round-about." What you lose as a community you will bring in, in the name of women. I am not against women. I wish a time would come when women would be as qualified as men and perhaps, would come in their own right, because women ar not a class, women are not a community.

Sir, I have hardly ever seen a woman even in the most progressive, the most advanced and the most educated families of this metropolitan city of Delhi walking beside her husband into the Ashok Hotel. She is walking well a step behind. Have you noticed it Mr. Salve? It may not be your wife, but that is the general pattern which I am taking about. Therefoer, merely speaking women, women' will not do. But, do justice to all social groups, promote education universally for everybody including women and that must have been absolutely the first priority on the resources of the nation.

Now, Mr. Chairman, I come to my final point.

MR. CHAIRMAN: Please make it final.

SHRI SYED SHAHABUDDIN: Yes, this is my final point, I will take only half-a-minute more.

When I speak about group reservation, well you would say: "when there are such minuscule groups, micro groups in our society, how do you distribute their share?" Yes, that is an administrativve question. That is why I went to the extent of 0.25 percent in the case of Uttar Pradesh, because 0.25 percent means that if you are employing hundred constables, you shall give at least one constable's

post to that lowest level community. So I would say, you set a limit of one percent of the population and decide that any identifiable social group which has at least one percent population shall have at least one percent share subject to the same qualifications-I do no want any standards to be brought down-but below that, if it is a very small micro group, there are two options.

They can either join with a cognate group with which they feel a greater sense of association-sometimes the smaller groups have a certain brotherly feeling with some bigger group-so either they will do that or these micro groups will coalesce together to form a large enough group which can then get a share in the distribution and reservation. There should be no limits on the maximum. The so-called 50 percent rule is nonsense, because the number of people who are backward by definition, by prescribed parameters, by our nationally defined standards vary from State to State and in the country as a whole, as compared to a State. What I am talking about is that the quota must be determined, firstly with reference to population and secondly with reference to the level of backwardness.

Sir, taking the index of backwardness of our Scheduled Castes and the Scheduled Tribes is 100; some other community's index may be 90, some other community's index may be 60 ro 20. So, it will not get full weightage for its population. It will get the weightage according to its index of backwardness. Then, two things must be done. The first one was suggested by Mr. Reddiah Yadav that a decennial census should be taken of each social group and weightage should be given based on population. Secondly, every 10 years an inquiry should be conducted into the level of backwardness of each group, so that if the level of backwardness goes down by virtue of the dispensation that we have introduced, then the quota will go down.

I hope—and Mr. Salve's heart will be pleased with this statement, I am sure, -that in the fullness of time a day will down when the index of backwardness of all communities will be zero and there shall be no reservation. Then, we shall really have a homogenous society. It is that day I look forward to. It is that dispensation that I dream of. But in the mean time, let us be fair, just end equitable to all our social groups.

[Translation]

SHRI DEVENDRA PRASAD SINGH (Jhanjharpur) : Mr. Chairman, Sir, I support the Bill, brought in the House by Shri K.P. Reddaiah Yadav but I oppose the way it has been presented.

I would like ot say something on the objectives of this Bill. Its historical background is very tragic. Keeping in view the changes in social fabric during 47-48 years of independence and prior to independence, the need of bringing this Bill has arisen and hon. Member has brought it as private Member Bill in the House.

Sir, social disparity has been prevalent in the country for 5000 years and the society has been dominated by a handful people. They dominated in the field of education, literature, culture, politics and the wealth of the country. I think that this Bill should have been brought after intensive consideration. I would like to touch upon the results of this Bill later on but I would like to tell you about the intention and approach behind bringing this Bill. It has a historical background. A handful people had the control over the society. They had dominated the field of education, culture, literature wealth and the politics of the country. I can firmly say that unless 80-85 per cent people of this country remain in the category of 'Shrdra', this country will remain Shudra, socially and educationally in the international panchayat and it will not be able to make progress. That is why, I wanted to give this background.

The word 'Satyamev Jayate' - i.e. 'The Truth alone truimphs' have been inscribed at many spots, on Ashokan pillars as well in our country. It is said and inscribed on every stone of this Parliament House that 'the Truth alone trimphs.' I would like to say that had it been a fact, then 90 percent of our people would not have been living the life of animals even after 47-48 years of independence. The backward, the oppressed who get no respect in society have been marooned to lead a miserable life. We. therefore, shall have to stand by truth. Reddaiah Sahib would have resorted to some appeasement policy other wise the Bill is very good-he will excuse me-he has also referred the name of Shri Narasimha Roa Ji. This is not the question of a particular party but of national significance. Democracy cannot be strengthened unless the four pillars of our nation the Judiciary, the Executive, the Legislature and the Press are strengthened. Similarly, our social infrastructure has been turned into one as was envisaged by 'Manu' with its evil beliefs of rebirth and casteism.

The caste system, the concept of rebirth, fatalism and miracles prevail here. Many people in rural areas even today believe in rebirth, fatalism, miracles, casteism and 'Varna' system etc. How can we have a progressive society unless these evils are eliminated? There has been no change after independence in the thousand year old social structure. There is a permanent gulf between upper and lower classes.

While speaking on this Bill today, let me spell out in clear terms as to who are considered and identified as upper classes in our society. The identification of upper classes is that they "speak more and do little work" whereas the poor people "put in hard work and get disrespect". That is the definition and that is the fact.

One who puts in no labour, does not plough the fields, does not make shoes of the skin of dead cattle, does not touch wood or metal, is not connected with the soil and does not produce foodgrains belongs to the upper class. On the other hand, the poor who works round the clock. plough fields and toils in the sweat of his brow to earn and to live is categorised as one from the lower class. Those who "speak English and do no work are the people of upper class and those who work hard throughout the day and live a contemptuous life belong to the lower class. The Government should, therefore, take a firm resolution in order to take this country to the path of progress, and to constitute an egalilarion and equitable society. But the Government lacks in will power, decision taking and determination, how can it bring about a social change. That is why I referred to Raddaiah Ji's statement. Judging from the post-independence scenario, what is the position of reservation today? After 47 years of independence, the SCs and STs are entitles to 22.5 per cent reservation under the constitution and only 8 percent reserved posts have been filled. What about the leaders of the Congress Party who are seen chanting the name of Gandhi doing? What had been their responsibility so far? Wasn't it their social obligation to fill the quota of SCs and STs. Their reservation is running in backlog now-a-days. The Mandal Commission has made recommendations for the OBC. As a whole only 4 percent reserved posts have been filled-in higher echelom of bureaucracy i.e. class one officers. Despite comprising 13 percent of population, the minorities, the Muslims have only 1.5 per cent share in higher grade ports.

On 7th August, 1990 we were sitting on the other side in this very Lok Sabha. The then National Front Government had brought forward a proposal at that time under the leadership of Shri V.P. Singh. It was that historic day 7th August, 1990 when the report of the Mandal Commission, that lay in cold storage for 10 odd years, was implemnted and 52 percent reservation provided for socially and educationally people under it as per the Constitution. But this sent shockwaves among the BJP people and they resortd to 'Rath Yatra'. There might be other reasons of Rath Yatra but many people could not bear the announcement made by Shri V.P. Singh on 7th August. Some people started saying that this country will disintegrate adn burn into ashes. At that time I had said that this move will not break the country though it may break some herats and the people having weak hearts should strengthen their hearts in the interest of opening the new vistas of social equality and justice. They should broaden their hearts to accommodate the backward people and give them their due share in power, in bureaucracy and to give them respect and dignity. Today, there is much talk of social and economic progress, there is the advent of multinational companies and we have forgotten the

slogans of self-sufficiency and self-reliance given by Mahatma Gandhi. The country is being mortgaged to the foreign companies and I say that we should also embrace 85 percent 'Shudras' of our society. The Government is very eager to invite foreign investments. They are talking of flying high at a height of 3500 feet but nobody is ready to remove the economic disparity of the backward classes living on five feet land ground. If this void of economic disparity continues to broaden, this dissatisfied class will be left with no option other than taking recourse to weilding A.K. 47s. I am linking this issue with the New Economic policy because there is the advent of America Commission to counter Mandal Commission. There will be no jobs for the poor once the foreign companies step in. There will be total mechanisation. We are faced with the problem of unemployment and there is need to create job opportunities in our country. The foreign companies need business and we need employment. Under the new agreement entered with our country there will be no employment opportunities left. Then, who can avail of 27 percent reservaion. Thereofere, we should remain cautious about the rising economic disparity as a result of which there will be no peace in the country but an atmosphere of violence and terror will loom large and our Government that wields power will be responsible for all that.

There can be an atmosphere of violence if the gulf of economic disparity is not bridged. The hon. Minister is more concerned about their economic progress. But it is not a question of economic progress alone. It is the question of turning the thousand year old contempt into respect and dignity. We will ourselves improve our economic condition once we are given respect. Today, those who work in the fields and are down to earth hard working are oppressed in our society. Casteism has rendered our society shallow. Caste system gave birth to 'Verna' system. Therefore, it is the root of all social maladies and needs to be eradicated. We can come to know how the OBC candidates who qualified the written examinaion of UPSC were dropped at the interview level on the basis of caste if only an Enquiry Commission is set up. Hence, arose the need of reservation today. It is not a fact that the OBC candidate lacked in talent. A review of the matter will reveal that they secured very good marks, in the written examination but were eliminated at the oral test on the basis of their casts. The caste factor should be done away with. Reservation was provided for them because on the critesion of caste. Today, we get elected on our own. May be, Raddaiah Ji is pained because it is not so in South. They should awaken the people there. We were elected to Lok Sabha from Bihar and Uttar Pradesh on our own. When we are in majority then we can grab our share in power also. We do not beg for it. One aspect of this Bill is related to begging to which we do not agree. We want to get our share through struggle and by awakening and educating the society. A healthy society

cannot be formed without struggle. Therefore, we should get our share and our rights through struggls so that this heritage can be passed on to the posterity. It will take long time if I dwell upon the historical bunglings but I would like ot mention on thing. Dr. Lohia was probably elected to Lok Sabha in 1962.

[English]

MR. CHAIRMAN: Shri Devendra Prasad Yadav, time is up now. You may continue next time.

[Translation]

SHRI DEVENDRA PRASAD YADAV: I will take one minute more and conclude.

MR. CHAIRMAN: You are on your feet. You will ge time to speak again. You have not concluded.

SHRI DEVENDRA PRASAD YADAV: All right, Sir.

MR. CHAIRMAN: The House stands adjourned to meet again on Monday, the 7th August, 1995 at 11 a.m.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, August 7, 1995/Sravana 16, 1917 (Saka).